

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held Monday, April 3, 2023 at 1:30 p.m. in the Rich County Courthouse, 20 S. Main Street in Randolph. The Rich County Board of Commissioners is considering enacting an ordinance entitled: Rich County Ordinance Declaring a General Policy for Allowing Domestic Livestock to Graze Freely and Defining Liability for Their Trespass on Private Land. A copy of this proposed ordinance can be obtained by contacting the Rich County Clerk, Anneliesa Peart at (435) 793-2415.

Utah Code Section 4-25-204(1) states that “[a] county legislative body may, by ordinance, declare and enforce a general policy within the county for the fencing of farms, subdivisions, or other private property to allow domestic animals to graze without trespassing on farms, subdivisions, or other private property.” This decision affects the liability for damages for trespass when a livestock animal crosses onto private property. In a “fence-in” area, the livestock owner has the duty to prevent livestock animals from trespassing and is liable for damages when they do. In a “fence-out” area, the private landowner has the duty to erect a fence to keep free-range livestock animals from trespassing and may not collect damages for trespass to unenclosed areas. The County is considering enacting an ordinance that would make unincorporated areas “fence-out” and incorporated towns “fence in.”

The Board of Commissioners is soliciting the public’s comments on the proposed ordinance. Those attending the hearing will be invited to provide their input. Those wishing to comment, but who are unable to attend the hearing may also submit written comments to the Rich County Clerk prior to the hearing.