

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10, CHAPTERS 4, 5, 6, 7, & 8, OF THE HINCKLEY TOWN CODE (1996), AS AMENDED, ENTITLED "HINCKLEY TOWN'S ZONING ORDINANCES"

RECITALS

The Town Council of the Town of Hinckley, Utah, referred to herein as the "Town Council", recites the following as the bases for enacting this ordinance:

- A. The Town Council has determined that it is necessary to amend Title 10, Chapters 4, 5, 6, 7, & 8 of the Hinckley Town Code (1996) entitled "Hinckley Town's Zoning Ordinances".
- B. The Town Council has determined that it is necessary to amend Title 10, Hinckley Town's Zoning Ordinances, Chapter 4, Residential Zone, 10-4-13 OTHER REQUIREMENTS G. Walls and Fences; Chapter 5, Mobile Home Zone, 10-5-16 OTHER REQUIREMENTS G. Walls and Fences; Chapter 6, Commercial Zone, OTHER REQUIREMENTS 10-6-16 E. Walls and Fences; Chapter 7, Light Industrial Zone, OTHER REQUIREMENTS 10-7-5 A. Walls and Fences; Chapter 8, Agricultural Zone, OTHER REQUIREMENTS 10-8-12 G. Walls and Fences. A definition for composite fence will be added in the Zoning Regulations Definition.
- C. The Town Council finds that such amendments to Title 10, Hinckley Town's Zoning Ordinances, Chapters 4, 5, 6, 7, & 8 are necessary and appropriate and are in the best interest of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hinckley, Utah:

Section 1: Enactment of Amendment to Hinckley Town Code. This Ordinance is hereby enacted and adopted by the Town Council Amending Title 10, Hinckley Town's Zoning Ordinances, Chapter 4, Residential Zone, 10-4-13 OTHER REQUIREMENTS G. Walls and Fences; Chapter 5, Mobile Home Zone, 10-5-16 OTHER REQUIREMENTS G. Walls and Fences; Chapter 6, Commercial Zone, OTHER REQUIREMENTS 10-6-16 E. Walls and Fences; Chapter 7, Light Industrial Zone, OTHER REQUIREMENTS 10-7-5 A. Walls and Fences; Chapter 8, Agricultural Zone, OTHER REQUIREMENTS 10-8-12 G. Walls and Fences and a definition for composite fence will be added in the Zoning Regulations Definition to read, as set forth in the document attached hereto as Attachment "A" and incorporated herein by reference.

Section 2. Effective Date. This ordinance shall become effective 20 days after posting.

Section 3. Posting. A complete copy of this ordinance is ordered posted in three public places within the Town of Hinckley, Utah.

Section 4. Severability. In the event that any provision of this ordinance less than the entire ordinance is held invalid by court of competent jurisdiction, this ordinance shall be deemed severable and such finding of invalidity shall not affect the remaining provisions of this ordinance.

Section 5. Conflicting Ordinances, Resolutions or Policies. To the extent that any ordinances, resolutions or policies of the Town of Hinckley conflict with the provisions of this ordinance, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED this _____ day of January, 2020.

TOWN OF HINCKLEY, UTAH

By: _____
BRIAN C. FLORANG, Mayor

ATTEST: _____
Tresa Martin, Town Clerk

Attachment "A"

This Ordinance is hereby enacted and adopted by the Town Council Amending Title 10, Hinckley Town's Zoning Ordinances, Chapter 4, Residential Zone, 10-4-13 OTHER REQUIREMENTS G. Walls and Fences; Chapter 5, Mobile Home Zone, 10-5-16 OTHER REQUIREMENTS G. Walls and Fences; Chapter 6, Commercial Zone, OTHER REQUIREMENTS 10-6-16 E. Walls and Fences; Chapter 7, Light Industrial Zone, OTHER REQUIREMENTS 10-7-5 A. Walls and Fences; Chapter 8, Agricultural Zone, OTHER REQUIREMENTS 10-8-12 G. Walls and Fences. A definition for composite fence will be added in the Zoning Regulations Definition.

A front yard fence may be erected to a height of 3 feet. A composite fence may be erected up to 6 feet, if the top 3 feet does not obstruct view. If picket, spacing between pickets is a least 3 inches and maximum picket width is 4 inches, chain link, etc. This also applies to side yard fences in the front 30 feet setback. After the setback, side fences and back fences may be constructed of approved standard fencing materials, including solid fencing, to a height of 8 feet.

Setback is the first 30 feet from the edge of the road, in the Towns designated front of the house.

All front, rear and side fences shall be measured from the natural ground level, or the level of the ground without any artificial alteration, to the apex of the fencing materials. Any fence that is constructed on raised ground or materials that exceed the natural ground level shall be measured from the natural ground level to the apex of the fencing materials.

All fences shall be constructed in accordance with the Zoning Regulation Definitions as provided in Section 10 – Appendix 1.

Zoning Regulations Definition

Composite Fence – A solid fence for the first (3) three feet and the top (3) three feet shall be of see through construction.