



CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING NOTICE & AGENDA May 30, 2023

Notice is given that the City Council of the City of North Salt Lake will hold a regular meeting on **May 30, 2023** at City Hall, 10 East Center Street, North Salt Lake, Utah. A work session will be held at 6:00 pm followed by the regular session at 7:00 pm in the Council Chambers. Some members may participate electronically via Zoom. The public may attend in person or via Zoom; however, the electronic meeting option does not allow for participation during public hearings or comment periods. Please see instructions included in this agenda to attend and view the meeting via Zoom.

The following items of business will be discussed; the order of business may be changed as time permits.

WORK SESSION – 6:00 p.m.

1. Review of the Animal Control Regulations in Davis County Code Title 6 and City Code Title 5, Chapter 4 and Title 10
2. Adjourn

REGULAR SESSION – 7:00 p.m.

1. Introduction by Mayor Brian Horrocks
2. Thought or Prayer and Pledge of Allegiance ~ Councilmember Gordon
3. Citizen Comment
4. Swearing in of North Salt Lake Police Officers
5. Public Hearing and Consideration of Resolution 2023-25R: A Resolution Adopting an Amendment to Adjust the 2022-2023 Fiscal Year Budgets
6. Consideration of Resolution 2023-24R: A Resolution Adopting an Amendment to the City's Youth City Council Charter
7. Consideration of 2023 Scholarship Awards for the Youth City Council Executive Committee
8. Consideration of Ordinance 2023-07: Amending Title 5, Chapter 4 and Title 10 Related to Animal Control
9. Consideration of Approval of a Proposed City of North Salt Lake Federal Awards Policy
10. Consideration of Amending the City's Personnel Policy and Procedures Manual Related to Tuition Reimbursement
11. Consideration of Amending the City's Personnel Policy and Procedures Manual Related to Sick Leave Donations
12. Presentation of the Annual Fraud Risk Assessment
13. Approval of City Council Minutes of May 16, 2023
14. Action Items

15. Council Reports
16. City Attorney Report
17. Mayor’s Report
18. City Manager Report
19. Adjourn

CLOSED SESSION

1. Possible closed session for the purpose of discussing the character professional competence, or physical or mental health of an individual; to discuss pending or reasonably imminent litigation; to discuss the purchase, exchange, sale, or lease of real property; or to discuss the deployment of security personnel, devices, or systems. *Utah Code 52-4-205*

This meeting has an option to attend electronically via Zoom, with joining information below:

Topic: May 30, 2023 City Council Meeting

Time: May 30, 2023, 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting: <https://us02web.zoom.us/j/86713838341>

Webinar ID: 867 1383 8341

The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours notice for adequate arrangements to be made.

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, certify that copies of the agenda for the **City Council** meeting to be held **May 30, 2023** were posted on the Utah Public Notice Website: <https://www.utah.gov/pmn/>, City’s Website: <https://www.nslcity.org>, and at City Hall: 10 E. Center St. North Salt Lake.

Date Posted: May 25, 2023


Wendy Page, City Recorder





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Pace, Community Development Director
DATE: May 30, 2023
SUBJECT: Work session to review the Davis County Animal Control Ordinance in relation to the existing NSL ordinances

The Davis County Animal Control Ordinance (Title 6) has been attached for the Council as background information. During the work session the County ordinance will be reviewed and compared to the current City ordinances relating to animal control regulations in preparation for the proposed Ordinance amendment to be considered during the regular meeting.

Davis County Animal Control Ordinance

Section 6.04.010 Definitions

As used in this title:

1. "Animal" means any and all types of livestock, dogs and cats, fowls, and all other subhuman creatures, both domestic and wild, male and female, singular and plural.
2. "Animal boarding establishment" means any establishment that takes in animals and boards them for profit.
3. "Director of Animal Care of Davis County" and "Director" each mean the Director of Animal Care Department.
4. "Animal grooming parlor" means any establishment maintained for the purpose of offering cosmetological services for animals for profit.
5. "Animal shelter" means any facility owned and operated by a governmental entity or any animal welfare organization which is incorporated within the State of Utah for the purpose of preventing cruelty to animals and used for the care and custody of seized, stray, homeless, quarantined, abandoned, or unwanted dogs, cats, or other small domestic animals.
6. "Animal at large" means any animal, whether licensed or not, when:
 1. The animal is off the property of the owner or custodian and is not under the immediate physical restraint by the owner or custodian. "Immediate physical restraint" means a durable restraint device, such as a leash, cage, or other device capable of keeping the animal under physical control.
 2. The animal is on the property of the owner or custodian and is not:
 1. Securely confined in a building, fenced area, cage or kennel;
 2. Under the immediate physical restraint by the owner or custodian; or
 3. Under the immediate and effective control of the owner or custodian and does not cause fear to or constitute or appear to present any threat or danger to the safety, comfort or health of other persons.
 3. A working dog while being used for herding sheep, cattle, or other livestock; a hunting dog while lawfully being used to hunt game; or a dog while being trained for herding or hunting shall not be deemed to be an animal at large if the dog is under the proper control of its owner or custodian.
7. "Bite" means any actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.
8. "Cat" means any age feline of the domesticated types.
9. "Cattery" means an establishment for boarding, breeding, buying, grooming or selling cats for profit.
10. "Center" means the Animal Care of Davis County Center.
11. "Custodian" means a person having formal or informal custody, control, or possession.
12. "Dangerous animal" means any animal that:

1. Is dangerously aggressive or uncontrollable, including, but not limited to, any animal which has bitten or in any manner attacked any person or animal with or without provocation whether on public or private property;
 2. Has been previously found to be a potentially dangerous animal, whose owner has received notice of such, and it is witnessed and documented that the animal aggressively bites, attacks, or endangers the safety of humans or domestic animals; or
 3. Is found to be in violation of any of the restrictions placed upon the animal by the department pertaining to a potentially dangerous animal.
13. "Department" means the Animal Care of Davis County.
14. "Dog" means any canis familiaris.
15. "Domestic animals" means animals customarily and accustomed to living in or about the habitation of man, including, but not limited to, cats, dogs, fowls, horses, swine, cows, sheep, mules, donkeys, cattle and llamas.
16. "Estray" means any livestock found at large.
17. "Guard dog" means a working dog which must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control while working, so that it cannot come into contact with the public.
18. "Kennel" means land or buildings used in the keeping of three (3) or more dogs, four (4) months or older.
19. "Livestock" means any normally domesticated animal that is not a cat, or dog, such as; cattle, sheep, goats, mules, burros, swine, horses, geese, ducks, turkeys, etc.
20. "Owner" means any person having an ownership or proprietary interest in an animal or having formal or informal custody of an animal.
21. "Pet" means a domesticated animal kept for pleasure rather than utility, including but not limited to, birds, cats, dogs, fish, hamsters, mice, and other animals associated with man's environment.
22. "Pet shop" means any establishment containing cages or exhibition pens, not part of the kennel or cattery, wherein dogs, cats, birds, or other pets for sale are kept or displayed.
23. "Potentially dangerous animal" means any animal:
1. That, with or without provocation, chases, attacks, threatens or approaches a person, domestic animal or livestock in a threatening or menacing fashion, or apparent attitude of attack;
 2. Any animal with a known propensity, tendency or disposition to attack a person, domestic animal, or livestock with or without provocation; or
 3. That, because of witnessed and documented conduct is reasonably believed to be capable or causing injury to or otherwise poses a threat to the safety of a person, another animal or livestock.
24. "Quarantine" means the isolation of an animal as required by this title in a substantial and approved enclosure so that the animal is not subject to contact with other animals or unauthorized persons.

