



June 30, 2020

Mr. Scott Messel.  
Town Planner  
The Town of Leeds, Utah

RE: Silver Eagle Estates Subdivision Review Comments Response Letter

Dear Scott,

We have prepared this letter to provide our response to your review comments letter dated May 10, 2020 regarding the concept plan that we had submitted to the Town of Leeds. We have included your comments for each item with our response to each item.

1. Topography is a challenge in this area. The subdivision must meet Leeds Land Use Ordinance Chapter 20: Hillside Ordinance. *In review of the Hillside Ordinance the Town would prefer slopes less than 20% and absolutely will not allow development on slopes greater than 30%. We can prepare a site slope analysis which will identify these slope areas. One of the reasons for scaling the subdivision back to 16 lots instead of the previously preliminary approved subdivision of 70 lots in 2008 was the issue of buildable areas on slopes less than 20%. The proposed concept consists of 16 lots of which each individual lot contains buildable area less than 20% slope.*
2. The subject parcels are zoned R-1-20 (Residential Single Family 20,000 square foot minimum lot size). The proposed lots must meet the requirements of the subject zone. *As we understand the 20,000 square foot minimum lot size is a minimum lot size and the lots can be larger. We are not aware of any limitation on lots larger than the zone allows. An additional reason for the 16 lots at the larger lot size is for the individual lot sewer system which is required by the Southwest Public Health Department. The health department has given verbal approval to the lot sizes on our concept plan.*
3. Water and Septic are a huge issue in the Leeds area. Utilities are required for every lot. *We do understand that utilities are required for every lot. As previously mentioned in item 2 we have met with the health department and they have verbally approved our concept layout with the larger lots for individual septic tank and drain field sewer systems. Percolation tests have previously been performed on the 2008 development and some additional tests may be required for final approval. Water discussions have previously been made with Leeds Domestic Water Association and Washington County Water Conservancy District regarding water for the development of which both entities have water available for the project.*

4. Flag Lots. Leeds Land Use Ordinance Chapter 4.3.2 states that no new flag lots may be created unless approved by the Planning Commission. We would propose to extend the roadway and cul-de-sac to Lot 12 which would eliminate the flag lot
5. The proposed long deadend road that is shown to provide access to lots 10, 11 and 12 needs to be a through street that would intersect with the continuation of Silver Meadow Road. This removes the need for Lot 12 to be a flag lot and creates a more functional road network. As we understand the Uniform Fire Code will allow up to 29 lots on a single access road. We are proposing 16 lots on a single access road to the top of the subdivision. We would not object to connecting to the Silver Meadow Road if the offsite right-of-way and roadway improvements are extended to the Silver Eagle Development property line. We are not sure of the existing Silver Meadow Road connecting point.
6. Silver Meadow Road must be continued along the south of the proposed subdivision. As previously mentioned we would not object to connecting to the roadway if the right-of-way and roadway improvements were currently at our property line. If there is an extended length of right-of-way to be obtained and roadway to be constructed to our property line we would expect participation from the City. 16 lots do not justify the cost of offsite roadway right-of-way and construction.
7. The Preliminary Plat Map and Application submittal must meet the applicable Leeds Land Use Ordinances including Chapter 21. We are prepared to meet the applicable Land Use Ordinances including Chapter 21 in proceeding with the submittal of our preliminary plat. The purpose of our concept submittal was to determine if the Town Planning Commission and Council would be supportive of a 16 lot subdivision.

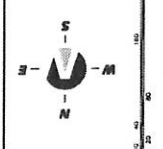
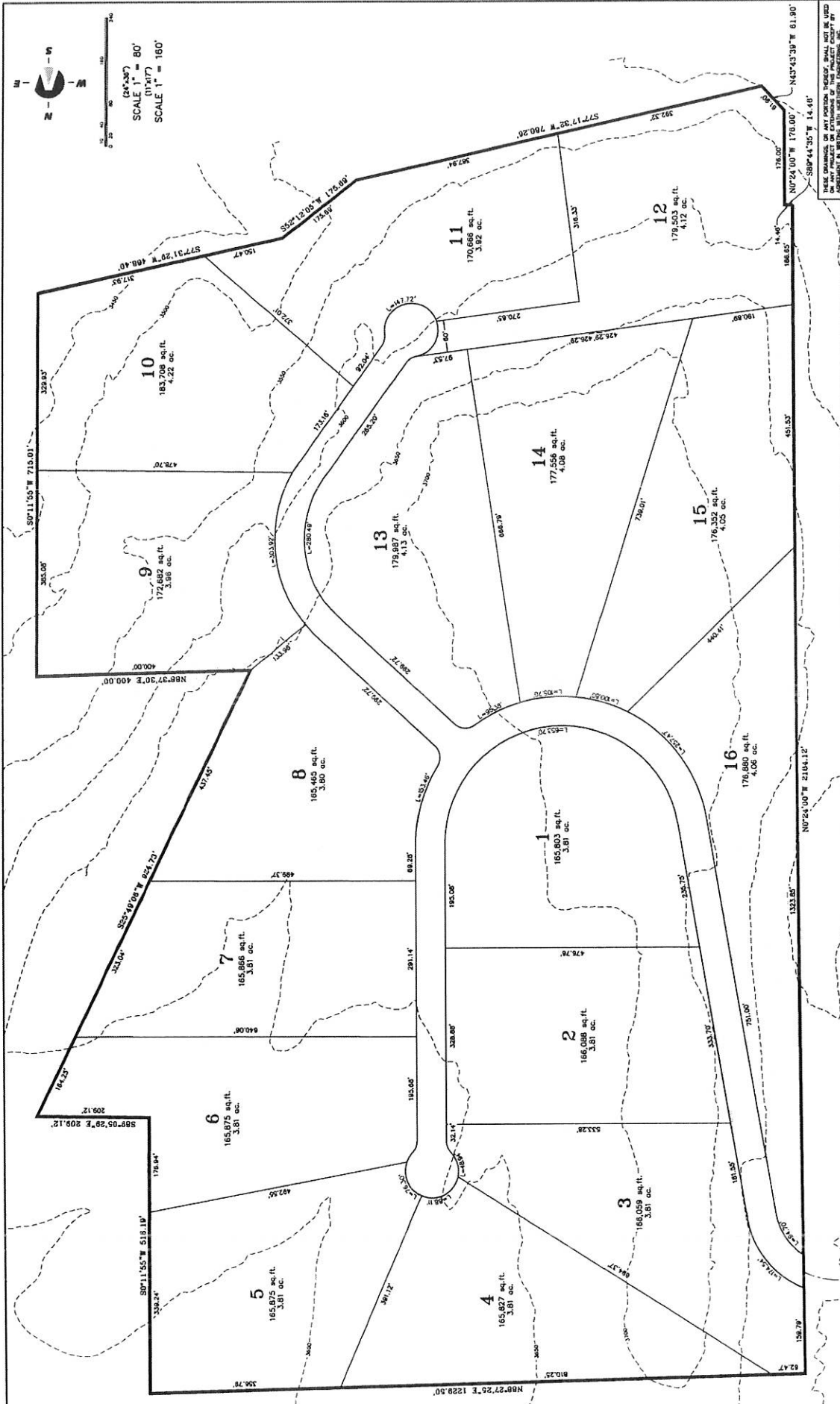
Has the concept plan been reviewed with the Town Planning Commission and Council? Before going to the expense of all of the items required for Preliminary Plat Approval our desire is to determine the support of the Town of Leeds for the 16 lot subdivision.

If you have any questions or need any additional information please contact me.

Thanks,



Brant D. Tuttle, P.E.



