

ORDINANCE NO. 2009 - 28

**AN ORDINANCE AMENDING SECTION 5-2-20 OF THE UTAH COUNTY CODE
ENTITLED "LIVESTOCK"**

The County Legislative Body of Utah County ordains as follows:

Part I:

Section 5-2-20 of the Utah County Code is hereby amended to read as follows:

5-2-20. Livestock

- (a) Except as otherwise provided in subsection (b), the following provisions shall apply in all areas of unincorporated Utah County:
- (1) For purposes of this subsection the term "Livestock" includes cattle, sheep, goats, swine, horses, mules, donkeys, poultry, and any other domestic animal or domestic fur bearer raised or kept for profit.
 - (2) It is unlawful for any person owning or having the custody, possession, or control of livestock to allow, either negligently or with specific intent, the animal to run at large.
 - (3) All fencing of property where livestock are kept shall be of sufficient construction to prevent the escape of or injury to the animals being confined within the fencing. The fencing shall be maintained so that no part of such fence, absent extraordinary circumstances, may be broken, damaged, or in any way create the possibility of injury to the confined animal or to allow the escape thereof.
 - (4) Any animal in violation of this section may be impounded.
 - (5) All persons owning or having the custody, possession, or control of livestock shall be strictly liable for all damages caused by any such livestock.
- (b) In those areas of unincorporated Utah County shown on the Utah County Open Range Map as "Open Range" the following provisions shall apply:
- (1) For purposes of this subsection the term "Open Range" means those areas of unincorporated Utah County shown on the Utah County

Open Range Map as Open Range; the term "Open Range Livestock" means cattle, sheep, and horses; and the term "Legal Fence" means a fence with not less than four (4) horizontal barriers, consisting of wires, boards, poles or other fence material in common use in the neighborhood, with posts set not more than twenty feet (20') apart. The lower barrier shall not be more than twelve inches (12") from the ground and the space between any two (2) barriers shall not be more than twelve inches (12"), and the height of the top barrier must be at least forty eight inches (48") above the ground. Every post shall be so set as to withstand a horizontal strain of two hundred fifty (250) pounds at a point four feet (4') from the ground, and each barrier shall be capable of withstanding a horizontal strain of two hundred fifty (250) pounds at any point midway between the posts. All gates shall be equally as well constructed as the fence.

- (2) Within the Open Range area, no person or entity shall be entitled to damages for trespass of Open Range Livestock on private real property or on real property owned by the United States of America or the State of Utah, unless such property, at the time of the trespass, was enclosed by a Legal Fence.

Part II:

The Utah County Open Range Map, attached hereto as Exhibit "A" and incorporated herein by this reference is hereby adopted. The areas shown on the Open Range Map as Open Range are more particularly described in Exhibit "B", attached hereto and incorporated herein by this reference. In the event of any conflict between Exhibit "A" and Exhibit "B", Exhibit "B" shall control.

Part III:

Insert pages reflecting the above amendments, including a title page which bears the enactment date of this ordinance, are hereby ordered to be filed in the copy of the Utah County Code which is on file with the Utah County Clerk/Auditor.

Part IV:

If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part V:

This ordinance shall become effective fifteen (15) days after its passage, and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 25th day of August, 2009.

UTAH COUNTY COMMISSION

VOTE

Larry A. Ellerston
LARRY A. ELLERSTON, CHAIR

Aye

Steve White
STEVE WHITE, COMMISSIONER

Aye

Gary J. Anderson
GARY J. ANDERSON, COMMISSIONER

Aye

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

APPROVED AS TO FORM:
JEFFREY R. BUHMAN
Utah County Attorney

By: *Linda Strickland*
Deputy

Approved Disapproved

By: *Paul Spent*
Deputy

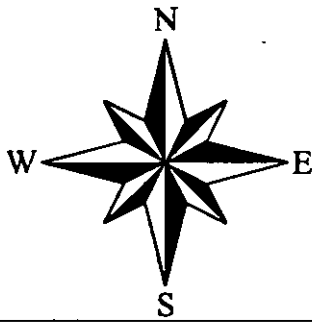
Date of Publication: Once only, as soon as possible

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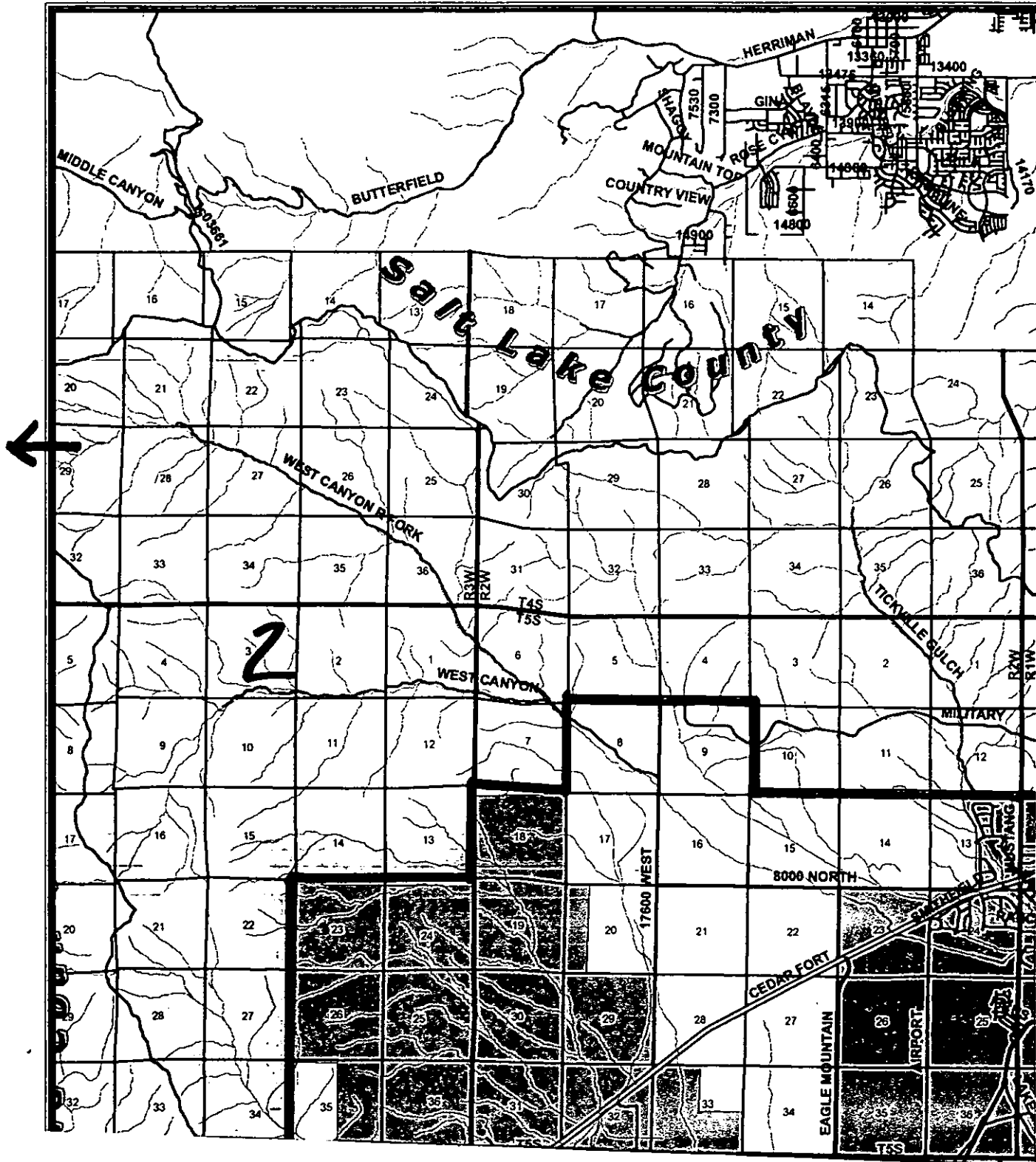