25. "Restraint device" means any chain, leash, cord, rope, or other device used to physically restrain an animal, exclusive of any underground or other electrical or radio device.
26. "Riding school or stable" means an establishment, person or business which offers boarding and/or riding instruction of any horse or other riding animal or which offers such animal for hire.
27. "Vicious animal" means any animal which has:
 1. Inflicted severe injury on a human being with or without provocation on public or private property;
 2. Has killed a domestic animal with or without provocation while off the owner's property; or
 3. Has been previously found to be dangerous, the owner having received notice of such and the animal again bites, attacks, or endangers the safety of humans or domestic animals, or it is witnessed and documented that the animal is in violation of restrictions placed upon it as a potentially dangerous or dangerous animal pursuant to Sections 6.16.050 and 6.16.060 of this title.
28. "Wild animal" means any animal which is not commonly domesticated, or which is of a wild or predatory nature, or any animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life, health or property if not kept, maintained or confined in a safe and secure manner. Those animals, however domesticated, shall include but are not limited to:
 1. Alligators, crocodiles, caiman;
 2. Bears (Ursidae). All bears including grizzly bears, brown bears and black bears;
 3. Cat Family (Felidae). All except the commonly accepted domesticated cats; including cheetahs, cougars, leopards, lions, lynx, panthers, mountain lions, tigers and wildcats;
 4. Dog Family (Canidae). All, except domesticated dogs, and including wolf, fox, coyote, and wild dingo. Any dog cross bred with a wild animal as described above shall be considered to be a wild animal;
 5. Porcupine;
 6. Primates (all subhuman primates);
 7. Raccoon (all varieties);
 8. Skunks;
 9. Venomous snakes or lizards;
 10. Weasels. (All weasels, martens, wolverines, badgers, otters, ermine, mink and mongoose, except that the possession of mink shall not be prohibited when raised commercially for their pelts, in or upon a properly constructed legally operated ranch.)
29. "Service Animal" means any dog that is individually trained to do work or perform tasks for a person with disabilities. Service animals are working animals, not pets. Examples of such work or tasks include guiding people who are blind, alerting

people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. The work or task a dog has been trained to provide must be directly related to the person's disability.

30. "Emotion Support Animal" means any domestic animal that provides relief to individuals with psychiatric disability through companionship. Any domestic animal that provides support, comfort, or aid, to an individual through companionship, unconditional positive regard, and affection may be regarded as an emotional support animal.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 8-2011, § 1, Amended 12/20/2011; Ord. No. 7-2010, § 1, Amended 12/21/2010; Ord. 06-2006, Amended, 07/19/2006; Ord. 03-2003, Amended, 03/11/2003)

HISTORY

Amended by Ord. [1-2022](#) on 1/18/2022

Chapter 6.08 ADMINISTRATION AND ENFORCEMENT

Section 6.08.010 Animal Care Of Davis County Department

Section 6.08.020 Animal Care Director Appointed

Section 6.08.030 Duties Of Director

Section 6.08.040 Animal Care Officers--Power And Authority

Section 6.08.050 Animal Shelter

Section 6.08.060 Investigation And Enforcement

Section 6.08.070 Interfering With Officers Prohibited

Section 6.08.080 Applicability Of Procedure For All Peace Officers

Section 6.08.090 Citations

Section 6.08.100 Notice Of Violation And Stipulation

Section 6.08.110 Administrative Conference

Section 6.08.120 Review Process

Section 6.08.130 (Reserved)

Section 6.08.010 Animal Care Of Davis County Department

1. The Animal Care of Davis County Department is hereby created as a department of Davis County Government.
2. The duties and responsibilities of the Animal Care of Davis County Department shall include the enforcement and administration of this title; provision of animal care services in the unincorporated territory within Davis County; and the provision of animal care services within the territories of governmental entities which have contracted with the County for such services.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 06-2006, Amended, 07/19/2006; Ord. No. 7-2010, § 2, Amended 12/21/2010)

Editor's note(s)—Ord. 10-2019, § 1, adopted Dec. 10, 2019, changed the title of § 6.08.010 from "Animal care and control department" to read as herein set out.

Section 6.08.020 Animal Care Director Appointed

1. There is hereby created the position of Animal Care of Davis County Director within the Animal Care of Davis County Department.

2. The Director shall be appointed by the Davis County Commission.
3. The Director shall administer the Department in accordance with the policies and procedures of the County; serve under the authority and direction of the Davis County Commission; supervise the animal care and control program of the Department; employ and supervise Department staff members as authorized by the Davis County Commission and in accordance with the Davis County Personnel Policies and Procedures and Merit System Ordinance; and perform and fulfill those duties described in Section 6.08.030 and such other duties and responsibilities as delegated by the Davis County Commission.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 06-2006, Amended, 07/19/2006; Ord. No. 7-2010, § 3, Amended 12/21/2010)

Editor's note(s)—Ord. 10-2019, § 1, adopted Dec. 10, 2019, changed the title of § 6.08.020 from "Animal control director appointed" to read as herein set out.

Section 6.08.030 Duties Of Director

The Animal Care of Davis County Director shall have the following duties and responsibilities:

1. The Director shall see that taxes and licenses imposed by this title are collected and properly distributed.
2. The Director shall supervise the collection of carcasses of all dead dogs and cats from the streets of participating communities, and shall supervise the delivery of them together with the carcasses of all animals put to death at the animal care shelter, as hereinafter provided, to the North Davis refuse disposal site or such other place as designated by the Davis County Board of Commissioners.
3. The Director shall keep an accurate account of all moneys collected by the Department and from whom all fees are collected from the sale of licenses, and all other services rendered by himself or herself or his or her employees, and deliver the funds to the Davis County Auditor as set forth in the County financial policy.
4. The Director shall supervise the keeping of a register showing the breed, sex and color of each animal impounded, the date and reason for such impounding and the disposition of each impounded animal.
5. The Director shall supervise the animal shelter and keep the same in a sanitary and orderly condition.
6. The Director shall supervise the animal control officers and other agents and employees of the Animal Care Department.
7. The Director shall review the unresolved claims, grievances, or complaints regarding the administration and enforcement of this title; the interpretation and application of the provisions of this title; and the actions of the personnel of the Department at the request of a citizen submitting the claim, grievance, or complaint.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 03-2003, Amended, 03/11/2003)

Section 6.08.040 Animal Care Officers--Power And Authority

1. The Animal Care Director or any person employed by the Davis County Animal Care Department as an Animal Care Officer shall take the oath of office as

prescribed by the County Commission, and shall be vested with the power and authority to enforce this title.

2. The Animal Care Director, assistants, and Animal Care officers are authorized and empowered to apprehend and take with them and impound any animal found in violation of this title, and all other duties prescribed in the enforcement of this title.
3. In the performance of his duties, the Animal Care officer is hereby vested with the power and authority of that office within the County Animal Care Department. Badges of authority shall be issued by the County Animal Care Director, officers having received and been sworn to the oath of office by the Clerk of Davis County.
4. Animal Care officers shall be ordinance enforcement officers.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 08-2006, Amended, 08/01/2006; Ord. 03-2003, Amended, 03/11/2003)

Editor's note(s)—Ord. 10-2019, § 1, adopted Dec. 10, 2019, changed the title of § 6.08.040 from "Animal control officers—Power and authority" to read as herein set out.

