

**WASHINGTON TERRACE CITY  
ORDINANCE 2015-01**

**FALCONRY**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE,  
UTAH, ADOPTING SECTION 6.04.200 AND AMENDING  
17.12.030 RELATING TO CONDITIONAL USES IN THE  
MUNICIPAL CODE; PROVIDING LICENSING  
REQUIREMENTS; MAKING TECHNICAL CHANGES;  
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, the City desires to permit individuals who seeks to operate a falconry as provided in the municipal code;

**WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

**WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on March 26, 2015, to take public comment on this Ordinance, and subsequently gave its recommendation to approve this Ordinance on April 30, 2015;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and held its public meeting on \_\_\_\_\_, 2015, and desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the City Council of Washington Terrace City as follows:

**Section 1: Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Adoption and Amendment.** Section 6.04.200 entitled “Falconry” is hereby adopted to read as provided herein, Section 17.12.030 entitled “Conditional Uses” is hereby amended to read as follows:

**6.04.200. Falconry.**

1. Scope. This section applies to persons who seek to operate a falconry. A “Falconry” means the sport of keeping, raising, and training falcons for hunting or otherwise, including, but not limited to, domestication and flight training of a falcon under the direction of a licensed trainer or trainee.

2. State Requirement. Any person who desires to keep, maintain, or otherwise operate a falconry shall comply with the requirements set forth in Utah State Rule R657-20, as amended.
3. Municipal License. Upon obtaining the conditional use permit specified in the municipal code, an applicant shall apply from a license to keep, maintain, and operate a falconry provided in this section.
4. General Provisions. Public education and outreach is permitted in accordance with Utah State Rule R657-20.
5. Definitions. In addition to the definitions in Utah State Rule R657-20, the following definition applies, “falconer” means a person of legal age under Utah State Rule R657-20 authorized to keep falcon(s) in accordance with Utah State Rule R657-20.

**17.12.030. Conditional Uses.**

The following uses shall be allowed in the single-family residential zones only when authorized by a conditional use permit:

1. Beekeeping of not more than three (3) hives and in accordance with the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code, as amended. Beehives are to be kept in side or rear yard and at least ten (10) feet away from any adjoining property line.
2. Home occupation with visiting clientele.
3. Private recreational grounds and facilities not open to the general public and to which no admission charge is made.
4. Public utility substations or water storage facilities developed by a public agency.
5. Residential facilities for the elderly or disabled persons which conform to the requirements of the applicable state or federal law.
6. A falconer may seek a falconry consistent with the maximum number of birds authorized in accordance with Utah State Rule R657-20 in any single-family zone subject to:
  - a. Compliance with Utah State Rule R657-20, as amended.
  - b. No keeping of live feeding animals on the premises.
  - c. The setback for one (1) bird mews, one (1) weathering areas, and one (1) feed animal pen must be at least one (1) foot from any adjoining property line.
  - d. Authorize the city inspector to inspect the premises, at reasonable times, for compliance with the municipal code.
  - e. Provide any state documentation, upon request, to the city to evidence compliance with Utah State Rule R657-20.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this \_\_\_\_ day of \_\_\_\_\_, 2015.

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MARK C. ALLEN, Mayor,  
Washington Terrace City

ATTEST:

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AMY RODRIGUEZ, City Recorder