

**HARRISVILLE CITY  
ORDINANCE NO. 505**

**ANIMAL BOARDING ESTABLISHMENTS**

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING SECTIONS  
11.01.060, 11.08.20, 11.09.020, AND 11.10.020 RELATING TO ANIMAL  
BOARDING ESTABLISHMENTS; 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**, the City desires to meet the challenges presented by growth and development;

**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 November 13, 2019, to take public comment on this Ordinance, and subsequently gave its recommendation to approve this Ordinance;

**WHEREAS**, the City Council received the recommendation from the Planning Commission and held its public meeting on December 10, 2019, 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1:**       **Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.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.** *Harrisville Municipal Code* is hereby amended to read as follows:

**11.01.060       Definitions.**

12.       “Animal boarding establishment” means any establishment that takes in animals and boards them. This definition is inclusive of a kennel, cattery, or related establishment where three (3) or more dogs or cats are boarded, bred, bought, sold, adopted, or donated.

~~12.13.~~   “Animal care” means a facility where animals or household pets are groomed, clipped, bathed, boarded, or similar non-medical care is provided. See also “Veterinary services.”

~~13.~~       “Animal shelter” means a public facility designed to temporarily accommodate the boarding and care of lost and stray animals, and/or dispose of stray dogs, cats and other animals.

**11.08.020       Uses.**

1. This section designates the land uses allowed in each residential zone district in Harrisville City. More than one of the non-dwelling unit land uses permitted in the respective zone may be allowed on a parcel or lot provided each use meets the lot area, setback requirements and any other special conditions established by Harrisville City Land Use Regulations.
2. All permitted and conditional land uses shall comply with all applicable regulations of Chapters 11.09 and 11.10 of the Land Use Regulations of Harrisville City and any other regulation governing the specific use prior to a building permit being issued for such a use to be constructed or to convert an existing structure to the permitted or conditional use.
3. Any land use that is not listed in this section is not permitted in that zone where the use is desired.
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.

Land Use	Zone				Special Use Regulations
	A-1	R-1-20	RE-15	R-1-10	
<u>Animal Shelter</u> <u>Animal Boarding Establishment</u>	C	N	N	N	11.09.020 11.10.020.4e 11.10.020.4.f 11.10.020.6 11.09.030

**11.09.020 Main Building Development Standards.**

Zone	A-1 and R-1-20				RE-15				R-1-10			
	F	S	C	R	F	S	C	R	F	S	C	R
<u>Animal Shelter</u> <u>Animal Boarding Establishment</u>	100'	15'	70'	15'	100'	15'	70'	15'				

**11.10.020 Special Regulations.**

- 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 all zones except A-1 and R-1-20 zones.
  - iv. Only one Animal Shelter use per 10,000 residents in the City. An animal boarding establishment shall have a minimum of three (3) acres.

**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 10<sup>th</sup> day of December, 2019.

  
MICHELLE TAIT, Mayor

ATTEST:

  
JENNIE KNIGHT, City Recorder



RECORDED this 12<sup>th</sup> day of December, 2019.

PUBLISHED OR POSTED this 12<sup>th</sup> day of December, 2019.

**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) Harrisville Cabin, and 3) 2150 North on the above referenced dates.

  
JENNIE KNIGHT, City Recorder

DATE: 12/12/19