

From: [REDACTED]
Cc: [Animal Ordinance](#)
[John Knight](#)
Subject: Comments on animal ordinance draft
Date: Sunday, May 19, 2024 6:15:24 PM
Attachments: [comments.docx](#)
Importance: High

I sent this in a Word document attached. If you cannot read it, then let me know and I will enclose in the body of my email.

Thanks,

[REDACTED]

[REDACTED]

W Middle Verde Rd

Camp Verde, AZ 86322

(cell phone)

<https://www.facebook.com/groups/286143052248115>

In general the format and layout of the draft is pretty good. Other than a few things my comments mostly center around specific numbers. I do like that unlike the existing ordinance there are limits now placed on temporary and guest animals. As the town grows, we unfortunately must be more specific in our regulations and “common sense” is no longer possible in many cases.

I do use my own property and practices as a guide and my property is fairly large (10.5 acres) and crosses the Verde River. I’ll also point out that when I toss numbers out there, I don’t expect those exact numbers to be used, they are suggestions.

I’ll start with the wording changes; which some are pretty significant.

The very first paragraph was changed from the existing ordinance – I believe the original ordinance has better language:

305.1

- A. Purpose and Scope: Keeping of farm animals in appropriate locations and circumstances is regarded as being consistent with the Town's rural character. However, the number, size, type or manner in which animals are maintained on any parcel shall not impair the enjoyment or use of nearby properties or violate other legal restrictions to which the properties are subject.

305.1.B allows abutting parcels under the same ownership or control to be included in the animal counts. It should be made clear in this section that the term “parcel” includes these “abutted” properties and should be clear that this means legal control.

For example, one manure mound per parcel is allowed. If parcels are abutted and used for a single animal count, they should still be allowed one manure mound. Not one each. Treating two or more parcels as one is fine as long as it is 100% across the board – meaning that for the purposes of this ordinance these combined abutted parcels are treated as one.

So the definition of pasture versus pen is not clear. My suggestion is to define both terms so that are clear and quantifiable. Many pastures are subdivided while remaining a pasture and the difference is not clear. Because the rules vary between pasture and pen this is clarification.

The draft lacks a definition of “mound storage.” And in general I find a lack of clarity in section 301.1 E 3 which deals with the manure cleanup and storage.

a says that manure shall be stored in covered containers, and/or mulched or disced into pasture lands. A lot to unpack here.

Some people use a drag or spring tooth or disc to spread manure on their pasture. I suggest changing “disced” to “using a harrow (examples: disc, drag, spring tooth, mulching mower).” NOTE: we personally either use a drag harrow or a spring tooth harrow 😊 most of the time, rarely a disc harrow.

What in the world does “mulched” mean in this context? As I read it, if one is mulching their manure it is exempt from everything. Technically, if turned regularly and so forth, mulch can be only manure. Tossing in other organic material is common. If it is mulch and supposedly 99% manure and has 1% leaves or wood chips? My suggestion on this is that anything with more than 5% manure is not treated as mulch, but as manure. How this is measured is an issue and I am open to suggestions. But a manure pile is a manure pile and mulch is mulch – finding an objective way to measure this is crucial.

What constitutes a “manure mound?” There is a definition for the maximum allowable size, but no minimum. Clearly a tablespoon of manure is not a mound. How about a wheel barrow full? Ten wheel barrows? My suggestion on this is to define how much of a pile constitutes mound storage. Say 20 wheel barrows? Of course wheel barrows are a poor measurement system. This should be by cubic feet or some external measurement. And please make clear – one manure pile per parcel. And if you don’t meet the setback requirements, then manure must be removed, harrowed, or in sealed containers. No other options.

This is a bit of a repeat but – if you have to adjacent parcels that you combine for any reason (generally to get more counts) – then you get one manure pile. In all circumstances, you get one manure pile only.

