

**APPLE VALLEY
ORDINANCE O-2024-88**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “10.41 Pigs” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.41 Pigs(*Added*)

AN ORDINANCE REGULATING THE KEEPING OF PIGS WITHIN THE TOWN OF APPLE VALLEY, UTAH

WHEREAS, the Town of Apple Valley, Utah, desires to protect public health, safety, and welfare through the regulation of animals within its jurisdiction; and

WHEREAS, the keeping of pigs within residential or agricultural zones can affect the community in terms of waste disposal, odors, noise, and potential health risks, while still recognizing the agricultural value and cultural practices associated with animal husbandry; and

WHEREAS, the Town Council of Apple Valley believes it is necessary to establish reasonable regulations for the keeping of pigs to ensure the proper care of animals and the protection of the community.

NOW, THEREFORE, be it ordained by the Town Council of Apple Valley, Utah:

SECTION 1: PURPOSE AND INTENT

The purpose of this ordinance is to regulate the keeping of pigs in the Town of Apple Valley in a way that supports small-scale, self-sufficient homesteading practices while preventing the establishment of commercial pig-farming operations. This ordinance is intended to enable residents to engage in responsible animal husbandry as part of a sustainable, rural lifestyle while maintaining the health, safety, and welfare of the broader community.

SECTION 2: DEFINITIONS

For purposes of this ordinance, the following definitions shall apply:

- **Pig(s):** A domesticated swine of any breed, gender, or age.
- **Residential Area:** Any area within Apple Valley that is zoned for single-family residential or multi-family residential use.
- **Agricultural Area:** Any area within Apple Valley that is zoned for agricultural or farming use.
- **Pen:** An enclosed area designated for the confinement of pigs.

SECTION 3: GENERAL REGULATIONS

1. Permitting Requirement:

- The keeping of pigs is strictly limited to agricultural zones.
- Pigs are not permitted in any residential or other non-agricultural zones under any circumstances.
- Pigs may only be kept in agricultural zones on lots of 10 acres or more without a conditional use permit, subject to the regulations specified herein.

2. Number of Pigs:

- In agricultural areas, no more than one (1) pig per acre may be kept, with a maximum of fifteen (15) pigs allowed per property, regardless of parcel size.
- The maximum number of pigs includes all pigs on the property, including weaner pigs and baby pigs.
- A conditional use permit is required for the keeping of more than fifteen (15) pigs, but a conditional use permit may not be issued for the keeping of over forty (40) pigs.
- If the keeping of pigs is desired on smaller acreage than permitted above, a conditional use permit is required.
- For a conditional use permit the Planning Commission will consider parcel size, location, and zoning regulations before granting approval.

3. Zoning Compliance:

- All pigs must be kept in accordance with the zoning regulations of the Town of Apple Valley. If the property is zoned for agricultural use, it must also comply with all other agricultural and livestock regulations set by the Town.

SECTION 4: CARE AND MAINTENANCE OF PIGS

1. Proper Housing:

- Pigs must be kept in a safe and sanitary environment. The pen must be enclosed by a

secure fence that prevents the pigs from escaping.

- Pens shall be kept clean, and waste must be disposed of in a manner that prevents odor or contamination of surrounding property.
- No mud bogs shall be allowed in the pens. All pens shall have drainage to keep water from pooling within the pen.
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- No pen shall be located closer than five hundred feet (500') from any dwelling unit in an adjacent property.

2. Health and Welfare:

- Pigs must be provided with adequate food, water, shelter, and medical care as necessary to ensure their health and well-being in compliance with **Utah state law** governing the care and treatment of animals.
- The keeping of pigs must adhere to all applicable state regulations, including but not limited to the provisions outlined in **Utah Code Title 76, Chapter 9, Part 3 (Animal Cruelty Laws)** and **Title 4 (Agriculture)**, as well as any other relevant statutes.
- Pigs shall not be kept in a manner that constitutes a nuisance, including excessive noise or the creation of harmful odors.

3. Waste Disposal:

- Owners are responsible for the proper disposal of all waste generated by their pigs. Waste must be stored and disposed of in a sanitary manner, and must not pose a health hazard to humans or other animals.
- No waste shall be allowed to accumulate on the property or be disposed of in a manner that negatively impacts surrounding properties or the environment.

SECTION 5: NUISANCE PROVISIONS

1. Noise:

- Pigs shall not cause a nuisance due to noise, such as excessive grunting or squealing, that disturbs the peace and quiet of neighboring properties, particularly properties boarding residential areas.
- If noise complaints are received, the Town may take action to investigate and require corrective measures.

2. Odor:

- Pigs shall not emit offensive odors that unreasonably disturb neighbors or the surrounding community. If such odors are found to exist, the Town may require corrective actions, including but not limited to improving waste disposal methods or relocating the pigs.

3. Prohibited Acts:

- It shall be unlawful to allow pigs to roam freely on public or private property outside of the designated pen or enclosure.

SECTION 6: ENFORCEMENT AND PENALTIES

1. Violations:

- Any person found in violation of this ordinance may be subject to a fine of up to \$1,000 per violation, and may be required to remove the pigs from the property until compliance is achieved.
- Violators may also be subject to additional penalties as provided in the Apple Valley Civil Code Enforcement Section 16.02.010.

2. Inspection:

- Town officials may, upon receiving a complaint or as part of a regular inspection, enter the property where pigs are kept to ensure compliance with this ordinance. Access shall be granted by the property owner or tenant for inspection purposes.

3. Revocation of Permit:

- If a conditional use permit holder violates any provision of this ordinance, the Code Enforcement Official may revoke the permit and require the immediate removal of the pigs from the property.

SECTION 7: EXEMPTIONS

- Exemptions may be granted by the Planning Commission on a case-by-case basis via a conditional use permit if special circumstances or practices are involved.

SECTION 8: SEVERABILITY

If any section, clause, sentence, or provision of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance shall remain in full force and effect.

SECTION 9: EFFECTIVE DATE

This ordinance shall take effect upon its adoption and publication as required by law.

ADOPTED this ____ day of ____, 20.

BY ORDER OF THE TOWN COUNCIL OF APPLE VALLEY, UTAH

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____
Council Member _____	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley