

ORDINANCE NO. 2018-04

AN ORDINANCE AMENDING SECTION 12.55.240 OF THE CENTERVILLE ZONING CODE REGARDING THE RAISING OF CHICKENS AND RABBITS TO ELIMINATE THE ANNUAL PERMIT RENEWAL REQUIREMENT

WHEREAS, the City Council desires to amend Section 12.55.240 of the Zoning Code to eliminate the annual permit renewal requirement for the raising of chickens and rabbits as more particularly set forth herein; and

WHEREAS, the proposed amendments to the Zoning Code regarding permit requirements for the raising of chickens and rabbits have been reviewed by the Planning Commission with a positive recommendation to the City Council; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code to eliminate the annual permit renewal requirement for the raising of chickens and rabbits are in the best interest of the City and the public; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Subsection 12.55.240(a) of the Centerville Zoning Code regarding Raising of Chickens and/or Rabbits is hereby amended to read in its entirety as follows:

12.55.240 Raising of Chickens and/or Rabbits

The following criteria relates to the raising of chickens and/or rabbits for the purpose of animal and fowl for recreation and family food production within approved zones found in CZC 12.36 (Table of Uses).

- (a) Allowance. The raising of rabbits and hen chickens (roosters prohibited), shall be allowed as an accessory use within the Agricultural Zones and Residential-Low (R-L) Zone for personal family food production by permit only.
 - (1) No more than a combination of 10 hen chickens/rabbits shall be allowed on a single lot; provided, the number of rabbits shall not exceed six.
 - (2) ~~An annual-A~~ permit shall be obtained from the City as described in CZC 12.21.090. In addition to the permit application forms, the City shall provide with all ~~initial~~ permit application packets, ~~as opposed to annual renewal permit applications~~, educational information as deemed necessary and appropriate by the City, including, but not limited to, information

regarding the raising of chickens or rabbits, poultry and rabbit health care, and maintenance issues. All permits shall be non-transferrable to another person or property. Permits shall expire after 12 months of continuous non-use. City Staff shall send out an Annual Survey to determine status of permits. All permit applications shall also include the following:

- (A) The name, address, email and telephone number of applicant.
 - (B) Total number of hen chickens/rabbits requested.
 - (C) Site plan indicating the location and dimensions of coop/cage, property lines, fencing.
 - (D) Applicable application fee as set forth in the City Fee Schedule.
 - (E) ~~For initial permits, an An~~ acknowledgment and consent form requiring signature from the applicant that he or she has read the supplemental educational information and agrees to abide by the terms and conditions of applicable ordinances. The acknowledgement shall also include language acknowledging that the permit is not transferrable to another person or property and expires after one year of non-use.
- (3) Any roosters hatched and any chickens exceeding the allowed total or combined number of 10 shall be properly removed from the property within five months of age.
- (4) The number of rabbits born that exceed the allowed total or combined number of six shall be removed within five months of age.

* * *

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 20th DAY OF FEBRUARY, 2018.

ATTEST:

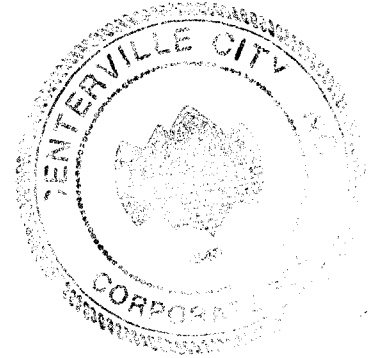
CENTERVILLE CITY

Mackenzie Wood
Mackenzie Wood, City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Fillmore	_____	_____X
Councilmember Ince	_____	_____X
Councilmember Ivie	_____X	_____
Councilmember McEwan	_____X	_____
Councilmember Mecham	_____X	_____



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Mackenzie Wood
MACKENZIE WOOD, City Recorder

DATE: 2-27-2018

RECORDED this 27 day of February, 2018.

PUBLISHED OR POSTED this 27 of February, 2018.