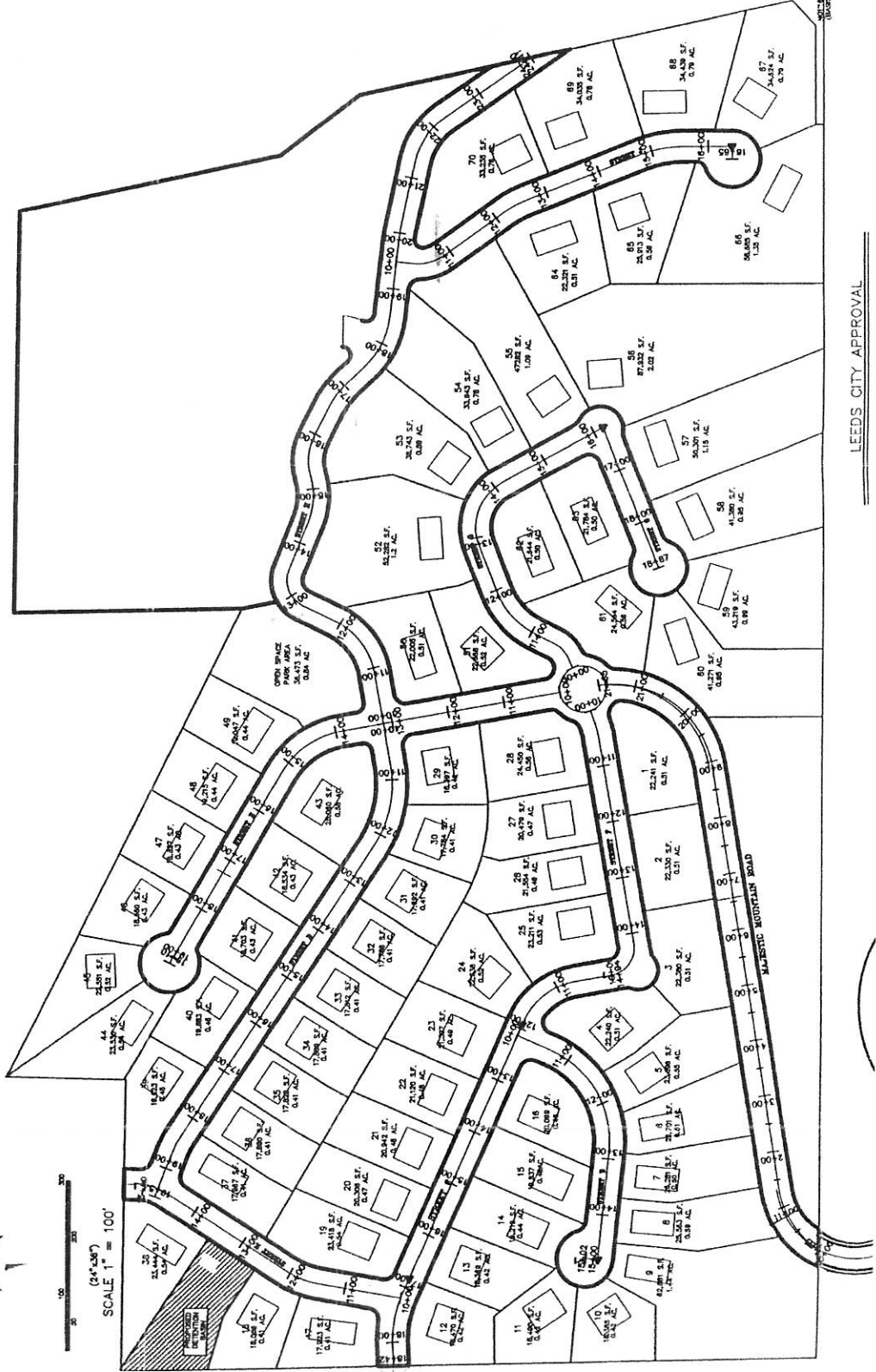
THESE DIMENSIONS OR ANY PORTION THEREOF, SHALL NOT BE USED FOR ANY PURPOSES WITHOUT THE WRITTEN PERMISSION OF NORTHERN ENGINEERING, INC.

JOB NO. 3-13-057		SHEET NO. 01	
CONCEPT		LEEDS, UTAH	
SILVER EAGLE ESTATES		1040 E. 800 N. 84097 OREM, UTAH 84097 (801) 862-8892	
Northern ENGINEERING INC		ENGINEERING-LAND PLANNING CONSTRUCTION MANAGEMENT	
DATE	BY	DATE	BY

# PRELIMINARY PLAT

## REFERENCE DRAWINGS

SHEET	DESCRIPTION
1	COVER SHEET
2	PRELIMINARY PLAT
3	MASTER UTILITY PLAN
4	GRADING PLAN
5	DRAINAGE PLAN
6	PAVING PLAN
7	PLAN & PROFILES STREET 8
8	PLAN & PROFILES C STA: 0+00 - 1+42.5
9	PLAN & PROFILES D STA: 1+42.5 - 1+84.1
10	PLAN & PROFILES E STA: 1+84.1 - 1+147.0
11	PLAN & PROFILES F STA: 1+147.0 - 1+24.9
12	PLAN & PROFILES G STA: 1+24.9 - 1+44.0
13	PLAN & PROFILES H STA: 1+44.0 - 1+84.1
14	PLAN & PROFILES I
15	PLAN & PROFILES J STA: 1+00.0 - 1+144.5
16	PLAN & PROFILES K STA: 1+144.5 - 1+184.8
17	PLAN & PROFILES L STA: 1+00.0 - 1+147.5
18	PLAN & PROFILES M STA: 1+147.5 - 1+184.0
19	PLAN & PROFILES N STA: 1+184.0 - 2+41.1
20	PLAN & PROFILES O
21	PLAN & PROFILES P



LEEDS CITY APPROVAL

### GENERAL NOTES:

- ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LEEDS CITY DESIGN STANDARDS AND SPECIFICATIONS, LATEST EDITION, AND ANY OTHER APPLICABLE APPROVED STANDARDS ISSUED BY THE CONTROLLING AGENCIES. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE ORDINANCES APPLICABLE TO THE PROJECT AND ALL LEEDS CITY CODES AND ORDINANCES APPLICABLE TO THE PROJECT.
- THE CONTRACTOR SHALL TAKE ALL PRECAUTIONARY MEASURES TO BE TAKEN TO PROTECT ALL EXISTING UTILITIES AND STRUCTURES FROM DAMAGE TO THE PROPERTY AND ALL SUCH STRUCTURES OR UTILITIES SHALL BE PROTECTED BY THE CONTRACTOR TO THE FULL EXTENT OF THE LAW.
- THE CONTRACTOR SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES OR STRUCTURES OR TO THE PROPERTY OF ANY ADJACENT PROPERTY OWNER OR TO THE CITY OF LEEDS, IOWA, OR TO ANY OTHER PARTY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS IN ADVANCE OF CONSTRUCTION IN THE VICINITY OF THE PROJECT AND BEFORE COMMENCEMENT OF CONSTRUCTION.

# TOWN OF LEEDS

218 NORTH MAIN STREET  
PO BOX 460879  
LEEDS, UT 84746-0879  
PHONE: 435-879-2447 FAX: 435-879-6905  
E-mail: leedstow@hall.gov.utah.gov  
Website: www.leedsutah.org

Paid CK # 205

FILING FEE: <del>\$100</del> - Category I
\$350 - Category II
\$650 - Category III
\$1,000 - Category IV
Non-refundable
DATE RECEIVED <u>8/19/20</u>
BY <u>Berkeley Joseph</u>

## CONDITIONAL USE PERMIT APPLICATION - CATEGORY II

TO THE PLANNING COMMISSION:

The undersigned applicant is the owner or agent of the following legally described property, (give exact legal description include: Lot, Block, Subdivision and Tract) Brant + Tiffany Jones

Property Tax ID# \_\_\_\_\_

The property is situated: (Street address or exterior boundaries of area petitioned for change by streets, alley, property lines, etc.)  
195 S. main street

Attach a plot plan, drawn to scale, of the property involved showing the location of all existing buildings and plans and descriptions of the proposed use of the property with plans for all proposed buildings:

1. Prepare site plans/elevations.
2. Show existing/proposed buildings
3. Show parking/loading areas.
4. Include other pertinent information.

The applicant has the ability and intention to utilize said CONDITIONAL USE PERMIT within twelve (12) months from date of final approval; and the applicant understands that this CONDITIONAL USE PERMIT, if granted, becomes null and void and of no effect if unused within twelve (12) months from the date of filing of the application; or if any time after granting, the use is discontinued for a period of twelve (12) months; or if the property is sold or developed by someone other than the applicant.

WHEN A CONDITIONAL USE PERMIT IS GRANTED SUBJECT TO CONDITIONS, SUCH CONDITIONAL USE PERMIT DOES NOT BECOME EFFECTIVE UNTIL SUCH TIME AS THOSE CONDITIONS HAVE BEEN MET.

\*NOTE - A CONDITIONAL USE PERMIT does not eliminate the necessity of obtaining a Building Permit or Business License. A Building Permit is required for construction of all buildings in the project.

Are there any deed restriction affecting the use of the property involved? Give expiration date of restrictions.  
NO

List nature of business or use applying for: welding fabrication

The undersigned property owner requested a Conditional Use Permit as permitted to use the above described property for the following purposes: welding fabrication

[Signature]  
Applicants Signature

195 south main  
Address

435-218-4842  
Phone #

IT IS REQUIRED THAT THE APPLICANT SUBMIT STAMPED ADDRESSED ENVELOPES FOR ALL PROPERTY OWNERS WITHIN 300 FT OF THE AFFECTED PROPERTY.