There is no clarity on what “covered” means. Making a mound and then throwing a tarp over it does not really cut it in my mind. We all know that flies, rodents, whatever will get in and we all know that smells and flies will get out. In fact, when hot tarping mounds can make it worse as far as smells. My suggestion is that covered should be “sealed” – like a dumpster or enclosed trailer. This is what Wickenburg and Scottsdale require (the cities without specific counts). Trailers with tarps do not meet the intended purpose of this provision. The containers should be completely sealed or removed from the property at least weekly.

Although section 3 says that manure must be removed from pens, etc., and has a provision to use a harrow on pasture to spread the manure, there is no provision for the pastures themselves. In other words, I could have my animals on pasture and never do anything but leave the manure where it lies. My suggestion is to require using a harrow at least weekly on pasture where animals are kept.

3 b is unclear to me. What does “provisions shall be made” actually mean? My suggestion is to at a minimum employ the 200’ setback from surface water. This is a little stricter and clearer.

It would be nice to have a provision where property owners can agree to certain practices regarding mound storage. For many years when my neighbor had cows, we both had our mounds on the fence line – directly next to each other. Without the fence this would be one mound. Being large properties, this location is 500+ feet from any dwelling and it worked for us. My suggestion is to allow property owners to make a mutual agreement to allow mounds closer than 200’ from the property line – but it needs to be revocable at any time by either party. You could get fancy and have the agreement filed with the town using a pre-made form. Or not – if it is revocable at any time then the only person to complain can just say “no” and that is that.

The draft is entirely missing any explanation of enforcement. Due to the number of properties in town and limited staff to enforce, I believe that we will still be relying on a complaint-based system. And certainly, it should be clear that if staff observes a violation, they may take action. I believe that enforcement (or lack of enforcement) is as much of an issue as the actual ordinance. But just filing a complaint is the first step. What next? Here is my suggestion although it needs to be refined:

- 1) A citizen complaint is made or staff observes a violation
- 2) Staff – without warning the property owner – does a reasonable check from the street or adjoining property where they have permission to be.
- 3) If #2 is not sufficient then staff will make an appointment with the property owner with the complaint against them and do a full inspection that way.
- 4) If a violation is found give a written warning notice with 30 days to fix the problem.
- 5) If the violation is not resolved then a formal written violation is issued with 30 more days to resolve the problem.
- 6) If still not resolved, a misdemeanor citation and/or citation to the local hearing officer is issued and upon adjudication appropriate fines are assessed.
- 7) After #6 the normal process of hearing officer, BOA, and court is followed.

Now let us dive into some numbers.

Pigs are the largest change and I'll start there. Especially since they are treated differently than all other livestock. The current ordinance allows one pig per parcel with exceptions for various permits mostly for youth activities. The draft allows for five pigs! Five times as many. But it does not end there. Each additional participant in youth programs gets one more. So a family with five children and appropriate property size is up to 10. Then there is an exception for piglets. A breeding pair of pigs can have 10-20 (really!) piglets. And the piglets are exempt from animal counts! I've gone through this a bunch and cannot find exactly what the upper limit would be, but it is huge. In fact, pigs are being changed from an animal that is less allowed than other animals to one that is more allowed. I find the language confusing.

With the new base rules, the new permits, and the breeding I can see that a family with five kids could have 30+ pigs including the piglets. My suggestion – too many! Way too many. My suggestion is no more than five pigs per parcel, including a breeding pair, and excluding the piglets for four months. OK – this whole pig thing is confusing and I don't really know how many pigs are the maximum – so does anyone else?

I would also see the language from the old ordinance applied to pigs as they seem to be special. This language is: "All pens containing swine must meet the setback requirements for the zoning district" and I would like to see all the language regarding cleaning of pens and manure clearly applied to pig pens.

Next we have the exceptions for exceeding the animal counts – leaving off the special permits and youth activities and pigs.

First, to be clear, 100% additional animals is double and 200% additional is triple! That is a lot – under a 200% allowance and with five acres that allows say 10 horses as the base count, then 200% means that 30 horses would be allowed.

