

**CITY OF MILFORD
ORDINANCE 04-2023**

ANIMAL ORDINANCE AMENDMENTS

WHEREAS, the Milford City Planning Commission reviewed their ordinances and made amendments that eliminate an error and clarifies the specific number and types of animals allowed.

WHEREAS, the Milford City Planning Commission has made a positive recommendation for the code amendment below, and

WHEREAS, Council has determined that it is in the best interest of Milford City to approve the recommended code amendments.

NOW THEREFORE, be it ordained by the Council of the City of Milford, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “13.30.020 Regulations And Standards” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.30.020 Regulations And Standards

The following regulations and standards shall supplement development standards enumerated for herein. When conflicting, the standards imposing the more stringent requirement shall prevail. These supplemental development standards shall apply not only to new development or conversions subsequent to the adoption of this ordinance, but to existing development that may wish to expand or modify its operations.

1. All animals shall be classified in one of the following categories:
 - a. Class A (Small Animals): Animals kept as pets or for family food production, or recreational purposes; such as dogs, cats, rabbits, fowl, etc.
 - i. Exclusion: Roosters are not permitted in any zone. Dogs and/or cats are not permitted for family food production.
 - b. Class B (Large Animals): Animals kept as pets or for family food production or recreational purposes; such as horses, cows, goats, sheep, etc.
 - c. Class C (Dangerous Animals): Animals that are inherently or potentially dangerous may be kept or maintained only by conditional use permit.
2. All animals must be kept and maintained in such a manner so as NOT to degrade the health, safety, noise, and odor or sanitation environment of persons dwelling on neighboring lots.
3. The animals permitted in any zone are limited in numbers so as to comply with the

conditions mandated in Section 13.30.020 (1-2) and to prevent a significant degradation in the appearance of the premise on which they are kept in comparison with neighboring premises:

- a. Class A animals may be kept in all zones.
- b. Class B animals may only be permitted in Rural Residential districts.
- c. Class C animals are prohibited from all zones except by conditional use permit.

4. The following numbers of animals described are presumed to meet the standards set forth in Section 13.30.020 (2) and (3). Any animal not listed below must be approved for your zone through Planning and Zoning. Conditional use permits may be required.

- a. Class A Small Animals: Any size lot.
 - i. Two (2) Dogs (limit can exceed the preceding number until dogs reach six (6) months of age)
 - ii. Two (2) Cats (limit can exceed the preceding number until cats reach six (6) months of age)
 - iii. Six (6) Chickens
 - iv. Six (6) Rabbits
- b. Class B Large Animals: There shall be no more than one animal unit per acre.
 - i. 1 Equine = one animal unit
 - ii. 1 Bovine = one animal unit
 - iii. 5 Swine = one animal unit to be kept a minimum of 50 ft. from any property line (a property owner must own at least 5 acres to have 1 swine)
 - iv. 2 Sheep = one animal unit
 - v. 2 Goats = one animal unit
 - vi. 4 Dogs, cats or other small domesticated animals = one animal unit

(Ord. 1-2017, Amended, 01/18/2017; Ord. 01-2015, Amended, 06/17/2015)

AFTER AMENDMENT

13.30.020 Regulations And Standards

The following regulations and standards shall supplement development standards enumerated for herein. When conflicting, the standards imposing the more stringent requirement shall prevail. These supplemental development standards shall apply not only to new development or conversions subsequent to the adoption of this ordinance, but to existing development that may wish to expand or modify its operations.

1. All animals shall be classified in one of the following categories:
 - a. Class A (Small Animals): Animals kept as pets or for family food production, or recreational purposes; such as dogs, cats, rabbits, ~~fowl~~ and chickens., etc.
 - i. Exclusion: Roosters are not permitted in any zone. Dogs and/or cats are not permitted for family food production.
 - b. Class B (Large Animals): Animals kept as pets or for family food production

