

ORDINANCE 21-16
AMENDING ANIMAL LAND USE REGULATIONS

WHEREAS, Nibley City regulates land use within Nibley City boundaries; and

WHEREAS, per the Americans with Disabilities Act (ADA), Service animals are not considered household pets, and as such, should not be subject to the same limitations of a household pet.; and

WHEREAS, Allowing for a conditional use permit for animals not listed is not appropriate, as objective standards cannot be considered for an animal that is not listed;

WHEREAS, Household pets kept indoors at all times, such as fish, reptiles, and small rodents have a minimal impact upon surrounding properties, are difficult to monitor and enforce and should not be subject to limitations of other household pets.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The proposed amendments to NCC 9.02.050, 19.04.010, 19.28.050, and 19.34 be adopted.
2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS 23 DAY OF September, 2021.



Shaun Dustin, Mayor



ATTEST:


Cheryl Bodily, City Recorder