

TOWN OF CASTLE VALLEY, UTAH

ORDINANCE 2003-3

AN ORDINANCE ENCOURAGING THE MOVEMENT OF DEER WITHIN CASTLE VALLEY BY LIMITING THE USE OF EXCLUSIONARY FENCING

(This Ordinance 2003-3 Dated September 16, 2020 supersedes any earlier dated
Ordinance 2003-3)

Preamble

The Town of Castle Valley acknowledges that because the Town is part of wild mule deer critical winter habitat (as designated by the State of Utah Division of Wildlife Resources), it is necessary to limit the use of exclusionary fencing to maximize the ability for deer to move through and live in the valley.

Be it ordained by the Town Council of the Town of Castle Valley, Utah that:

SECTION 1:

1. All solid fences are subject to applicable building permit requirements.
2. All fencing shall be smooth wire or rail.
3. Barbed wire is prohibited.
4. For wire fencing, top wire shall be a maximum of 48 inches from the ground and at least 12 inches shall separate the top two wires.
5. Stays shall be placed at 6 to 8 foot increments.
6. Rail fences shall be a maximum of 48 inches from the ground with 16 inches of spacing between the rails.
7. Electrified fencing shall be a maximum of 48 inches from the ground and at least 12 inches shall separate the two top wires.
8. Fencing of open construction (e.g., corrals) shall have at least a 12 inch gap between the top two rails.

Exceptions to the above are as follows:

- A. Residents may use exclusionary fencing with a maximum height of 8 feet in no more than one acre (43,560 square feet) per five acres.
- B. All exclusionary fencing under A. above shall be a minimum of fifty feet from roads.
- C. Pre-existing fencing as of March 1, 2003, and repair of existing fencing, but not with barbed wire.

SECTION 2:

SEVERABILITY: If any provision of this ordinance or any application thereof to any person(s), entity, or circumstance is held invalid, the remaining provisions of this ordinance and applications thereof to other person(s), entities, or circumstances shall not be affected thereby.

SECTION 3.

EFFECTIVE DATE: This ordinance shall take effect immediately upon passage by the Town Council.

PASSED AND APPROVED by the Town Council of the Town of Castle Valley in open session this 16th day of September, 2020, by the following vote:

Those voting aye: Mayor Duncan, Council Members Gibson, Hill and Holland

Those voting nay: None

Those Absent: Council Member O'Brien

Approved:

Attested:


Jazmine Duncan, Mayor

Date:

09/23/2020


Jocelyn Buck, Town Clerk

Date:

9-23-2020