

ORDINANCE NO. 04-2023

ORDINANCE NO. 04-2023 AMENDS THE WEST POINT TOWN CODE WITH RESPECT TO FOWL: CERTAIN FOWL ARE PERMITTED ON PROPERTY WHERE A SINGLE-FAMILY DETACHED RESIDENCE IS LOCATED; FOR A LOT LESS THAN 20,000 SQUARE FEET, UP TO SIX (6) FOWL MAY BE KEPT, FOR A LOT THAT IS 20,001 SQUARE FEET TO ONE (1) ACRE, UP TO TWELVE (12) FOWL MAY BE KEPT, AND FOR A LOT THAT IS LARGER THAN ONE ACRE, UP TO THIRTY (30) FOWL MAY BE KEPT. ORDINANCE NO. 04-2023 PROHIBITS THE KEEPING OF ROOSTERS, GUINEA HENS, CAPONS, PEACOCKS, PEAHENS, OSTRICHES, OR EMUS IN THE TOWN. PROHIBITED FOWL THAT ARE OWNED AND KEPT ON SINGLE-FAMILY RESIDENTIAL PROPERTY PRIOR TO THE ADOPTION OF THIS ORDINANCE MAY BE GRANDFATHERED FOR THE LIFE OF THE FOWL, PROVIDED THAT THEY ARE REGISTERED AS REQUIRED. ORDINANCE NO. 04-2-23 ALSO IMPOSES REQUIREMENTS REGARDING THE KEEPING OF FOWL. VIOLATIONS OF THIS ORDINANCE ARE A CLASS 4 MISDEMEANOR.

BE IT ORDAINED by the West Point Town Council that the West Point Town Code, Chapter 10, "Animals & Fowl," Section 10-4, "Animals causing unsanitary conditions or odor" to read as follows:

"Sec. 10-4. Animals or fowl causing unsanitary conditions or odor.

It shall be unlawful for any person who owns, keeps or controls any animal or fowl to keep that animal in such a manner as to cause unsanitary conditions, or in such a manner as to cause offensive odors beyond the boundary of that person's property. Violations of this section shall constitute a Class 4 misdemeanor."

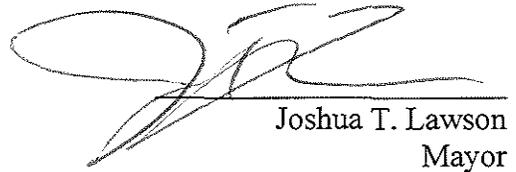
BE IT FINALLY ORDAINED by the West Point Town Council that the West Point Town Code, Chapter 10, "Animals & Fowl," Section 10-8, "Fowl running at large" to read as follows:

"Sec. 10-8. Fowl.

1. Running at large.
It shall be unlawful for any owner or person in charge of chickens, ducks, geese or any other type of fowl to permit such fowl to run at large within the town.
2. Prohibited fowl.
Roosters, guinea hens, capons, peacocks, peahens, ostriches, or emus are not permitted in the Town of West Point.
3. Chickens, ducks, geese and other fowl permitted.
 - a. Fowl are only permitted to be kept on property where a single family detached residence is located. Fowl may not be kept on property where apartments, condos, duplexes or townhouses are located.
 - b. On a lot that is less than 20,000 square feet, up to six (6) fowl may be kept.
 - c. On a lot that is 20,001 square feet to one (1) acre, up to twelve (12) fowl may be kept.
 - d. On a lot that is larger than one acre, up to thirty (30) fowl may be kept.
4. Maintenance requirements.

- a. Property owners shall maintain their property in a clean and sanitary condition to prevent offensive odors and the attraction of pests.
 - b. Waste shall be properly disposed of to prevent contamination of soil, air or water.
 - c. All fowl must be kept in good health, and owners are responsible for promptly treating and preventing the spread of disease.
5. Grandfathering
- a. Fowl that are owned and kept on property where a single-family detached residence is located prior to the adoption of this ordinance may be grandfathered for the life of the fowl. In order to grandfather the ownership of fowl, a permit must be obtained by registering the fowl with the Town of West Point by May 31, 2024. Grandfathered fowl may not be replaced. Grandfathered fowl shall comply with all of the provisions of this section; if all of the provisions of this section are not consistently complied with, then, in the discretion of the Town, the grandfathering permit may be revoked.
 - b. In the event that grandfathered fowl shall trespass onto the property of another, or if the grandfathered fowl emit odors or attract pests, or if the grandfathered fowl should make noise so as to disturb neighboring property owners, then, in the discretion of the Town, the grandfathering permit may be revoked.
6. Penalty for violations.
Violations of this section shall constitute a Class 4 misdemeanor.”

This Ordinance shall take effect upon adoption.



Joshua T. Lawson
Mayor

ATTEST:



Karen M. Barrow
Town Clerk