



## DISCUSS LIVESTOCK ORDINANCE

**Requested Action:** Provide feedback and staff will craft a formal ordinance revision and bring it back for final approval.

## SUMMARY

At the July meeting of the Board of Planning and Adjustment, Mr. Thom Bates requested that staff investigate revisions to our Code of Ordinances around farm animals or livestock stemming specifically from a complaint around the keeping of chickens.

Boiling Springs' current ordinances address dogs ([Chapter 92](#)) and defer to the Cleveland County [ordinance](#). Our ordinances do address "loud birds" in [Chapter 91](#), but that's the extent of it. The County would be able to enforce an ordinance around poor standards of living for the animals and nuisance animals but does not have provisions for limiting the number of animals.

After reviewing ordinances from other towns and hearing feedback from the Planning Board, the staff's recommendation leans toward a broader approach that would require '*animals be contained and not a nuisance to the community.*' A more specific ordinance could cause issues with multiple scenarios, for example:

- An ordinance that ties property size to the number of animals could cause a conflict if a neighbor has a smaller lot and is required to have different regulations (i.e. 0.9 acres versus 1.1 acres)
- If we make it specific to one animal, we may end up with a similar problem with a similar animal
- Does the number of animals lead to an arbitrary limit? (i.e. are 5 St. Bernard dogs different from 5 Chihuahua dogs)

Below are several bullet-points that staff has considered important and applicable to our town when reviewing other ordinances. A summary of the research we've conducted so far is included as well. Additionally, you'll find the full text of each city we've reviewed for your reference.

- Rules on limiting the number of animals should most likely apply to lot sizes and could potentially apply to certain zoning districts. We have existing properties in town that have several animals but also have 10+ acres.
- Staff recommends the language be more general in nature so that it can cover a broad scope of animals, but apply more specific standards when applicable (i.e. parcel size, "livestock", health and safety, animal welfare, adequate habitable space, etc.)
- Buffering requirements could be implemented to keep the containment areas for animals further away from adjacent homes/buildings



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- General limit on the number of livestock within the city limits
  - o Could reference non-traditional pets or non-pet animals
- Should prohibit no commercial purposes within city limits
- Could be a more general “conditions that constitute a public nuisance” prohibition

**Planning Board comments:**

- Acreage limits the number of animals
- Enclosure/containment should be included in the ordinance
- Commercial operations should not be allowed on residential properties
- Noise
- Nuisance/smell
- Buffering requirements so that spaces for animals are kept further away from property/buildings
- Retroactivity should be considered as a stipulation of the ordinance
- A limit on the number of animals should be considered
- Enforcement regulations should be clearly outlined for offenses

**MATERIALS PROVIDED**

- **Summary of ordinances**
- **Full text of ordinances**