

Layton City
ORDINANCE 23-08

HOUSEHOLD PETS

AN ORDINANCE AMENDING TITLE 19 "ZONING", CHAPTER 19.02 "DEFINITIONS", AND CHAPTER 19.06 "LAND USE REGULATIONS", AND REPEAL SECTION 19.06.070 "HOUSEHOLD PETS", TO PRESERVE CONSISTENCY IN LAYTON CITY MUNICIPAL CODE AND WITH LAYTON CITY'S RECENT ADOPTION OF THE DAVIS COUNTY UTAH CODE ENTITLED, "TITLE 6, ANIMALS"

WHEREAS, it is in the City's interest to preserve consistency in the Municipal Code and with Layton City's recent adoption of the Davis County Utah Code entitled "Title 6, Animals".

WHEREAS, the Layton City Planning Commission reviewed the proposed changes at their April 25, 2023 meeting and after holding a public hearing recommended approval of the proposed changes;

WHEREAS, the Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the Council of Layton City finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to Layton Municipal Code Title 18 and Title 19.

NOW THEREFORE, be it ordained by the City Council of Layton City, UT as follows:

SECTION 1: Repealer. If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: Amendment. "19.02.020 " is hereby amended as follows:

...

"Junk Dealer": Any person ... for a junk yard.

"Junkyard": See also Auto ... is no outside storage.

"Kennel, Boarding": ~~Any lot or premises on which three or more dogs or cats or combination thereof, at least four (months old, are kept daily or overnight for a fee.~~ **A lot/parcel on which the total number of dogs or cats or combination thereof that are at least four months old, exceeds the number permitted by Davis County Utah Code entitled Title 6, Animals and are kept daily or overnight for a fee.**

"Kennel, Daily Boarding": ~~Any lot or premises on which three or more dogs or cats or combination~~

~~thereof, at least four (months old, are kept daily with no overnight boarding for a fee.~~ A lot/parcel on which the total number of dogs or cats or combination thereof that are at least four months old, exceeds the number permitted by Davis County Utah Code entitled Title 6, Animals, and are kept daily with no overnight boarding for a fee.

"Kennel, Extended Care": ~~Any lot or premises on which three or more dogs or cats or combination thereof, at least four are kept or groomed, daily or overnight for a fee, as a home occupation by the members of the family living in the home.~~ A lot/parcel on which the total number of dogs or cats or combination thereof that are at least four months old, exceeds the number permitted by Davis County Utah Code entitled Title 6, Animals, and are kept or groomed, daily and/or overnight for a fee, as a home occupation by the members of the family living in the home.

"Kennel, Private": ~~Any developed lot or premises on which three or more dogs or cats or combination thereof, at least four months old, months old are kept.~~ A lot/parcel on which the total number of dogs or cats or combination thereof that are at least four months old, exceeds the number permitted by Davis County Utah Code entitled Title 6, Animals.

"Land Use Authority": The ... of Land Use Authority.

"Landscaping": The installation of ... as landscape design materials.

...

SECTION 3: Amendment. "19.06.070 Repealed." is hereby amended as follows:

19.06.070 ~~Household Pets~~ Repealed.

~~1. Household pets shall be limited to the keeping of not more than two dogs or cats, or combination thereof, four months old or older. In addition to the two permitted animals, one seeing-eye, search and rescue, or other aid dog may be allowed under the following circumstances:~~

~~a. A permit is issued by the Zoning Administrator. In addition to the typical items considered by the Zoning Administrator for the permit, the following shall also be reviewed:~~

~~i. The location and size of any outdoor pens, runs, or enclosures;~~

~~ii. The owner's demonstrated ability to keep the additional animal in a clean and healthy environment and in a manner that is not contrary to the general health and welfare of the citizenry;~~

~~iii. That the animals will be kept in accordance to all Davis County Health and Davis County Animal Control requirements; and~~

~~iv. The premises shall be subject to inspection annually by the Community and Economic Development Department.~~

