

**FAIRVIEW CITY  
ORDINANCE NO. 2022-04**

**AN ORDINANCE AMENDING “CODE OF REVISED ORDINANCES OF FAIRVIEW”  
CHAPTER 13-200, ANIMAL CONTROL, ADDING TO-- PART(S) 13-232 - DEFINITIONS; 13-  
233 - DOMESTIC FOWL, DOMESTIC FARM ANIMALS, AND PETS; 13-234 - LIMITATIONS  
ON THE KEEPING AND MAINTENANCE OF ANIMALS AND FOWLS; 13-235 - EXOTIC  
PET PERMIT REQUIREMENTS; 13-236 - PETS FOR THERAPEUTIC USE; 13-237 -  
NUMBER OF ANIMALS PER SIZE OF PROPERTY; 13-238 - PENALTIES; AND AMENDING  
PART(S) 13-254 - REDEMPTION OF IMPOUNDED DOGS; AND 13-258 - PENALTIES**

**WHEREAS** the ability to keep animals and livestock has been and continues to be a defining characteristic of the rural atmosphere that Fairview City seeks to maintain,

**WHEREAS** the City seeks to protect, preserve, and maintain the rights of landowners to raise animals on their properties,

**WHEREAS** it shall also be the purpose of this ordinance to provide regulations, constraints, and limits on the number of animals kept and the manner in which the animals are maintained in order to minimize the impact on neighboring property owners,

**NOW THEREFORE, BE IT ORDAINED** by the City Council of Fairview City, County of Sanpete, State of Utah, that the Fairview City Code of revised ordinances be amended adding to the existing Chapter 13-200, Animal Control; adding parts 13-232 to 13-237, and amending 13-238 as follows:

**13-232 Definitions**

**Limited Number of animals**

A person can have up to a combination of 3 dogs or cats on a single-family lot.

A person can have up to a combination of 2 dogs or cats on a multi-family lot.

For this ordinance: If you are feeding an animal regularly, they are defined as your pet.

**Pets**

A small animal which either lives inside or outside of your home, can also be classified as a companion animal living with people.

**Exotic Pets**

An exotic pet is a rare or unusual pet, or an animal kept within human households which is generally

thought of a wild species not typically kept as a pet. Specifically, “exotic” refers to a species which is not native or indigenous to the owner’s locale; and “pet” is a companion animal living with people.

### **Pets for Therapeutic Use**

Animals used as prescribed be a therapist or doctor to help with the treatment of their patient.

### **13-233 Domestic Fowl, Domestic Farm Animals, and Pets**

For the purpose of this ordinance, domestic fowl are defined as follows:

Small-size domestic fowl include chickens, ducks, quails, pheasants, and pigeons.

Medium-size domestic fowl include turkey and geese.

It is unlawful for any person to keep domestic fowl, domestic farm animals, or pets within the City limits except as follows:

Subject to the requirements of this section, no more than twelve (12) small-size domestic fowl, of which no more than one (1) may be a male chicken (rooster), or four (4) medium-size domestic fowl, may be kept on a lot or parcel pf land in a residential zone on which the primary use is a single-family dwelling.

For a lot on which the primary use is a multi-family dwelling, no more than four (4) small size domestic fowl, and no (0) male chickens (roosters) may be kept per family unit. No medium-size domestic fowl shall be kept on parcels or lots for which the primary use is multi-family dwelling.

The keeping of emu, ostrich, pigs, mature male goats, exotic pets, or any creature, animal, or fowl known to transmit harm shall not be permitted within the incorporate limits of Fairview City.

### **13-234 Limitations on the Keeping and Maintenance of Animals and Fowls**

A person can have up to a combination of 3 dogs or cats on a single-family lot.

A person can have up to a combination of 2 dogs or cats on a multi-family lot.

The kittens of a pet cat, or the puppies of a licensed pet dog, may be kept without penalty for 8 weeks, after which time the maximum number of three (for single-family) or two (for multi-family) pets is in effect.