I am also going to break it in to two sections – temporary animals (often called events) and guest animals. And then discuss the overage (100% - 200%).

So let us start with temporary animals. Currently the draft says 6am to 10pm. That is way too much especially considering the number of retired people in Camp Verde – we usually are in bed before 10 and sleep later than 6. My suggestion is:

The hours should be the same as typical working hours – 8am to 5pm. With an additional hour on either end for setup and tear down. What I mean with the additional hour on each end is that this

time from 7am to 8am is not used for the event, it is used for people arriving and preparing for the event (such as bringing in animals, unloading them, tacking them, things like that – but not for the event itself. The time from 5pm until 6pm is used for the opposite – removing the excess animals and loading and otherwise getting ready to leave.

What is trickier is that there seems to be no limit on the number of days that temporary animals may be brought on to the property. For me, extra animals 364 days a year, is not temporary. These should have a limit just like the guest animals of some number of days. I suggest 18 days per year which allows for 1-2 events per month. I would suggest using the same method as guest animals – file a form with the town (online or paper) declaring the event.

As to the guest animals I would like to see the 10-day limit increased to 14 days as many people take two week vacations to visit friends.

But now we come to the overages allowed. The current ordinance and the draft allow for more animals per acre on small parcels compared to larger parcels. I believe the draft overages should follow the same logic. My suggestions apply to guest animals and temporary animals:

The highest overage would be 100% of the base count plus 24 points. Simple.

In the draft five acres allows $48 + 3 \times 4 \frac{1}{4} \text{ acres} \times 6 \text{ points}$ (72 points) is 120 points or 10 horses. A 100% overage is 240 points (20 horses) and a 200% overage is 360 points (30 horses).

Under my proposal the 120 base points would be doubled, and 24 more points added for a total of 264 points (22 horses).

This is more consistent with the original intent of the ordinance and the “Camp Verde Way” where we allow more animals per acre on the smaller parcels but do not increase the number of animals to huge numbers on larger parcels. This proposal would allow someone with an acre and only allowed to have two horses to be able to have four guest or temporary horses which is more than the draft allows – and I believe more practical for the property owner. But as the property size increases this proposal allows less horses than the draft.

I would keep it simple. Guest? Temporary? Permits? Youth programs? – all would have the same “cap” on the maximum points as I outlined above. With perhaps something special still for pigs.

The last subject I want to address is steers/cows. Currently cows and horses are equal – presumably based on weight. However, cows are much more intrusive than horses. They moo around the clock. They are noisy. In addition, most people believe their manure smells worse. I should also note that cows are treated very differently than horses. Horses get fly masks, they are often groomed, they are often fly-sprayed, they are often combed regularly to remove dirt and flies. Cows, not so much. They stand around ungroomed, no fly spray or masks, and are not regularly combed out.

My suggestion is to make full size cows (over 600 lbs) 18 points instead of 12. And “mini cows” (under 600 lbs) 10 points. I do agree that the smaller cows, just like mini horses or donkeys, should be less points than full size, but I also believe that cows need to take more points due to their impact of noise and smell.

From: [REDACTED]
Subject: [Animal Ordinance](#)
Date: Animal ordinance revisions proposed
Wednesday, May 22, 2024 9:44:49 AM

Dear Sirs:

I want to say that I think the most important considerations for the animal code regarding management and numbers of animals for certain parcel descriptions should be as follows:

1. Consideration for the preservation of the properties adjacent to an animal keeping residence. To protect the safety, property character of each neighborhood, property value, respectful of the existing zoning for the adjacent properties, protective of odor and noise level and air quality of neighboring properties, etc. In a few words, respect the living conditions of all neighbors. The Code was written as a TOWN CODE. It was never meant to be a Yavapai County code or a code for surrounding rangeland which was formerly used for ranching purposes. The rules were devised to be compatible with small acreages within Camp Verde Town limits. S co-author of the existing animal code along with Mr. Eberhard I am certain this was the intent.