### Town of Leeds Use Only

The applicant is hereby authorized to establish the requested use in accordance with the attached site plan subject to the following conditions:

\_\_\_\_\_  
Town of Leeds Mayor



TOWN OF LEEDS  
 218 NORTH MAIN STREET  
 PO BOX 460879  
 LEEDS, UT 84746-0879  
 PHONE: 435-879-2447

PAID CK #205  
 FILING FEE: \$50.00  
 NON-REFUNDABLE  
 Date 8/10/20  
 Received by [Signature]

## TOWN OF LEEDS

# 2020 Home Occupation Business License

### Application and Agreement of Terms

*THIS IS ONLY AN APPLICATION AND NOT A BUSINESS LICENSE. You will receive your business license from the Town Clerk/Recorder when all documentation has been provided and verified.*

Please check applicable box:     New     Renewal (Must still complete form)     Address change

Do you have a Conditional Use Permit (CUP) Issued on this business location?     Yes     No

If a CUP was issued, is the business function still the same?     Yes     No

\*If you checked 'no' above, please attach explanation.

**Home Occupation Defined:** Any use conducted entirely within a dwelling, and carried on by persons residing in the dwelling unit, occupying no more than twenty-five (25) percent of the dwelling unit. The home occupation business is clearly incidental and secondary to the use of the dwelling unit for dwelling purposes and does not change the character thereof. The dwelling shall be the principal residents of the business owner/manager. The home occupation shall not include any display, stock in trade, employees or the use of advertising except as provided herein. The home occupation business shall not involve the use of any accessory buildings or space outside the main building. In all cases where a home occupation is engaged in, there shall be no advertising of said occupation, no window display, or signs except as permitted by Leeds Ordinance. The property resident must be the on site manager of the home occupation business.

**PLEASE PRINT CLEARLY**

**Business:**

Name: Southern Utah metal works  
 Street Address: 195 south main  
 Mailing Address: \_\_\_\_\_  
 Business Phone: 435-218-4842      Fax Number: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_      Website: \_\_\_\_\_

**Owner of Property:**

Name: Brant + Tiffany Jones  
 Address: 175 south main street  
 Home Phone: 435-632-2925      Business Phone: \_\_\_\_\_

**Applicant:**

Name: Jared Turner  
 Street Address: ~~XXXXXXXXXXXXXXXXXXXX~~ 195 S main  
 Mailing Address: \_\_\_\_\_  
 Home Phone: \_\_\_\_\_      Cell: 435-218-4842  
 E-mail Address: Jared.turner.92.jt@gmail.com



TOWN OF LEEDS  
 218 NORTH MAIN STREET  
 PO BOX 460879  
 LEEDS, UT 84746-0879  
 PHONE: 435-879-2447

Describe the business: welding fabrication

What functions or activities will take place at the home? welding fabrication

Business is:  Corporation  Sole Proprietorship  Partnership  LLC

List all owners other than applicant. If a corporation, partnership, or LLC, list other officers, general partners or members. (\*If New Applicant, or if information has changed from previous year, attach copy of Articles of Incorporation or Articles of Organization & Certificate of Registration.)

Date of commencing business in Leeds: \_\_\_\_\_

Have you registered your business name with the State of Utah?  Yes  No (\*if new applicant, attach copy)

Federal Tax ID: 84-3922726 (\*If new applicant, attach copy of IRS form SS-4,)

Utah Sales Tax Number: \_\_\_\_\_ (\*If new applicant, attach copy of Sale Tax License from Utah State Tax Commission)

Is this a food or food preparation business?  Yes  No (If yes, attach a copy of Permit to Operate and / or annual Health Permit from Southwest Public Health Department.)

Is this business required to be licensed by the State?  Yes  No  
 If yes, indicate type and number: \_\_\_\_\_ (Attach Copy of State License)

Average number of employees: 0 Days & hours of operation: mon - fri 7-5



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**Please complete the following to indicate compliance with the standards involving your business:**

Is the home occupation business owned and operated by a person who resides in the home where the business is located?

YES  NO

Is the applicant the primary provider of the labor, work, or service provided in the home occupation business?

YES  NO

I understand that tools, items, equipment, or activities conducted within the dwelling which are offensive or noxious by reason of the emission of odors, smoke, gas, vibration, magnetic interference or noise are prohibited.

YES  NO

I understand that the home occupation shall not disrupt the normal residential character of the neighborhood in which the residence is located.

YES  NO

Is there visible evidence from the exterior of the dwelling or building indicating that it is being used for any other purpose than that of the dwelling? If yes, explain:

no

Is the home occupation clearly incidental and secondary to the primary use of the dwelling for residential purposes? If no, explain:

yes

Are you going to have customers coming to the business? If yes, please explain:

No

Will your home occupation business generate pedestrian or vehicular traffic, or parking problems in excess of what is customarily associated with the zone in which the use is located? If yes, explain

No

Other than the business owner's personal transportation, will there be any vehicles or equipment stored on the property? This includes vehicles associated with the business. If yes please explain:

No





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 PHONE: 435-879-2447

**NOTICE:**

*Applicant's signature indicates agreement to conduct the business in compliance with listed uses, Zoning Ordinance and all Ordinances that are applicable to the type of business being conducted. Any operations exceeding or not in compliance with Town of Leeds Ordinances require application for a Conditional Use Permit and said Permit will not be issued without prior recommendation from Planning Commission and approval from Leeds Town Council per the Land Use Ordinance.*

**FAILURE TO COMPLY WITH THE ABOVE CONDITIONS AND LEEDS ORDINANCES CAN RESULT IN SUSPENSION OR REVOCATION OF YOUR BUSINESS LICENSE AND IS A CLASS "B" MISDEMEANOR.**

**I HAVE READ AND UNDERSTAND, AND AM IN COMPLIANCE WITH THE CONDITIONS OF THE LAND USE ORDINANCE 2008-04; CHAPTER 24 - HOME OCCUPATIONS, AND CHAPTER 6 - PARKING REQUIREMENTS.**

Print Name Jared Turner

*Jared Turner*  
 Signature of Applicant

7/15/20  
 Date

*I understand that falsifying any information on this form constitutes sufficient cause for rejection or revocation of my business license. I also understand that the Town Clerk may require additional information as permitted by ordinance, and also agree to supply the same as part of this form.*

**Authorized Representative**

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

*"Authorized Representative" shall mean: a) a responsible corporate officer, if the User is a corporation (i.e. a president, secretary-treasurer, or vice-president of the corporation, or the manager of one or more manufacturing, production or operation facilities, with authority to sign documents); b) a general partner or proprietor if the Industrial User is a partnership or proprietorship respectively; or c) a duly authorized representative (written authorization and written change of authorization are required) of the corporation, general partnership or proprietorship.*

**Applicant's signature indicates agreement to conduct the business in compliance with listed uses, Zoning Ordinance and all Ordinances that are applicable to the type of business being conducted.**

**Deadline for filing business license renewal is January 31, 2021. Beginning February 1, 2021, a late charge will be assessed.**

**BUSINESS LICENSE EXPIRES ON December 31, 2012**

**For Town Use Only**

Current Zoning: \_\_\_\_\_

\_\_\_\_\_  
 Town, Clerk/Recorder

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Town, Mayor

\_\_\_\_\_  
 Date

8/16/2020

# Leeds Parking Ordinance Review

## Suggestions from Town Council & Residents for Planning Commission consideration.

After receiving many ongoing complaints from residents this document (current Leeds Parking Ordinance) is followed by other city/town parking ordinances for suggestion purposes only.

Background: a white box truck has been picking random parking spots in Town and leaving it parked for days and even weeks at a time. The owner lives in the RV park and does not wish to pay the amount required by the park to use overflow parking for his "work" truck. This has been happening for approximately 8 months and neighbors are getting frustrated. An increasing number of trailers with assorted items that "never move" is another concern with this theme.

With the increase in OHV traffic due to Covid-19 there are residents that are concerned with the parking of the trailers while people are out riding. A suggestion was made that a "for a fee" area be purchased by the Town or find some other resolution for this situation. I have responded to several individual complaints of ATV trailers parking illegally on Silver Reef Road on the straight away before the Museum, each time I arrive I see the same thing; trucks and trailers parked completely off the pavement, on dirt, not on brush and totally legal.

Another complaint is regarding the parking of multiple non-working vehicles within view of the street at residences with no screening to block neighbors from having to look at "the junk yard."

A No Overnight Parking Ordinance with residents able to receive a specific number of passes per year for guests and holidays was suggested as a possible way to deter some of these activities. Also, residents having driveway work done would have an exemption until work is completed.

Feel free to contact me with any questions and thank you for the work that you do.

[Lorrie Hunsaker 435-233-8361](tel:435-233-8361)

# Land Use Ordinance 2008-04

## CHAPTER 6

### PARKING REQUIREMENTS

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#### 6.1 OFF-STREET PARKING.

At the time any building or structure is erected, enlarged, or increased in capacity or any use is established, there shall be provided off-street parking space for automobiles in accordance with the requirements contained in this Ordinance.