- or recreational purposes; such as horses, cows, goats, sheep, etc.
- c. Class C (Dangerous Animals): Animals that are inherently or potentially dangerous may be kept or maintained-only by conditional use permit.
- 2. All animals must be kept and maintained in such a manner so as NOT to degrade the health, safety, noise, and odor or sanitation environment of persons dwelling on neighboring lots.
- 3. The animals permitted in any zone are limited in numbers so as to comply with the conditions mandated in Section 13.30.020 (1-2) and to prevent a significant degradation in the appearance of the premise on which they are kept in comparison with neighboring premises:
 - a. Class A animals may be kept in all zones.
 - b. Class B animals may only be permitted in Rural Residential districts.
 - c. Class C animals are prohibited from all zones except by conditional use permit.
- 4. The following numbers of animals described are presumed to meet the standards set forth in Section 13.30.020 (2) and (3). Any animal not listed below must be approved for your zone through Planning and Zoning. Conditional use permits may be required.
 - a. Class A Small Animals: Any size lot.
 - i. Two (2) Dogs (limit can exceed the preceding number until dogs reach six (6) months of age)
 - ii. Two (2) Cats (limit can exceed the preceding number until cats reach six (6) months of age)
 - iii. Six (6) Chickens
 - iv. Six (6) Rabbits
 - b. Class B Large Animals: There shall be no more than one animal unit per acre.
 - i. 1 Equine = one animal unit
 - ii. 1 Bovine = one animal unit
 - iii. 5 Swine = one animal unit to be kept a minimum of 50 ft. from any property line (a property owner must own at least 5 acres to have 1 swine)
 - iv. 2 Sheep = one animal unit
 - v. 2 Goats = one animal unit
 - vi. 4 Dogs, cats or other small domesticated animals = one animal unit

(Ord. 1-2017, Amended, 01/18/2017; Ord. 01-2015, Amended, 06/17/2015)

SECTION 2: **AMENDMENT** “13.30.055 Kennel License” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.30.055 Kennel License

Kennel Licenses are available for a maximum of 4 dogs with a Conditional Use Permit and approval following an onsite inspection by Animal Control.

In addition to any requirements of this Chapter, holders of Kennel License Permits must comply with requirements set by Chapter 8, Milford City Code.

A kennel license may be suspended or revoked, or a permit application rejected for falsification of facts in the permit application or for violation of any of the provisions of the Milford City Code or any other law or regulation governing the establishment such as but not limited to:

1. Kennels are not properly maintained.
2. Neglect of animals is reported or discovered upon inspection.
3. Two or more violations of this chapter.
4. Animals are found running at large.

AFTER AMENDMENT

13.30.055 Kennel License

Kennel Licenses are available for a maximum of up to 4 dogs with a Conditional Use Permit and approval following an onsite inspection by Animal Control. One dog shall be allowed per 2,000 square feet of county-recorded lot.

In addition to any requirements of this Chapter, holders of Kennel License Permits must comply with requirements set by Chapter 8, Milford City Code.

A kennel license may be suspended or revoked, or a permit application rejected for falsification of facts in the permit application or for violation of any of the provisions of the Milford City Code or any other law or regulation governing the establishment such as but not limited to:

1. Kennels are not properly maintained.
2. Neglect of animals is reported or discovered upon inspection.
3. Two or more violations of this chapter.
4. Animals are found running at large.

SECTION 3: AMENDMENT “13.11.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.11.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Accessory buildings customarily incidental to permitted agricultural uses;
2. Temporary uses incidental to construction work activities;
3. Agricultural related business;
4. Fruit/vegetable stand;
5. Places of worship;
6. Public or private schools or educational institutions;
7. Bed and Breakfast facilities;
8. Public or quasi-public utility or public service facilities;
9. Public parks or recreational facilities;
10. Private recreational facilities;
11. Day care centers; and
12. Other uses considered by the Planning and Zoning Commission to be compatible with these conditional uses.
13. One dog shall be allowed per 2,000 sq ft-up to a maximum of 6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