2. Making the definitions and numbers within the revised code as detailed and explicit as necessary to be generally easy to measure and enforce. And compliance must be regulated according to Code and enforced as necessary. Legitimate complaints about violations of the Code must be researched and enforced.

3. Western lifestyle used to mean respecting your neighbors and fellow citizens. When a few persons do not follow the rules voted upon by the majority there should be easy, civil and clear ways to reconcile disputes.

Those are my most salient concerns. Numbers of animals, management of manure piles, setbacks, noise levels, etc. are all nuisance issues or issues of property devaluation. Reconciliation of conflicts should be as easy to measure by Code rules as possible. And the enforcement of compliance is paramount to seeing it work.

Thank you for inviting public opinion and holding the open house and other means to obtain input.

Respectfully submitted,



West Middle Verde Road
Camp Verde, AZ 86322

From: [REDACTED]
Subject: [Animal Ordinance](#)
Date: Livestock Ordinance.
Friday, May 24, 2024 6:20:29 PM

Keep it as it us. It is both fair and effective as it stands and many of us depend on the stability of these ordinances when we purchased our properties. If buyers have done their due diligence, there should never be an issue.

I know I had to do research to determine how many animals my property would support and how I could house them. I did so and adhered to the regulations. Nuff said.

[REDACTED]

[Yahoo Mail: Search, Organize, Conquer](#)

From: [REDACTED]
To: [Animal Ordinance](#)
Subject: Fwd: comments on current draft proposal
Date: Friday, May 24, 2024 2:10:39 PM

----- Forwarded message -----

From: [REDACTED]
Date: Fri, May 24, 2024, 2:03 PM
Subject: comments on current draft proposal
To: <AnimalOrdinance@campverde.az.gov>

I attended the Open House on Tuesday afternoon where we could learn more about proposed changes to the current animal point system ordinance that is in place in Camp Verde. Thank you for hosting this open house. The posters were very well done and questions were answered. We have also hosted the working group to tour our property.

At this time I will we do not support any change in the current animal point system.

A little history about my husband and I. We moved to Camp Verde in 2018. We have been residents of the Verde Valley for 25 years. I come from a long time farming background, raising beef cattle, horses, and growing hay for sale. We had 55 acres. My children were raised in 4H and showed horses both state and national. I was raised in 4H too. I currently teach at a local working ranch boarding school, teaching horsemanship too. My daughter barell races both locally and at the state level at rodeos. I also have an agricultural degree. The reason I tell you all of this is to let you know we are not niave at all on the rasing of livestock.

When we moved to Camp Verde, common sense told us that we would be limited on the number of livestock we could own on our 1.26 acres. This information was disclosed in our purchase offer and in our closing documents. We were finished farming on a large scale and we were very satisfied with the 30 points of livestock we could have in Camp Verde. We felt it was very generous living in a residential neighborhood. One of our concerns was, when we bring our horses to our property in Camp Verde "where do we put manure". We were used to spreading our manure on our 55 acres. We certainly had no intention of piling our manure on our lot lines. That would be terribly inconsiderate to our neighbors.

We asked our neighbors what they did with thier manure and we were told they hauled it away. So we did and do the same thing.

When the issue of changing the current animal count ordianace became public, I became very concerned and involved. I had heard of lawsuits that had to be filed by neighbors when one property owner went way over thier count of cattle. And the argument by the offending property owner was "I can do whatever I want on my property". My concern was and still is having too many livestock crammed on small acreage is unhealthy for both the animals and people, and could possibly lower property values in the neighborhood.

I visited some property owners that have no problem if the animal count is increased. They live in a very residential neighborhood, on a small parcel of aprox 2 acres. The next neighbor is right next door and so on. The parcel consists of a home, a barn with pens and riding rings.

I cant imagine increasing the animal count beyond what they have.

And to add to this, code enforcement in Camp Verde is basically non existent. When one files a complaint it takes weeks, months to have the complaint even cosidered. We filed a noise complaint every week last summer and nothing was done by the town, nothing. The house burned down so there are no worries anymore. But you get my point.

