

## **Ordinance No. 3228 Summary**

On January 14, 2025, the City of Paola, Kansas, adopted Ordinance No. 3228, amending the Paola Land Development Ordinance, Article 03. Use Regulations, Section 03.350 Domestic Exotic Animals/Farm Animals as Pets, to change regulations to allow for keeping of certain animals. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 19 E Peoria Street or at [www.cityofpaola.com](http://www.cityofpaola.com). This summary is certified by Lee H. Tetwiler, Paola City Attorney pursuant to K.S.A. 12-3001, et seq.

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### **ORDINANCE NO. 3228**

#### **AN ORDINANCE AMENDING ARTICLE 3. USE REGULATIONS, SECTION 03.350 DOMESTIC EXOTIC ANIMALS/FARM ANIMALS AS PETS IN THE CITY OF PAOLA, KANSAS.**

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:

**Section 1.** That Article 3. Use Regulations, Section 03.350 Domestic Exotic Animals/Farm Animals as Pets of the Paola Land Development Ordinance is amended as follows:

#### **SECTION 03.350 KEEPING OF FARM ANIMALS**

##### **A. General**

1. This section applies to the keeping of farm animals in the city limits of Paola. The keeping of farm animals is also subject to the provisions of Chapter 2 of the Municipal Code.
2. For the purposes of this section, "large farm animal" means horses, ponies, goats, cows, hogs, pigs, and other similarly sized animals. "Small farm animal" means chickens, rabbits, or other similarly sized animals.
3. Animals only permitted on single family lots with a principal residence.
4. All animals shall be kept in a manner as to not interfere with the life, health, or safety of other animals or humans.
5. Animals will not be permitted to run at large or deposit excretory matter upon the property of anyone other than their owners.
6. Prohibited animals. Roosters, turkeys, ducks, and other animals with frequent loud vocalizations are not permitted.

##### **B. Number Allowed**

1. The minimum lot size required for the keeping of any large farm animals is 3 acres.
2. Maximum of 1 large farm animal, and 10 small farm animals per acre.
3. On lots smaller than 3 acres, 1 small farm animal is permitted per 1000 square feet of lot space, with a maximum of 10 small farm animals.

##### **C. Enclosures**

1. All animals must be kept in an enclosed structure or area located in the side or rear yard and are not permitted to roam outside of the enclosure.

2. Enclosures which are open to the sky must contain a wall or fence of sufficient height to contain the animals.
3. Enclosures for chickens shall be a minimum of 4 square feet per chicken, and include a run. The combined area for the enclosure and run shall be a minimum of 10 square feet per chicken.
4. All enclosures shall follow the setback requirements of an accessory structure, prescribed in Section 03.210.
5. No enclosure may be located within 25 feet of any dwelling, church, school, or business structure located on adjacent property.
6. A building permit shall be obtained prior to construction of any enclosure.

**D. Keeping of Bees**

1. Up to 2 bee hives are permitted on lots of 3 or more acres, and are subject to the following regulations.
2. Fresh, clean water must be kept within twenty (20) feet of the hive, stand, or apiary.
3. The owner of any hive or apiary shall install and maintain a flyway barrier six (6) feet in height consisting of a solid wall, fence, vegetation or combination thereof that is parallel to the property line and that extends ten (10) feet beyond the hive or apiary in each direction so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over property lines in the vicinity of the hive or apiary.
4. No beehive shall be placed or kept in violation of these requirements, and in no event shall be located:
  - a. Closer than 5 feet to the property line.
  - b. Within 25 feet of any dwelling, church, school, or business structure located on adjacent property.
  - c. Closer than 10 feet from a public pedestrian path.
  - d. Within 25 feet of the edge of a public street.
  - e. Anywhere other than the side or rear yard of a property.

**E. Penalty**

A violation of any term of this section shall constitute a public nuisance, and will be subject to all of the provisions in Chapter 8 of the Paola Municipal Code.

**Section 2.** That all ordinances or parts of ordinances in conflict herewith are repealed.

**Section 3.** That this ordinance shall become effective after its passage, approval and publication in the official city newspaper pursuant to KSA 12-3001, et seq.

**PASSED AND APPROVED** by the Governing Body this 14th day of January, 2025.

**APPROVED** by the Mayor this 14th day of January, 2025.



ATTEST: [seal]

*Stephanie Marler*  
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 Stephanie Marler, City Clerk

*Leigh House*  
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 Leigh House, Mayor