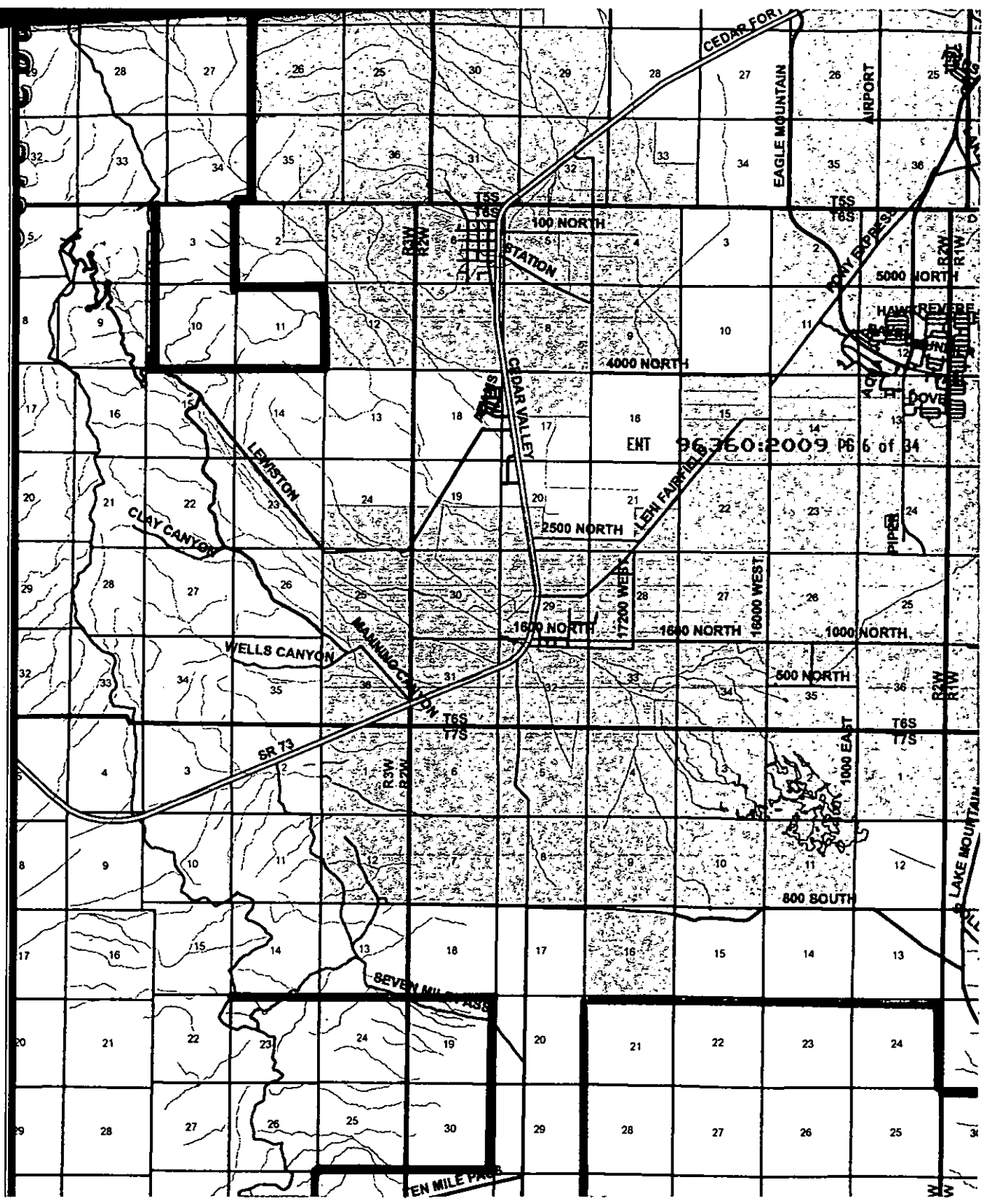
EXHIBIT "A"
UTAH COUNTY OPEN RANGE MAP

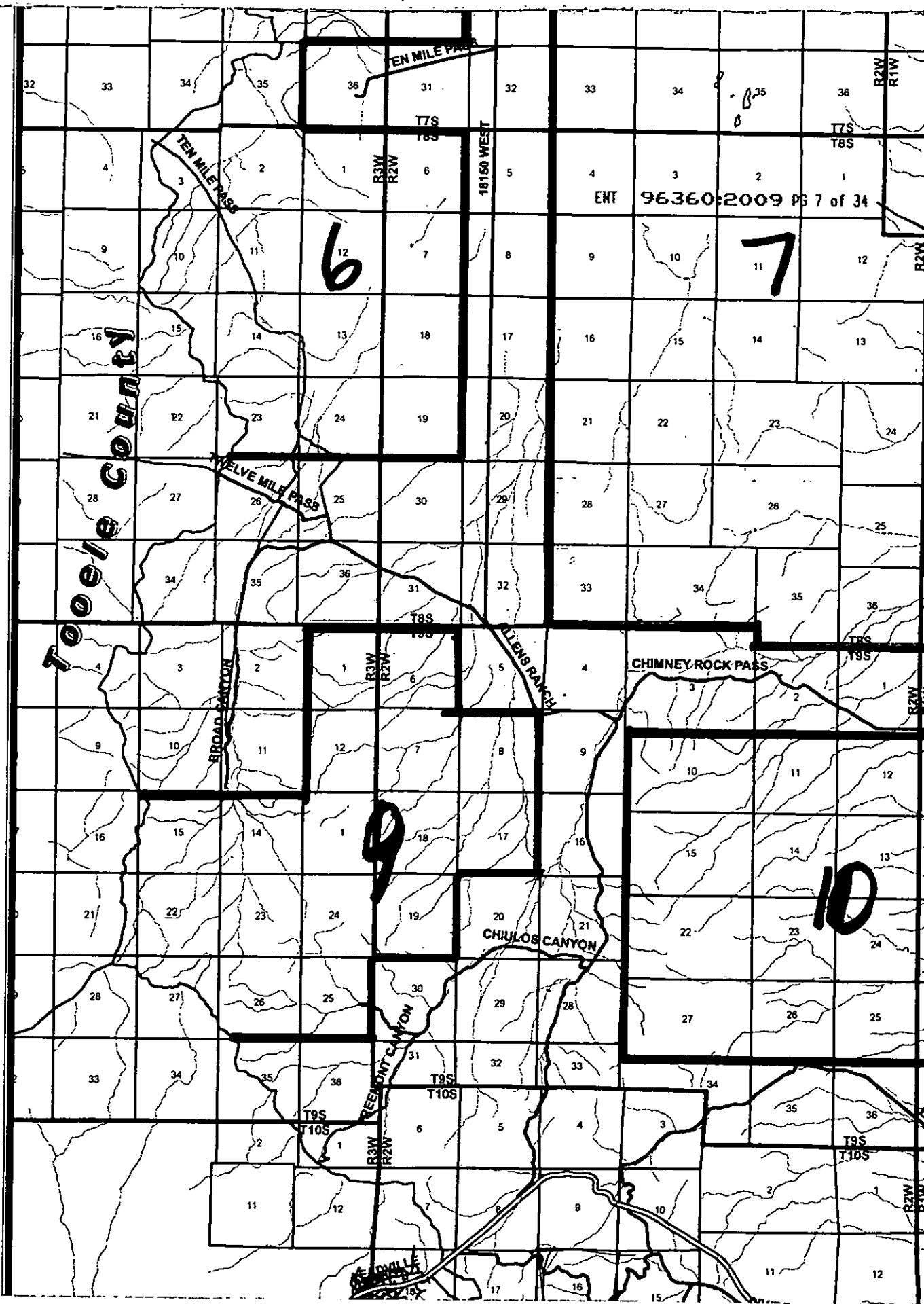
UTAH COUNTY OPEN RANGE MAP



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Tooele County

TEN MILE PASS

TEN MILE PASS

TWELVE MILE PASS

BROAD CANYON

18150 WEST

LEERS RANCH

CHIMNEY ROCK PASS

CHIULIOS CANYON

SEADVILLE

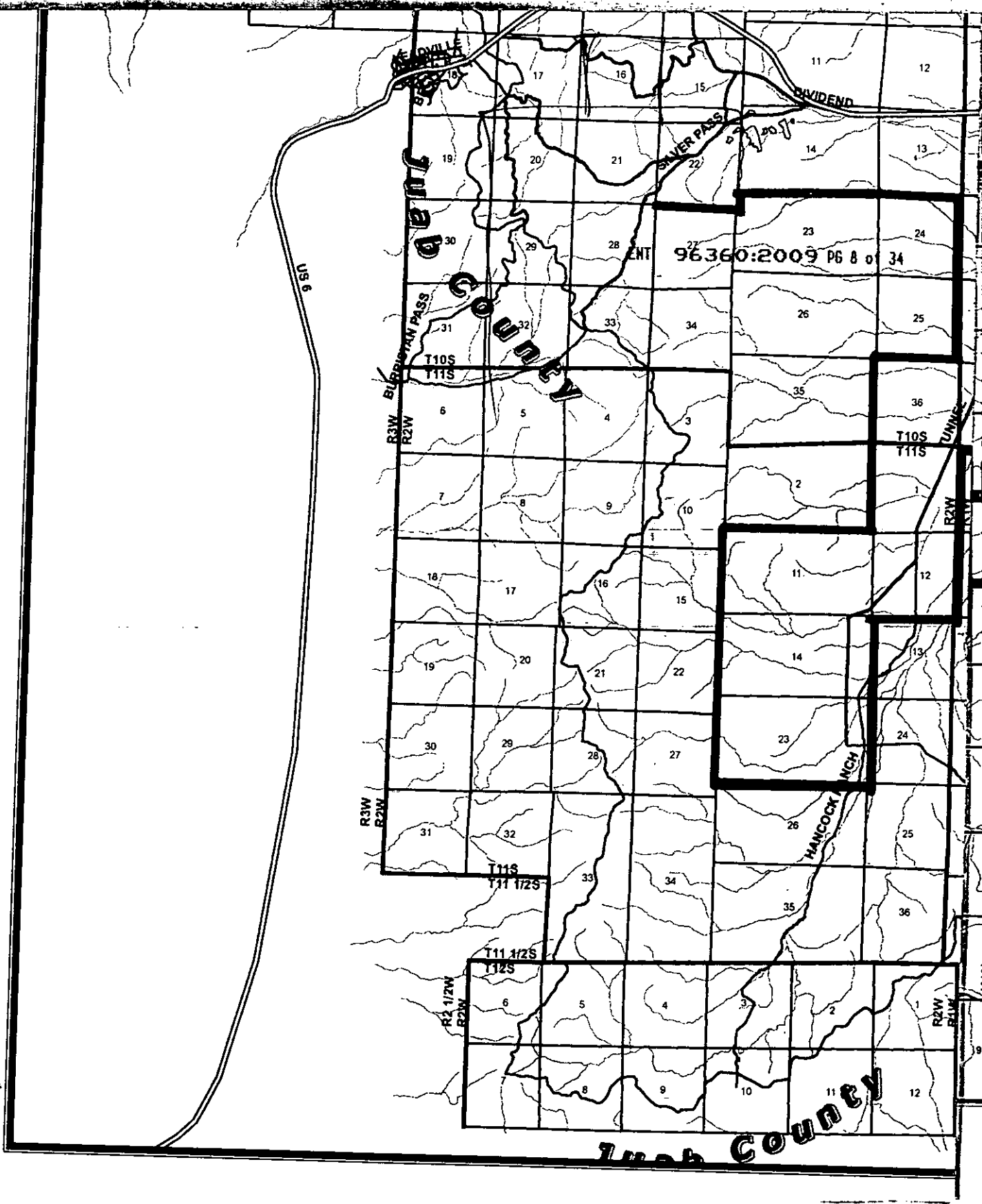
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Utah County