Section 6.08.050 Animal Shelter

The Davis County Commission shall provide suitable premises and facilities to be used as a County animal care shelter wherein impounded animals can be adequately kept. Davis County shall also purchase and supply adequate food for all impounded animals.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 2.06)

Section 6.08.060 Investigation And Enforcement

1. Animal Care officers and peace officers may enter upon privately owned property to investigate reports of vicious animals, cruelty to animal cases, rabies and other contagious animal diseases, and to investigate alleged or reasonably suspected violations of the provisions of this title and to enforce the provisions of this title.
2. In the enforcement of this title, all peace officers, Animal Care officers, and employees of the department are authorized to enter onto the open premises of any property to take possession of any animal in violation, or for which there is reasonable cause to believe, is in violation of this title or for the protection of any person.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 9-2000 § 18, 35; Ord. 7-1992 § 8.02)

Section 6.08.070 Interfering With Officers Prohibited

It is unlawful for any person to knowingly and intentionally interfere with the Director or any Animal Care officer in the lawful discharge of his or her duties as prescribed in this title.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 2.05)

Section 6.08.080 Applicability Of Procedure For All Peace Officers

The foregoing provisions of this title shall govern all peace officer in issuing citations for violations of this title, but the procedure prescribed in this title shall not otherwise be exclusive of any other method prescribed by law for the arrest and prosecution of a person for offense of like grade.

(Ord. 7-1992 § 8.04)

Section 6.08.090 Citations

1. An Animal Care officer and/or a peace officer is authorized to issue a criminal citation to any person upon a charge of violating any provision of this title.
2. The form of the citation, and proceedings to be handled with respect to that citation, shall conform to the provisions of the *Utah Code of Criminal Procedure*, as set forth in Title 77, Chapter 7, Utah Code Annotated, as that chapter exists or may be subsequently amended.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 03-2003, Add, 03/11/2003)

Section 6.08.100 Notice Of Violation And Stipulation

1. In the event of a violation of this title, an Animal Care officer at the discretion of the officer may, in lieu of issuing a criminal citation and with the consent of the person charged with the violation, issue a notice of violation and stipulation; provided that the person charged signs the notice and stipulation.
2. The notice of violation and stipulation shall state and describe:
 1. The violation, the pertinent sections of this title, and acceptable remedy, and a compliance date by which the person charged must comply with the remedial requirement;
 2. That the person charged waives all rights to contest the charge and the right to a trial or hearing on the charge;
 3. The amount of any administrative fee to be paid by the person charged to the Department; and;
 4. That the person charged is not required to sign the notice and stipulation but that the refusal or failure of the person charged to sign the notice and stipulation, pay the administrative fee, comply with the remedial requirement by the state compliance date may result in either the issuance of a criminal citation to the person charged or, at the option of the Director, enforcement of the stipulation in court.
 5. The notice of violation, when signed by the person charged, constitutes a contractual stipulation to resolve the violation which may be enforced in court.
3. The issuance of a notice of violation in lieu of a criminal citation is intended to provide an equitable method for resolving violations administratively with the consent of the person charged.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 03-2003, Add, 03/11/2003)

Section 6.08.110 Administrative Conference

1. In lieu of issuing a criminal citation and in an attempt to resolve disputes or situations, the Director may, at his/her option, conduct an informal conference with the person charged and attempt to resolve the issue by a settlement agreement. The conference shall not be open to the public and no third party intervention or recording of the conference shall be permitted unless the person and Director both agree otherwise.
2. When good cause appears, the Director may allow a deviation from this procedure as part of a settlement agreement if it is determined that strict compliance with the

procedures is impractical, unnecessary, not in the best interests of all concerned, or that justice may be better furthered by such deviation. The Director shall state the good cause and the reasons for the deviation in the settlement agreement.

3. If an action is commenced in court, whether civil or criminal, regarding the matter, then this procedure shall not be available.
4. Any settlement agreement shall be in writing signed by the person who would otherwise be charged and the Director.

(Ord. 03-2003, Add, 03/11/2003)

Section 6.08.120 Review Process

1. The Director shall review the unresolved claims, grievances, or complaints regarding the administration and enforcement of this title; the interpretation and application of the provisions of this title; and the actions of the personnel of the Department at the request of a citizen submitting the claim, grievance, or complaint.
2. If the citizen does not accept the findings and conclusions of the Director, the Director may consult with or refer the matter to the County Commissioner responsible for overseeing the Department for review; providing that the Commissioner is willing to undertake that review.

(Ord. No. 7-2010, § 4, Amended 12/21/2010; Ord. 06-2006, Amended, 07/19/2006; Ord. 03-2003, Add, 03/11/2003)

Section 6.08.130 (Reserved)

Editor's note(s)—Section 1 of Ord. No. 3-2021, adopted June 15, 2021, repealed former § 6.08.130, which pertained to the administrative fee schedule, and derived from Ord. 05-2003, adopted April 15, 2003; Ord. 11-2007, adopted July 25, 2007; Ord. 6-2015, § 13, adopted Oct. 27, 2015; and Ord. 10-2019, adopted Dec. 10, 2019. See § 6.32.010 for fees and charges.

Chapter 6.12 LICENSES AND PERMITS

Section 6.12.010 Licensing And Registration Of Dogs And Cats

Section 6.12.020 Exemptions For Licensing

Section 6.12.030 Tag And Collar Required

Section 6.12.040 Removal Of Tag Unlawful

Section 6.12.050 Permit Requirement For Breeders, And Large Kennels

Section 6.12.060 Number Of Dogs And Cats Per Residence

Section 6.12.070 (Reserved)

Section 6.12.070 Annual Additional Animal Permits

Section 6.12.080 Display Of Permit

Section 6.12.090 Renewal Of Permit

Section 6.12.100 Exemptions

Section 6.12.110 Conditions Of Kennels And Standards Of Care For Kennels And Breeders

Section 6.12.120 Suspension Or Revocation Of Permit

Section 6.12.130 Notice Served

Section 6.12.010 Licensing And Registration Of Dogs And Cats

1. Requirements

1. Every person possessing, harboring, keeping, or having control or custody of a dog and/or cat over the age of four months shall secure a county license from a veterinarian or from the department and, as a condition of obtaining the license, shall show proof of a current rabies vaccination which shall have been administered by a licensed veterinarian.
 2. Except as provided for in Section 6.12.020 Exemptions For Licensing, all dogs and cats at least four months of age or older must have a current license tag. A license tag may be issued by the department for any period of time up to three years, coinciding with duration of the current rabies vaccination as documented on the rabies certificate. A license tag is not valid during any time period when the animal is unvaccinated or for which the rabies vaccination has expired.
 3. In order to obtain a license tag or renew a license tag for a dog or cat, a current complete rabies vaccine certification must be provided to the department along with any and all applicable fees for the license tag.
 4. The license tag may be obtained either from the department or a veterinarian. Only rabies certificates signed by a veterinarian and license tags approved for issuance by the department shall be valid.
 5. It shall be unlawful to transfer any tag, issued under this section, from the animal for which such tag was issued to another animal.
 6. Changes in owner information. The department must be notified within 30 days of any change in ownership or any other change in the information submitted in connection with a license tag, including the address or telephone number.
2. Fees
1. The fee for obtaining license tags shall be established by the Board of County Commissioners. There shall be a higher fee charged for license tags for intact dogs or cats than for tags for sterilized and microchipped animals.
 2. A person sixty (60) years of age or older may obtain a dog license for a spay or neutered and microchipped dog for a one-time fee as established by the County Commission.
 3. No licensing fee shall be charged for a dog license issued under this section for a "service animal" as defined in Section 6.04.010 Definitions. A license shall be issued for such a dog upon the filing of an affidavit with the county showing that the dog qualifies for exemption.
 4. Licenses not renewed within thirty (30) days of expiration shall be subject to the applicable late fee.
 5. The license shall not be transferable from one dog to another and no refund shall be made on any dog license for any reason whatsoever.

