

BILL 11035

ORDINANCE 10861

AN ORDINANCE AMENDING CHAPTER 4, ANIMALS AND FOWL, SECTION 4-9 OF THE MUNICIPAL CODE OF ORDINANCES, TO PROVIDE EXCEPTIONS FOR REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES.

WHEREAS, the City regulates livestock that may be kept in the City; and

WHEREAS, the Fair Housing Act, Title II of the Americans with Disabilities Act (the "ADA"), and Section 504 of the Rehabilitation Act of 1973 (collectively the "Acts") require all businesses and governmental entities to reasonably accommodate persons with disabilities, including allowing service animals and emotional support animals, in accordance with the provisions of the Acts; and

WHEREAS, it is in the best interests of the City to comply with the applicable provision of the Acts.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRKWOOD, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 4-9 "Keeping livestock in stable, stockyard or stock pen; location restrictions; limitation on number of animals permitted" is hereby deleted in its entirety and the following is inserted in lieu thereof:

§ 4-9 Keeping livestock in stable, stockyard or stock pen; location restrictions; limitation on number of animals permitted; exceptions for reasonable accommodations for persons with disabilities.

No livestock yard shall be maintained within 100 feet of any residential building or dwelling, other than a residential building or dwelling owned or occupied by the owner of said livestock yard. The livestock yard shall be a minimum of 0.5 acre for the first animal; 1.5 acres for any additional animal; and two acres for a third animal. Any number above three would require a special use exception. Also, an exception to the restrictions set forth herein and in the Zoning and Subdivision Code set forth in Chapter 25 will be granted pursuant to requests for reasonable accommodations for persons with disabilities as required by the Fair Housing Act, as amended, 42 U.S.C. Section 3601, et seq., Title II of the Americans with Disabilities Act, 42 U.S.C. Section 12131 et seq., and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794. The process and procedure for considering, processing and issuing a determination, including any appeal if necessary, on any request for a reasonable accommodation shall be in accordance with the City's Reasonable Accommodation Policy and Procedure.


SECTION 2. This Ordinance shall be in full force and effect after its passage and approval, as provided by law.

PASSED AND APPROVED THIS 6TH DAY OF JUNE 2024.



Mayor, City of Kirkwood

ATTEST:



City Clerk

1st Reading: May 16, 2024

2nd Reading: June 6, 2024