Utah County

T10S
R3W
R2W

T11S
R3W
R2W

T11S
R2W
R1W

T10S
R2W
R1W

US 6

Bridgman Pass

Silver Pass

Hancock Ranch

Dividend

Alpine

19

30

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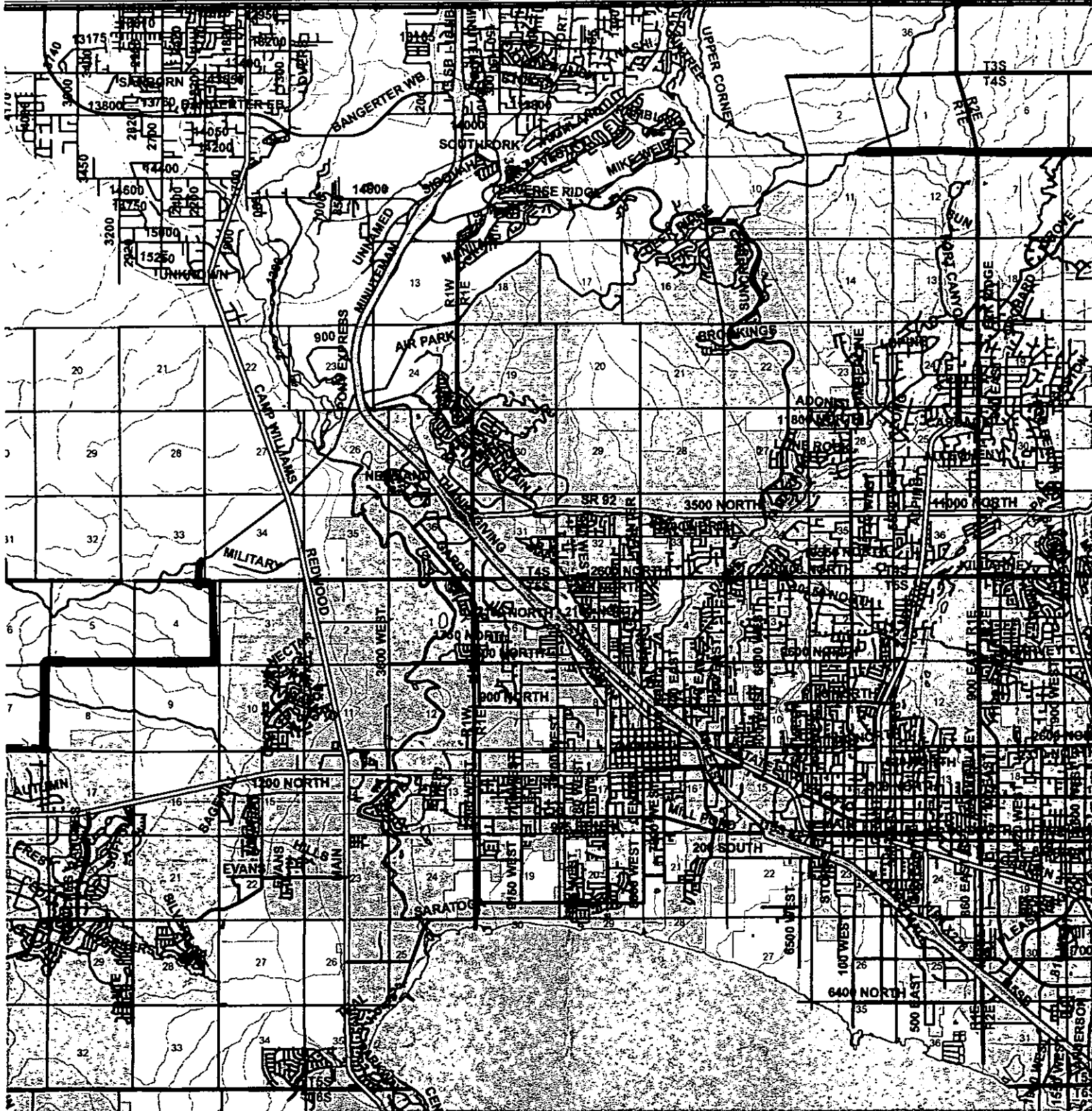
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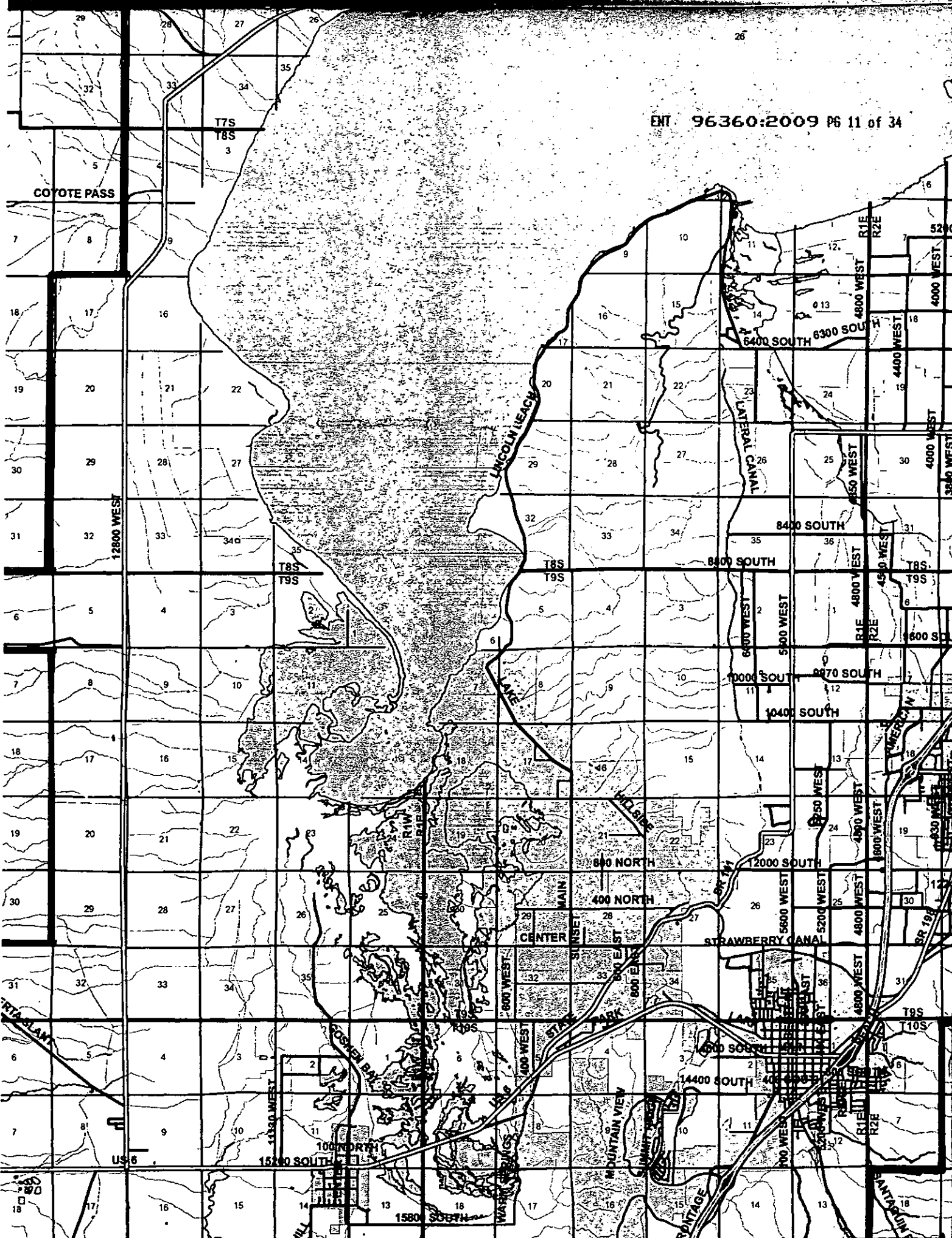
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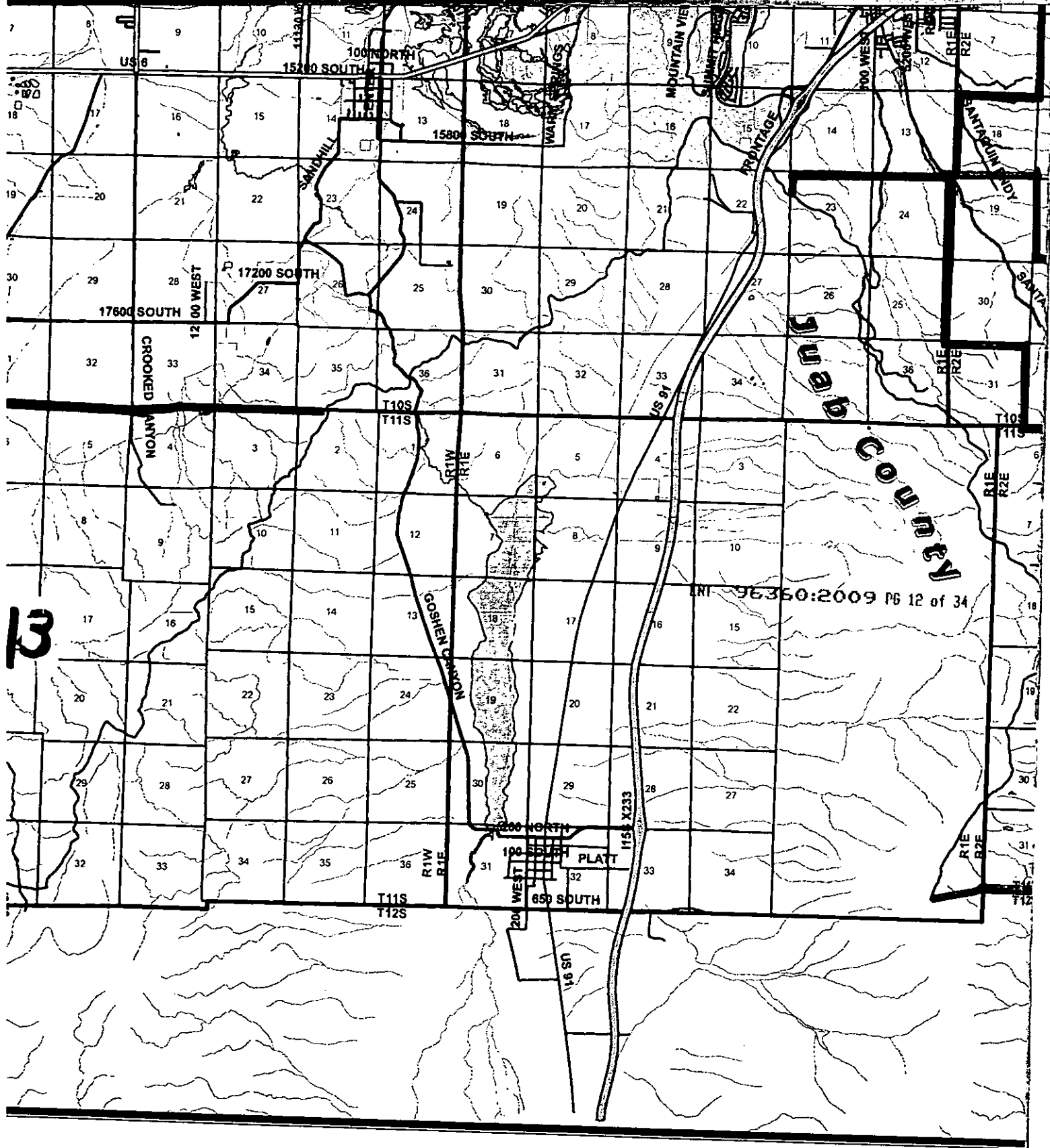
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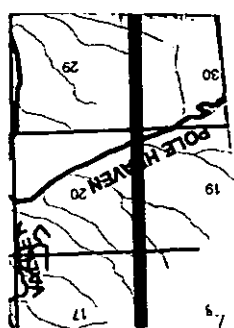
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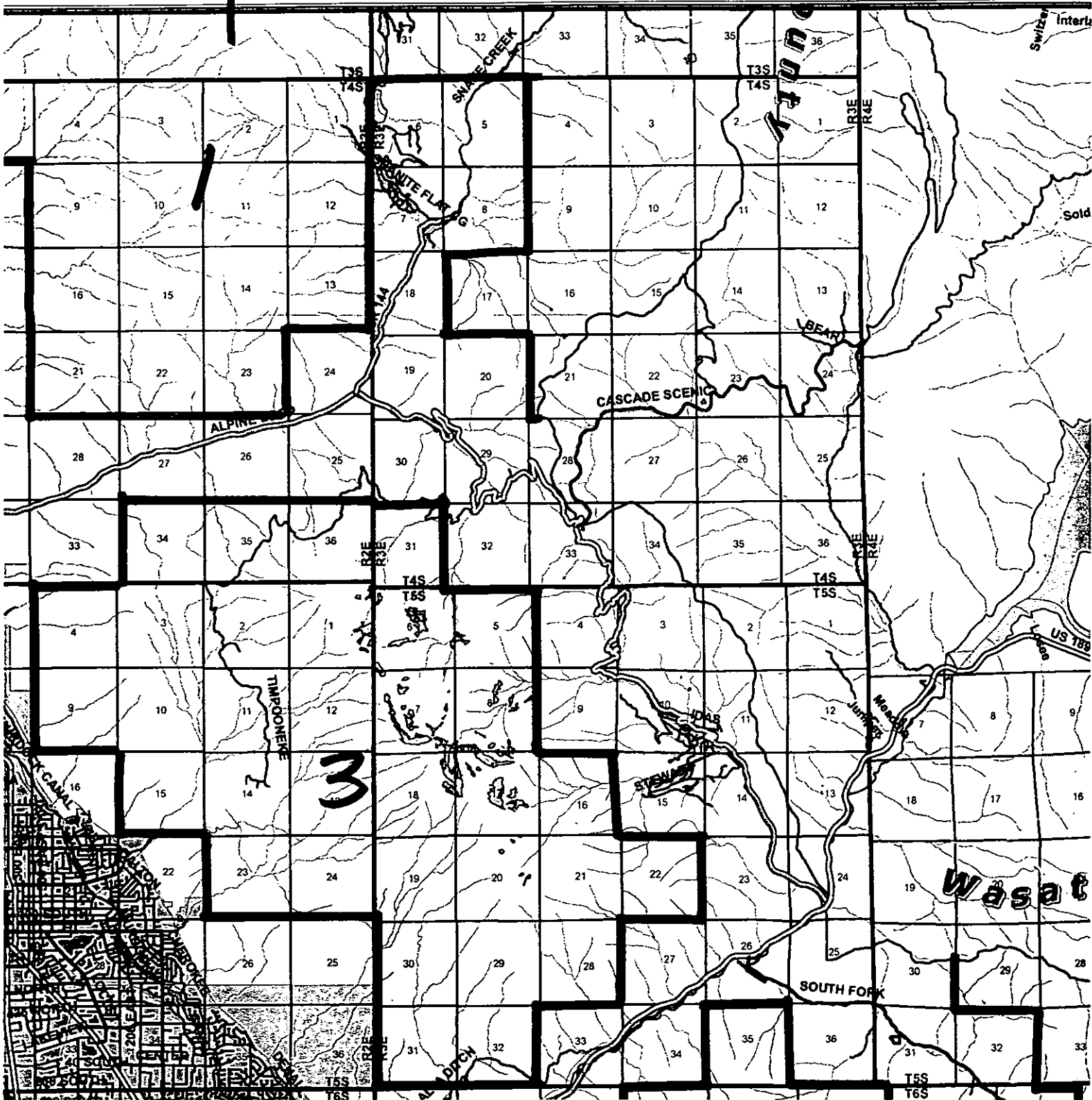
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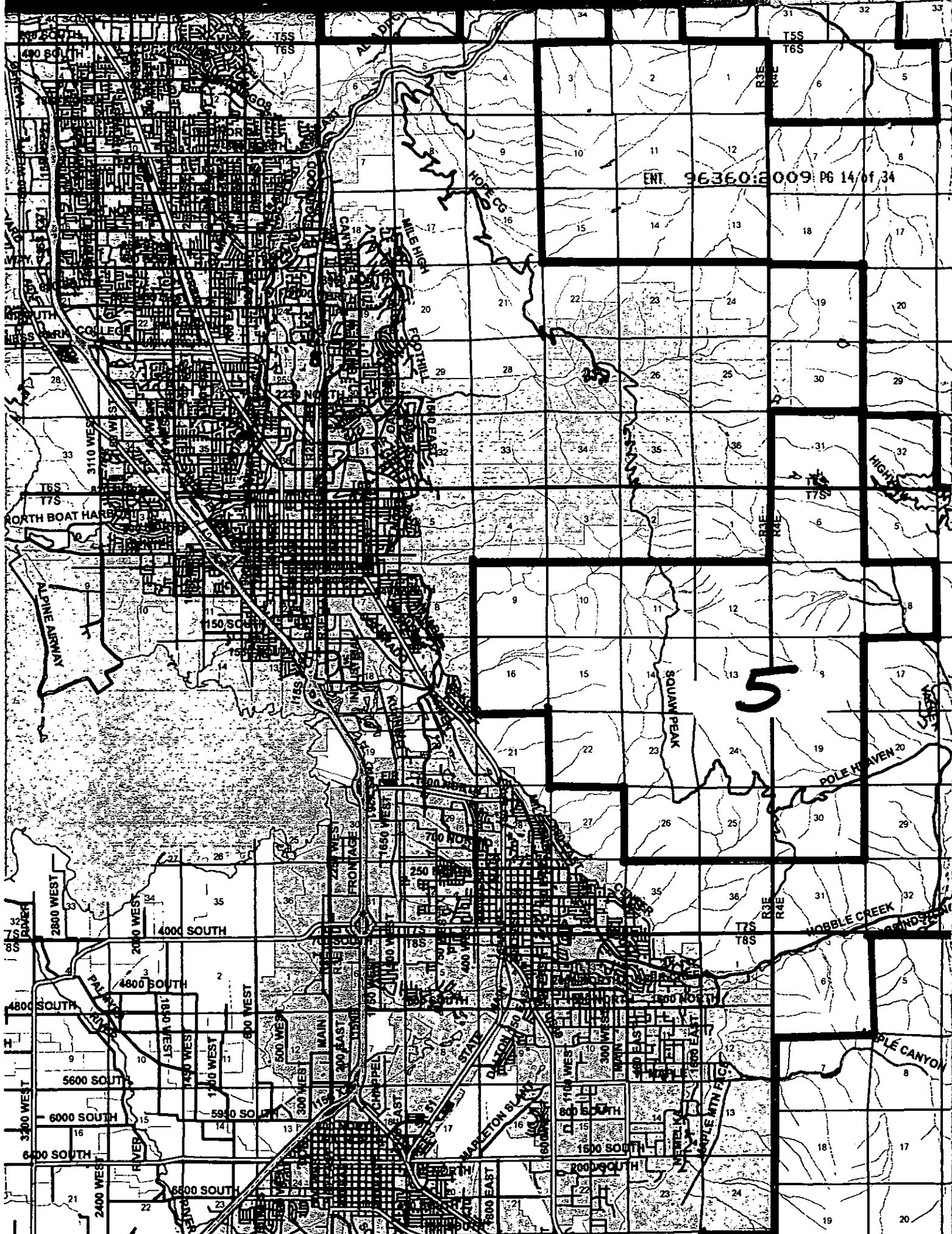