HISTORY

Amended by Ord. [1-2023](#) and [2-2023](#) on 1/24/2023

Section 6.12.020 Exemptions For Licensing

The provisions of Section 6.12.010 shall not apply to the following:

1. Visiting dogs, cats, or ferrets. The license tag requirements of this article shall not apply to any animal that remains in the county for a period of 30 days or less per calendar year, and for which the department has been provided proof of domicile outside of the county, a current, valid certificate of rabies vaccination, and proof of compliance with any applicable registration, required license or permit required by the laws of the jurisdiction of domicile.
2. Ear-tipped cats. Ear-tipped cats shall be exempt from the license tag requirements of this section.
3. Kennel Licenses. Individual dogs within a properly licensed kennel or other such establishment.
4. Agency owned dogs. Dogs trained to assist officials of governmental agencies in the performance of their duties, and which are owned or maintained by such agencies.
5. Medical exemptions. As outlined in Section 6.24.010 Vaccination of dogs, cats, and ferrets against rabies required.

(Ord. 7-1992 § 3.02)

HISTORY

Amended by Ord. [1-2022](#) on 1/18/2022

Amended by Ord. [1-2023](#) and [2-2023](#) on 1/24/2023

Section 6.12.030 Tag And Collar Required

All dogs and cats shall be required to wear a current Davis County license tag at all times unless specifically exempted by this chapter. Every person who keeps, harbors or owns any dog or cat four months of age or older shall provide and securely fasten an appropriate collar about the animal's neck and solidly attach to it a current tag so as to be clearly visible at all times. An animal not displaying a current rabies vaccination tag shall be deemed to be unvaccinated and may be impounded, held, released, or disposed of pursuant to this chapter. In the event a license tag is lost or destroyed, a duplicate will be issued by the Animal Care Department, upon payment of a duplicate tag fee as set by the Board of County Commissioners.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 3.03)

HISTORY

Amended by Ord. [1-2023](#) and [2-2023](#) on 1/24/2023

Section 6.12.040 Removal Of Tag Unlawful

It is unlawful to deprive a registered dog of its collar and or its tag.

(Ord. 7-1992 § 3.04)

Section 6.12.050 Permit Requirement For Breeders, And Large Kennels

1. No person shall act as, perform duties of, or otherwise maintain a kennel, or breeder, as defined in this chapter, without first obtaining a permit, or renewal permit as applicable, from the department and an official letter from the respective City or County Zoning Division that the proposed location and plans complies with any and all applicable zoning requirements.
2. Any permit issued under this section is not transferable, either from the original authorized premises/location to a different location, or from person-to-person.

3. Grant of any permit under this section by the department shall not in any way operate to grant any right, privilege, approval or waiver with respect to any other section of the Davis County Code, the Davis County Land Development Code (including zoning and land use regulations) or any applicable local, state, and federal laws, rules, and regulations.
4. The application and permit shall be on a form prescribed by the county administrator, or his designee. A fee for application, issuance, and renewal of a permit may be prescribed by resolution of the Board of County Commissioners.
5. Prior to the issuance of any permit the following shall be required:
 1. Within 30 business days of a complete application submitted to the department, the department shall inspect the premises for which the application applies. Inspections shall be for conditions and standard of care as indicated in section 6.12.110 Conditions Of Kennels And Standards Of Care For Breeders.
 2. Within ten business days of inspection, the department shall make a determination to grant or deny any permit and inform the applicant in writing.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 3.05)

HISTORY

Amended by Ord. [1-2023](#) and [2-2023](#) on 1/24/2023

Section 6.12.060 Number Of Dogs And Cats Per Residence

No person or persons at any one (1) residence within the jurisdiction of this title shall at any one (1) time own, harbor, license, or maintain more than three (3) cats or dogs in any combination. The Animal Control Division may issue a permit to owners of Dogs and Cats to keep up to four dogs or cats (but not more than four Household Pets) in a residential area.

Exemptions for number of dogs and cats per residence:

The provisions of Section 6.12.060 shall not apply to the following:

1. Under the provisions of Section 10-8-65, Utah Code Annotated, a person may keep a service animal, a retired service animal, or both in addition to that limit. See "service animal" as defined in 06.04.010 (AB) Definitions. A exemption shall be issued for such dog upon the filing of an affidavit with the county showing that the dog qualifies for exemption;
2. Dogs especially trained to assist officials of governmental agencies in the performance of their duties, and which are owned or maintained by such agencies. A exemption shall be issued for such dog upon the filing of an affidavit with the county showing that the dog qualifies for exemption.

(Ord. No. 8-2011, § 3, Amended 12/20/2011; Ord. 7-1992 § 3.06)

Editor's note(s)—Section 3 of Ord. No. 8-2011, adopted Dec. 20, 2011, changed the title of § 6.12.060 from "Number of dogs per residence" to "Number of dogs and cats per residence."

HISTORY

Amended by Ord. [5-2023](#) on 1/31/2023

Section 6.12.070 (Reserved)

Editor's note(s)—Section 8 of Ord. No. 8-2011, adopted Dec. 20, 2011, repealed § 6.12.070, which pertained to regulatory permits and derived from Ord. No. 7-1992, § 3.07; and Ord. No. 7-2010, § 5, adopted Dec. 21, 2010.

Section 6.12.070 Annual Additional Animal Permits

1. Application. An application to request up to one (1) dog or cat in addition to the three (3) dogs or cats allowed by this Chapter (for a total number of animals not to exceed four (4)) shall be made to Animal Care of Davis County. The application must be accompanied by the following:
 1. The annual non-refundable fee for the additional animal permit;
 2. The name, address, and other contact information for the owner of each dog and/or cat and for the property on which the animal(s) will be kept
 3. Identification of each dog and/or cat in the household (their breed(s), name, microchip number, and license number);
 4. Verification of spaying or neutering for all dogs and/or cats in the household;
 5. Verification of microchipping for all dogs and/or cats in the household;
 6. Verification of Davis County licensing for all dogs and/or cats in the household;
 7. If the fourth animal is the fourth dog at the residence, a depiction of the outside area showing all fencing, kennel(s), and dog run(s) which are capable of confining up to four (4) total dogs that shall be no less than 100ft from neighboring or abutting dwellings;
2. Annual Permit. The additional animal permit allowed by this Chapter shall be for a term of one (1) calendar year and shall expire one (1) year from the date issued.
3. Fee. A fee established by the Commission shall be charged for each additional dog permit allowed by this Chapter. Such fee shall be annual, nonrefundable, and not prorated.
4. Inspection. Prior to consideration of the additional dog permit, the location where the additional dog or cat shall be kept will be inspected by a Animal Care of Davis County officer who will verify that the planned location for the additional pet is sanitary, safe, and that escape or nuisance is not likely.
5. Notice of violations and citations. Prior to consideration of the additional dog permit, Animal Care of Davis County staff will look for any nuisance complaints and/or issued violations or citations from Animal Care of Davis County in the past one (1) calendar year to the pet owner or in regards to any of the animals on the premises.
6. Standards for Permit Approval. Upon receipt of the permit fee and a complete application, and following an inspection, no violations or citations in the past one (1) calendar year, a permit may be issued where approval of the permit is not reasonably likely to create a public nuisance.
7. When an Animal Control Officer certifies in writing that there is an immediate danger to life or health of a person because of an additional dog, the application or permit may be immediately and summarily denied or revoked. Under such

conditions, notice of such denial or revocation will be given in writing as soon as practicable.

8. Grounds for Denial. Permits may be denied due to the following reasons:
 1. Lack of evidence of spay or neutering
 2. Lack of evidence of microchipping
 3. Did not pass the inspection
 4. A notice of violation or citation has been issued from our department in the last one (1) calendar year.