~~b. The aid dog is certified to serve in the capacity intended by the independent and qualified agency. Aid dogs that are in the process of being trained shall have not more than six months to become certified unless a longer period is granted by the Zoning Administrator. The certification of the aid dog is subject to inspection annually by the Community and Economic Development Department. Failure to obtain the certification in the prescribed time period, and maintenance of it thereafter, shall result in the revocation of the conditional use permit; and~~

~~e. The owner of the aid dog owns and was keeping two dogs or cats or combination thereof prior to obtaining the aid dog.~~

~~2. If after receiving a permit for the third animal, either of the two non-certified animals becomes absent from the premises, for whatever reason, said animal shall not be replaced.~~

~~3. Show, hunting, or other animals not trained and certified to give aid to the physically or mentally impaired, or serve in search and rescue efforts shall not qualify for the keeping of the third animal.~~

~~4. A dwelling may have a total of six animals [not including animals listed in Subsection (1)] or fowl customarily kept within the home, including but not limited to hamsters, guinea pigs, parakeets, canaries, etc. Said animals shall be for family use only and not raised for commercial purposes.~~

~~5. Animals normally associated with being kept outdoors and/or normally associated with agricultural areas such as horses, cows, goats, sheep, pigs, rabbits, chickens, ducks, geese, or other farm animals, shall not be allowed as household pets.~~

HISTORY

...

SECTION 4: Amendment. "19.06.080 " is hereby amended as follows:

1. Animals normally associated with being kept outdoors and/or normally associated with agricultural areas such as horses, cows, goats, sheep, pigs, rabbits, chickens, ducks, geese, or other farm animals, shall be identified as farm animals and shall not be allowed as household pets.

a. Except as otherwise provided herein, farm animals shall only be allowed in the A (agricultural) and R-S (residential suburban) zoning districts. The number and type of animals and fowl allowed in these zoning districts shall be limited as follows:

Row	Animal	Minimum Lot/Parcel Size in Square Feet	Lot Area/Parcel Size in Square Feet Required for Every 1 Animal	Zones
Row	Horse or Cow	20,000	20,000	A, R-S
Row	Sheep, Goat or Pig/Swine	20,000	10,000	A, R-S
Row	Geese	20,000	2,000	A, R-S
Row	Pheasant, Rabbit, or Pigeon	20,000	800	A, R-S

~~Not more than one cow or horse and two sheep or goats and 25 pheasants, or rabbits, or pigeons; and 10 geese, for every 20,000 square feet of lot area~~

b. Animals and fowl not specifically listed may be substituted for those listed of similar size.

c. Combinations of animals and fowl are also allowed within the numbers listed for each

category.

d. An increase in this density is allowed only by a conditional use permit for a farm industry as set forth in this Title.

2. Residential Chicken and ... with the following provisions:

...

SECTION 5: Severability. If any section, subsection, sentence, clause, or phrase of this amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this amendment.

SECTION 6: Effective Date. This ordinance being necessary for the peace, health, and safety of the City, shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the more remote from the date of passage thereof.

****Signatures On Next Page****

PASSED AND ADOPTED by Layton City Council this **18th day of May, 2023.**



ZACH BLOXHAM, Council Member
Layton City

Attest:



KIMBERLY S READ, City Recorder
Layton City



CHAD WILKINSON, Community Development Director
Layton City



DARREN CURTIS, Assistant City Attorney
Layton City

City Council Vote as Recorded:	AYE	NAY	ABSTAIN	ABSENT
Zach Bloxham	—	<u>X</u>	—	—
Clint Morris	<u>X</u>	—	—	—
Tyson Roberts	<u>X</u>	—	—	—
Bettina Smith Edmondson	<u>X</u>	—	—	—
Dave Thomas	<u>X</u>	—	—	—



RECORDED this 18th day of May, 2023.

PUBLISHED OR POSTED this 24th day of May, 2023.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Layton City, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

1. Layton City Center
2. Surf 'n Swim Bulletin Board
3. Davis County Library - Layton Branch

on the above referenced dates.



KIMBERLY S READ, City Recorder
Layton City