County Map

Created J

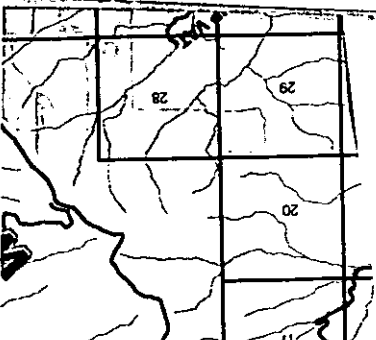
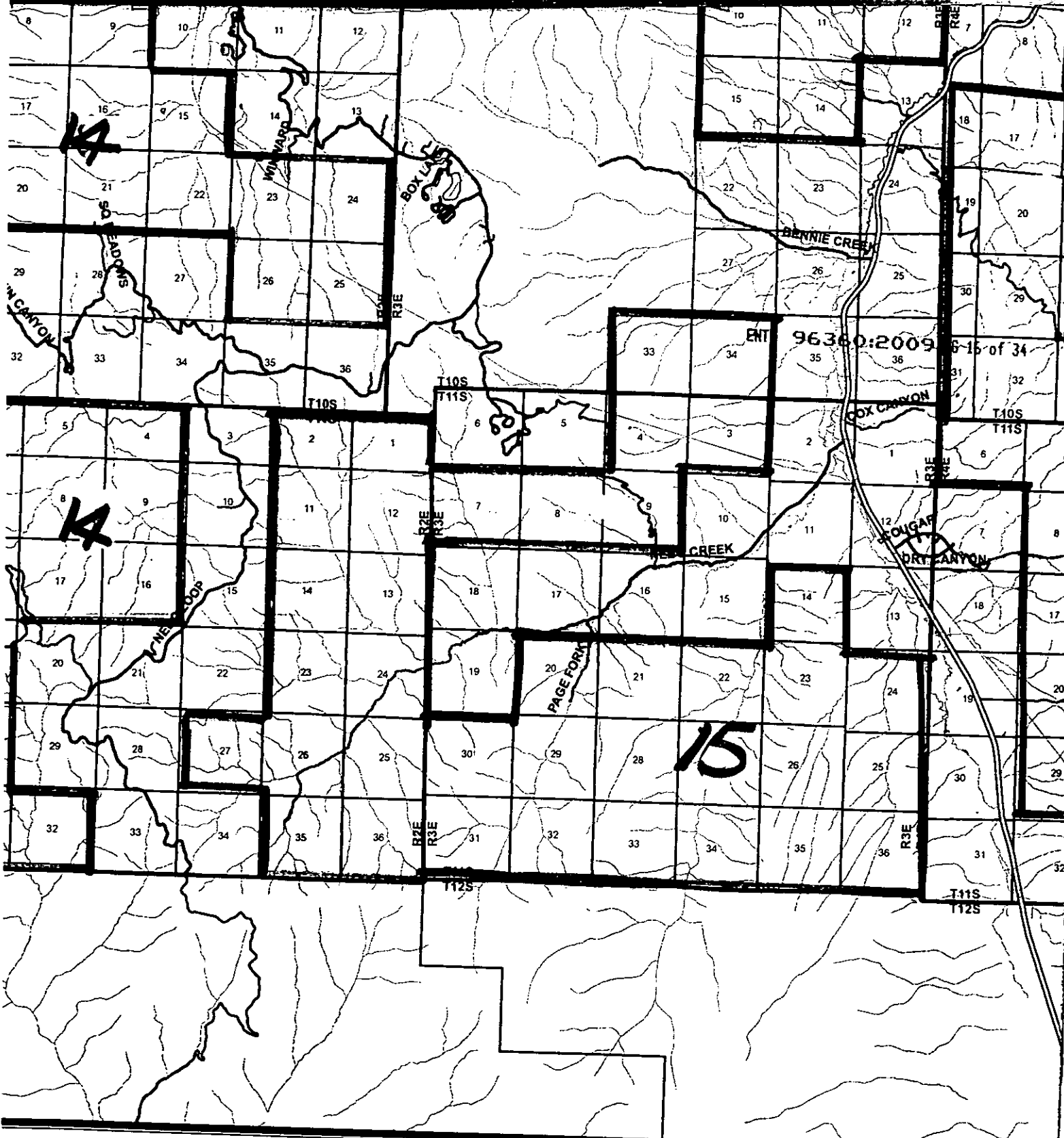
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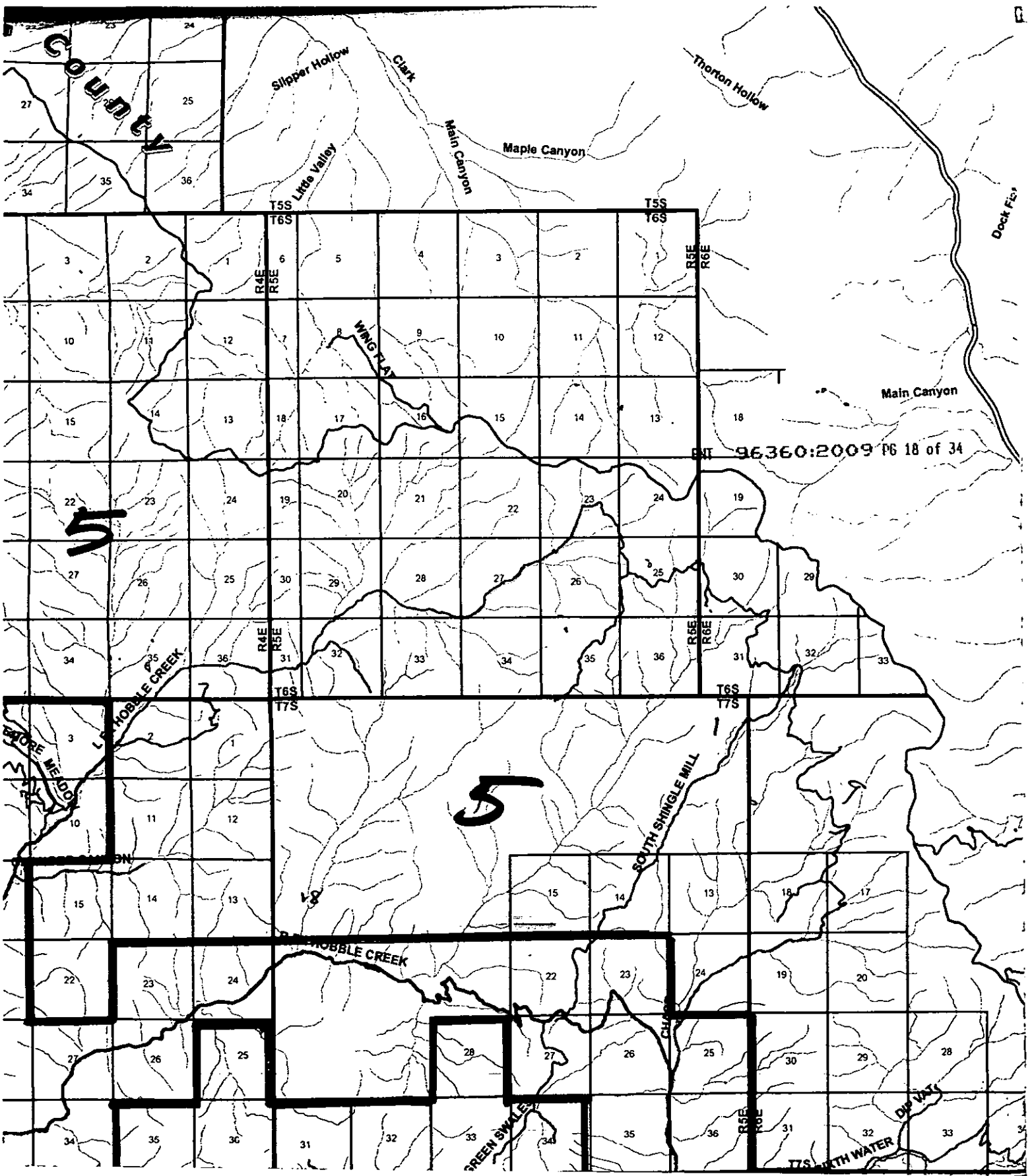