#### 6.2 SIZE

The dimension of each off-street parking space shall be at least nine feet (9') by twenty feet (20') for diagonal or ninety-degree (90°) spaces; or nine feet (9') by twenty-two feet (22') for parallel spaces, exclusive of access drives or aisles. The Leeds Planning Commission may reduce the size of thirty percent (30%) of the parking spaces by twenty percent (20%) for compact cars.

#### 6.3 ACCESS TO INDIVIDUAL PARKING SPACE.

6.3.1. Except for the single-family dwelling, access to each parking space shall be from a private driveway and not from a public street.

6.3.2. Two-way driveways shall be a minimum width as follows:

6.3.2.1 Primary access must be at least twelve (12) feet in width, plus two (2) feet of unobstructed width on each side. Flag lots refer to Chapter 4.3.2.2.2.

6.3.2.2 Twenty-four (24) feet for commercial and multi-family developments.

6.3.3. For all new construction and additions, where the driveway or private road meets a public paved road, the first ten (10) feet of driveway or private road starting at the public paved road must be paved, unless the remodel is less than 25% of the original square footage of the home.

#### 6.4 NUMBER OF PARKING SPACES.

The number of off-street parking spaces required shall be as follows:

##### 6.4.1. Business or professional offices:

One (1) parking space for each one hundred (100) square feet of floor area.

##### 6.4.2 Churches with fixed seating:

One (1) parking space for each 3.5 fixed seats, or one (1) parking space for each seven (7) feet of linear pew, whichever is greater.

**6.4.3. Residential Parking Area.**

**6.4.3.1** The number of off-street parking spaces required for residential development shall be as follows:

**6.4.3.1.1.** Single-family dwelling and two-family dwelling units shall have two fully enclosed garage parking spaces per dwelling unit, unless the expansion or addition is less than 50% of the square footage of the existing home, or the garage would impose upon existing setbacks. New homes refer to Chapter 4.7.

**6.4.3.1.2.** If an existing garage is to be turned into living space, a building permit will be required, and additional garage space must be provided elsewhere on the property.

**6.4.3.1.3.** All other dwellings, including townhouses and condominiums, shall have two (2) parking spaces per dwelling unit, at least one of which shall be fully enclosed. No street parking shall be counted toward meeting the parking requirement. Tandem parking shall not count toward the parking requirement. No parking area shall be located within the required front setback facing a public street. All Parking shall be on site.

**6.4.3.1.4.** Parking for all dwelling units must also comply with paragraph 6.8 "Residential Parking."

**6.4.4. Dwelling, Multi-family:**

**6.4.4.1.** Studio, one (1) bedroom and two (2) bedrooms: One and one-half (1.5) parking spaces per dwelling units.

**6.4.4.2.** Three (3) or more bedrooms: Two (2) parking spaces per unit.

**6.4.5. Furniture and appliance stores:**

One (1) parking space for each 600 square feet of floor area.

**6.4.6. Hotels, motels, motor hotels:**

One (1) parking space for each living or sleeping unit, plus parking space for all accessory uses as herein specified.

**6.4.7. Restaurants, taverns, private clubs, and all other similar dining and/or drinking establishments:**

One (1) parking space for each 2.5 seats or one (1) parking space for each 100 square feet of floor area (excluding kitchen, storage, etc.), whichever is greater.

**6.4.8. Retail stores, shops, except as provided 6.4.5 above:**

Three (3) parking spaces for every one-thousand (1,000) square feet of floor area (excluding storage).

**6.4.9. Wholesale establishments, warehouses, and manufacturing establishment:**

No less than one (1) parking space per two thousand (2,000) square feet of building area.

**6.4.10. Shopping centers or other groups of uses listed above:**

Parking requirements will be determined by the Leeds Planning Commission and approved by the Town Council, but in no case less than three (3) parking spaces per **one-thousand** (1,000) square feet of total floor space.

**6.4.11. All other uses not listed above:**

As determined by the Leeds Planning Commission and approved by the Town Council, based on the nearest comparable use standards.

**6.5. ACCESS REQUIREMENTS.**

Adequate ingress and egress to and from all uses shall be provided as follows:

**6.5.1. Residential lots:**

No driveway shall be closer than three (3) feet to a side property line.

**6.5.2. Other than residential lots:**

Access shall be provided to meet the following requirements:

**6.5.2.1.** Not more than two (2) driveways shall be used for each one hundred (100) feet or fraction thereof of frontage on any street.

**6.5.2.2.** No two (2) of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three (3) feet.

**6.5.2.3.** No driveway shall be closer than ten (10) feet of any intersection at any corner as measured along the property line.

**6.5.2.4.** In all cases where there is an existing curb and gutter or sidewalk on the street, the applicant for a permit shall continue the curb, gutter, and sidewalk along the entire frontage of the property, except for the permitted driveways. If the sidewalk abuts the curb, the sidewalk shall be four (4) feet in width. The height, location, and structural specifications of the curb, gutter, and sidewalk shall be accordance with the Town of Leeds Design and Construction Standards.

**6.5.2.5.** Where there is no existing curb and gutter or sidewalk, the applicant may be required to install such in accord with 6.5.2.4. above. If the curb, gutter, and sidewalk are not required, there is a minimal requirement to provide eight (8) feet wide safety space for pedestrian walking along the entire length of property frontage except in front of permitted driveways.

**6.5.2.6.** All other uses not listed above as determined by the Leeds Planning Commission and approved by the Town Council, based on the nearest compatible use standards.

**6.6. LOCATION OF GASOLINE PUMPS.**

Gasoline pumps shall be set back not less than eighteen (18) feet from any street line to which the pump island is perpendicular, and twelve (12) feet from any street line to which the pump island is parallel, and not less than thirty (30) feet from any residential district boundary line. If the pump island is set at an angle on the property, it shall be so located that the automobiles stopped for service will not extend over the property line or sidewalk.

## **6.7 MAINTENANCE OF PARKING AREAS.**

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

### **6.7.1. Surfacing.**

Each off-street parking lot shall be surfaced with an asphalt type substance or Portland cement or other binder pavement to provide a dustless surface. The parking area shall be so graded as to dispose of all surface water. If such water is to be carried to adjacent streets it shall be piped under sidewalks.

### **6.7.2. Screening.**

The sides and rear of any off-street parking lot that faces or adjoins a residential district shall be screened from such district by a masonry wall of solid visual barrier fence six (6) feet in height. In the event that the sides of the off-street parking lot must be screened from an adjoining residential district, the fence must not be extended to the point that it obscures the vision of motorists, and it must be in accordance with the Town of Leeds Design and Construction Standards.

### **6.7.3. Commercial parking lots shall be Xeriscaped and be approved by Town Staff.**

Each parking area shall be permanently groomed, maintained, and kept free of weeds.

### **6.7.4. Lighting.**

Lighting used to illuminate any parking lot shall be arranged to reflect the light away from adjoining premises in any residential district, and from street traffic. The lighting must comply with the Leeds Lighting Ordinance.

## **6.8 RESIDENTIAL PARKING.**

- 6.8.1.** Residential zones of less than two acres; on-street parking is strongly discouraged and property design should be such that adequate on-property parking is provided.
- 6.8.2.** Residential zones of two (2) acres or larger; on-street parking is strongly discouraged. Property design shall be such that adequate on-property parking is sufficient for normal use including visitors.
- 6.8.3.** In areas where there are no curb, vehicles parking on the street must be parked in a manner that allows for the safety and welfare of the public. Parked vehicles shall not have more than two (2) feet of the vehicle covering the hard asphalt surface. If on-street parking is interfering with the normal flow of traffic all vehicles may be cited for obstruction of traffic. In the case of an event that is scheduled in Leeds that will result in more than ten (10) cars parked on the street, the event sponsor must obtain a permit from the Leeds Town Clerk and confirm that parking will be controlled in such a manner that no disruption in the normal flow of traffic will be affected.

**6.9. PARKING HEAVY EQUIPMENT.**

Heavy equipment in excess of 12,000 lb. gross vehicle weight excluding pick-up trucks and including, but not limited to, construction equipment, excavation equipment, dump trucks, front end loaders, road graders, 18-wheel semi trailer rigs, school buses, and live stock trucks may be parked in open space zones providing the following

- 6.9.1.** Equipment shall be parked on property owned by the same person who is the registered owner of the equipment;
- 6.9.2.** Equipment shall not be parked on any roadway, street, or highway fronting or bordering the property, but shall be parked on the lot and or parcel itself;
- 6.9.3.** The equipment shall be parked in a place and manner to be reasonably screened from view from the roadway on which the property fronts;
- 6.9.4.** The equipment engines and/or associated motors (i.e., refrigeration units) shall not be allowed to run while parked;
- 6.9.5.** All equipment used for construction may be parked on the construction site during the period of ongoing construction that is authorized by a current building permit. In the case of a subdivision, the equipment may be parked on the subdivision property during construction but shall be removed at the end of the construction period.