If the town cannot enforce the code for livestock that they currently have, then to make that ordiance even more complicated is an effort in futility. It just will not work and you will have more and more lawsuits.

Keep the current animal point system as it is. If someone wants to go above their animal count have them apply for a zoning variance, neighbors would have to agree and then it gets approved by P and Z and reevaluated after a year. I know the process, we did it on our farm years ago when we wanted to house horses in a barn that was too close to a lot line. We were awarded the variance, neighbors were happy and it worked just fine.

Keep the ordiancne as is.

Thanks for reading and taking my our view into considation. Do not hesitate to contact me if you would like more information or have questions

All the best,



From: [REDACTED]
Cc: [Animal Ordinance](#)
[John Knight](#)
Subject: Setback comments on animal ordinance with attached picture
Date: Tuesday, May 28, 2024 4:59:34 PM
Attachments: [setbacks.docx](#)
[barn.JPG](#)
Importance: High

Please let me know if you have any problems with the Word Document or picture (the picture matters) and we will find another way to get the picture to you.

[REDACTED]

[REDACTED]

W Middle Verde Rd

Camp Verde, AZ 86322

(cell phone)

<https://www.facebook.com/groups/286143052248115>

Setbacks could be a major setback to the animal counts ordinance

Generally, the setbacks look great. However there are two serious issues; “grandfather” construction; and lack of arena setbacks. Not to mention a considerable problem with definitions.

Many properties in Camp Verde (I hesitate to say what percent but I would guess 50% at least) were constructed without the current setback requirements – generally 30 feet. My memory says that at one time AG buildings had a zero setback, and at another time a 15 foot setback.

I am pretty sure nobody is going to ask people to tear down and move their house because of lower setbacks. I am pretty sure nobody is going to ask people to tear down barns and move them because of lower setbacks.

The term “pens” gets interesting and is not well defined. For example, a “round pen” is really a circular arena. Words like “run,” “turnout,” and “pen” are often interchangeable. Generally separated by size – a long skinny pen might be called a run. I will use the word “pen” from now on but know I mean “turnout” and “run” as well as other synonymous or similar terms.

Many places define a “pen” as “no grass” and a “pasture” as “grass.” That is a tricky one. If I toss some grass seeds in my pen, does it magically become a pasture? An arena generally has no grass but if animals are not kept there, it is hardly a pen.

I will say I use my own place as an example, but I believe it is fairly typical.

Typical barns often have pens directly attached to them. The horses may stay inside the barn or they may go outside into the pen. It would be horrific if these pens suddenly became illegal due to setback requirements – they should be considered part of the barn.

I also have a large area that is not really part of our main pastures, but it is irrigated and has grass. How do we define this? I say pasture.

Because many legacy properties in Camp Verde were built long before setback requirements, there will be a lot of these cases. Not only that, there is little obvious proof. My barn was built in 1968 according to the seller. No proof of that. There were no plats or property layouts or other

paperwork filed with the county. In 1993 when I did some building there was no paperwork nor inspections other than the septic system.

Neither my house nor main barn meets the 30 foot setback requirement.

Depending on the enforcement officer to make a subjective decision on “grandfathering” we need a method to identify these properties and allow them to keep what they have. Fortunately we have an available tool that can help – Google Earth. They have satellite pictures going back to 1985 (although the old ones have terrible resolution). But by 1993 the resolution is pretty good, and you can see the barns and pens. Today’s resolution is stunning. See picture showing my house, barn, and the three pens attached to my barn. Pretty obvious. There is also a tool that allows you to measure distances which can be useful.

There should be a method in the ordinance that makes clear how to identify these grandfathered constructions. Google Earth may be sufficient and maybe only needs to be shown to the enforcement officer if an enforcement action is to take place. Or, perhaps, people should have a grace period of say 12 months to file additional pictures and any other photographs or documentation they want to validate their grandfather rights. But whatever is decided should be entirely objective -- and as you can see from my picture, would be.