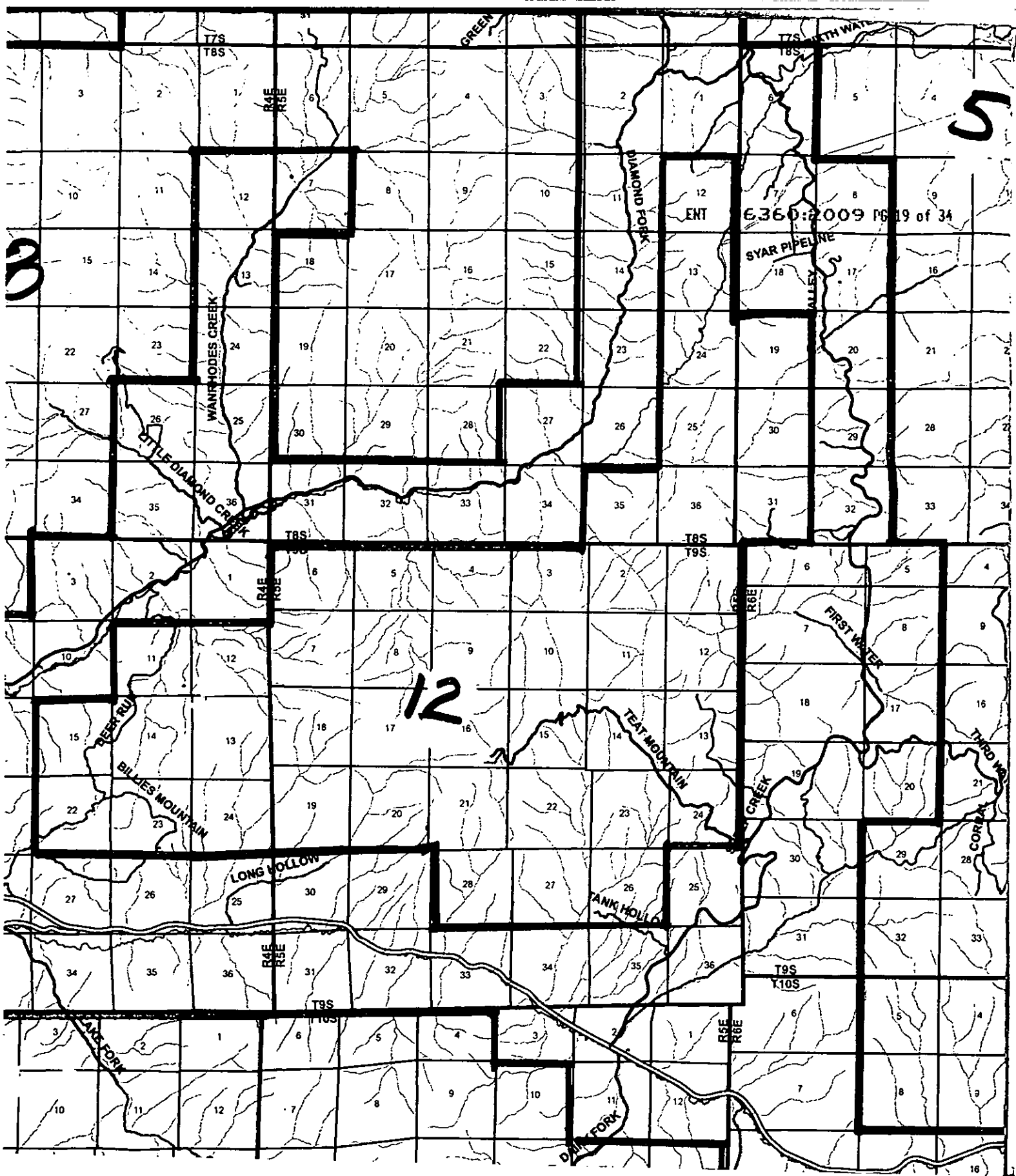


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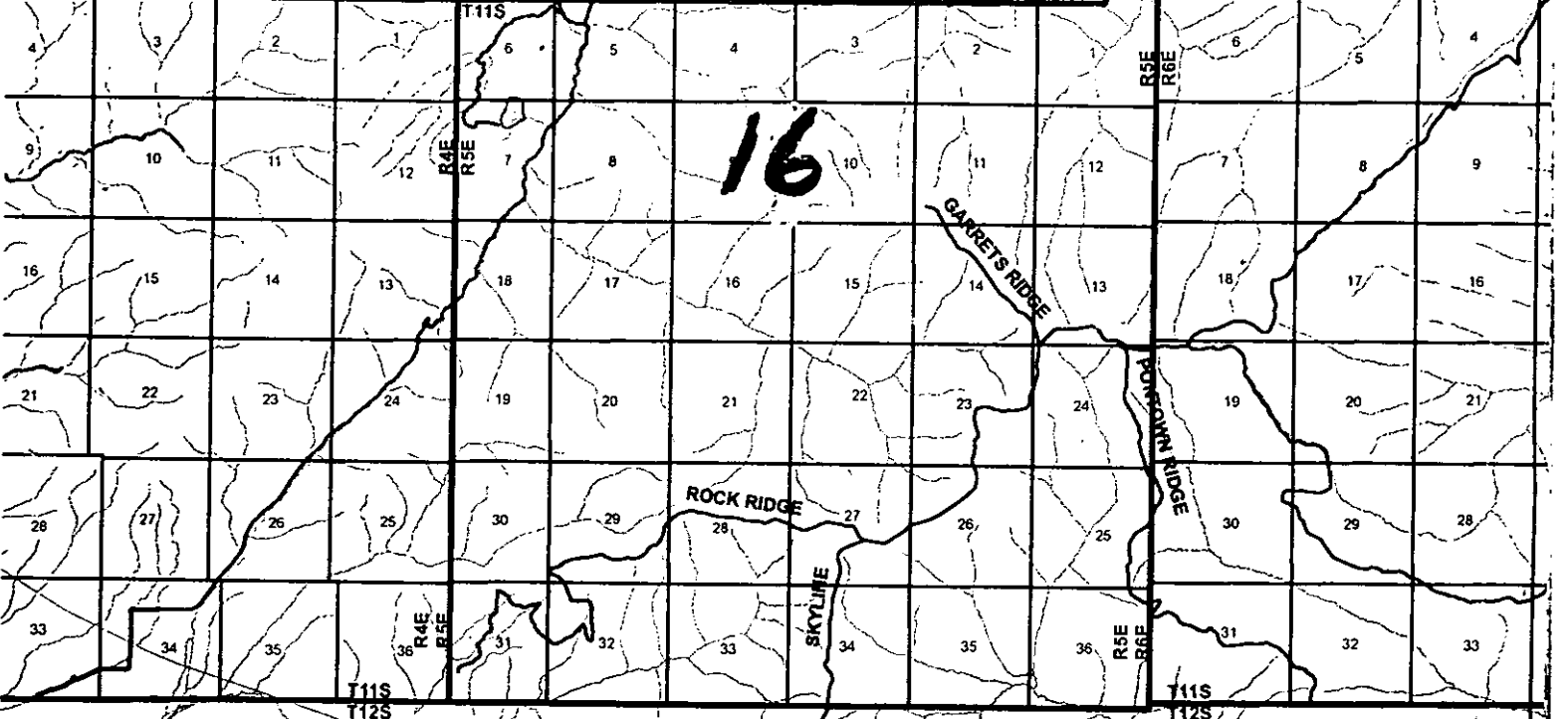
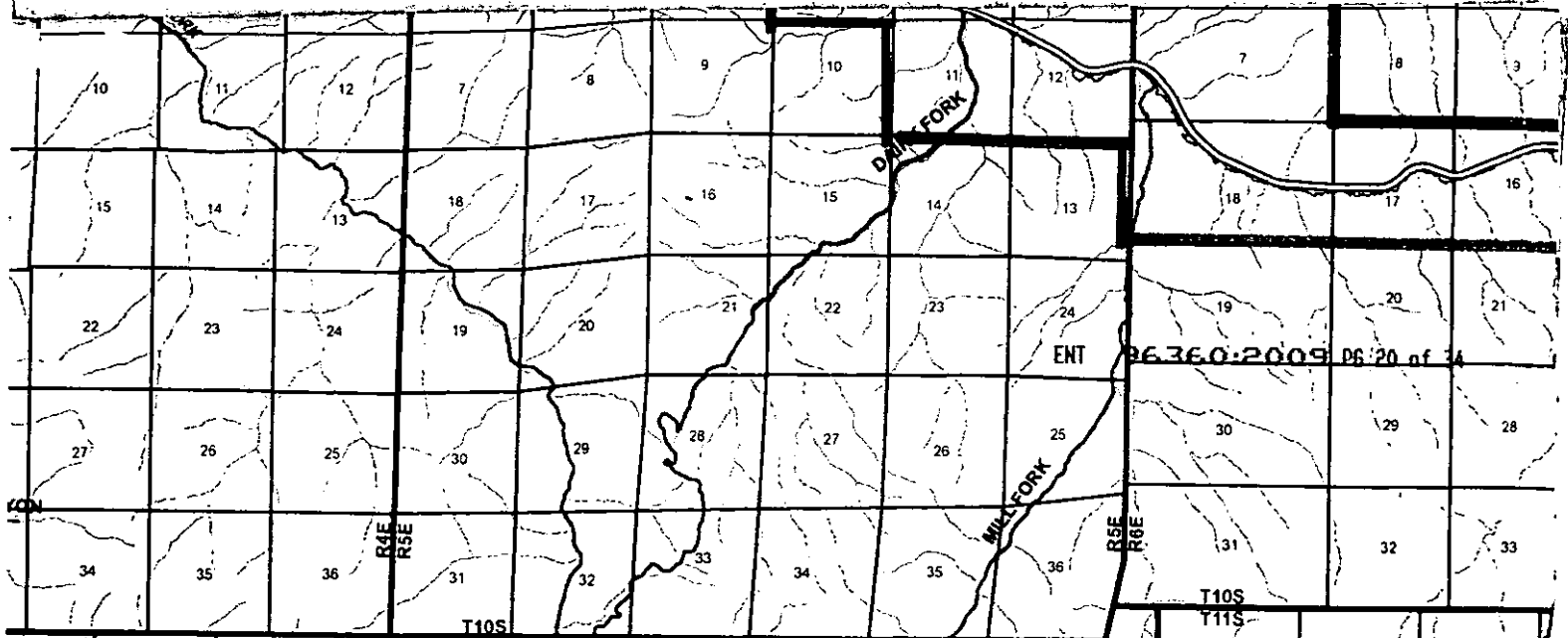