AFTER AMENDMENT

13.11.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Accessory buildings customarily incidental to permitted agricultural uses;
2. Temporary uses incidental to construction work activities;
3. Agricultural related business;
4. Fruit/vegetable stand;
5. Places of worship;
6. Public or private schools or educational institutions;
7. Bed and Breakfast facilities;
8. Public or quasi-public utility or public service facilities;
9. Public parks or recreational facilities;
10. Private recreational facilities;
11. Day care centers; and
12. Other uses considered by the Planning and Zoning Commission to be compatible with these conditional uses.
13. One dog shall be allowed per 2,000 sq ft-up to a maximum of ~~6~~ 46 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 4: AMENDMENT “13.12.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.12.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Places of worship;
2. Public or private schools or educational institutions;
3. Bed and Breakfast facilities;
4. Public or quasi-public utility or public service facilities;
5. Public parks or recreational facilities;
6. Private recreational facilities;
7. Day care centers;
8. The keeping of exotic animals; and
9. Small and large animal hospitals.
10. One dog shall be allowed per 2,000 sqft-up to a maximum of 6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

AFTER AMENDMENT

13.12.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Places of worship;
2. Public or private schools or educational institutions;
3. Bed and Breakfast facilities;
4. Public or quasi-public utility or public service facilities;
5. Public parks or recreational facilities;
6. Private recreational facilities;
7. Day care centers;
8. The keeping of exotic animals; and
9. Small and large animal hospitals.
10. One dog shall be allowed per 2,000 sqft-up to a maximum of ~~6~~ **46** dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 5: **AMENDMENT** “13.13.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.13.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Senior housing unit (granny flat), subject to the specific conditions i.e. Separate utility meters shall not be permitted.
2. Clubs, lodges or halls.
3. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
4. One dog shall be allowed per 2,000 sqft-up to a maximum of 6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015; Ord. Ordinance 7/2008 RM6S, Amended, 06/18/2008)

AFTER AMENDMENT

13.13.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Senior housing unit (granny flat), subject to the specific conditions i.e. Separate utility meters shall not be permitted.
2. Clubs, lodges or halls.
3. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
4. One dog shall be allowed per 2,000 sqft-up to a maximum of ~~6~~ **46** dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015; Ord. Ordinance 7/2008 RM6S, Amended, 06/18/2008)

SECTION 6: **AMENDMENT** “13.14.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.14.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Places of worship;
2. Bed and breakfast facilities;
3. Public or quasi-public utility or public service facilities;
4. Private recreational facilities;
5. Licensed day care centers;
6. Boarding houses or rooming houses;
7. Guest house or servant's quarters which may not be rented or sold;
8. Club, lodges or halls;
9. Licensed "community care facilities" including: Residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility;
10. Senior housing unit (granny flat), subject to the specific conditions i.e. Separate utility meters shall not be permitted.
11. Commercial parking lots when directly adjacent to the NC (Neighborhood Commercial) district and consistent with recommendations of an adopted specific plan; and
12. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
13. One dog shall be allowed per 2,000 sqft-up to a maximum of 6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015; Ord. Ordinance 8-2008, Amended, 06/18/2008)

AFTER AMENDMENT

13.14.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Places of worship;
2. Bed and breakfast facilities;
3. Public or quasi-public utility or public service facilities;
4. Private recreational facilities;
5. Licensed day care centers;
6. Boarding houses or rooming houses;
7. Guest house or servant's quarters which may not be rented or sold;
8. Club, lodges or halls;
9. Licensed "community care facilities" including: Residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility;
10. Senior housing unit (granny flat), subject to the specific conditions i.e. Separate utility meters shall not be permitted.
11. Commercial parking lots when directly adjacent to the NC (Neighborhood Commercial) district and consistent with recommendations of an adopted specific plan; and
12. Any other uses deemed by the Planning and Zoning Commission to be in harmony

- with listed conditional uses and the purpose and intent of this district.
13. One dog shall be allowed per 2,000 sqft-up to a maximum of ~~4~~6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015; Ord. Ordinance 8-2008, Amended, 06/18/2008)

SECTION 7: **AMENDMENT** “13.15.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.15.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. All uses subject to a conditional use permit in the RM district; and
2. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
3. One dog shall be allowed per 2,000 sqft-up to a maximum of 6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

AFTER AMENDMENT

13.15.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. All uses subject to a conditional use permit in the RM district; and
2. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
3. One dog shall be allowed per 2,000 sqft-up to a maximum of ~~4~~6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 8: **AMENDMENT** “13.17.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.17.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit;