However, I also have some small barns and something people might call a mare motel that are a little harder to identify. This is why I recommend that people at least have the option to file photos and other documentation showing their grandfathered infrastructure.

The reason to recognize these grandfather rights is simply the cost and practicality of trying to change it. Moving barns and attached pens and fences and ... very expensive. And intrusive.

However, the setbacks for manure mounds and pens not attached to barns should be enforced as the draft ordinance states. One can always pile their manure in a different place. They can move free-standing pens easily enough. I fully support these setbacks as well as all the new setbacks for new construction.

BUT – it mystifies me that there are no setbacks for arenas! The draft allows (currently) arena activity with temporary animals tripling the normal animal counts from 6am to 10pm. If the neighbor is old construction maybe they have 15 feet from the property line – but even at the

current 30 feet that is not far. I cannot imagine having lights, large amounts of animals, and event-type activities at 6am or 10pm 30 feet from my bedroom window.

I believe the workgroup needs to make a 30 foot setback on all arenas. Round pens included. This would at least give 60 feet from the neighbor's house (assuming they also have a 30 foot setback). Of course, I also believe that temporary (event) animals should be limited to say 8-5 and to a limited number of days per year (say 18 which is 1-2 events per month on average?) similar to the limits on the number of days for guest animals.



From: [REDACTED]
To: [Animal Ordinance](#)
Subject: Animal ordinance opinion
Date: Tuesday, May 28, 2024 12:56:05 AM

As a citizen of camp verde for 3 years with 2.3 acres and irrigated property, I find the current ordinances are appropriate. I do not believe further restricting the animal counts is fair as this is a western town with extremely deep ties to farming as well as equine activity and the US government Fort Verde reinforces this significance.

I do think current ordinances should be more strongly enforced, especially for people in gross violation. However, I do believe limiting people to one pig per acre is unwarranted as animals generally thrive, are mutually entertained and comforted by the presence of another of its own kind. I believe limiting pigs to 2 per property would be favorable for both pig and owner. Perhaps a restriction as to placement of pig on property in respect to neighbors would go hand in hand with an additional adult pig. I don't find it is healthy to limit animals by species to one, I do think limiting species by gender may be valuable, for example: one rooster, one bull etc.

4h children should probably be able to obtain some special permission for an additional set of points over and above the maximum allowed to be used. However this should expire in a year and need resubmission. The 4H clubs can supply their participants with these forms and assist in their submission to limit the need for CV town to independently regulate each child and animal.

I intend to have 2 small dexter cows on my irrigated property and there are currently chickens and ducks residing.

I have many friends who want more animals per acre allowed, I think this may cause more negatives than positives as many animal owners are not fastidious about their animal care. I also assert that more animals per acre reduces natural grasses and ground cover and will lead to more loose, ungrazed, non vegetated dirt which will blow around. That's not a positive in any light.

I would concede that considerations for an acre without a house, or a grouping of 3 or more acres should be made as they likely could accommodate additional livestock, provided the land does not adjoin small residential areas.

Maybe zoning maps would enable these larger and more remote parcels to be easily marked so no need for permits would be necessitated and no paperwork or employee time would be wasted.

Lastly I believe stipulations on dung heaps should be made and enforced. Dung should be restricted to height and square footage and location as the putrid odors degrade the air quality of those down wind and attract excessive insect activity.

Furthermore, Creating a wall of animal feces on the perimeter of the property as has been done on arena del Loma is truly degrading to all who pass it and deplorable to the neighbors who lie in the path of frequent high winds. I have personally seen the dirt from the arena, parking lot and stalls and bits of horse feces blow right onto the house across the street and I feel terrible for those people though I don't know them. It is incredible that the town would enable this poorly managed lot and the clearly arrogant disregard for any standards or care for neighbors by its owner to continue in perpetuation. Regardless of grandfathered use, the mismanagement

of dung and land causes harm to the surrounding residences. The pens on the old rodeo property are often soggy with animal waste and the number of loud transient visitors is certainly not befitting a residential area nor is it healthy for horses that are often in the 12x12 pens for weeks.

