

ORDINANCE NO. 2018-18

ORDINANCE AMMENDING CHAPTER 16 AND 17

WHEREAS, the Town is authorized by Chapter 10 of the Utah Code to enact ordinances necessary or appropriate for the use of land within the municipality, and

WHEREAS, Utah Code provides for the adoption and amendment of Town land use ordinances by the Land Use Authority, which in Virgin Town is the “Town Council with recommendation by the Planning and Zoning Commission” (pursuant to Utah Code § 10-9a- 101 et seq); and

WHEREAS, the Town Council desires to simplify or combine redundant Town ordinances; and

WHEREAS, the Virgin Land Use Authority finds that the existing Virgin Town Code (VULU) Chapters sixteen and seventeen, and the various sub sections found within, require updating to meet the changing needs of the town; and

WHEREAS, the Town Council also desires to better support private property rights in relation to Utah State law;

NOW, THEREFORE BE IT ORDAINED by the Land Use Authority of Virgin, Utah that, in order to provide for the health, safety and general welfare of the citizens of Virgin, Utah, the VULU Ordinance is hereby amended to incorporate the following changes:

ORDINANCE

1. Amendments to Chapter Sixteen and Seventeen:

Chapter 16 amendments:

~~16.3.5. KEEPING OF CHICKENS FOR NON-COMMERCIAL PURPOSES, SUBJECT TO THE FOLLOWING:~~

~~16.3.5.A. Number. The number of Chickens that may be kept per lot is limited to eight (8).~~

16.3.5.A The keeping of animals shall meet all standards set by the local Health Department, State and Federal regulatory agencies.

~~16.3.5.B. Roosters. The keeping of roosters is prohibited.~~

~~16.3.5.C. Slaughtering. The slaughtering of chickens in the public view is prohibited.~~

~~16.3.5.D. Enclosures. Chickens shall be confined within a secure, outdoor, enclosed area. The enclosure area shall include a covered chicken coop. Chicken coops with a permanent electric connection must comply with the electric code and require a building inspection.~~

16.3.5.E. Setback. The coop shall: (i) Meet all required setbacks; and (ii) be a minimum distance of thirty five (35') feet from any neighboring dwelling.

Chapter 17 amendments:

17.2.1.B. Animals and fowl for recreational use or family food production for the primary use of persons residing on the premises, ~~excluding the keeping or raising of swine and exotic or dangerous animals.~~

17.2.1.B.i The keeping of animals shall meet all standards set by the local Health Department, State and Federal regulatory agencies.

17.7.4. DOMESTIC FARM ANIMALS.

17.7.4.A. ~~The raising or keeping of domestic farm animals is permitted on lots one (1) acre or larger in size in the Rural Residential District and shall be subject to the following regulations.~~

17.7.4.B. ~~All domestic farm animals shall be housed in enclosed corrals, stables, or other enclosures with open fenced exercise areas located a minimum of fifty feet (50') from any dwelling.~~

17.7.4.C. ~~Domestic farm animals may be kept or raised in the following combination per acre of lot size:~~

17.7.4.C.1. ~~Two (2) horses, or~~

17.7.4.C.2. ~~Two (2) cows, or~~

17.7.4.C.3. ~~One (1) horse and one (1) cow, or~~

17.7.4.C.4. ~~Five (5) sheep/goats, or~~

17.7.4.C.5. ~~One (1) cow and two (2) sheep/goats, or~~

17.7.4.C.6. ~~One (1) horse and two (2) sheep/goats, or~~

17.7.4.C.7. ~~One (1) horse and five (5) fowl, or~~

17.7.4.C.8. ~~One (1) cow and five (5) fowl, or~~

17.7.4.C.9. ~~Two (2) sheep/goats and five (5) fowl, or~~

17.7.4.C.10. ~~One (1) sheep/goat and eight (8) fowl, or~~

17.7.4.C.11. ~~One (1) horse and one (1) sheep/goat and two (2) fowl, or~~

17.7.4.C.12. ~~One (1) cow and one (1) sheep/goat and two (2) fowl, or~~

17.7.4.C.13. ~~Ten (10) fowl.~~

~~Note: Any partial acreage remaining shall not be counted so as to allow any additional domestic farm animals, only whole acres will be counted. In other words, the number and diversity of animals listed above is permitted on one (1) acre, and at least one (1) additional full acre of lot size is required to add any additional domestic farm animals on the lot.~~

2. Severability. If any section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

3. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

4. Effective Date. This Ordinance shall become effective immediately upon adoption by the Virgin Town Council and execution by the Virgin Town Mayor.

ADOPTED AND APPROVED BY THE VIRGIN TOWN COUNCIL this ____ day of _____, 2018 based upon the following vote:

Council Member:

Dan Snyder	AYE__	NAE__
LeRoy Thompson	AYE__	NAE__
Kevin Stout	AYE__	NAE__
Jay Lee	AYE__	NAE__
Matthew Spendlove, Mayor	AYE__	NAE__

VIRGIN TOWN a Utah municipal corporation

Matthew Spendlove, Mayor

ATTEST:

Monica Bowcutt, Town Clerk/Recorder

Enacted this day: _____