

**ALPINE CITY
ORDINANCE 2021-08**

**AN ORDINANCE ADOPTING AMENDMENTS TO ARTICLE 3.21.090 OF THE
ALPINE CITY DEVELOPMENT CODE PERTAINING TO FARM ANIMAL AND
AGRICULTURAL REGULATIONS.**

WHEREAS, The City Council of Alpine, Utah has deemed it in the best interest of Alpine City to amend the animal and agricultural regulations ordinance with regards to the maximum number of horses allowed on a property; and

WHEREAS, the Alpine City Planning Commission has reviewed the proposed Amendments to the Development Code, held a public hearing, and has forwarded a recommendation to the City Council; and

WHEREAS, the Alpine City Council has reviewed the proposed Amendments to the Development Code:

NOW THEREFORE, be it ordained by the Council of Alpine City, in the State of Utah, as follows: The amendments to Article 3.21.090 contained in the attached document will supersede Article 3.21.090 as previously adopted. This ordinance shall take effect upon posting.

SECTION 1: **AMENDMENT** “3.21.090 Farm Animal And Agricultural Regulations” of the Alpine City Development Code is hereby *amended* as follows:

AMENDMENT

3.21.090 Farm Animal And Agricultural Regulations

Animal and fowl allowed in the City of Alpine shall be used only for family food production or the enjoyment and convenience of the owner, and shall be subject to the regulations of the State Health Department and the City of Alpine. The following regulations shall apply in all zones:

1. **Horses/cows.** One horse or cow, and suckling offspring up to 6 months, shall be permitted on a 10,000 square foot lot, plus one animal for each additional 10,000 square feet. There shall be a maximum of five (5) animals per lot. Exceptions for additional animals may be granted by the City Council on lots over 5 Acres in size, with consideration given to proximity to neighbors, proximity to dwellings, and the overall percentage of land designated for the large animals to roam.
2. **Pigs.** One pig, and suckling offspring up to 6 months, shall be permitted on a 10,000 square foot lot, plus one more pig for an additional 10,000 square feet. There shall be a maximum of two (2) pigs regardless of lot size.
3. **Goats/sheep.** One goat or sheep, and suckling offspring up to 6 months, shall be permitted on a 10,000 square foot lot or two goats or sheep on a 20,000 square foot lot,

plus two additional sheep or goats for each additional 10,000 square feet with a maximum of ten sheep or goats.

4. **Other animals.** Exotic animals or animals not mentioned above may be permitted after review and recommendation by the Planning Commission and approval by the City Council.
5. **Animal enclosures.** Barns, stables, corrals, pens, coops and runs for the keeping of animals and fowl are allowed provided such uses are located at least seventy-five (75) feet from any neighboring dwelling. Animal enclosures may be located closer than seventy-five (75) feet to the animal owner's home. Such facilities shall be maintained in a clean and inoffensive condition. A fence around the perimeter of the parcel is not considered an enclosure.
6. **Fur bearing animals.** The raising of fur bearing animals shall require review and recommendation by the Planning Commission and approval of the City Council.
7. **Slope.** On lots greater than twenty (20) percent average slope, the type and extent of agricultural use shall require review and recommendation by the Planning Commission and approval by the City Council.
8. **Additional animals.** Conditional approval for additional animals may be granted by the City Council upon recommendation by the Planning Commission.
9. **Pre-existing rights.** In instances where a new dwelling is built within seventy-five feet of an existing animal enclosure, the animal owner shall have a pre-existing right and shall not be required to move the animals or enclosure. If the animal enclosure is removed, the right is abandoned. If a new enclosure were built, the property owner would have to comply under the new ordinance.
10. **Beekkeeping**
 - a. **Purpose.** The purpose of this section is to authorize beekkeeping subject to certain requirements intended to avoid problems that may otherwise be associated with beekkeeping in populated areas.
 - b. **Hives.**
 - i. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner or occupant.
 - ii. Hives shall be placed at least five (5) feet from any property line; provided, however, that this requirement may be waived in writing by the adjoining property owner.
 - c. **Beekeeper Registration.** Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah State Code, as amended.
 - d. **Flyways.** A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hive is located within fifteen (15) feet from an area which provides public access or from a property line on the lot where an apiary is located, as measured from the nearest point on the hive to the property line, a flyway barrier at least six (6) feet in height shall be established and maintained around the hive except as needed to allow access. Such flyway, if located along

the property line or within five (5) feet of the property line, shall consist of a solid wall, fence, dense vegetation, or a combination thereof which extends at least ten (10) feet beyond the hive in each direction so that bees are forced to fly to an elevation of at least six (6) feet above ground level over property lines in the vicinity of the apiary.

- e. Water. Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.

(Ord. 2002-05, Amended Ord. 2007- 15; Ord. 2011-12, 10/25/11)

PASSED AND ADOPTED BY THE ALPINE CITY COUNCIL

March 23, 2021

	AYE	NAY	ABSENT	ABSTAIN
Lon Lott	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Carla Merrill	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Gregory Gordon	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jason Thelin	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jessica Smuin	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest

Lon Lott Mayor Pro Tem
Troy Stout, Mayor, Alpine City

Bonnie Cooper
Bonnie Cooper, City Recorder Alpine City

