

17.70.100 Farm animal regulations.

A. *Purpose and Intent.* To establish the standards and criteria by which farm animals may be kept within West Point City. The city recognizes that farm animals are inextricably associated with certain noise, sight, and smell nuisances that are generally unacceptable in urban areas. However, the city also recognizes the importance of maintaining its farming heritage and the traditional values associated with that heritage. It is with this purpose, to preserve the farming heritage of the community, that this chapter is enacted.

B. *Animal Allowance.* Farm animals held for noncommercial purposes are permitted solely in the agricultural A-5 and A-40, R-1, and R-2 zones as a permitted use and shall be an administrative conditional use in the R-3 zone for all animals except small animals which may include chickens, ducks, geese, pigeons, and rabbits, unless restricted by private development agreements, covenants, or other legally binding contracts. Roosters shall not be kept in any residential zone. Residents in the R-1, R-2 and R-3 zones may, at any time, keep and maintain a base number of no greater than four chickens, regardless of the size of their property, subject to the requirements of this section and any other applicable provisions of this code. The number of additional chickens shall be based on the same formula as other animals as follows:

1. The quantity of animals permitted on a property shall be determined on the basis of 100 animal points per vacant acre (e.g., 0.50 acres x 100 = 50 animal points; 1.45 acres x 100 = 145 animal points).
2. Vacant acreage on properties with nonagricultural uses is determined by the following: Residential properties shall deduct 0.20 acres (approximately 8,700 square feet) per unit from the total acreage before calculating the animal allowance (e.g., (0.50 acres – 0.20 acres) x 100 = 30 animal points; (1.45 acres – 0.20 acres) x 100 = 125 points). All other properties shall deduct the exact amount of acreage not being used for animal production before calculating the animal allowance.

Type of Animal	Number of Points per Animal
Pigs	50
Horses and cattle	25
Sheep and goats	10
Chickens, ducks, geese, pigeons, rabbits, and other small animals	5

3. Commercial agricultural operations shall only be permitted in A-40 and A-5 zones. Intensive commercial agricultural operations, such as feed lots, shall only be permitted by an administrative conditional use with a minimum lot size of five acres.

C. *Yard and Structure Regulations.*

1. Animal enclosures: barns, coops, stables, and other structures for the care and keeping of livestock and/or fowl that exceed 120 square feet shall be permitted in all zones where livestock and/or fowl are permitted; provided, that all such structures are located at least 75 feet from the street and 150 feet from the nearest dwelling on adjacent lots. All structures to be constructed in accordance with the building codes of West Point City.

2. Animal enclosures: barns, coops, stables, and other structures for the care and keeping of livestock and/or fowl that do not exceed 120 square feet shall be permitted in all zones where livestock and/or fowl are permitted; provided, that all structures are at least 50 feet from any public or private street and 50 feet from the nearest dwelling on adjacent lots. These structures shall be placed at least 10 feet from all property lines. All structures shall be constructed in accordance with the building codes of West Point City.

3. Feed yards and the keeping of pigs shall be at least 200 feet from all dwellings on adjacent lots. If adjacent lots are vacant then they shall be kept no closer than 30 feet to the side yard or rear property lines.

D. *Apiaries/Beekeeping.* The keeping of bees is allowed on all properties in the A-5, A-40, and all residential zones as a permitted use subject to the following requirements:

1. *Application.* All beekeepers of any hives located in all residential zones must submit a fee application to the city for verification that all the requirements have been met.

2. *Number of Hives.* There is no defined maximum number of hives for properties in the A-5 and A-40 zones. It is unlawful for any hive(s) to be located on properties under 8,000 square feet. For properties with detached residential dwellings (single-family lots) and vacant properties, two hives may be kept on properties greater than 8,000 square feet in size. Three additional hives may be kept for each 10,890 square feet (one-quarter acre) of property but shall not exceed 10 hives in residential zones.

3. *Placement of Hives.*

a. Hives shall not be located in any front or side yards;

b. Hives or any component thereof shall not exceed six feet in height;

c. No hives shall be located closer than 25 feet to the principal building on the abutting lot; and

d. The placement of the hive shall not be any closer to the abutting lot's principal building than the principal building on the lot where the hive is located.

e. No hive shall be located closer than 10 feet to any public sidewalk.

4. *Flyways.* In each instance in which any hive is situated closer than 25 feet to a public or private property line as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least six feet in height consisting of a solid wall, fence, dense vegetation or combination thereof that is parallel to the property line and extends 10 feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six feet above ground level over the property lines in the vicinity of the apiary.

5. *Water.* Each beekeeper shall ensure that a convenient source of water is available to the bees at all times during the year so that the bees will not congregate at swimming pools, pet watering bowls, bird baths or other water sources where they may cause human, bird or domestic pet contact.
6. *Compliance.* It shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others. The beekeepers are expected to follow beekeeping best management practices such as disease control, hive management and working the hive at appropriate times. Bees and associated beehives may be ordered removed from property if they are determined to be a nuisance by West Point City or Davis County animal control officer.
7. *State Registration.* If required by the Utah Department of Agriculture. [Ord. 08-17-2021B § 2 (Exh. A)].

The West Point City Code is current through Ordinance 08-02-2022A, passed August 2, 2022.

Disclaimer: The City Recorder's office has the official version of the West Point City Code. Users should contact the City Recorder's office for ordinances passed subsequent to the ordinance cited above.

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