Permit Denial or Revocation. Prior to the denial or revocation of the additional dog permit, the County shall provide written notice of the denial or revocation to the applicant or owner. Such written notice shall be sent by mail or hand delivery to the address provided in the application. The written notice shall state the reason(s) for such revocation or denial and shall state that such applicant or owner may appeal the decision to the Animal Care Director, as provided herein. Notice of denial or revocation is effective on the date the notice is placed in the mailbox maintained by the U.S. Postal Service, or is hand delivered to the applicant. Failure by the County to give notice as provided in this Chapter, shall not establish a right to the additional dog permit under this Chapter.

HISTORY

Adopted by Ord. [3-2023](#) on 1/31/2023

Section 6.12.080 Display Of Permit

A valid permit shall be posted in a conspicuous place in each establishment, and said permit shall be considered as appurtenant to the premises, and not transferable to another location. The permittee shall notify the Animal Care Department within thirty (30) days of any change of its establishment, or operation which may affect the status of the permit. In the event of a change in ownership of the establishment, the permittee shall notify the Department of Animal Care immediately. Permits shall not be transferable from one owner to another.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 3.08)

Section 6.12.090 Renewal Of Permit

Permits issued under this section shall be renewed on an annual basis. Any renewal of a permit may be subject to the requirements of this section.

By grant of any permit issued under this section, the premises subject to the permit shall be subject to inspections by the department during normal business hours.

(Ord. 7-1992 § 3.09)

HISTORY

Amended by Ord. [1-2023](#) and [2-2023](#) on 1/24/2023

Section 6.12.100 Exemptions

Research facilities where bona fide medical or related research is being conducted, humane shelters and other animal establishments operated by state or local government or which are licensed by federal law are excluded from the licensing requirements of this title.

(Ord. 7-1992 § 3.10)

Section 6.12.110 Conditions Of Kennels And Standards Of Care For Kennels And Breeders

For each premises for which a breeder operates or a large kennel permit has been granted, the following conditions shall be strictly complied with:

1. Each shelter, cage, or other housing facility must be structurally sound.
2. Any shelter, cage or containment area shall be of sufficient size to allow the animal in it to fully sit, stand, lie down, turn completely around and stretch.
3. Any shelter surfaces that come in contact with the animal must be free of excessive rust or jagged or sharp edges that can cause injury to the animal.
4. Each shelter must be constructed in a way that protects the animal from the elements.
5. Any shelter flooring surface that is completely wire is prohibited.
6. Any enclosed area must be sufficiently ventilated to provide for the animal's health and well-being.
7. Must minimize odors, ammonia levels, drafts and moisture condensation.
8. Ambient temperature in a shelter or structure shall not be above the ambient temperature outside, nor shall it be below 50 degrees Fahrenheit.
9. Lighting of indoor shelters must be sufficient to permit adequate inspection and cleaning.
10. A regular diurnal cycle of either artificial or natural light must be provided.
11. Food must be stored in a way that protects it from spoilage, contamination or vermin infestation.
12. Any shelter must be frequently cleaned to prevent buildup or animal waste and urine.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 3.11)

HISTORY

Amended by Ord. [1-2023](#) and [2-2023](#) on 1/24/2023

Section 6.12.120 Suspension Or Revocation Of Permit

Any permit/application may be denied, revoked or suspended, at any time, by written determination of the department director, or his designee, if:

1. The applicant has not strictly complied with the requirements of section 6.12.110.
2. The applicant refuses inspection.
3. The applicant has unpaid fines from violations in this chapter.
4. The applicant has any guilty adjudications of cruelty or neglect under this chapter or Utah Statutes.
5. The applicant has been adjudicated guilty of more than one offense of chapter 16.
6. The applicant has not complied with all other applicable provisions of this chapter, the Davis County Code of Ordinances, the Davis County Land Development Code (including zoning and land use regulations) related to the allowable number of animals on a parcel, or has not complied with applicable state and federal laws, rules and regulations concerning animal care or welfare.

If an inspection of any facility operating with a regulatory permit reveals a violation of this title, the inspector shall notify the permit holder or operator of such violation by means of an inspection report form, or other written notice. The notification shall:

1. Set forth the specific violation found;
2. Establish a specific and reasonable period of time for the correction of the violation(s) found;
3. State that any failure to comply with any notice issued in accordance with the provisions of this title shall result in immediate suspension of the permit;
4. No new permit shall be issued to any person whose permit has been previously revoked except upon application for a new permit, accompanied by the required application fee and unless or until all requirements of this title have been met. Any permit granted under this title may be suspended or revoked by the Animal Care Department for violations listed in this chapter.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 3.12)

HISTORY

Amended by Ord. [1-2023](#) and [2-2023](#) on 1/24/2023

Section 6.12.130 Notice Served

Notice provided for under this title shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit or license holder. A copy of such notice shall be digitally stored with the Animal Care Department.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Amended during 2001 codification; Ord. 7-1992 § 3.13)

HISTORY

Amended by Ord. [1-2023](#) and [2-2023](#) on 1/24/2023

Chapter 6.16 ANIMAL NUISANCES

Section 6.16.010 Nuisance Animals

Section 6.16.020 Abatement Of Public Nuisance Animals

Section 6.16.030 Livestock--Control And Fencing

Section 6.16.040 Female Dogs In Heat

Section 6.16.050 Possession Of A Potentially Dangerous Animal

Section 6.16.060 Possession Of Dangerous Animals

Section 6.16.070 Failure To Properly Confine Potentially Dangerous Or Dangerous Animal

Section 6.16.080 Animal At Large Prohibited

Section 6.16.090 Allowing Domestic Fowls To Trespass Prohibited

Section 6.16.100 Staking Animals Improperly On Unenclosed Premises

Section 6.16.110 Animal Waste

Section 6.16.120 Control And Fencing Of Livestock

Section 6.16.130 Possession Of Wild Animals Prohibited--Exceptions

Section 6.16.140 Animals Attacking Persons And Animals

Section 6.16.010 Nuisance Animals

1. All persons having custody of animals shall exercise proper care and control of his or her animal(s) in order to prevent them from becoming a nuisance. It shall be unlawful for any owner or custodian to keep a nuisance animal contrary to the provisions of this title.
2. An animal shall be deemed to be a nuisance if the animal:
 1. Causes damage to the property of anyone other than its owner;
 2. Causes unreasonable odors;
 3. Causes unsanitary conditions;
 4. Barks, whines, howls, or makes other disturbing noises for an extended period of time;
 5. Chases vehicles;
 6. Is an animal which on more than one occasion has been impounded for being at large or its owner or custodian has been convicted for the animal being at large;
 7. Is an animal previously declared potentially dangerous or dangerous and is found in violation of restrictions placed on that dog by the Department of Animal Care.
 8. Is found by a court to be a public nuisance under state law;
 9. Repeatedly molests or intimidates neighbors, pedestrians, or passersby by lunging at fences, chasing, or acting aggressively towards such person or persons unless provoked by such person or persons.
 10. Is a wild animal as defined in this title and the possession of the wild animal is prohibited.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 07-2004, Amended, 08/17/2004; Ord. 03-2003, Amended, 03/11/2003)

Section 6.16.020 Abatement Of Public Nuisance Animals

1. When it reasonably appears to the Director that any animal is a nuisance as defined in this chapter, and that such nuisance should be abated, the director shall first attempt to obtain the written consent of the animal's owner or custodian to abate the animal.
2. "Abatement" shall be defined to include the euthanization, relocation, or placement of the animal under conditions acceptable to the owner or custodian of the animal and the Director. Abatement by relocation shall not be an option if the animal represents a continuing threat of serious harm, such as in the case of a vicious dog.
3. If the consent of the animal's owner or custodian cannot be readily obtained, the Director may file a complaint with a court of competent jurisdiction charging the owner or custodian of the animal with the maintenance of a nuisance and alleging the facts according to the best of the Director's information and belief, indicating that the owner or custodian is maintaining a nuisance and the nuisance should be abated.
4. Until such time as the owner or custodian may be summoned to appear before the court, the animal(s) may be impounded by the Department and held at the Center or such other place as the Director deems appropriate pending a decision by the court.

