

ORDINANCE 20-25

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS”, SECTION 17.040.070 “DEFINITIONS”, SECTION 17.14.060 “REGULATIONS REGARDING FEEDING AND HOUSING ANIMALS”, SECTION 17.14.030 “NUMBER OF ANIMALS PERMITTED” AND TITLE 16 “SUBDIVISION REGULATIONS”, SECTION 16.09.050 “EXPIRATION OF PRELIMINARY PLAT APPROVAL”.

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The following sections shall be amended as indicated. Those portions which are struck out shall be deleted and those that are highlighted in yellow shall be added.

17.040.070 DEFINITIONS

ALLEY: A ~~public~~ private thoroughfare a minimum of twenty-six feet (26') in width.

17.14.060 REGULATIONS REGARDING FEEDING AND HOUSING ANIMALS

- A. Where permitted under the provisions of this title, any large and medium sized animals are to be fed ~~and corralled~~ at least forty five feet (45') from the owner's dwelling and seventy five feet (75') from any neighbor's dwelling as measured from the closest point of the corral or enclosure to the closest point of the dwelling.

17.14.030 NUMBER OF ANIMALS PERMITTED

- B. Classification: Each animal species shall be assigned one of the following classifications based on their size, and their anticipated social and environmental impact:
 1. Large size animal - cattle, horse, donkey, mule.
 2. Medium size animal - sheep, goat, emu, llama.
 3. Large fowls - turkey, geese.
 4. Small animals, fowl – pigeons, pheasants, ducks, rabbits.

Animals not listed above and which are not considered household pets or animals which are not otherwise restricted, may be kept in accordance with this section in numbers consistent with their approximate size. Chickens (Domestic Fowl) are not included in this Section. For Chickens (Domestic Fowl) see SMC 17.12.230 “Keeping Chickens (Domestic Fowl)”.

16.09.050 EXPIRATION OF PRELIMINARY PLAT APPROVAL

- A. Application for final plat approval shall be made within **eighteen (18)**~~twelve (12)~~ months after approval or conditional approval of the preliminary plat by the planning commission. This time period may be extended for up to **eighteen (18)**~~twelve (12)~~ months if the subdivider petitions the planning commission for an extension prior to the expiration date. Only one extension may be granted.
- B. In subdivisions where a final plat for an individual phase of the overall subdivision has been approved and recorded within the time frame outlined in SMC "A" of this section, preliminary plat approval shall be considered to be valid for an additional **eighteen (18)**~~twenty four (24)~~ months from the date of recording of each final plat. This time period may be extended for up to **eighteen (18)**~~twelve (12)~~ months pursuant to SMC "A" of this section.
2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearing and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 4th day of November, 2020

SMITHFIELD CITY CORPORATION

Mayor Jeffrey H. Barnes

ATTEST:

Justin B. Lewis, City Recorder