## **EXAMPLES OF OTHER CITIES/TOWNS & THEIR ORDINANCES**

### **Barnegat, New Jersey**

#### **VEHICLES, PARKING RESTRICTIONS IN RESIDENTIAL AREAS**

##### **Chapter 71A**

#### **VEHICLES, PARKING RESTRICTIONS IN RESIDENTIAL AREAS**

##### **ARTICLE I**

###### **Trucks, Trailers and Similar Vehicles and Equipment**

§ 71A-1. Purpose.

§ 71A-2. Definitions.

§ 71A-3. On-street parking prohibited.

§ 71A-4. Off-street parking prohibitions.

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##### **ARTICLE II**

###### **Parking on Certain Parts of Residential Property Prohibited**

§ 71A-7. Prohibition.

§ 71A-8. Penalties and fines.

§ 71A-1 BARNEGAT CODE § 71A-3

##### **ARTICLE I**

###### **Trucks, Trailers and Similar Vehicles and Equipment**

§ 71A-1. Purpose.

The purpose of the within ordinance is to regulate the parking of trucks, trailers and other similar vehicles and equipment of a certain size upon roadways within residential neighborhoods. Said vehicles and equipment tend to block the view of other vehicles and children playing in these neighborhoods as well as negatively impacting the aesthetics of the residential neighborhood. This ordinance further provides for a restriction of the parking of said vehicles upon single-family residential properties in order to further protect the health, safety and general well-being of the residents of Barnegat Township.

§ 71A-2. Definitions.

As used herein, the reference to truck, tractor, tractor trailer, trailer body, mobile home, house trailer, camper trailer, bus or any similar vehicle or equipment means vehicles or equipment having an overall length in excess of twenty (20) feet or a height of more than nine (9) feet.

§ 71A-3. On-street parking prohibited. [Amended 4-27-98 by Ord. No. 1998-8]



There is hereby prohibited the parking of any truck, tractor, tractor trailer, trailer body, mobile home, house trailer, camper trailer, bus or any similar vehicle or equipment on any street within any residential zone of Barnegat Township from the hours of 6:00 p.m. to 6:00 a.m. daily.

On-street parking shall be permitted for registered commercial vehicles or pick-up trucks of a rated capacity not exceeding two (2) tons with two (2) axles and trucks, tractors, tractor trailers, trailer bodies, mobile homes, house trailers, camper trailers, bus or any similar vehicle or equipment with  
71A02

#### **VEHICLES, PARKING RESTRICTIONS**

##### **§ 71A-3 IN RESIDENTIAL AREAS § 71A-4**

an overall length not exceeding twenty (20) feet or a height not exceeding nine (9) feet.

##### **§ 71A-4. Off-street parking prohibitions. [Amended 4-27-98 by Ord. No. 1998-8]**

It shall be unlawful for anyone to store trucks, trailers or commercial vehicles, recreational vehicles, motor homes, travel trailers or campers as defined in this ordinance, on properties in residential zoning districts unless they comply with the following rules:

- (1) Such storage shall not be located closer than three (3) feet to any side or rear lot line and ten (10) feet of any street line.
- (2) Travel trailers or campers shall not exceed thirty-five (35) feet in length and eight (8) feet in width.
- (3) Only one (1) such travel trailer or camper shall be permitted to be stored outdoors in any required yard setback areas of a lot on any residential zoning district.
- (4) No travel trailer or camper stored in conformance with this subsection shall remain in such storage for longer than twelve (12) consecutive months.
- (5) Any such vehicle stored in accordance with this subsection shall not be occupied and shall not be provided with utility connections other than required for vehicle maintenance and shall not be used for storage of any non-recreational material.
- (6) The within section shall not apply to the storage of any construction vehicles engaged in construction for an active construction site.
- (7) Only one (1) commercial vehicle of a rated capacity not exceeding two (2) tons with two (2) axles, owned or used by a resident of the premises, shall be permitted to be regularly parked or garaged on a lot in any residential zoning district. For purposes of this ordinance a commercial vehicle is a bus and/or vehicle containing  
71A03 9-5-00

##### **§ 71A-4 BARNEGAT CODE § 71A-8**

advertising matter intending to promote the interest of any business, whether or not said vehicle is registered as a commercial vehicle with any State Division of Motor Vehicles.

**§ 71A-5. Exceptions.**

The within ordinance shall not apply to any governmental entity or agency.

**§ 71A-6. Violations and penalties.**

Any person who violates any one (1) or more sections of this ordinance shall be subject to a fine of not more than one thousand dollars (\$1,000.) for each separate offense and/or confinement in the Ocean County Jail for a period of not more than ninety (90) days.

**ARTICLE II**

**Parking on Certain Parts of Residential Property Prohibited**  
[Adopted 3-17-97 as Ord. No. 1997-5]

**§ 71A-7. Prohibition.**

No person shall park or leave standing any motor vehicle upon any residential lawn area. Lawn area is defined as the property from the front of a residential house, condominium, or cooperative to the street line other than a driveway, walkway, concrete or blacktopped surface parking space.

**§ 71A-8. Penalties and fines.**

Any person violating the provisions of this section shall be subject to a fine not to exceed one hundred dollars (\$100.). If the violation is of a continuing nature, each and every day during which it continues will constitute a separate and distinct offense.

**LA VERKIN, UTAH**

**6-1-1: Adoption By Reference Of Certain Provisions Of The State Insurance, Motor Vehicle, And Public Safety Codes**

**6-1-2: Definitions**

**6-1-3: Traffic Control**

**6-1-4: Parking Regulations**

**6-1-5: Penalty**

**6-1-1: ADOPTION BY REFERENCE OF CERTAIN PROVISIONS OF THE STATE INSURANCE, MOTOR VEHICLE, AND PUBLIC SAFETY CODES:**

A. Codes Or Provisions Adopted:

1. Motor Vehicle Insurance:

a. Subject to the provisions of subsections B and C of this section, part III of chapter 22, of title 31A, Utah Code Annotated (1953, as amended in and through 2019), titled Motor Vehicle Insurance, is hereby adopted and incorporated as a part of this Code and incorporated as part

of the ordinances of the City of LaVerkin provided that - where a legislatively-adopted addition to, change in, or amendment to said part of title 31A does not become effective until a date subsequent to the effective date of this section - such addition, change or amendment shall not be effective hereunder until the effective date of such provision of title 31A.

b. Where a citation, information, or complaint is issued under the provisions of part III of chapter 22 of title 31A of the Utah Code Annotated (1953, as amended), as adopted herein, it shall be sufficient to use the section number of the Utah Code to designate the section number of this Code that is applicable and/or has been violated.

## 2. Motor Vehicle And Driver License Regulations:

a. Subject to the provisions of subsections B and C of this section, chapters 1a, 6a, 8, 12a, 21 and 22 of title 41 of Utah Code Annotated (1953, as amended in and through 2019), titled Motor Vehicles, is hereby adopted and incorporated as a part of this Code and incorporated as part of the ordinances of the City of LaVerkin; provided that - where a legislatively-adopted addition to, change in, or amendment to said portion of the title 41 does not become effective until a date subsequent to the effective date of this section - such addition, change or amendment shall not be effective hereunder until the effective date of such provision of title 41.

b. Subject to the provisions of subsections B and C of this section, and chapter 3 of title 53 of Utah Code Annotated (1953, as amended in and through 2019), titled Uniform Driver License Act, is hereby adopted and incorporated as a part of this Code and incorporated as part of the ordinances of the City of LaVerkin; provided that - where a legislatively-adopted addition to, change in, or amendment to the Uniform Driver License Act does not become effective until a date subsequent to the effective date of this section - such addition, change or amendment shall not be effective hereunder until the effective date of such provision of the Uniform Driver License Act.

c. Where a citation, information, or complaint is issued under the provisions of chapters 1a, 6a, 8, 12a, 21 or 22 of title 41 of Utah Code Annotated (1953, as amended), and/or chapter 3 of title 53 of Utah Code Annotated (1953, as amended), as adopted herein, it shall be sufficient to use the section number of the Utah Code to designate the section number of this Code that is applicable and/or has been violated.

B. Felonies: Those portions of the State codes and/or provisions, as adopted in this section, referring to or dealing with felonies which are not subject to enforcement by the City of LaVerkin, or punishments associated with felonies which are not subject to enforcement by the City of LaVerkin, are not made a part of this Code.

C. Conflict: Where and to the extent that the provisions of the Utah Code, as adopted by this section, are in conflict with the provisions of this Code, they shall supersede such LaVerkin City Code provisions; provided that, where such conflict exists because the City has enacted legislation that is more restrictive than provided by State law, and the City is not prevented by State law from being more restrictive, then the conflicting LaVerkin City provision(s) shall govern. Where and to the extent that provisions of the Utah Code are not in conflict with the provisions of this Code, they shall supplement said City Code.

