



**TOQUERVILLE CITY  
ORDINANCE 2017.11  
CARE AND KEEPING OF ANIMALS AND LIVESTOCK**

AN ORDINANCE TO AMEND TITLE 5 - PUBLIC SAFETY, CHAPTER 1 - ANIMAL CONTROL TO CLARIFY THE MAXIMUM NUMBER ANIMALS ALLOWED IN A CONDITIONAL USE PERMIT APPLICATION FOR SPECIFIC ZONES.

**RECITALS**

WHEREAS, Toquerville desires to preserve the small-town character and rural atmosphere; and

WHEREAS, the City welcomes the continuance of historical patterns for the allowance of keeping and caring for animals and livestock on residential and agriculture zoned property; and

WHEREAS, the City wants to create clarification of livestock allowances on properties within Toquerville; and

WHEREAS, Toquerville City, as municipal corporation and political subdivision of the State of Utah (“City”), has authority pursuant to its constitutionally granted police powers, to protect the health, safety and general welfare of the residents of the City.

**ORDINANCE**

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of Toquerville City, State of Utah, as follows:

**5-1-4: CARE AND KEEPING OF ANIMALS AND LIVESTOCK:**

- A. The keeping of livestock shall be a permitted use in the agricultural district or zone. The keeping of livestock shall be a conditional use in the single-family residential districts as specified in section [10-10A-3](#) of this code.
- B. For the keeping of livestock in the single-family residential districts, a conditional use permit, with payment of required fees, must be reviewed and approved by the planning commission; city council review of permits may be requested by planning commission; and permits may be reviewed annually for code compliance.
- C. The keeping of livestock within residential lots or parcels that are smaller than one acre shall also be limited to the following provisions:

Animal	Minimum Square Feet	Square Feet Per Animal	Maximum Number Of Animals	Square Feet For 1 Animal	Square Feet For 2 Animals	Square Feet For 3 Animals
Over 5 chickens/ any roosters/ any ducks	500	25	50	500	500	500
Cow (all types)	8,000	4,000	3	8,000	8,000	12,000
Horse, mule, donkey	8,000	4,000	3	8,000	8,000	12,000
Llama, alpaca, emu	8,000	4,000	3	8,000	8,000	12,000
Mini: horse, mule, donkey	8,000	4,000	3	8,000	8,000	12,000
Ostrich	10,000	5,000	2	10,000	10,000	n/a
Pigeons/game birds	500	25	50	500	500	500
Rabbits	500	30	25	500	500	500
Sheep/goat	6,000	3,000	3	6,000	6,000	9,000
Swine	500	250	4	500	500	750
Turkey/goose	1,000	50	50	1,000	1,000	1,000

Notes:

"Minimum square feet" means the minimum amount of land dedicated for the sole use of the animal(s). "Dedicated for the sole use of the animal(s)" can include barns, shelters, etc., and does not require the animal to freely move about the entire land dedicated to its use, but does require the land to benefit the animal(s).

"Square feet per animal" means the minimum land that each animal must have.

"Maximum number of animals" means the maximum an applicant in a residential zone can apply for if the parcel of land is smaller than 1 acre one acre or smaller. Agriculture or residential parcels larger than 1 acre or parcels in nonresidential zones, have no imposed maximums. The keeping of livestock in Commercial and Industrial zones are not permitted.

1. Adequate containment of the animal(s) shall be provided by the applicant.
2. Swine shall be kept in a shelter at all times. Mud wallows are not allowed.
3. Manure shall be cleaned at least weekly and odors shall be controlled.

4. Up to five (5) hens will be allowed with a minimum of two hundred (200) square feet and must meet building code separation requirements and must not be in the front yard; no rooster or peafowl in all residential zones; in agricultural zones roosters and peafowl are allowed.

REPEALER. This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.

SAVINGS CLAUSE: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

EFFECTIVE DATE. This Ordinance shall take effect immediately upon approved by the City Council.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.

Paul Heideman	Aye ___	Nay ___
Keen Ellsworth	Aye ___	Nay ___
Mark Fahrenkamp	Aye ___	Nay ___
Brad Langston	Aye ___	Nay ___
Ty Bringhurst	Aye ___	Nay ___

CITY OF TOQUERVILLE a Utah Municipal Corporation

\_\_\_\_\_  
M. Darrin LeFevre, Mayor

Date \_\_\_\_\_

\_\_\_\_\_  
Attest: Dana M. McKim, City Recorder