5. If the court finds that the owner or custodian of the animal is maintaining a nuisance, the department will seek an order from the court setting out the method of abatement. If relocation is ordered, the court may set whatever conditions are necessary to guarantee that the animal shall not constitute a nuisance in the future. In the event the court determines that the animal is a nuisance, the owner or custodian shall pay the cost of all impoundment fees, maintenance fees, or any other fee that may incur as a result of such impoundment and the County shall be entitled to a judgment for that amount and for the costs of enforcement.

(Ord. 03-2003, Amended, 03/11/2003)

Section 6.16.030 Livestock--Control And Fencing

1. It is unlawful for any person owning or having the custody, possession or control of any livestock to allow, either negligently or with specific intent, the livestock to run at large in or about a public property or roadway, where such is not permitted by law, or to otherwise permit the animal to be herded, pastured or to go upon the land of another without permission.
2. 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 livestock or to allow the escape thereof. Failure to properly confine any class of livestock shall constitute a violation of this section.

(Ord. 7-1992 § 4.03)

Section 6.16.040 Female Dogs In Heat

Except for planned breeding, any owner or person having charge, care, custody or control of any female dog in heat shall, in addition to restraining such dog from running at large, cause such dog to be constantly confined in a building or secure enclosure so as to prevent it from attracting by scent or coming into contact with other dogs and creating a nuisance.

(Ord. 7-1992 § 4.04)

Section 6.16.050 Possession Of A Potentially Dangerous Animal

1. Any person who owns or maintains a potentially dangerous animal shall:
 1. Use all reasonable means at his or her disposal to restrict that potentially dangerous animal from injuring any person or animal; and
 2. Have a microchip inserted and maintained in that potentially dangerous animal, at the expense of the owner or the person who maintains the potentially dangerous animal, for identification purposes. If the animal is in the custody of animal control, that animal may not be released until that microchip is inserted.
2. The department may, at the discretion of the Animal Care Director or the authorized agents of the Animal Care Director, from time to time impose specific

restrictions regarding the housing and conditions for the keeping of potentially dangerous animals.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 9-2000 § 20; Ord. 7-1992 § 4.05)

Section 6.16.060 Possession Of Dangerous Animals

1. Any dangerous animal, while on the owner's property, must be securely confined indoors, or in a securely enclosed and locked pen or structure suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure for a dangerous animal shall have secure sides and top and shall also provide protection from the elements for the animal. The structure shall be such that the animal cannot burrow or dig under the sides of the enclosure.
2. Dangerous animals, when outside the proper enclosure, must be under immediate control of a responsible adult by means of a restraint device and muzzled. The muzzle shall be made in such a manner that it will not cause injury to the animal or interfere with its vision or respiration, but shall prevent it from biting any person or animal.
3. The Director of Animal Care or his or her authorized agents may take into immediate possession any dangerous animal if the officer determines that the animal is:
 1. Not maintained in a proper enclosure;
 2. Is outside of the dwelling of the owner, or outside of a proper enclosure and not under physical restraint of the person; or
 3. If there are any further violations of any legal restrictions previously placed on such animal by the Davis County Animal Care Department as provided in this title.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 4.06)

Section 6.16.070 Failure To Properly Confine Potentially Dangerous Or Dangerous Animal

Any owner of any potentially dangerous or dangerous animal who allows it to go at large or who fails to hold the same in the manner specified for such animal by the Department of Animal Care is guilty of a misdemeanor.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 7-1992 § 4.07)

Section 6.16.080 Animal At Large Prohibited

It is unlawful for any animal to be allowed to be "at large" as defined in this title.

(Ord. 9-2000 § 21; Ord. 7-1992 § 4.08)

Section 6.16.090 Allowing Domestic Fowls To Trespass Prohibited

It is unlawful for the owner of any domestic fowls such as turkeys, ducks, geese, chickens, peacocks or any other variety of fowl to permit such fowls to trespass or go upon the premises of another or to run at large on any public property or roadway. Fowls kept and maintained by municipalities within the confines of public parks or aviaries are exempt, except that they shall not be allowed on public roadways.

(Ord. 7-1992 § 4.09)

Section 6.16.100 Staking Animals Improperly On Unenclosed Premises

It is unlawful for any person to chain, stake out or tether any animal on any unenclosed premises in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property, or the person with whom he shares joint tenancy. No animals are to be staked along public roadway easements.

(Ord. 7-1992 § 4.10)

Section 6.16.110 Animal Waste

The owner or custodian of an animal shall be responsible for the immediate removal of any excreta deposited by his or her animal on any public walk, recreation area, or private property other than that belonging to the owner of the animal. It shall be unlawful for the owner or custodian to fail to so remove the excreta.

(Ord. 03-2003, Amended, 03/11/2003)

Section 6.16.120 Control And Fencing Of Livestock

1. It is unlawful for an owner or handler of livestock to allow, either negligently or willfully, the same to run at large in an area where such is not permitted by any law or regulation.
2. It is unlawful for an owner or handler of livestock to allow, either negligently or willfully the same to be herded, pastured or to otherwise enter upon the land of another person without the consent of that person.
3. In areas where livestock are not permitted to run at large, the owner or handler of livestock shall construct adequate fencing and shall maintain such fencing to prevent livestock animals' escape from the owner's or handler's premises.
4. For the purposes of this section, "adequate fencing" means, at a minimum, mesh, barbed wire, chain link, rail or post fencing, or metal fence panels.
5. Because of the unusual hazards presented by stallions, such animals shall be confined in a fenced enclosure with a minimum fence height of eight feet.
6. Failure by an owner or handler to erect and maintain the fencing required by this section, thus permitting the escape of, or injury to persons, property or other domesticated animals, shall be a violation of this title.

(Ord. 03-2003, Add, 03/11/2003)

Section 6.16.130 Possession Of Wild Animals Prohibited--Exceptions

1. It shall be unlawful for any person or entity to:
 1. Own, possess, give, keep, or sell any wild animal as defined in this title except only for the following persons or entities;
 1. The Department which has impounded or otherwise obtained possession of a wild animal;
 2. Veterinarian or veterinarian facility which is treating the animal;
 3. A licensed zoological facility or zoo;
 4. An educational or scientific facility or laboratory owned and operated by a governmental entity or a licensed individual or private non-profit corporation for educational or a scientific purpose;

5. A circus or other entertainment person or entity having the necessary and appropriate license or governmental permit for the wild animal;
 6. An animal shelter; or
 7. A person or entity authorized by the Utah State Department of Wildlife Resources to possess and use the wild animal for educational or scientific purposes.
2. Keep or maintain a wild animal on the premises of the owner other than under a controlled confinement.
 3. Allow the animal to run at large or to maintain, transport, display, or use the animal in a manner which endangers any person whether on the premises of the owner or elsewhere.
2. Any person or entity lawfully in possession or custody of a wild animal under this section shall be guilty of a misdemeanor if that person or entity does not:
 1. Maintain, transport, display, and use the wild animal using protective devices and procedures approved by the Department. Such devices and procedures shall be adequate and appropriate to protect the animal, persons, and the public and prevent the animal from escaping, running at large, causing injury to or constituting potential danger for the public or other animals.
 2. Comply fully with all applicable federal, state, city, and county laws, rules, and regulations regarding the care, keeping, treatment, quarantine, and vaccination of the animal.