1. Hospitals, convalescent hospitals, skilled nursing facilities, congregate care facilities;
2. Hotels or motels;
3. Mortuary;
4. Public or private schools or educational institutions;
5. Public utility structures;
6. Auto related uses including, but not limited to, repair garages, gasoline/service stations, drive through restaurants or markets or car washes;
7. New or used vehicle sales with appurtenant auto repair;
8. Multi-family residential developed to the MR standards;
9. Pawnbroker shops;
10. Thrift shops or secondhand dealerships;
11. Licensed "community care facilities" including: Residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility;
12. Churches
13. Amusement and recreation establishments including, but not limited to, theaters, billiard parlors, bowling alleys, or amusement arcades;
14. All uses subject to conditional use permit in the RM district; and
15. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
16. One dog shall be allowed per 2,000 sqft-up to a maximum of 6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

AFTER AMENDMENT

13.17.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit;

1. Hospitals, convalescent hospitals, skilled nursing facilities, congregate care facilities;
2. Hotels or motels;
3. Mortuary;
4. Public or private schools or educational institutions;
5. Public utility structures;
6. Auto related uses including, but not limited to, repair garages, gasoline/service stations, drive through restaurants or markets or car washes;
7. New or used vehicle sales with appurtenant auto repair;
8. Multi-family residential developed to the MR standards;
9. Pawnbroker shops;
10. Thrift shops or secondhand dealerships;
11. Licensed "community care facilities" including: Residential facility; adult day care;

- day treatment; social rehabilitation facility; community treatment facility;
- 12. Churches
- 13. Amusement and recreation establishments including, but not limited to, theaters, billiard parlors, bowling alleys, or amusement arcades;
- 14. All uses subject to conditional use permit in the RM district; and
- 15. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
- 16. One dog shall be allowed per 2,000 sqft-up to a maximum of ~~46~~ dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 9: AMENDMENT “13.18.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.18.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

- 1. Mortuary;
- 2. Public utility structures;
- 3. Used vehicle sales;
- 4. Multi-family residential developed to the MR standards;
- 5. Pawnbroker shops;
- 6. Thrift shops or secondhand dealerships.
- 7. Licensed "community care facilities" including: residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility;
- 8. Bailbonds;
- 9. Fortunetelling, per 13.25.010 through 13.25.080;
- 10. Swap meets, indoor, per 13.25.010 through 13.25.080;
- 11. All uses subject to a conditional use permit in the RM district; and
- 12. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
- 13. One dog shall be allowed per 2,000 sqft-up to a maximum of 6 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

AFTER AMENDMENT

13.18.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Mortuary;
2. Public utility structures;
3. Used vehicle sales;
4. Multi-family residential developed to the MR standards;
5. Pawnbroker shops;
6. Thrift shops or secondhand dealerships.
7. Licensed "community care facilities" including: residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility;
8. Bailbonds;
9. Fortunetelling, per 13.25.010 through 13.25.080;
10. Swap meets, indoor, per 13.25.010 through 13.25.080;
11. All uses subject to a conditional use permit in the RM district; and
12. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
13. One dog shall be allowed per 2,000 sqft-up to a maximum of 46 dogs per county recorded lot.

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 10: **EFFECTIVE DATE** This Ordinance shall be in full force and effect after the required approval from the Milford City Council and after notice of the ordinance has been published as required by law.

PASSED AND ADOPTED BY THE CITY OF MILFORD COUNCIL

September 19 2023

	AYE	NAY	ABSENT	ABSTAIN
Russell Smith	<u>✓</u>	_____	_____	_____
Les Whitney	<u>✓</u>	_____	_____	_____
Scott Symond	<u>✓</u>	_____	_____	_____
Ian Spaulding	<u>✓</u>	_____	_____	_____
Terry Wiseman	<u>✓</u>	_____	_____	_____

Presiding Officer



Nolan Davis, Mayor, City of Milford

Attest



Monica D. Seifers, City Recorder,
City of Milford