

ORDINANCE NO. 12-_____

AN ORDINANCE ESTABLISHING TEMPORARY ZONING REGULATIONS BASED ON A FINDING OF COMPELLING, COUNTERVAILING PUBLIC INTEREST

WHEREAS, Utah State law provides as follows: *UCA 10-9a-504 Temporary Regulations.*

- (1) (a) *A municipal legislative body may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary zoning regulation for any part or all of the area within the municipality if:*
 - (i) *the legislative body makes a finding of compelling, countervailing public interest; ...*
- (2) *The municipal legislative body shall establish a period of limited effect for the ordinance not to exceed six months.*

WHEREAS the Town Council finds that there is compelling, countervailing public interest to:

1. Consider changes to the Town’s land use ordinance as it relates to animal feed yards and the raising and/or keeping of pigs and pigsties.

NOW, THEREFORE, BE IT RESOLVED, that

1. The Town hereby suspends the use of land within the zoning districts stated in this Paragraph 1, and prohibits approval for the erection, construction, reconstruction, or alteration of any building or structure and any other consideration associated with the use of land, for an animal feed yard and for the raising and/or keeping of pigs and pigsties, for a period of six months from the date this ordinance is adopted and first posted. This ordinance shall be effective for all property located in Amalga Town currently zoned Residential-Agricultural (RA), Residential (R), Residential-Mixed (RM), and in the Agricultural (A) zone, the use of land for an animal feed yard is prohibited within two hundred (200) feet of the boundary lines of any of the other zones referenced in this Paragraph 1, with the raising and/or keeping of pigs and pigsties to be prohibited completely within Amalga Town. For purposes of this Temporary Zoning Regulation, “animal feed yard” shall mean and refer to an agricultural operation where animals are kept and raised in confined situations, and which congregates animals, feed, manure and urine, dead animals, production operations and all similar activities and land uses, on a small land area. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland. “Animal feed yard” does not refer to or include traditional dairy operations.

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 a whole, or any other part thereof.

3. This ordinance shall go into effect on the day of its first posting as required by law.

ADOPTED AND PASSED by the Town Council of the Town of Amalga, Utah, this _____ day of _____, 2012.

AMALGA TOWN

By _____
Mayor

ATTEST:

By _____
City Recorder

CERTIFICATE OF DUE POSTING

I, **MORRIS HANSEN**, Town Recorder of Amalga, Utah, hereby certify that I, on the ____ day of _____, 2012 in the **TOWN OF AMALGA, CACHE COUNTY, STATE OF UTAH**, posted the foregoing Ordinance No. 12-____ in a likely manner, a copy of which is hereto attached, in each of three public places in the said Town of Amalga, to-wit:

- 1.
- 2.
- 3.

Witness my hand this ____ day of _____, 2012.

Town Recorder

BLJ/jhb
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