D. Code Section Number: Where a citation, information, or complaint is issued under or pursuant to the State codes and/or provisions adopted herein, it shall be sufficient to use the section number of the Utah Code to designate the section number of this Code that is applicable and/or has been violated. (Ord. 2019-06, 8-7-2019)

### **6-1-2: DEFINITIONS:**

Unless the context otherwise requires, all references in the Traffic Code to the terms below shall have the following meanings:

DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF UTAH: The City Law Enforcement Agency or his agent.

LOCAL AUTHORITIES: The City Council.

MAGISTRATE: The Justice of the Peace or Judge of the City.

STATE ROAD COMMISSION OR STATE DEPARTMENT OF TRANSPORTATION: The City and its officers, departments, agencies and agents. (1982 Code § 11-322; amd. 1998 Code)

### **6-1-3: TRAFFIC CONTROL:**

A. Prima Facie Speed: Unless otherwise provided in this chapter or in any other ordinance of the City, the prima facie speed limits on the streets of the City shall be twenty five (25) miles per hour. (1982 Code § 11-323; amd. 1998 Code)

B. Erection Of Stop Or Yield Signs: Whenever any ordinance of the City designates and describes a through street, it shall be the duty of the Public Works Director to place and maintain a stop sign or, where safety and efficiency require at any intersection, a yield sign on each and every street intersecting such through street, unless traffic at such intersection is controlled at all times by traffic control signals. However, at the intersection of two (2) through streets or at the intersection of a through street and a heavily traveled street, stop signs shall be erected at the approaches to either street as determined by the Public Works Director and on the basis of an engineering and traffic study. (1982 Code § 11-326; amd. 1998 Code)

C. Angle Parking: Angle parking shall be permitted upon the streets or parts of streets properly marked by the Public Works Director for angle parking. (1982 Code § 11-324; amd. 1998 Code)

D. Penalty: Any person violating, causing or permitting violation of any provision of this section shall be guilty of a Class B misdemeanor, notwithstanding other language or provisions in the Utah Traffic Code, Rules of the Road, hereby adopted, together with any amendments. (1982 Code § 11-327; amd. 1998 Code)

### **6-1-4: PARKING REGULATIONS:**

A. Signs; Erection: The City Council may authorize or direct any person employed by the City to erect or install any sign or traffic control device required to enforce the provisions of this chapter. (1982 Code § 11-342)

B. Properly Posted Areas: It shall be a Class B misdemeanor to park or leave standing at any time a motor vehicle, as defined in the Utah Traffic Code, Rules of the Road, as adopted by the City, together with any amendments, in any of the places properly posted, except when necessary to avoid interference with other traffic or in compliance with the directions of a police officer or traffic control device. (1982 Code § 11-343; amd. 1998 Code)

C. Blocking Streets Or Highways: In addition to the parking provisions contained in the Utah Traffic Code, as adopted by the City, it shall be a Class B misdemeanor for any person to:

1. Remain standing, lying or sitting on any street or highway in such a manner as to obstruct the free passage of vehicular or pedestrian traffic thereon.

2. Wilfully remain standing, lying or sitting on any street or highway in such manner for more than one minute after being requested to move by any police officer.

3. Wilfully remain on such street or highway in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the street or highway or any property having access to such street or highway. (1982 Code § 11-341)

D. Unlawful Parking:

1. Parking At Curb: No motor vehicle shall be parked with the left side of the vehicle next to the curb, except on one-way streets. It shall be unlawful to stand or park any motor vehicle in a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve inches (12") of the regularly established curb line, except on those streets which have been marked for angle parking; then vehicles shall be parked at the angle to the curb indicated by such marks.

2. Vehicles For Sale: It shall be unlawful to park any vehicle on any street for the purpose of displaying it for sale, or to park any vehicle from which merchandise is peddled on any business street.

3. Loading Zone: When so posted, it shall be unlawful for the driver of a passenger vehicle to stand or park such vehicle for a period of time longer than is permitted by the posted sign for the loading or unloading of passengers, or for the driver to stand or park any freight carrying motor vehicle for a period of time longer than is necessary to load, unload and deliver materials in any place designated as a loading zone and marked as such.

4. Parking Prohibited: It shall be unlawful for any person, except physicians on emergency calls or designated emergency vehicles, when properly posted, to park any motor vehicle on any street in violation of the posted restrictions.

5. Alleys: No person shall park a motor vehicle within an alley in such manner or under such conditions as to leave less than ten feet (10') of the width of the roadway available for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

6. Cab Stands; Bus Stands: No motor vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a taxicab stand and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone. (1982 Code § 11-344)

7. Time Limit; Impoundment: It shall be an infraction for any person to park or leave standing on any public road, street, alley or city property any motor vehicle for forty eight (48) or more consecutive hours, and any vehicle so parked or left standing may be impounded or removed by the city law enforcement agency. For purposes of impoundment and removal, the city law enforcement agency may impound and remove any motor vehicle which reasonably appears to have remained unmoved for forty eight (48) consecutive hours. The cost of impoundment and removal shall be charged to the owner or any person who claims the impounded motor vehicle. (1982 Code § 11-344; amd. 1998 Code)

**6-1-5: PENALTY:**

Unless a different penalty classification is provided, any person violating any provision of this chapter shall be guilty of a class B misdemeanor and upon conviction thereof, subject to penalty as provided in section [1-4-1](#) of this code. (1998 Code)

**TOQUERVILLE, UTAH**

<http://cdn.sqhk.co/cityoftoquerville/cDjfie0/ord.2013.05.parking.n.sidewalk.safety.pdf>

**VIRGIN, UTAH**

[http://www.virginutah.org/files/ORDINANCES/VULU\\_2019-02-11/CH\\_07\\_OFF-ST\\_PKG\\_RQMTS.pdf](http://www.virginutah.org/files/ORDINANCES/VULU_2019-02-11/CH_07_OFF-ST_PKG_RQMTS.pdf)



8/16/2020

# Animal Ordinance Review for Planning Commission



Lorrie Hunsaker

# LEEDS, UTAH ANIMAL CONTROL ORDINANCE

## Worksheets for Town Council/ Planning Commissioners during review of the Animal Ordinance

This is the Original Ordinance,

Areas highlighted in **red** are the sections I think need to be changed if we are moving animals out of the Land Use and or possible errors.

Areas highlighted in **yellow** are suggestions that I have pulled from several different local Ordinances.

Areas highlighted in **Green** are suggestions from Town Council Members or the Public at large

Nothing is meant to be set in stone, this is only to give ideas from what other small Towns and Cities are doing.



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This Ordinance completely replaces Ordinance 2007-013.

This Ordinance completely replaces Ordinance 2008-10

An Ordinance of the Town of Leeds establishing the following as the Leeds Animal Control Ordinance within all Zoning Districts.

#### 1. Definitions

- 1.1 Unlicensed dog: Hereby defined and declared to mean a dog for which the license for the current year has not been paid, or to which the tag provided for in this part is not verified by records of the Clerk-Recorder for the Town of Leeds.
- 1.2 Owner: When applied to the proprietorship of an animal, shall mean any person, firm, association or corporation owning, keeping or harboring an animal.
- 1.3 The term 'at large': Intended to mean off the property of the owner and not under the control of the owner or member of the owner's immediate family by leash, cord, chain, or fencing.
- 1.4 Impound: Shall mean the pickup of any animal or taking into the control or possession of any animal by (a) the Peace Officer and /or Animal Control Officer.
- 1.5 Small Animals: Animals kept as pets or for family food production, or recreational purposes such as dogs, cats, rabbits and fowl.  
(Domestic Animals: Animals kept as pets for recreational or companionship purposes such as dogs, cats, rabbits, pot bellied pigs (not for consumption) and birds including Parrots, Canaries, etc.)
- 1.6 Large Animals: Animals kept as pets or for family food production or recreational purposes, such as horses, mules, donkeys, cattle, goats, sheep, pigs, alpaca, and llamas.  
(Livestock Animals: Animals kept as pets or for family food production or recreational purposes, such as horses, cattle, goats, sheep, pigs, swine, alpaca, llamas, chickens, turkeys, ducks, geese, game birds etc.)
- 1.7 Exotic animals. All Animals not listed under Small or Large Animals  
(Exotic Animals: Any animal whose native habitat is not indigenous to the continental United States, excluding Alaska, except tropical fish and birds. Constrictor snakes in excess of ten feet of length are defined as dangerous animals.)

2. **Enforcement Authority**

- 2.1 A Peace Officer and/or Animal Control Officer is authorized and empowered to apprehend and take with them and impound any animal found in violation of this chapter. This includes licensable dogs for which no license has been procured in accordance with this chapter, or any licensed or unlicensed dog(s) or animal(s) for any other violation thereof.
- 2.2 In the enforcement of this chapter, any Peace Officer and/or Animal Control Officer is authorized to enter onto open premises, excluding dwellings of any person, to take possession of any animal in violation of this chapter. Any Peace Officer, Animal Control, and/or official from the Humane Society, when in company of a Peace Officer or Animal Control Officer, when there is probable cause, may enter onto open premises to investigate any violation of this chapter.
- 2.3 A Peace Officer or Animal Control Officer is empowered to issue citations related to acts in violation of the chapter.