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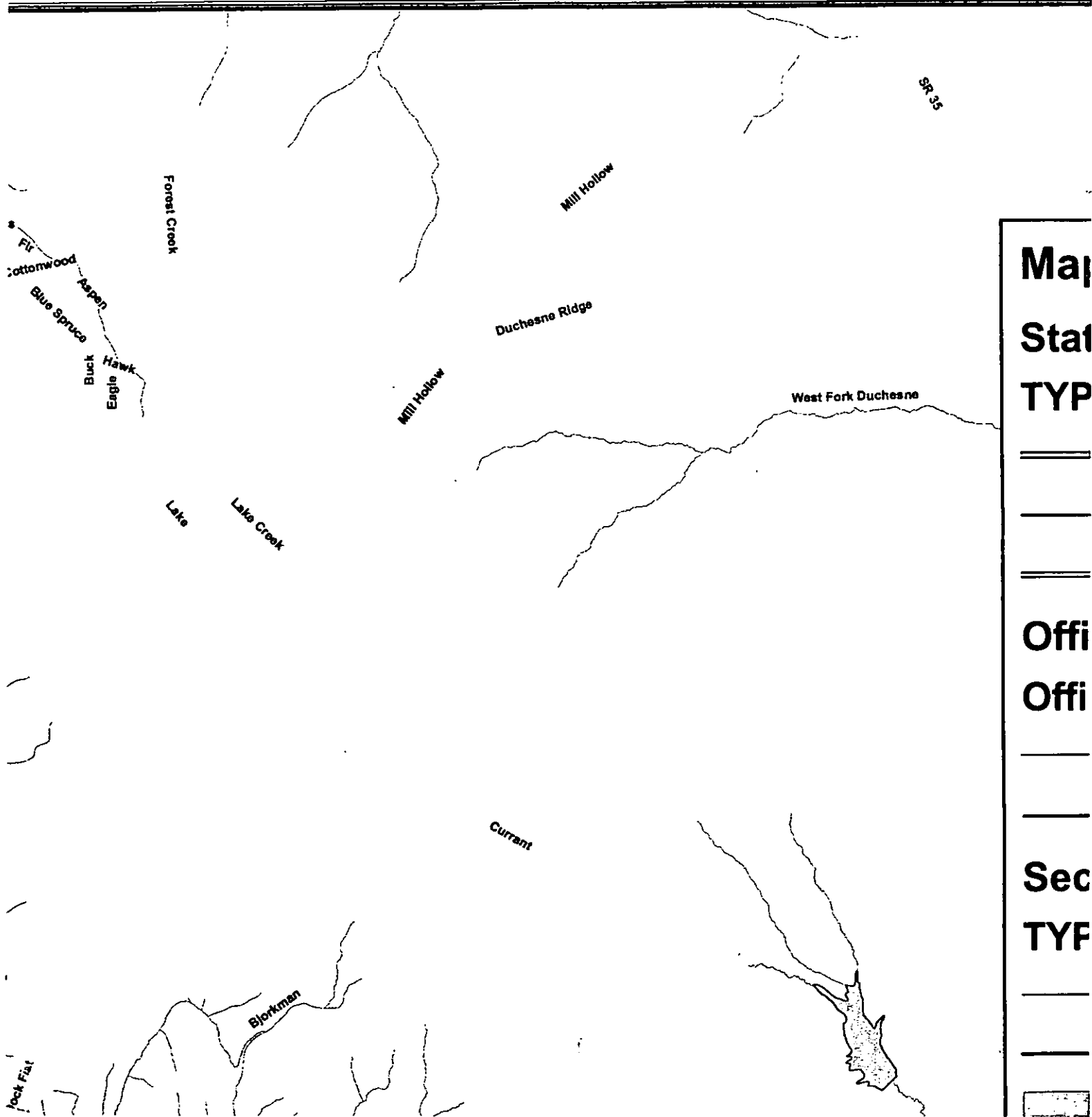
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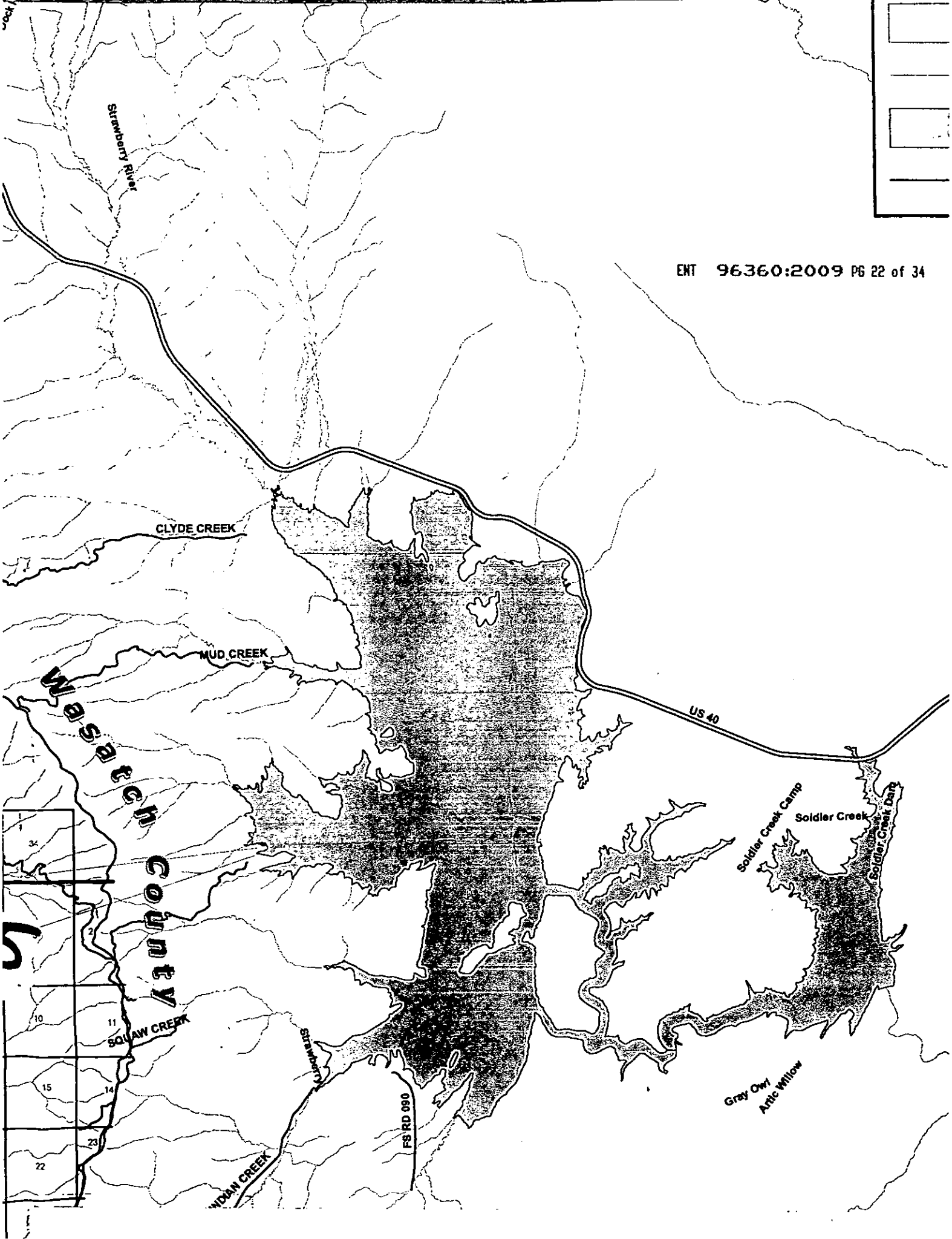


Sanpete County

Community Development

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Strawberry River

CLYDE CREEK

MUD CREEK

Massachusetts
County

SQUAW CREEK

Strawberry

INDIAN CREEK

FS RD 090

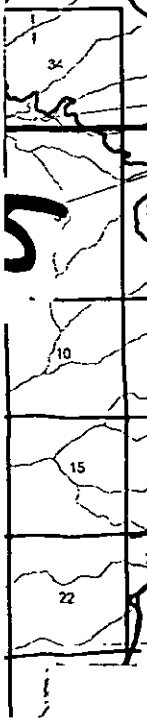
US 40

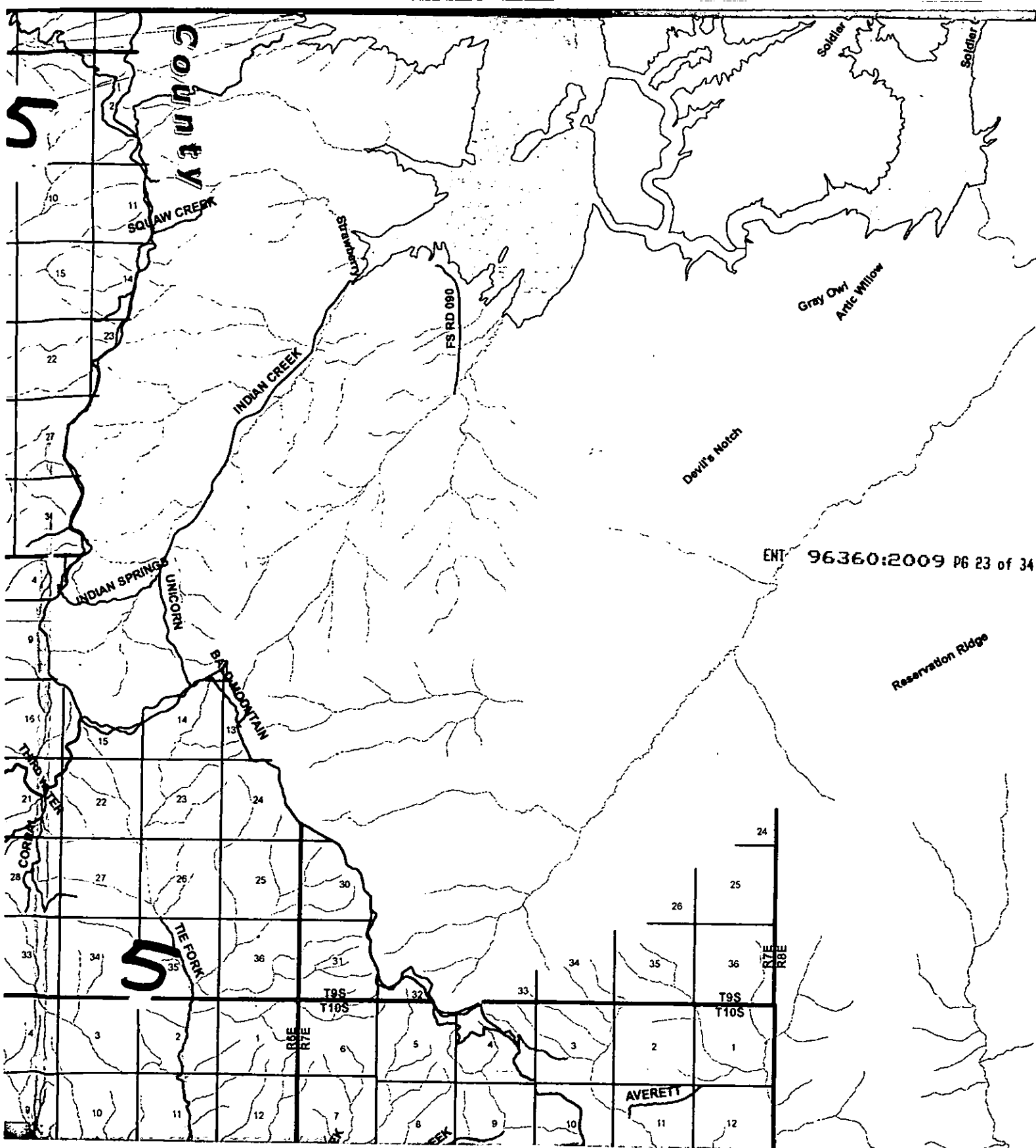
Soldier Creek Camp

Soldier Creek

Soldier Creek Dairy

Gray Owl
Arctic Willow





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COUNTRY

SQUAW CREEK

INDIAN CREEK

INDIAN SPRINGS

UNICORN

BARBUDMOUNTAIN

DEVIL'S NOTCH

GRAY OWL
ARCTIC WILLOW

RESERVATION RIDGE

CORNER CREEK

TIE FORK

AVERETT

T9S
T10S

T9S
T10S

R9E

R10E

R11E

R11E

R12E

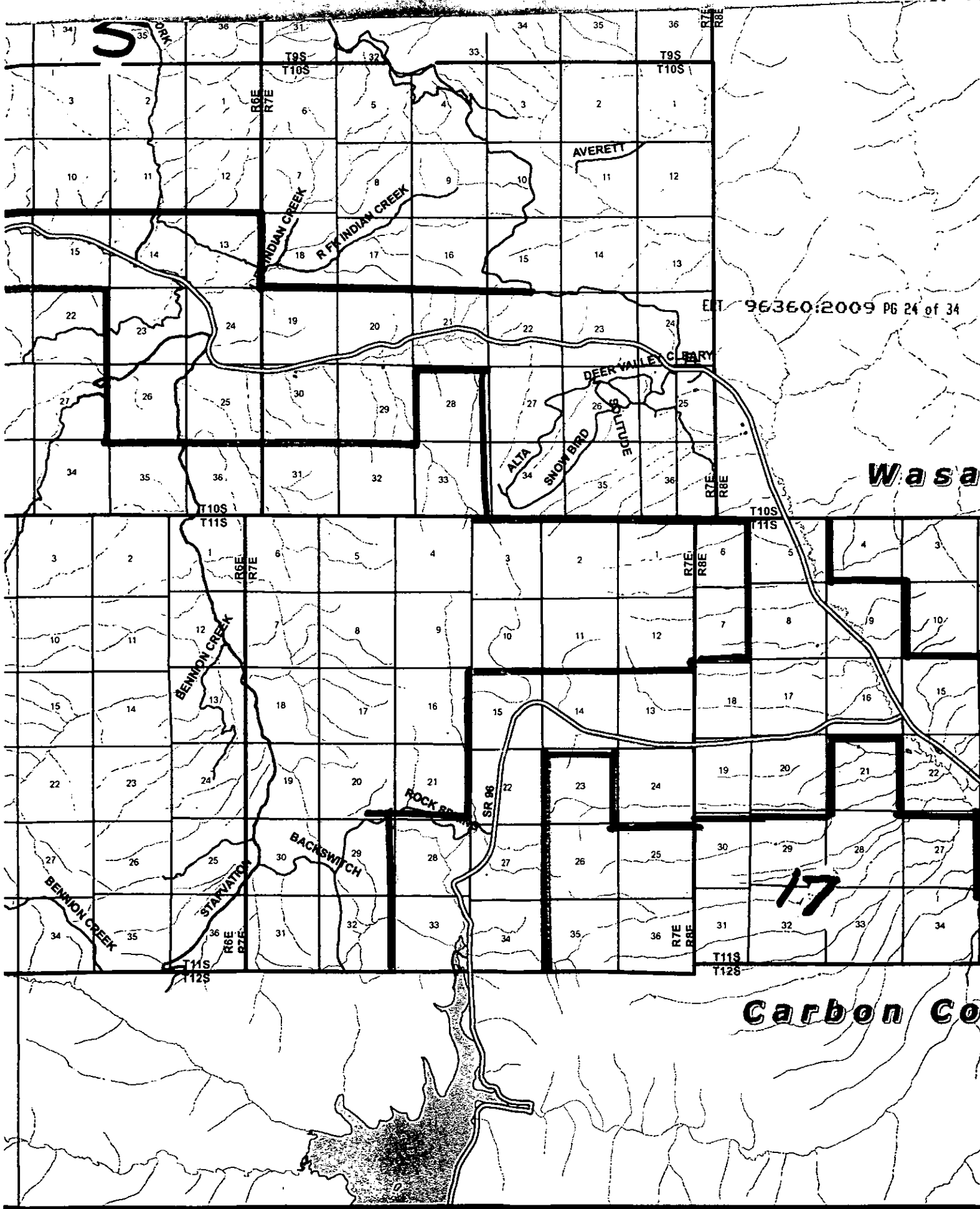
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SOLDIER

