



**ORDINANCE 2023-11**

**AN ORDINANCE AMENDING SECTION 4-3-1 OF THE TOWN CODE  
REGARDING THE DEFINITION OF AIRCRAFT**

**WHEREAS**, in 2017, the Utah State Legislature passed SB 111, which amended and enacted various sections of Title 72 of the Utah Code, including various provisions which created a preemption of local authority over unmanned aircraft; and

**WHEREAS**, the current definition of aircraft found in section 4-3-1 of the Town Code includes provisions related to unmanned or remotely controlled flying machines (drones); and

**WHEREAS**, pursuant to the preemption of local authority in Utah Code section 72-10-701, the Town Council hereby amends the definition of aircraft to remove unmanned aircraft as defined in Utah Code section 72-10-102;

**NOW THEREFORE BE IT ORDAINED** by the Springdale Town Council that section 4-3-1 of the Springdale Town Code is amended as follows:

**4-3-1: DEFINITIONS:**

As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

*Aircraft:* A machine or contrivance which is capable of sustaining flight through the air, including airplanes, helicopters, hot air balloons, and other piloted machines or contrivances that are operated by direct human intervention from on or within the aircraft, but not and "unmanned aircraft" or remotely controlled flying machines as defined by StateUtah Code section 72-10-102.

*Animal park or preserve:* Any property where large or wild animals, other than household pets or farm animals, are kept and cared for. This definition shall also include any property where more than one horse, cow, pig, or other similar animal per 10,000 square feet of property area are kept and cared for.

*Author of nuisance:* Where a nuisance exists upon property and is the outgrowth of the usual, natural or necessary use of the property, the landlord or his agent and all other persons having control of the property on which such nuisance exists, shall be deemed to be the

authors thereof and shall be equally liable and responsible. Where any such nuisance shall arise from the unusual or unnecessary use of such property or from the business thereon conducted, then the occupants and all other persons contributing to the continuance of such nuisance shall be deemed the authors.

*Debris:* The remains of something that has been broken up or destroyed and that are scattered across a property.

*Nuisance:* Any condition, action or activity which:

- A. Is specifically identified as a nuisance in any section of this Code; or
- B. Creates a hazard which threatens the health and welfare of the inhabitants of the Town; or
- C. Renders soil, air, water or food impure or unwholesome.

Any condition, action or activity which fits this definition shall be considered a nuisance and unlawful.

*Pigsty:* A property where more than one pig per 10,000 square feet of property area is kept.

*Stockyard:* A property where transient cattle, sheep, swine, horses, or other similar animals are kept temporarily for slaughter, market, or shipping.

*Trash:* Items of little or no value which have been discarded or cast aside and are stored on a property but not in a regularly emptied trash can or dumpster.

*Zoo:* A collection of living animals, other than farm animals or household pets, intended for public display.

ADOPTED by the Springdale Town Council this 11<sup>th</sup> day of October 2023.

---

Barbara Bruno, Mayor

Attest:

---

Aren Emerson, Town Clerk

ROLL CALL VOTE		
R. Aton	Yes	No
B. Bruno	Yes	No
J. Burns	Yes	No
S. Elger	Yes	No
L. Zumpft	Yes	No