3. **Interference with Officer Prohibited**

- 3.1 It shall be unlawful for any person, after verbal warning, intentionally to interfere with, molest, hinder or obstruct any Peace Officer or any Animal Control Officer in the lawful discharge of his/her duties as herein prescribed. Any Person who does the aforementioned, directly or indirectly, shall be guilty of a Class B misdemeanor.

4. **Retaking Animal Unlawfully**

- 4.1 It shall be unlawful for anyone to take any animal out of the possession of anyone lawfully holding the same under provisions of this chapter, either by stealth, force, fraud, or to intercept or hinder any person lawfully taking up or attempting to take up such an animal.

5. **Violation**

- 5.1 Any violation of the provisions of this chapter either by failing to do those acts required herein or by doing any act prohibited herein shall be subject to an initial verbal and/or written warning or citation. Except for animals that fall within section 20. Vicious Animals herein.
- 5.2 Where possible upon a first offense, a warning shall be issued. A warning will be accompanied with a copy of the provision of the violated ordinance, to provide an opportunity to become educated as to the requirements of the ordinance.
- 5.3 Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Fines for violations of this chapter shall be imposed according to the court fee schedule.

**Commented [WP1]:** Should warnings be given for vicious animals?

6. Zoning Restrictions

**6.1 LEEDS RURAL-RESIDENTIAL LIVESTOCK AND DOMESTIC ANIMAL COMPLIANCE CHART**  
 (Minimum Square feet is for animal use only and cannot infringe upon residential set backs.)

ANIMAL	MINIMUM SQ FEET	SQ.FEET PER ANIMAL	MAXIMUM NUMBER OF ANIMALS	SQ. FEET FOR 1 ANIMAL	SQ. FEET FOR 2 ANIMALS	SQ. FEET For 3 Or More Animals
Chickens (6)	500	25	20	500	500	500 Sq. ft. for (6) + 25 sq. ft. per each additional animal
Cow (all types)	8,000	4,000	4	8,000	8,000	12,000-16,000
Horse	8,000	4,000	3	8,000	8,000	12,000
Llama, Alpaca, Emu	8,000	4,000	4	8,000	8,000	12,000-16,000
Mini Horse	8,000	4,000	4	8,000	8,000	12,000-16,000
Pigeons, Game Birds	500	25	10	500	500	500 sq. ft. for (6) + 25 sq. ft. per each additional animal
Rabbits	500	30	4	500	500	500
Sheep, Goats	6,000	3,000	4	6,000	6,000	9,000-12,000
Swine	500	250	4	500	500	750-1,000
Pot Bellied Pigs	500	250	4	500	500	750 – 1,000
Turkey, Goose, Ducks	1,000	50	4	1,000	1,000	1,050
Dogs	Maximum of 4 per residence	N/A	N/A	N/A	N/A	N/A
Cats	Maximum of 4 per residence	N/A	N/A	N/A	N/A	N/A
Bees	Maximum of 2 Hives	N/A	N/A	N/A	N/A	N/A

**6.2 LEEDS RESIDENTIAL DOMESTIC ANIMAL COMPLIANCE CHART**

<b>ANIMAL</b>	<b>MINIMUM SQ FEET</b>	<b>FEET PER ANIMAL</b>	<b>MAXIMUM NUMBER OF ANIMALS</b>	<b>SQ. FEET FOR 1 ANIMAL</b>	<b>SQ. FEET FOR 2 ANIMALS</b>	<b>SQ. FEET For 3 Or More Animals</b>
Chickens	500	25	10	500	500	500 Sq. ft. for (6) + 25 sq. ft. per each additional animal
Pigeons, Game Birds	500	25	10	500	500	500 sq. ft. for (6) + 25 sq. ft. per each additional animal
Rabbits	500	30	6	500	500	500
Dogs	Maximum of 4 per residence	N/A	N/A	N/A	N/A	N/A
Cats	Maximum of 4 per residence	N/A	N/A	N/A	N/A	N/A

(6.3 Domestic Animals and Livestock Animals may be kept within the Rural Residential zones of the Town of Leeds in compliance with the Leeds Rural Residential Livestock and Domestic Animal Compliance Chart, while maintaining the Health and Safety Setbacks listed herein.)

(6.4 Domestic Livestock Animals may be kept within Residential Zones in the Town of Leeds only with a conditional use permit, in compliance with the Leeds Residential Domestic Animal Compliance Chart, while maintaining the Health and Safety Setbacks listed herein.)

(6.5 Setbacks and Square Footage: For human health and safety, all animal housing units must be located a minimum of fifty (50) feet away from the owner's residence as well as any adjoining property residence. Square footage available for keeping Domestic Animals and Livestock shall be calculated as backyard space not occupied by any accessory building and not within the required rear and side setbacks for the property.)

**6.6 Bees**

6.6.1. Residents who wish to raise bees within the Town of Leeds must register with and receive a beekeeper's license from the Utah Department of Agriculture and Food. Once licensed by the State of Utah a person will need to register with the Town of Leeds. State Beekeeper licenses are required to be renewed annually.

6.6.2. No more than two (2) hives are permitted in residential zones, the hives must be at least fifty (50) feet from their owner's residence and at least fifty (50) feet from the property line of adjacent properties.

6.6.3. Water must be available and proper apiary hygiene must be observed at all times to prevent robbing and spread of disease between colonies.

6.6.4. A beekeeper may not intentionally maintain an aggressive or unmanageable stock, whether African or European in origin. (Utah State Code 4-11-115.)

6.1. Animals may be kept within the Town of Leeds only in accordance with the Leeds Land Use and Subdivision Ordinance and the restrictions of each zone as specified in that Ordinance.

6.2. Small animals may be kept based on the applicable zoning ordinance, and subject to the nuisance and vicious animal provisions of this Ordinance. Conditional use permits must be obtained where required by the zoning ordinance.

6.3. Large animals are permitted in zones as stated in the Leeds Land Use and Subdivision Ordinance that applies. Conditional use permits must be obtained where required by the zoning ordinance.

**7. Abandonment**

7.1. It shall be unlawful for any person to abandon or turn out at large any sick, diseased, or disabled animal. Should an animal be rendered useless by reason of sickness or other disability, the animal may be put down by a veterinarian and its carcass disposed of in such manner as to create no nuisance or hazard to health.

7.2. It shall be unlawful for any person to abandon or cease caring for the needs of any pet or other animal which has been in that person's care or keeping.

**8. Killing or Poisoning Prohibited**

8.1. It shall be unlawful for any person willfully to kill any domestic or livestock animal not belonging to him/her or to cruelly kill or administer poison to any domestic or livestock animal or expose any poisonous substance with the intent that it shall be taken by any such domestic or livestock animal.

**9. Unlawful Acts**

9.1. It shall be unlawful for any person to torture, cruelly beat, mutilate, overload, drive when overloaded, overwork, or needlessly kill, or carry or transport in any vehicle or other conveyance in a cruel or inhumane manner, any animal, or cause any of these acts to be done.

- 9.2 It shall be unlawful for any person to fail to provide any animal in his/**her** charge or custody with necessary sustenance, drink, and protection from the elements, or cause any of these acts to be done.
- 9.3 It shall be unlawful for any person to maintain any place where fowls or any animals are used for sport or wager.
- 9.4 It shall be unlawful for any person to intentionally exhibit any stud, horse, bull or other animal indecently, for the purpose of providing entertainment or viewing to any person.
- 9.5 It shall be unlawful for any person under eighteen (18) years old to ride a stud horse on any public street or trail within the Town of Leeds.
- 9.6 It shall be unlawful for any person to maliciously provoke or tease any animal.

**10. Lost or Stray Animals**

- 10.1 Whenever an animal is found which appears to be lost or strayed, it shall be the duty of the finder to notify **the a** Peace Officer or Animal Control Officer within twenty-four hours.
- 10.2 A person may contact the Town of Leeds with the license tag number and a description of the 'found' dog. The Town official will contact the owner and inform them of the location of the animal.
- 10.3 Any animal turned over to **the a** Peace Officer or Animal Control Officer will have a picture and identifying information about the animal placed on the public bulletin boards at the Town Hall and the Post Office. All efforts will be made by the Officials to locate the owner of the animal.
- 10.4 Any animals turned over to **the a** Peace Officer may be impounded. The owner will be responsible for all impound fees and citations prior to recovery of the animal.