SOLDIER

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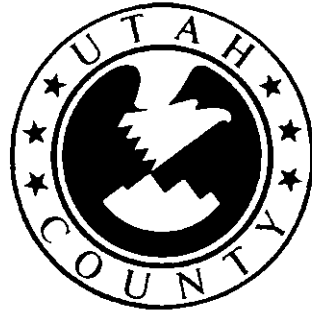


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Wasatch

Carbon Co

17



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SR 35

Map Legend

State Roads

TYPE

- ==== I-15
- Other FAE Route
- ==== US HWY or State Route

Official County Roads

Official County Road

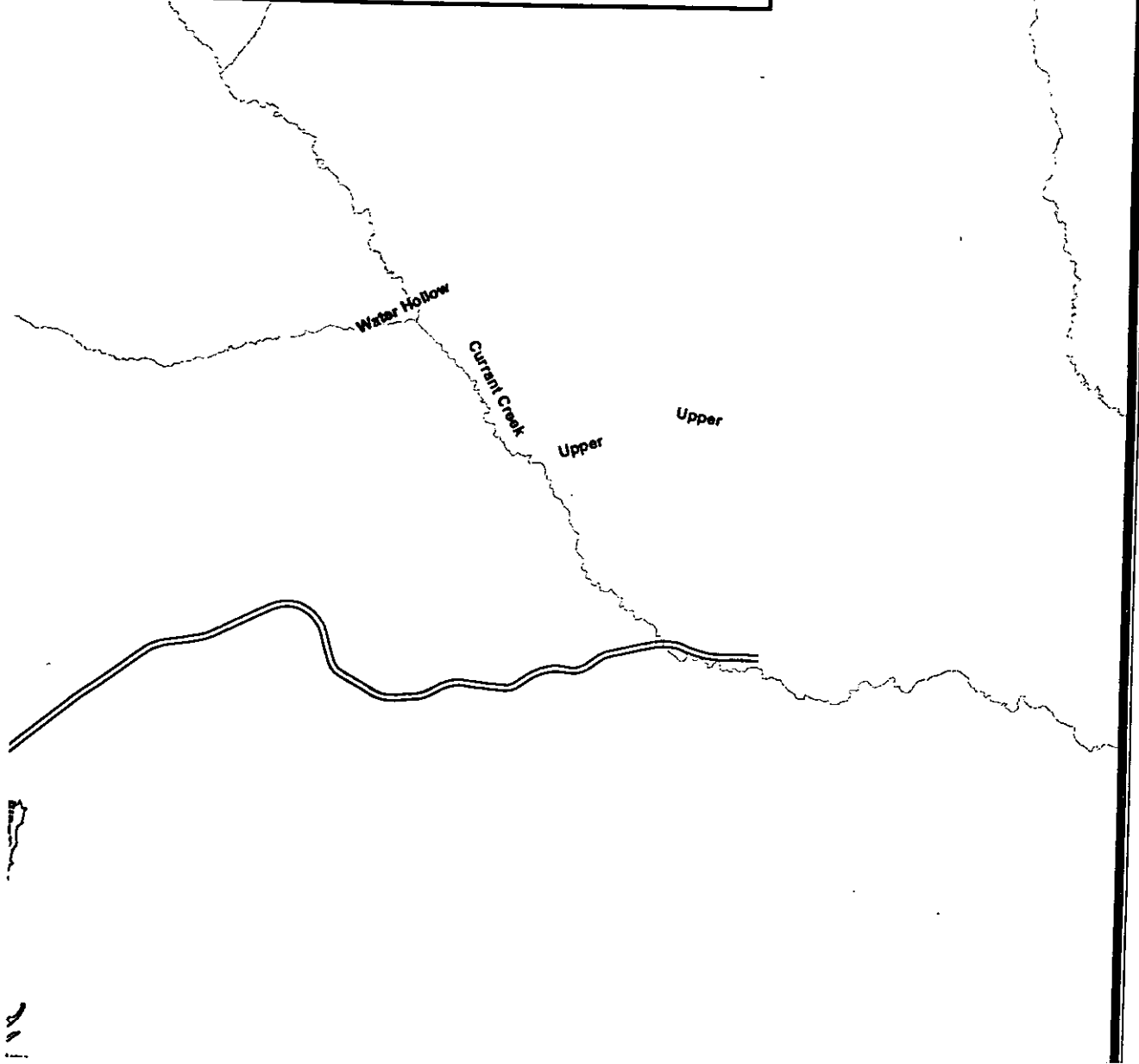
- No
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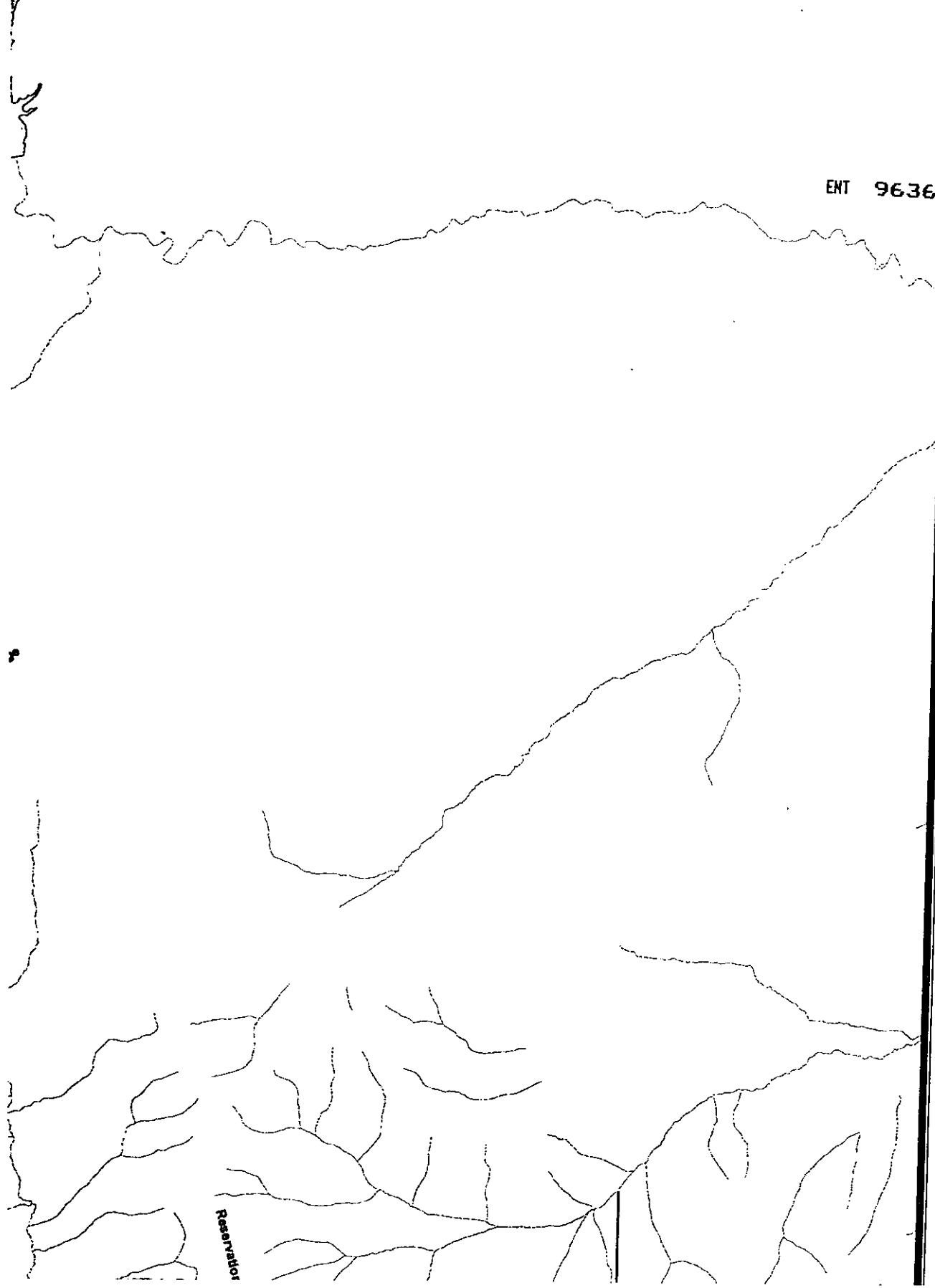
Sections

TYPE

- Section Line
- Township or Range Line

- Township or Range Line
- Incorporated Cities
- Streams and Other Watercourses
- Lakes and Other Water Bodies
- Utah County Boundaries Lines

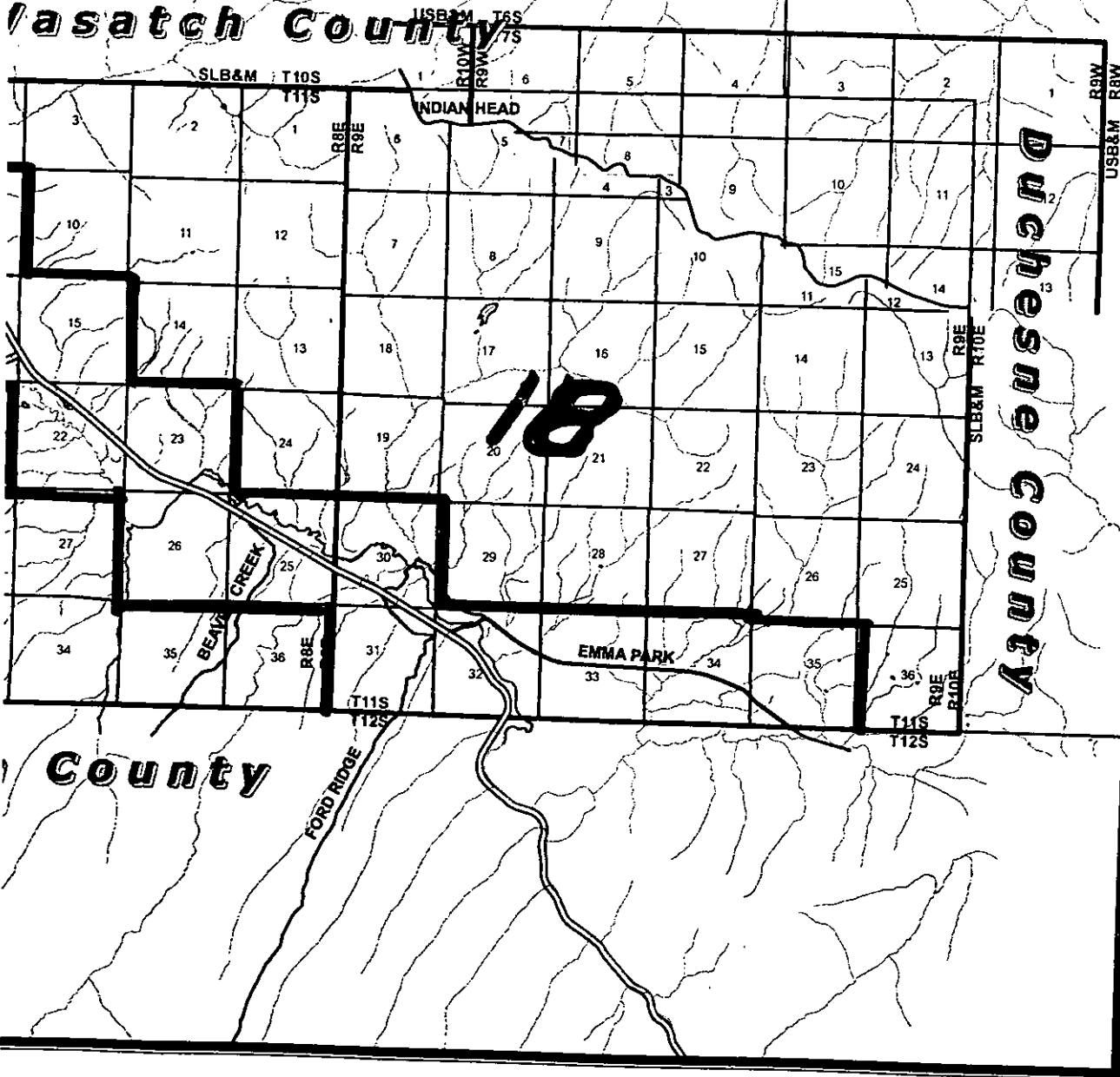




Reservoir

Resurrection Ridge

Utah
Wasatch County



Duchesne County

County

EXHIBIT "B"

