

ORDINANCE NO. 2015-14

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 90, ARTICLE I. IN GENERAL, BY AMENDING SECTION 90-10 DEFINITIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. The Planning Commission held a public hearing on March 2, 2015, and recommended amending Section 90-10 Definitions of the Wayne Municipal Code, with the "Findings of Fact" being:

- Staff recommendation; and
- Consistency with the Comprehensive Plan and the current and future land use maps.

Section 2. That Chapter 90, Article I, Section 90-10 of the Wayne Municipal Code is hereby amended as follows:

Sec. 90-10. Definitions.

~~Agriculture means the planting, cultivating, harvesting and storage of grains, hay or plants, commonly grown in the vicinity. The raising and feeding of livestock and poultry shall be considered an agricultural venture if the area on which the livestock or poultry is kept is ten acres or more in the area and if such raising of livestock and poultry is incidental or supplemental to the raising of crops.~~

~~Farm means an area which is used for growing of the usual farm products such as vegetables, fruit, and grain; and the storage on the area, as well as for the raising of the usual farm poultry and farm animals. The term includes the operating of such area for one or more of such uses with the necessary accessory uses for treating or storing the produce, however, the operation of any such accessory uses shall be secondary to that of the normal farming activities and such accessory uses must not include the feeding of garbage or offal to swine or other animals.~~

~~Feedlot means the confined feeding of food, fur or pleasure animals in buildings, lots, pens, pools or ponds which normally are not used for the raising of crops or for grazing animals. The term shall include the confined feeding of animal units, with one animal unit being equivalent to one head of feeder/fat beef, or dairy cattle; one horse or pony; one llama; two head of swine; two dogs; three ostriches; three emus; five head of sheep and/or goats; 25 turkeys, chickens, ducks, or geese; or an equivalent number of other animals as determined by the board of zoning adjustment. Feedlots shall also be classified according to the registered capacity, as registered with the zoning administrator. The registered capacity, of such feedlots shall be as follows:~~

- ~~• First class feedlot 1,500 or more animal units~~
- ~~• Second class feedlot 750 to 1,499 animal units~~
- ~~• Third class feedlot 321 to 749 animal units~~
- ~~• Fourth class feedlot Any operation consisting of 160 acres or less shall be permitted two animal units per acre.~~

Crop Production: The raising, harvesting, and storing of tree crops, row crops, or field crops on an agricultural or commercial basis. This includes buildings used to store equipment necessary for crop production and bulk grain storage. This definition may include accessory retail sales under certain conditions.

Animal Production: The raising of animals or production of animal products, such as eggs or dairy products, on an agricultural or commercial basis, or the raising of animals for recreational/pleasure use. This use includes buildings used to house animals or store equipment necessary for animal production. Typical uses include grazing, ranching, dairy farming, and poultry farming. The term shall include the confined feeding of animals.

First Class Animal Production: One (1) animal unit is equivalent to: 1 head of cattle or cow/calf pair.

Second Class Animal Production: One (1) animal unit is equivalent to: 1 head of cattle or cow/calf pair; 1 horse or horse/foal pair; 1 llama; 1 head of swine; 1 ostrich; 1 emu; 5 head of sheep and/or goats; 3 turkeys, ducks, or geese; 10 chickens.

Third Class Animal Production: One (1) animal unit is equivalent to: 1 head of cattle or cow/calf pair; 1 horse or horse/foal pair; 1 llama; 1 head of swine; 1 ostrich; 1 emu; 3 head of sheep and/or goats; 2 turkeys, ducks, or geese; 5 chickens.

Section 3. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 4. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 21st day of April, 2015.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