No more than a total of two (2) equine (horses, donkeys, mules,) or bovine (calves, cows), or llama; or no more than a total of four (4) female sheep or goats with offspring; or no more than a total of twelve (12) poultry, fowl, rabbits, or small animals like unto shall be kept or maintained per half-acre parcel or plot in the Residential-Agricultural zone. (See also 13-237)

Animals shall be properly sheltered and restrained upon an approved lot or parcel of land at all times. If an animal is unrestrained and allowed to wander freely to off the property, and is injured or killed on another person’s property, the other person is not liable for the damages to the unrestrained animal.

Any cat that is running loose within the City limits, causing a nuisance, can be picked up by the animal control officers and be penned and housed until such times as prescribed by the City Ordinance.

If your animals have been impounded, all fees shall be paid at the City Offices. When the fees are paid in full, the office personnel shall contact the pound master or other city employee to arrange the release of said animal.

On the first offense, impounding fees shall be \$45 for the first (1st) day and \$10 for each and every following day the animal is impounded. For the second offense, impounding fees shall be \$55 for the first (1st) day and \$10 for each and every following day the animal is impounded. On the third offense, impounding fees shall be \$65 for the first (1st) day, and \$10 for each and every following day the animal is impounded.

### **13-235 Exotic Pet Permit Requirements**

The keeping of emu, ostrich, pigs, mature male goats, exotic pets, or any creature, animal, or fowl known to transmit disease or inflict harm shall not be permitted within the corporate limits of Fairview City.

Exotic pets may be permitted only if:

- Owners of such animals comply with requirements for either the individual animal or the specific species as allowed by the City Council;
- All applicable fees are paid;
- No violations of the animal ordinance have been committed within the previous twenty-four (24) month period;
- All provisions of the section are complied with the no animal is deemed a nuisance.

### **13-236 Pets for Therapeutic Use**

Animal-assisted therapy is a type of therapy that involves animals as a form of treatment. Animals can be useful for education and motivation effectiveness for participants. A therapist who brings along a pet may be viewed as being less threatening, increasing the rapport between a patient and therapist. Animals used in therapy include domesticated pets, farm animals, and marine mammals.

Therapeutic pets may be permitted provided only if:

- The therapeutic pet is prescribed by a licensed doctor or therapist;
- Owners of such special animals comply with requirements for either the individual animal or specific species as allowed by the City Council.
- The therapeutic pet is licensed with the City;
- While the animal is in therapy use, the owner must carry 50,000 minimum liability insurance policy for any injuries inflicted by the animal; certification that the animal has adequate housing; and meets at

federal and state guidelines for licensing. Present a copy of insurance during the licensing process.

The owner of a therapeutic pet must follow section 13-233 requirements.

**12-237 Number of Animals per Size of Property**

<b>Size of lot (Single Family)</b>	<b>Number of small fowl or animals</b>	<b>Number of Medium size fowl</b>	<b>Number of Equine</b>
<b>¼ acre or 10,000 Square feet</b>	<b>12 1 rooster allowed</b>	<b>4</b>	<b>0</b>
<b>½ acre</b>	<b>12 1 rooster allowed</b>	<b>4</b>	<b>2</b>
<b>1 acre</b>	<b>18</b>	<b>6</b>	<b>3</b>
<b>1 ½ acres</b>	<b>24</b>	<b>8</b>	<b>4</b>
<b>2 or more Acres</b>	<b>30</b>	<b>10</b>	<b>5</b>

**13-238. Penalties**

Unless otherwise noted Any violation of the city ordinances in chapter 13-200 by the Home owner/Renter/Animal care giver and/or animal owner is charged as Class C Misdemeanor. If any violation continues under Chapter 13-200 each days violation shall be deemed as separate violation.

**ADOPTED** the 26<sup>th</sup> day of May 2022 by a duly constituted quorum of the Fairview City Council.

\_\_\_\_\_  
Brad Welch, Mayor

**ATTEST:**

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Jan Anderson, City Recorder

City Council Voting:

	Yea	Nay	Absent	Abstain
Shirlene Rasmussen	_____	_____	_____	_____
Casey Anderson	_____	_____	_____	_____
Matt Sorensen	_____	_____	_____	_____
Michael MacKay	_____	_____	_____	_____
Jim Cheney	_____	_____	_____	_____