**AREA DESCRIPTIONS FOR UTAH COUNTY
OPEN RANGE AREA**

Area No. 1:

All of those portions of Township 3 South, and Range 1 East, Range 2 East, and Range 3 East, also all of Township 4 South, Range 1 East, Salt lake Base & Meridian, that lie within the boundary of Utah County; and

All of Sections 1 through 6, 9 through 16, 21, 22, & 23, Township 4 South, Range 2 East, Salt Lake Base & Meridian; and

All of Sections 3, 4, 9, 10, & 17, and that portion of Sections 2, 11, 15, 16, & 21, that lie within the boundary of Utah County, Township 4 South, Range 3 East, Salt Lake base & Meridian; and

Area No. 2:

All of those portions of Township 4 South, Range 1 West, Range 2 West, and Range 3 West, Salt Lake Base & Meridian, that lie within the boundary of Utah County; and

All of Section 7, and that portion of Sections 4, 5, & 6, that lie within the boundary of Utah County, Township 5 South, Range 1 West, Salt Lake Base & Meridian; and

All of Sections 1 through 7, and Sections 10, 11 & 12, Township 5 South, Range 2 West, Salt lake Base & Meridian; and

All of Sections 1 through 4, Sections 9 through 16, and Sections 22, 27 and 34, and that portion of Sections 5, 8, 17, 20, 21, 28, 29 & 33, that lie within the boundary of Utah County, Township 5 South, Range 3 West, Salt Lake Base & Meridian; and

All of Sections 3, 10, & 11, Township 6 South, Range 3 West, Salt Lake Base & Meridian; and

Area No. 3:

All of Sections 34, 35, & 36, Township 4 South, Range 2 East, and all of Section 31, Township 4 South, Range 3 East, Salt Lake Base & Meridian; and

All of Sections 1 through 4, 9 through 15, 23 & 24, Township 5 South, Range 2 East, Salt lake Base & Meridian; and

All of Sections 5 through 8, 16 through 22, 28 through 32, Township 5 South, Range 3 East, Salt Lake Base & Meridian; and

Area No. 4:

All of Sections 9, 10, 15, 16, 21, 22, 23, 26, 27, 33 through 36, Township 6 South, Range 1 West, Salt Lake base & Meridian; and

All of Sections 1 through 5, 8 through 12, 14, 15, 16, 22, & 23, Township 7 South, Range 1 West, Salt Lake Base & Meridian; and

Area No. 5:

All of Section 35, Township 5 South, Range 3 East, Salt Lake Base & Meridian; and

All of Sections 33, & 34, and that portion of Sections 27, 28, 29, & 35, that lie within the boundary of Utah County, Township 5 South, Range 4 East, Salt Lake Base & Meridian; and

All of Sections 1, 2, 3, 10 through 15, Township 6 South, Range 3 East, Salt Lake Base & Meridian; and

All of Sections 3, 4, 7 through 10, 15 through 18, 20 through 23, 25 through 29, 31, 33 through 36, and that portion of Sections 2, 11, 13, 14, & 24, that lie within the boundary of Utah County, Township 6 South, Range 4 East; and

All of Sections 21, 25 through 38, and that portion of Sections 15, 16, 17, 19, 23, & 24, that lie within the boundary of Utah County, Township 6 South, Range 5 East, Salt Lake Base & Meridian; and

All of Sections 31, & 32, and that portion of Sections 19, 28, 29, & 33, that lie within the boundary of Utah County, Township 6 South, Range 6 East; Salt Lake Base & Meridian; and

All of Sections 9 through 16, 22 through 26, Township 7 South, Range 3 East, Salt Lake Base & Meridian; and

All of Sections 1, 2, 6, 7, 8, 11 through 15, 18, 19, 22, 25, & 30, Township 7 South, Range 4 East, Salt Lake Base & meridian; and

All of Sections 1 through 19, 24, Township 7 South, Range 5 East, Salt lake Base & Meridian; and

All of Township 7 South, Range 6 East, that lies within the boundary of Utah County; and
All of Sections 3, 4, 5, 9, 10, 15, 16, 21, 22, 28, & 35, and that portion of Sections 2, 11, 14, 23, 27, & 34, that lie within the boundary of Utah County, Township 8 South Range 6 East, Salt Lake Base & Meridian; and

All of Sections 21, 22, 23, 25 through 29, 32 through 36, and that portion of Sections 4, 9, 13 through 16, 24, that lie within the boundary of Utah county, Township 9 South, Range 6 East, Salt lake Base & Meridian; and

All of Township 9 South, Range 7 East that lies within the boundary of Utah County, Salt Lake Base & Meridian; and

All of Sections 1 through 5, 8 through 12, Township 10 South Range 6 East, Salt lake base & Meridian; and

All of Sections 6 through 9, 16 through 18, and that portion of Sections 4, 5, 10, & 15, that lie within the boundary of Utah County, Township 10 South, Range 7 East, Salt Lake Base & Meridian; and

Area No. 6:

All of Sections 24, & 25, and that portion of Sections 23, 26, & 35, that lie within the boundary of Utah County, Township 7 South, Range 3 West, Salt lake Base & Meridian; and

All of Sections 19, & 30, Township 7 South, Range 2 West, Salt lake base & Meridian; and

All of Sections 1, 2, 11 through 14, 24, and that portion of Sections 3, 10, 15, & 23, that lie within the boundary of Utah county, Township 8 South, Range 3 West, Salt Lake Base & Meridian; and

All of Sections 6, 7, 18, & 19, Township 8 South, Range 2 West, Salt lake Base & Meridian; and

Area No. 7:

All of Sections 21 through 28, 33 through 36, Township 7 South, Range 2 West, Salt Lake Base & Meridian; and

All of Sections 29 through 32, Township 7 South, Range 1 West, Salt Lake Base & Meridian; and

All of Sections 1 through 4, 9 through 16, 21 through 28, 33 through 36, Township 8 South, Range 2 West, Salt lake Base & Meridian; and

All of Sections 7, 8, 18, 19, 30, & 31, Township 8 South, Range 1 West, Salt Lake base & Meridian; and

Area No. 8:

All of Sections 25, 35, & 36, Township 7 South, Range 4 East, Salt Lake Base & Meridian; and

All of Sections 28, 31 through 34, Township 7 South, Range 5 East, Salt Lake Base & Meridian; and

All of Sections 25, & 36, Township 8 South, Range 3 East, Salt Lake Base & Meridian; and

All of Sections 1 through 5, 7 through 11, 14 through 23, 27 through 34, Township 8 South, Range 4 East, Salt Lake Base & Meridian; and

All of Sections 3 through 6, 8 through 10, 15 through 22, 28 through 30, Township 8 South, Range 5 East, Salt Lake Base & Meridian; and

All of Sections 4, 5, 6, 8, Township 9 South, Range 4 East, Salt Lake Base & Meridian; and

Area No. 9:

All of Sections 1, 12, 13, 14, 22 through 25, and that portion of Sections 15, 21, 26, 27, & 28, that lie within the boundary of Utah County, Township 9 South, Range 3 West, Salt lake base & Meridian; and

All of Sections 6, 7, 8, 17, 18, & 19, Township 9 South, Range 2 West, Salt Lake Base & Meridian; and

Area No. 10:

All of Sections 10 through 15, 22 through 27, Township 9 South, Range 2 West, Salt Lake Base & meridian; and

All of Sections 7, 18, 19, & 30, Township 9 South, Range 1 West, Salt Lake Base & Meridian; and

Area No. 11:

All of Sections 9, 10, & 11, 13 through 16, 21 through 29, 31 through 36, Township 9 South, Range 3 East, Salt Lake Base & Meridian; and

All of Sections 19, 29, 30, & 31, Township 9 South, Range 4 East, Salt Lake Base & Meridian; and

All of Sections 1, 2, 3, 10, 11, 12, 14, & 15, Township 10 South, Range 3 East, Salt Lake Base & Meridian; and

Area No. 12:

All of Sections 12, 13; 24, 25, & 36, Township 8 South, Range 5 East, Salt Lake Base & Meridian; and

All of Sections 19, 30, & 31, Township 8 South, Range 6 East, Salt Lake Base & Meridian; and

All of Sections 11, 12 through 15, 22, 23, & 24, Township 9 South, Range 4 East, Salt Lake Base & Meridian; and

All of Section 1 through 24, 26, 27, & 28, Township 9 South, Range 5 East, Salt Lake Base & Meridian; and

Area No. 13:

All of Sections 23 through 27, & 34, Township 10 South, Range 2 West, Salt Lake Base & Meridian; and

All of Sections 2, 13, 15, 22, 24, 25, 26, 27, 34, 35, & 36, and that portion of Sections 3, 9, 10, 16, 21, 28, & 33, that lie within the boundary of Utah County, Township 11 South, Range 2 West, Salt Lake Base & Meridian; and

All of Sections 4, 5, 6 through 9, 17, 18, 19, & 30, and that portion of Sections 2, 3, 10, 15, 16, 20, 21, 29, 31, & 32, that lie within the boundary of Utah County, Township 11 South, Range 1 West, Salt Lake Base & Meridian; and

All of Section 3, & 4, and that portion of Sections 1, 2, 5 through 11, that lie within the boundary of Utah county, Township 12 South, Range 2 West, Salt Lake Base & Meridian; and

Area No. 14:

All of Sections 24, & 25, and that portion of Sections 23, 26, 35, & 36, that lie within the boundary of Utah County, Township 10 South, Range 1 East, Salt Lake Base & Meridian; and

All of Sections 4, 5, 8, 9, 15 through 18, 20 through 26, & 31, Township 10 South, Range 2 East, Salt Lake Base & Meridian; and

That portion of Sections 1, 12, 25, & 36, that lie within the boundary of Utah County, Township 11 South, Range 1 East, Salt Lake Base & Meridian; and

All of Sections 4, 5, 6, 8, 9, 16, 17, 31, & 32, and that portion of Sections 7, 18, 19, 20, & 30, that lie within the boundary of Utah County, Township 11 South, Range 2 East, Salt Lake Base & Meridian; and

Area No. 15:

All of Sections 33, & 34, Township 10 South, Range 3 East, Salt lake Base & Meridian; and

All of Sections 1, 2, 11, 12, 13, 14, 23 through 27, 35, & 36, Township 11 South, Range 2 East, Salt Lake Base & Meridian; and

All of Sections 3, 4, 7, 8, 9, 14, 20 through 36, Township 11 South, Range 3 East, Salt lake Base & Meridian; and

Area No. 16:

All of Sections 1 through 4, 9 through 36, Township 10 South, Range 4 East, Salt lake Base & Meridian; and

All of Sections 4 through 10, 13 through 36, Township 10 South, Range 5 East, Salt Lake Base & meridian; and

All of Sections 19 through 22, 27 through 36, Township 10 South, Range 6 East, Salt Lake Base & Meridian; and

All of Sections 28, 31, 32, & 33, Township 10 South, Range 7 East, Salt Lake Base & Meridian; and

All of Sections 1 through 6, 8 through 17, 20 through 29, 33 through 36, Township 11 South, Range 4 East, Salt Lake Base & Meridian; and

All of Township 11 South, Range 5 East, and all of Township 11 South, Range 6 East, Salt Lake Base & Meridian; and

All of Sections 1 through 12, 16 through 21, 29 through 32, Township 11 South, Range 7 East, Salt Lake Base & Meridian; and

All of Sections 6, & 7, Township 11 South, Range 8 East, Salt lake Base & Meridian; and

Area No. 17:

All of Sections 23, 25, 26, 35, & 36, Township 11 South, Range 7 East, Salt lake Base & Meridian; and

All of Sections 21, 27 through 36, Township 11 South, Range 8 East, Salt lake Base & Meridian; and

Area No. 18:

All of Sections 1 through 4, 10 through 14, & 24, Township 11 South, Range 8 East, Salt Lake Base & Meridian; and

All of Sections 7, 8, 9, 13 through 29, & 36, and that portion of Sections 3 through 6, 10, 11, & 12, that lie within the boundary of Utah County, Township 11 South, Range 9 East, Salt Lake Base & Meridian.