(Ord. 07-2004, Add, 08/17/2004)

Section 6.16.140 Animals Attacking Persons And Animals

1. **Attacking Animals.** It is unlawful for the owner or person having charge, care, custody or control of any animal to allow such animal to attack, chase or threaten any person, any domestic animal having a commercial value, or any species of hoofed protected wildlife, or to attack domestic fowl. "Threaten," as used in this section means any menacing behavior, including but not limited to, lunging, growling, biting, or bearing of teeth.
2. **Owner Liability.** The owner in violation of subsection A. of this section shall be strictly liable for violation of this section. In addition to being subject to prosecution under subsection A. of this section, the owner of such animal shall also be liable in damages to any person injured or to the owner of any animal(s) injured or destroyed thereby.
3. **Defenses.** The following shall be considered in mitigating the penalties or damages or in dismissing the charge:
 1. That the animal was properly confined on the premises;
 2. When the animal is on its owner's property;
 3. That the animal was deliberately or maliciously provoked.
4. Any person may take reasonably necessary actions, including killing, to defend him or herself, other persons, and property while the animal is committing any of the acts specified in subsection A. of this section.

Chapter 6.20 IMPOUNDMENT

Section 6.20.010 Impoundment Authorized

Section 6.20.020 Impoundment Recordkeeping Requirements

Section 6.20.030 Redemption Requirements

Section 6.20.040 Impoundment And Disposal

Section 6.20.050 Vicious Animal Abatement And Disposal

Section 6.20.060 Animal Shelter--Sterilization

Section 6.20.010 Impoundment Authorized

1. The Animal Care Department shall place all animals which are taken into custody in a designated animal impound facility.
2. The following animals may be taken into custody and impounded as deemed necessary:
 1. Any animal being kept or maintained contrary to the provisions of this title;
 2. Any animal running at large, with any reasonable means used to immobilize or capture such animal;
 3. Any animal which is by this title required to be licensed and is not licensed; an animal not wearing a tag shall be presumed to be unlicensed for the purposes of this section;
 4. Sick or injured animals whose owner cannot be immediately located or whose owner requests impoundment and agrees to pay a reasonable fee for the services rendered;
 5. Any abandoned, neglected animal, whose safety may be threatened should the animal not be readily placed into protective custody;
 6. Animals which are not vaccinated for rabies in accordance with the requirements of this title;
 7. Any animal held for quarantine;
 8. Any potentially dangerous or dangerous animal not properly confined as required by Sections 6.16.050 and 6.16.060;
 9. Any animal in the custody of any person or persons who are arrested or otherwise detained by any police officer, in the event that the owner or another responsible party who will take custody of the animal cannot be located by the person or persons arrested or detained;
 10. Any stray as defined in this title or by state law.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 03-2003, Amended, 03/11/2003)

Section 6.20.020 Impoundment Recordkeeping Requirements

The impounding facility shall keep a record of each animal impounded, which includes the following information;

1. Complete description of the animal including any tag numbers;
2. The manner and date of impound;
3. The location of the pickup and identification number of the impounding officer;
4. The manner and date of disposal;
5. The name and address of the redeemer or purchaser;

6. The name and address of any person relinquishing the animal;
7. All fees received;
8. All expenses accruing during impoundment.

(Ord. 7-1992 § 5.02)

Section 6.20.030 Redemption Requirements

1. The owner of any impounded animal or his or her authorized representative may redeem such animal before disposition, provided he or she pays:
 1. The impound fees;
 2. The daily board charge;
 3. The veterinary costs incurred during the impound period;
 4. License fee, if applicable;
 5. A transportation fee if transportation of an impounded animal by specialized equipment is required. "Specialized equipment" is that equipment, other than the usual patrol and operation vehicles of Animal Care, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers. This fee shall be determined by the Davis County Commission at a level which approximates the cost of utilizing the specialized equipment in the particular situation;
 6. Any other expenses incurred to impound an animal in accordance with state or local laws, including any reasonable restitution for property damage created by the animal, or that occurs as a result of the impoundment.
2. Impound and board fees may be waived at the discretion of the Director of Animal Care on a case-by-case basis.
3. The Davis County Commission, at the recommendation of the Director of Animal Care, shall from time to time set impound fees and daily board charges for the impounding of animals. Such fees shall take into account the type of animal impounded.

(Ord. 10-2019, § 1, Amended, 09/06/2022; Ord. 7-1992 § 5.03)

HISTORY

Amended by Ord. [4-2022](#) on 9/6/2022

Section 6.20.040 Impoundment And Disposal

1. Animals shall be impounded for a minimum of five (5) business days before further disposition. Reasonable effort shall be made to notify the owner, caretaker or sponsor, of any animal wearing a license or other form of identification, including but not limited to a microchip, during that time. Notice shall be deemed given when sent to the last known address of the listed owner, caretaker or sponsor. Any animal voluntarily relinquished to the Animal Care facility by the owner thereof for destruction or other disposition need not be kept for the minimum holding period before release or other disposition as herein provided. In compliance with the Community Cat Act, any cat received by a shelter under the provisions of Section 11-46-103, Utah Code Annotated, may be released prior to the five-day holding period to a sponsor that operates a community cat program.

2. All animals, except those quarantined or confined by court order, or those subject to Section 4-25-4, Utah Code Annotated, which are held longer than the minimum impound period, and all animals voluntarily relinquished to the impound facility, may be destroyed or disposed of as the Director of Animal Care shall direct. Any healthy dog or cat may be sold in compliance with the Davis County Animal Care adoption policy after payment of all applicable fees. Other small animals, not included as livestock may also be sold as determined by the Director.
3. Any animal impounded and having or suspected of having a serious physical injury or contagious disease requiring medical attention may, at the discretion of the Animal Care Director, be released to the care of a veterinarian with or without the consent of the owner, caretaker or sponsor.
4. When, in the judgment of the Director of Animal Care, it is determined that an animal should be destroyed without delay for humane reasons or to protect the public from imminent danger to persons or property, such animal may be destroyed without regard to any time limitation otherwise established in this title, except as provided in Chapter 6.24, and without court order.
5. The Animal Care Director or any of his or her agents may destroy an animal upon request of the owner without transporting the animal to County facilities. An appropriate fee shall be charged the owner for the destruction and any subsequent disposal of the carcass done by the Department of Animal Care.
6. In the event that an impounded animal is to be sold at an administrative auction, notice of the sale shall be given in a newspaper of general publication once at least ten (10) calendar days prior to the sale.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. No. 8-2011, § 4, Amended 12/20/2011; Ord. 03-2003, Amended, 03/11/2003)

Section 6.20.050 Vicious Animal Abatement And Disposal

1. If the Animal Care Director or any authorized agent of the Animal Care Director determines, as the result of a witnessed incident, that an animal is either dangerous or potentially dangerous, and finds that the animal is in violation of any restrictions the department deems or has deemed necessary and reasonable for the safety of persons and/or animals, the department may declare the animal to be a vicious animal.
2. The department is authorized to immediately take possession of the vicious animal and place it in an appropriate and approved quarantine facility.
3. After placing the vicious animal in an appropriate and approved quarantine facility, the Animal Care Director shall attempt to obtain the written consent of the owner of the vicious animal to euthanize the animal in a humane manner. If the animal owner's consent cannot be readily obtained or the owner refuses to consent to the proposed euthanization, the Animal Care Director shall seek an ex parte order authorizing continued impoundment from a court of competent jurisdiction and an order determining that the animal is vicious as defined by this title and authorizing the euthanization of the animal in a humane manner.
4. If the court determines that the animal is a vicious animal, the owner shall pay all costs and fees for the impoundment, maintenance and costs incurred as the result of the impoundment and euthanization.

