

**HARRISVILLE CITY
ORDINANCE NO. 481**

ANIMAL SHELTER USE

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING SECTION
11.08.020 TO ALLOW AN ANIMAL SHELTER USE; MAKING TECHNICAL
CHANGES; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Harrisville City (hereafter referred to as "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on September 14, 2016, to take public comment on this Ordinance, and subsequently gave its recommendation by a four (4) to three (3) vote to deny this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on September 27, 2016, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

Section 1: Repealer. Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. Section 11.08.020 of the *Harrisville Municipal Code* is hereby amended to read as follows:

11.08.020. Uses

4. Any use in the following table is permitted if such use has a "P" designation in the zone where the use is listed. A "C" designation indicates that a conditional use permit is required according to the procedures of Chapter 11.18 of this Land Use Ordinance before the use can be allowed. An "N" indicates the use is not allowed in the specific zone where it is listed. If the last column in the use table includes a number this refers to a section in Chapter 15 to a specific regulation that is required to be followed in order to allow the use in the specific zone.

Animal Raising					
Land Use	Zone				Specific Use Regulation
	A-1	R-1-20	R-1-15	R-1-10	
Accessory building	P	P	P	P	11.09.030

Animals for family food production	P	P	P	P	11.10.020.4
<u>Animal Shelter</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>11.10.020.4.e.</u> <u>11.20.020.4.f.</u> 11.10.20.6. <u>11.09.030</u>
Dairy farm					11.10.020.5
Horse Raising	P	P	P	N	11.10.020.6
Household Pets	P	P	P	P	<u>Title 9</u>

11.10.020.4.e Special regulations applicable to all animals is as follows:

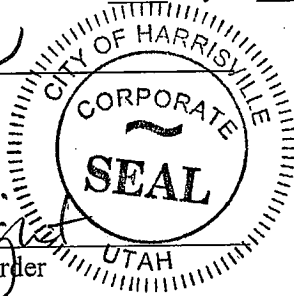
- i. Owners shall keep animals in such a manner so as to prevent them from reaching onto adjacent property and eating trees and shrubs:
- ii. Owners shall take necessary measures to prevent animals from creating obnoxious or offensive odor and noise, or otherwise create a nuisance affecting the buildings or property of others.
- iii. Roosters are prohibited in R-1-6 and R-1-10 zones.
- iv. Only one Animal Shelter use per 10,000 residents in the City.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this 27th day of Sept., 2016.

Bruce Richins
BRUCE RICHINS, Mayor



ATTEST:

Jennie Knight
JENNIE KNIGHT, City Recorder

RECORDED this 3rd day of Oct., 2016.
PUBLISHED OR POSTED this 3rd day of Oct., 2016.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Harrisville City, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at 1) City Hall 2) the Harrisville Cabin and 3) 2150 North on the above referenced dates.

Harrisville City
Ordinance No. 481 – Land Use Amended

Jennie Knight DATE: 10/3/16
JENNIE KNIGHT, City Recorder