These types of non enforcement are aggregious, there is no use for any enforcement on any rules within this town without equal application. Selective application of the law is un-American and corrupt.

Overall, I don't find that much should change except the pig count per property for obvious benefits and I believe animal count enforcement is clearly a shortfall of the town. I also believe animal waste is a problem which should be addressed clearly and should have some type of temporary reduction of animal points on the property in lieu of a fine and incrementally decrease points consistent with repeated noncompliance. Fines don't often function, but a revocation of animal points for non compliance may help in reducing the amount of animal waste.

Enabling residents to be rude, arrogantly inconsiderate or outright maniacal by not enforcing current laws is absolutely occurring at this point in several areas. Sadly some people are unreasonable and are bad neighbors, hence the need for government to enforce agreed to standards. Equal application of current codes, zones and laws is needed. Considerations for properties with multiple acres, those without dwellings and parcels in remote areas may be a good way to strike a compromise between those who don't want increased animal counts and those who do.

These are my specific opinions. I support enforcement of current ordinances for the most part. I think they are absolutely reasonable. If people want more animals, it is incumbent upon them to purchase an accommodating property or additional land to that purpose. The expectation that residents should be rewarded for non compliance and be given into is a very poor representation of government.

[REDACTED]

John Knight

From: [REDACTED]
Sent: Monday, May 20, 2024 12:10 PM
To: Animal Ordinance
Cc: John Knight
Subject: I have another comment you may want to look at early -- setbacks and grandfather
Attachments: comments2.docx

Importance: High

It has legal implications and my opinion is that much of what is going on relates to enforcement as much as the ordinance. This could be a nightmare for you 😊

Attached as a Word document

[REDACTED]
[REDACTED]

W Middle Verde Rd

Camp Verde, AZ 86322

<https://www.facebook.com/groups/286143052248115>

I found another complex area that needs some work. It concerns setbacks and grandfathering.

I believe that grandfathering is not even an official thing but that staff uses it along with common sense when looking at possible violations.

I also believe that at one point agricultural structures had a zero setback. I could be wrong as this is just an old memory.

I know the town is not going around having people knock down houses that don't meet current setback rules.

I am pretty sure the same applies to agriculture buildings such as barns.

The setback requirements do not seem to apply to arenas. Why? And the terms are a little interesting. A "round pen" would be better named a "round arena." If an arena is at the property line and the neighbor is on a 30' setback then the activities – whatever they are --- would be allowed 30' from the neighbor's house. Do we want that?

The ugly one is pens. Many words are used – paddock, turn out, run, and of course pen. Often these are attached to the barn so that the horse can be inside the barn or go outside into a pen. In fact, most barns are set up this way.

If the barn is grandfathered and the town won't be asking to have it removed or moved ... my opinion is they have to allow all pens attached to the barn as well. This is #2 under Nuisance Provisions.

The other issue is how do we document grandfathered setups? We bought our property in 1992. The barns and house and everything were already there and we were told since 1968. When we went to build a bigger-better house in 1993 we found out there were zero inspections except septic. There are no drawings recorded showing the location of our building on file anywhere. I assume most of the town is in the same situation. I don't know when they started having plot maps and inspections, but before that there is no record.

We could add something in the draft giving people say 24 months to document any grandfathered structures and pens and file with the town. With photographs.

We could also just rely on Google Earth. They have pictures going back to 1985 and if you can find it a “distance tool” that allows you to mark two spots and get the distance. So I could mark the edge of my barn and then my property line and use that tool to show the distance.

I don't have all the answers but I do know the town will go positively berserk if their currently legal pens or barns need moving. Horse “stuff” is expensive. You can't just pick up a pen or barn and move it. You have water, power, fencing, lights, who knows what to deal with.

I would suggest a strong look at this issue.