

ARTICLE 18

ANIMAL WASTE CONTROL

SECTION 1810 – Statement of Purpose

The inappropriate release, discharge, dumping, or spreading of contaminated or stored animal waste can be a serious problem to the health and convenience of the residents of this County and its environment. The appropriate handling of stored or contained animal waste through appropriate land use methods can substantially reduce the adverse effects of contained or stored animal waste and its potential for contaminating the landscape, air, water, and the land of adjoining property owners.

SECTION 1820 – Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

1. Animal Waste – That animal discharge, both solid or liquid or a combination thereof, that is accumulated, stored, or contained in an artificial, landscaped, or manufactured impound to accommodate the high density confinement of animals.
2. Surface Application – The release, discharge, or spreading of animal waste from contained or accumulated storage upon the surface of the soil.
3. Subsurface Application – The release, discharge or spreading of animal waste in a method designed to incorporate the animal waste at least four (4) inches below the surface of the soil. Acceptable methods of subsurface application include the following:
 - a. Direct Subsurface Application – The use of equipment that directly discharges or releases the animal waste at least four (4) inches below the surface of the soil;
 - b. Indirect Subsurface Application – The use of a method or procedure whereby the animal waste is initially released, discharged or spread upon the surface of the soil, but thereafter incorporated into the soil at least four (4) inches below the surface of the soil within twenty-four (24) hours from the initial release, discharge or spreading of the animal waste.

SECTION 1830 – Application Restrictions

All release, discharge, or application of animal waste shall be controlled by the Indiana Department of Environmental Management (IDEM) regulations.

SECTION 1840 – Location Restriction

Any open lagoon or irrigation duct animal waste system shall be located at least one thousand three hundred twenty (1320) feet from all residential dwellings except those of the real estate owner or his tenants upon which the system is being constructed.

SECTION 1850 – Variances

The provisions of this Ordinance shall be subject to variances, temporary permits or special exceptions as defined by the Decatur County Ordinance. The violation of this Ordinance shall be a common nuisance.

SECTION 1860 – Penalty

The penalty for violation of this Ordinance shall not be less than One Hundred Dollars (\$1,000.00); in addition, this Ordinance may be enforced by all other civil remedies as provided by statute or ordinance.