**11. Impounding – Animals to Be Impounded**

- 11.1.1 Peace Officers or Animal Control Officers may place all animals which they take into custody in a designated animal impound facility.
- 11.1.2 The following animals may be taken into custody and impounded by the Officer without filing of a complaint:
  - 11.1.2.1 Any animal being kept or maintained contrary to the provisions of this chapter;
  - 11.1.2.2 Any animal running at large contrary to the provisions of this chapter;
  - 11.1.2.3 Any animal which is by this chapter required to be licensed and is not licensed; any animal not wearing a tag shall be presumed to be unlicensed for the purposes of this chapter;
  - 11.1.2.4 Any sick or injured animal whose owner cannot be located;

- 11.1.2.5 Any abandoned animal;
- 11.1.2.6 Animals which are not vaccinated for rabies in accordance with the requirements of this chapter;
- 11.1.2.7 Any animal to be held for quarantine;
- 11.1.2.8 Any vicious animal not properly confined;
- 11.1.1.9 Any animal not having proof of rabies which bites a person shall be impounded and quarantined for a period of not less than ten (10) days.

**12. Impound Procedure**

- 12.1 Any animal impounded will be taken to a recognized animal control facility. Records will be kept, fees will be charged, and disposition of animals will be in accordance with the policies of that shelter. Animal owners shall be responsible for all fees charged by the impound facility as well as administrative fees charged by the Town.

**13. Dog Licensing**

- 13.1 All dogs must be licensed each calendar year.

13.2 Within the R-R-20 zone or higher, up to 4 dogs may be licensed, per property.

13.2 (Within any residential zone of one quarter (1/4) acre or more, up to four (4) dogs may be licensed, per property. Properties with less than one quarter (1/4) acre may license up to three (3) dogs.)

13.3 Within the Residential Zone up to 3 dogs may be licensed, per property.

- 13.4 Any person owning, possessing or harboring any dog shall obtain a license for such animal within thirty (30) days after the dog reaches the age of six (6) months, or in the case of a dog over six (6) months, within five (5) business days of acquisition of the dog.

- 13.5 License application must be submitted annually to the Town of Leeds Office utilizing a standard form which requests name, address, telephone number of applicant, breed, sex, color, age of the dog, and rabies information. The application shall be accompanied by the prescribed license fee and by a valid rabies vaccination certificate. Rabies vaccination shall be current and given by a licensed veterinarian. A photo of the dog must accompany the application. beginning in January of 2008.

- 13.6 License Fees and other animal control fees are set by resolution and may be changed from time to time by resolution.

- 13.7 The License shall be effective from the date of purchase through the end of December of the same calendar year. A renewal license must be purchased between January 1 and the animal



licensing clinic, or January 31, whichever is later, or by February 15 if no animal licensing clinic is held. After that date, a late fee shall be imposed, per the fee schedule.

13.8 Any person having over the **allowed number** of dogs for their acreage shall constitute boarding. A Conditional Use Permit must be approved for a **Commercial Kennel per this Ordinance**. **per the terms and conditions of the Zoning and Land Use Ordinance.**

13.9 Any person who **operated** **operates** a Kennel for the purpose of boarding or caring for dogs outside of a Commercial Zone must have a Home Occupation Business License to operate a Kennel.

#### 14. Cats

14.1 The owner or owners of any cat over the age of four (4) months within the Town shall have the cat vaccinated against rabies by a duly licensed veterinarian and shall secure a certificate.

15. **Weaner Pigs** **swine including Weaners, Feeders, Growers, Finishers, Roasters, Bar-B-Que.**  
**(Pot bellied pigs are listed under domestic animals, see section 1.5)**

**Commented [WP2]:** If they are different from Swine, they need an entry in the chart.

15.1 **Weaner pigs** Swine shall be permitted in **all rural residential zones per the Leeds Domestic and Livestock Animal Compliance Chart within this Ordinance.** **areas zoned for animals, per the Land Use Ordinance.**

**Commented [WP3]:** If they are not a "house" pig, I think this should be rural residential only

15.2 Setbacks for pens for **swine** shall be the same as required for other **small animals, livestock**

15.3 All pens shall be cleaned regularly, a minimum of three (3) times **a** **per** week.

15.4 No mud bogs shall be allowed in the pens. All pens shall have drainage to keep water from pooling within the pen.

15.5 Other conditions as may be imposed by the planning commission relative to specific sites and/or conditional use applications.

#### 16. Animals Running At Large

16.1 **For the owner or custodian of any animal other than domestic cats, to allow such animals (including fowl) at any time to run at large. The owner or person charged with responsibility for an animal found running at large shall be strictly liable for a violation of this subsection, regardless of the precautions taken to prevent the escape of the animal and regardless of whether or not he knows that the animal is running at large.**

#### 17. Animals on Unenclosed Premises

17.1 It shall be unlawful for any person to chain, stake out, or tether any dog, cattle, horse, sheep, goat or domestic fowl on any unenclosed premise in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.

**18. Female Dogs in Heat**

18.1 Any owner or person having charge, care, custody or control of any female dog in heat shall, in addition to restraining such dog from running at large, take care to confine the dog so as to prevent it from attracting by scent, or coming into contact with, other dogs except for planned breeding.

**19. Dogs Attacking Persons and Animals**

19.1 Attacking dogs. It shall be unlawful for the owner or person having charge, care, custody, or control of any dog to allow such dog to attack, chase, or worry any person, domestic animal or any species of hoofed animal, protected wildlife, or to attack domestic/livestock fowl.

19.2 Owner liability. The owner in violation of 19.1 of this section shall be strictly liable for violation of this section. In addition to being subject to prosecution under 19.1, the owner of such dog shall also be liable for damages to any person injured or the owner of any animal(s) injured or destroyed thereby.

19.3 Defenses. The following shall be considered in mitigating the penalties or damages or in dismissing the charge:

19.3.1 That the dog was properly confined on the premises;

19.3.2 That the dog was deliberately or maliciously provoked;

19.3.3 That the dog was acting in defense of its owner.

19.4 Upon the trial of any offense under this section, the Court may upon conviction and in addition to the usual judgment of conviction, order the Officer or other authorized person of the municipality to put the dog to death or may order such other disposition of the dog as will protect the inhabitants and animals of the municipality.

**20. Vicious Animals**

20.1 Every animal so vicious and dangerous that it cannot be controlled by reasonable restraints, and every dangerous and vicious animal not effectively controlled by its owner or person having charge, care or control of such animal, so that it shall not injure any person or property, is a hazard to public safety and the Peace Officer and/or Animal Control Officer shall seek a court order for destruction of the animal.

20.2 It shall be unlawful for any person to own a dog that bites a person or domestic animal without provocation, or to own a dog that has a known propensity to attack or bite human beings or domestic animals without provocation. This shall not prohibit ownership of particular breeds of dogs, but is meant only to apply to individual dogs that have such a propensity. After a dog bites a person or domestic animal, the Officer may impound the dog, at owner's expense, which may not be redeemed while awaiting final decision of the court as to the disposition to be made of the dog.

- 20.3 All animal bites must be reported to a Peace Officer and/or an Animal Control Officer. The officer will make record of all animal bites according to Police Procedure. If any animal attacks or bites a person or animal, such animal may be immediately impounded by the Peace Officer and/or Animal Control Officer without court order and held at owner's expense pending court action. Any such animal shall be deemed a vicious animal; or the Officer shall seek a court order for destruction of the animal. Parties owning such animals shall, if possible, be notified immediately of the animal's location by the Officer. This section shall not limit any other section in this chapter.
- 20.4 Upon the trial of any offense under this section, the court may upon conviction, order the Officer or other authorized person to put the dog to death or may order such other disposition of the dog as will protect the inhabitants of the town.

## 22. Nuisance Animals

### 21.1

Any owner or person having charge, custody, or control of or caring for or feeding an animal or animals causing a nuisance as defined below shall be in violation of this ordinance and subject to the penalties herein. Any animal falling under one or more of the following shall be deemed a nuisance:

- 21.1.1 Causes damage to the property of anyone other than its owner;
- 21.1.2 Is a vicious animal as defined herein;
- 21.1.3 Causes unreasonable noise by excessive barking, howling, **squealing**, or braying;
- 21.1.4 Causes unreasonable fouling of the air by odors;
- 21.1.5 Causes unsanitary conditions in enclosures or surroundings;
- 21.1.6 Defecates on any public sidewalk, park, or building, or on any private property without the consent of the owner of such private property unless person owning, having a proprietary interest in, harboring or having care, charge, control, custody or possession of such animal shall remove any such defecation to proper trash receptacle **immediately**.
- 21.1.7 Any animal which disturbs or endangers the health and welfare of any person or neighborhood by loud, continued, or frequent noise or by noxious or offensive odors.

- 21.2 A violation of this section shall be a Class C misdemeanor and such is hereby declared to be a nuisance, and each day a violation is permitted to exist or continue shall constitute a separate offense.

Commented [WP4]: Are braying animals as minor?