

ORDINANCE NO. 2 OF 2007

"KEEPING OF LIVESTOCK AND FOWL"

SECTION I. Purpose. It shall be unlawful within the corporate limits of the Town of Port Barre for any person to keep or maintain or to permit to be kept or maintained, cattle, horses, mules, sheep, goats, pigs or other livestock or to keep and maintain or to permit to be kept and maintained, chickens, ducks, geese, turkeys or other types of fowl or to have or maintain in a stable, barnyard, house or other type of enclosure for the keeping of any of the animals referred to hereinabove.

SECTION II. Notice to Remove: Whenever it comes to the attention of the Town that any nuisance as defined in this ordinance exists, a notice in writing shall be served upon the occupant of the land where the nuisance exists, or in case there is no such occupant, then upon the owner of the property or his agent, notifying them of the existence of the nuisance and requesting its removal within thirty (30) days.

SECTION III. Responsibility for Removal: Upon proper notice, the owner of the livestock and/or fowl and the owner or occupant of the private property on which the same is located, either or all of them, shall be responsible for its removal. In the event of removal and disposition by the Town, the owner, or occupant of the private property where same is located, shall be liable for the expenses incurred, if there are any.

SECTION IV. Notice Procedure: The Board of Aldermen or its designated agent shall give notice of removal to the owner or occupant of the private property where the livestock and/or fowl is located, at least thirty (30) days before the time of compliance. It shall constitute sufficient notice when a copy of the notice is sent by registered mail to the owner or occupant of the private property at his last known address.

SECTION V. Removal of Livestock and/or Fowl from Property by Town: If the violation described in the notice has not been remedied within the thirty (30) day period of compliance, the Town shall have the right to take possession of the livestock and/or fowl and remove it from the premises. It shall be unlawful for any person to interfere with, hinder, or refuse to allow such person or persons to enter upon private property for the purpose of removing livestock and/or fowl under the provisions of the Ordinance. Before such final action shall be taken the Board of Aldermen shall cause to be printed in a newspaper having a substantial circulation in the Town a public notice indicating the intent of the Town to cause the removal of said livestock and/or fowl from private property.

SECTION VI. Notice of Removal by Town: Within forty-eight (48) hours of the removal of such livestock and/or fowl, the Board of Aldermen or its designated agent shall give notice to the owner of the livestock and/or fowl, if known, and also to the owner or occupant of the private property from which the livestock and/or fowl was removed, that the said livestock and/or fowl has been impounded and stored for violation of this article. The notice shall give the location of where the livestock and/or fowl is stored and the costs incurred by the Town for removal.

SECTION VII. Redemption of Impounded Livestock and/or Fowl: The owner of any livestock and/or fowl seized under the provisions of this Ordinance may redeem such livestock and/or fowl at any time after its removal but prior to the sale or destruction thereof upon payment to the town of such sum as the Board of Aldermen may determine and fix for the actual and reasonable expenses for removal and storage, plus any advertising expenses.

SECTION VIII. Liability of Owner or Occupant of Property from which Livestock and/or Fowl Removed: Upon the failure of the owner or occupant of property from which livestock and/or fowl has been removed by the Town to pay the unrecovered expenses incurred by the Town in such removal, a lien shall be placed upon the property for the amount of such expenses.

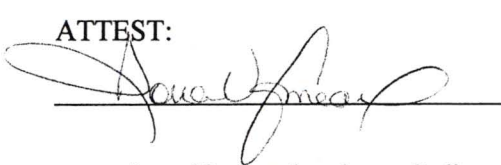
SECTION XVI. Effective Date: This ordinance shall become effective fifteen (15) days after publication in a newspaper having a circulation in the Town of Port Barre.

Said Ordinance having been introduced on March 6, 2007 by Alderwoman Sharkey, notice of public hearing having been published on March 14, 2007; said public hearing having been held, the title having been read and the Ordinance considered, on motion by Alderman LeJeune, seconded by Alderman Soileau to adopt the ordinance, a record vote was taken and the following result was had:

YEAS: Mobile, Sharkey, LeJeune, Soileau & Marks
NAYS: None
ABSENT: None

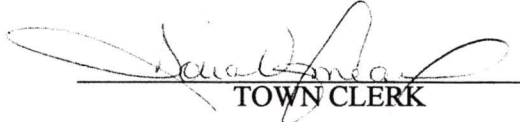
Whereupon, the presiding officer declared the above Ordinance duly adopted on April 3, 2007.

ATTEST:

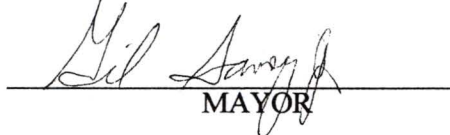



_____ MAYOR

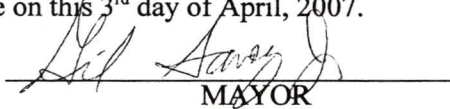
I certify that the above Ordinance was presented to the Mayor by me on April 3, 2007.


_____ TOWN CLERK

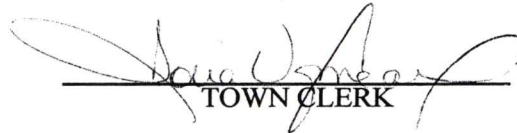
I acknowledge receipt of the above Ordinance from the Town Clerk on April 3, 2007.


_____ MAYOR

I hereby approve the above Ordinance on this 3rd day of April, 2007.


_____ MAYOR

I hereby certify that the above Ordinance was received by me from the Mayor on April 3, 2007.


_____ TOWN CLERK