

# ORDINANCE NO. 05-12

## ROLL CALL

VOTING	YES	NO
<b>G. WAYNE ANDERSEN</b> <i>Mayor (votes only in case of tie)</i>	ABSENT	
<b>ROD DART</b> <i>Council member</i>	X	
<b>RICHARD M. DAVIS</b> <i>Council member</i>	X	
<b>BRANDON GORDON</b> <i>Council member</i>	ABSENT	
<b>STEVE LEIFSON</b> <i>Council member</i>	X	
<b>KEIR A. SCUBES</b> <i>Council member</i>	X	

I MOVE this ordinance be adopted: Council member Scoubes

I SECOND the foregoing motion: Council member Davis

## ORDINANCE 05 -12

### AN ORDINANCE AMENDING THE ANIMAL PROVISIONS OF THE ZONING CODE

WHEREAS, the Spanish Fork zoning code regulates the number of animals and distances from neighboring dwellings in the various zones; and

WHEREAS, regulating animals based on distance to neighboring dwellings can adversely affect both properties in ways not contemplated when the regulations were first adopted; and

WHEREAS, animals are a part of the agricultural heritage of Spanish Fork, but can become a nuisance based on noise and odors if left completely unregulated; and

WHEREAS, regulating the congregation of animals allows the agricultural heritage to continue while protecting neighboring properties from serious nuisance issues; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on Wednesday, the 4<sup>th</sup> day of April, 2012, where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 17<sup>th</sup> day of April, 2012, where additional public comment was received; and

WHEREAS, the Council finds it is in the best interest of the City to amend the zoning code concerning animals;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Spanish Fork Municipal Code §15.3.24.090(G) is hereby amended as follows:

**15.3.24.090 Supplementary Regulations**

**G. Animals**

Animals are allowed in the A-E, R-R, I-1, and I-2 zoning districts with no restrictions on the maximum number. Animals are allowed in all other zoning districts subject to the following regulations:

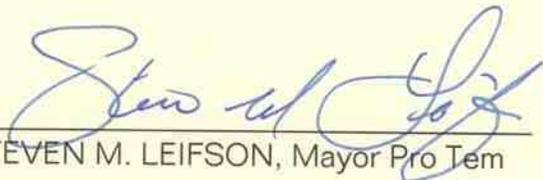
1. The portion of the property on which the animals, except for household pets, are kept must be at least one-half (½) acre. The chart following this section sets forth the maximum number of animals which may be kept per each half acre of property. The numbers are not cumulative. A maximum of one species precludes any other species. For example, on a half acre parcel, two horses may be kept, or four sheep, or one horse and two sheep, but two horses and four sheep are not allowed.
2. All requirements set forth in Title 6, Animals, must be met.
3. No animal shall be kept in a residential zone for the purpose of commercial production.

<i>Animal</i>	Maximum# Per ½ Acre
Cattle	2
Horses	2
Sheep, Goats, Llamas, Ostriches	4
Poultry, Turkeys or Fowl	10
Hen Chickens	10
Rabbits	10
Pigeons	12
Ducks, Geese	8
Game Birds*	8
*with appropriate permits	

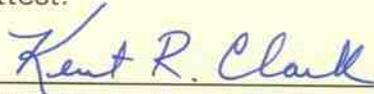
II.

This ordinance shall become effective twenty days after passage and publication.

DATED this 17th day of April, 2012.

  
 STEVEN M. LEIFSON, Mayor Pro Tem

Attest:

  
 KENT R. CLARK, City Recorder

