

Ordinance 2016-21

SHORT TITLE:


An ordinance amending Chapter 8.02 (Animal Control Generally) with regards to keeping of swine.

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER	
CW 1	DAVID SEWELL			✓			
CW 2	GEORGE STEWART			✓			
CD 1	GARY WINTERTON			✓			
CD 2	KIM SANTIAGO			✓			
CD 3	DAVID KNECHT			✓			
CD 4	KAY VAN BUREN		✓	✓			
CD 5	DAVID HARDING	✓		✓			
				TOTALS	7	0	0

This ordinance was passed by the Municipal Council of Provo City, on the 19th day of July, 2016, on a roll call vote as described above. Signed this August 3, 2016

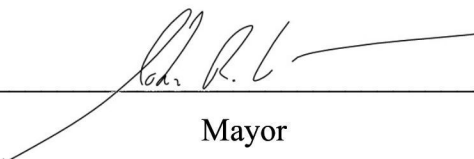


Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this August 4, 2016.



Mayor

Ordinance 2016-21

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 8th day of August, 2016, with a short summary being published on the 23rd day of July, 2016, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2016-21.





City Recorder

ORDINANCE 2016-21.

AN ORDINANCE AMENDING CHAPTER 8.02 (ANIMAL CONTROL
GENERALLY) WITH REGARDS TO THE KEEPING OF SWINE. (16-084)

WHEREAS, it is proposed that Chapter 8.02 (Animal Control Generally) of the Provo City Code be amended to address the keeping of swine in regards to their control and distance from dwellings; and

WHEREAS, Section 10-8-67 of the Utah Municipal Code permits municipalities to compel the owner of any pigsty, privy, barn, corral, sewer or other unwholesome or nauseous house or place to cleanse, abate or remove the same, and may regulate the location thereof; and

WHEREAS, the keeping of swine within close proximity to residential dwellings presents a likelihood of nuisance and concerns of public health, safety, and welfare; and

WHEREAS, it is proposed that Chapter 8.02 (Animal Control Generally) of the Provo City Code be amended to provide that swine shall be confined within a secure outdoor enclosed area located at least three hundred (300) feet from any boundary line; and

WHEREAS, on July 19, 2016, the Municipal Council held a duly noticed public meeting to ascertain the facts regarding this matter, which facts and comments are found in the meeting record; and

WHEREAS, after considering the facts presented to the Municipal Council, the Council finds (i) Section 8.02 of the Provo City Code should be amended as set forth below, and (ii) such action reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Section 8.02 of the Provo City Code is hereby amended as follows:

8.02.210. Keeping Swine.

Swine shall be confined within a secure outdoor enclosed area located at least three hundred (300) feet from any boundary line.

PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.
- C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.

50 D. This ordinance shall take effect immediately after it has been posted or published in accordance
51 with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204,
52 and recorded in accordance with Utah Code 10-3-713.

53

54 END OF ORDINANCE.

55