Section 6.20.060 Animal Shelter--Sterilization

1. For the purposes of this section, the following definitions shall apply:
 1. "Proof of sterilization" means a written document signed by a veterinarian licensed under Title 58, Chapter 28, Veterinary Practice Act, stating:
 1. A specified dog or cat has been sterilized;
 2. The date on which the sterilization was performed; and
 3. The location where the sterilization was performed.
 2. "Recipient" means the person to whom an animal shelter transfers a dog or cat for adoption.
 3. "Sterilization deposit" means the portion of a fee charged by an animal shelter to a recipient or claimant of an unsterilized dog or cat to ensure the dog or cat is timely sterilized in accordance with an agreement between the recipient or the claimant and the animal shelter.
 4. "Sterilized" means that a dog or cat has been surgically altered, either by the spaying of a female dog or cat or by the neutering of a male dog or cat, so it is unable to reproduce.
 5. "Transfer" means that an animal shelter sells, gives away, places for adoption, or transfers a dog or cat to a recipient.
2.
 1. An animal shelter may not transfer a dog or cat that has not been sterilized, except as provided in this section.
 2. An animal shelter may transfer a dog or cat for adoption that has not been sterilized only if the animal shelter:
 1. Establishes a written agreement, executed by the recipient, stating the dog or cat is not sterilized and the recipient agrees in writing to be responsible for ensuring the dog or cat is sterilized:
 1. Within thirty (30) days after the agreement is signed, if the dog or cat is six months of age or older, or
 2. If the dog or cat is younger than six months of age, within thirty (30) days after the dog or cat becomes six months of age; and
 2. Receives from the recipient a sterilization deposit as provided under this section the terms of which are part of the written agreement executed by the recipient under this section.
3.
 1. A sterilization deposit may be:
 1. A portion of the adoption fee or purchase price of the dog or cat, which will enable the adopter to take the dog or cat for sterilization to a veterinarian with whom the animal shelter has an agreement that the veterinarian will bill the animal shelter directly for the sterilization;
 2. A deposit that is:

1. Refundable to the recipient if proof of sterilization of the dog or cat within the appropriate time limits under this section is presented to the animal shelter not more than three months after the date the dog or cat is sterilized, and
 2. Forfeited to the animal shelter if proof of sterilization is not presented to the animal shelter in compliance with subsection (C)(1)(b)(1) of this section; or
 3. A deposit under this section required for an owner to claim an unsterilized dog or cat impounded at the animal shelter.
2. Sterilization deposits under subsection (C)(1) of this section shall reflect the average reduced cost of a sterilization of a dog or cat, based on the gender and weight of the dog or cat, that is reasonably available in the area where the animal shelter is located, but the deposit may not be less than twenty-five dollars (\$25.00).
 3. If a female dog or cat and her litter are transferred to one person, a sterilization deposit is required only for the female dog or cat.
 4. All sterilization deposits forfeited or unclaimed under this section shall be retained by the animal shelter and shall be used by the animal shelter only for:
 1. A program to sterilize animals, which may include a sliding scale fee program;
 2. A public education program to reduce and prevent overpopulation of animals and the related costs to local governments;
 3. A follow-up program to assure that dogs or cats transferred by the animal shelter are sterilized in accordance with the agreement executed under this section; and
 4. Any additional costs incurred by the animal shelter in the administration of the requirements of this section.
 4. If a recipient fails to comply with the sterilization agreement under this section:
 1. The failure is grounds for seizure and impoundment of the dog or cat by the animal shelter from whom the recipient obtained the dog or cat;
 2. The recipient relinquishes all ownership rights regarding the dog or cat and any claim to expenses incurred in maintenance and care of the dog or cat; and
 3. The recipient forfeits the sterilization deposit.
 5.
 1. Upon the second impound within a twelve (12) month period and upon any subsequent impound of a dog or cat that is claimed by its owner, an animal shelter may release the impounded dog or cat to its owner only upon payment of all impound fees required by the shelter and:
 1. Receipt of proof the dog or cat has been sterilized; or
 2. A sterilization deposit.

2. The sterilization deposit shall be refunded to the owner only if the owner provides proof of sterilization to the animal shelter within thirty (30) days of release of the dog or cat to the owner.
- 6.
1.
 1. A person who knowingly commits any of the violations in subsection (F)(2) of this section is subject to a civil penalty of not less than two hundred fifty dollars (\$250.00) on a first violation of said subsection, and a civil penalty of not less than five hundred dollars (\$500.00) on any second or subsequent violation of said subsection.
 2. The administrator of the animal shelter imposes the civil penalties under this section.
 2. A person is subject to the civil penalties under subsection (F)(1) of this section who:
 1. Falsifies any proof of sterilization submitted for the purpose of compliance with this section;
 2. Provides to an animal shelter or a licensed veterinarian inaccurate information regarding ownership of any dog or cat required to be submitted for sterilization under this section;
 3. Submits to an animal shelter false information regarding sterilization fees or fee schedules; or
 4. Issues a check for insufficient funds for any sterilization deposit required of the person under this chapter.
 3. A person who contests a civil penalty imposed against him or her under this section is entitled to an administrative hearing that provides for the person's rights of due process.
 4. All penalties collected under this section shall be retained by the animal shelter imposing the penalties, to be used solely for the purposes under this section.

(Ord. 9-2000 § 24; Ord. 7-1992 § 5.06)

Chapter 6.24 RABIES CONTROL

Section 6.24.005 Adoption Of Davis County Board Of Health Rabies Prevention And Control Regulation

Section 6.24.010 Animal Rabies Vaccination Requirements

Section 6.24.020 Exception For Animals Temporarily In Davis County

Section 6.24.030 Vaccination Certification And Tags

Section 6.24.040 Impoundment Of Animals Without Current Vaccination Tags

Section 6.24.050 Quarantine And Disposition Of Biting, Exposed, Potentially Exposed, Suspected Or Rabid Animals

Section 6.24.060 Duty To Report

Section 6.24.005 Adoption Of Davis County Board Of Health Rabies Prevention And Control Regulation

Effective November 12, 2013, the Davis County Board of Health passed, approved, and adopted a Rabies Prevention and Control Regulation (the "Regulation"). A copy of the Regulation may be obtained at the Animal Care of Davis County office located at 1422 East 600 North, Fruit Heights, Utah 84037 or by contacting the Animal Care of Davis County at (801) 444-2200. Pursuant to Utah Code Ann. § 26A-1-121(1)(b) (1953) and Davis County Code § 2.20.240, the Regulation supersedes existing local standards, regulations, and ordinances pertaining to similar subject matter. Accordingly, the provisions of Sections 6.24.010 through 6.24.060 below, which are contrary to or otherwise conflict with the Regulation, are superseded by the Regulation. However, the provisions of Sections 6.24.010 through 6.24.060 below, which are not contrary to or otherwise do not conflict with the Regulation, remain in full force and effect.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 1-2014 § 1, Adopted, 06/03/2014)

Section 6.24.010 Animal Rabies Vaccination Requirements

All dogs, cats, or other animals susceptible to rabies for which there is a federally approved vaccine shall be revaccinated as often as specified by the current Compendium of Animal Rabies Control. All dogs and cats over the age of four months and other animals susceptible to rabies for which there is a federally approved vaccine shall be currently vaccinated for rabies at all times and the owner or custodian of the animal shall keep and present as required a certificate showing that the vaccination period has not expired.

(Ord. 1-2014 § 2, Amended, 06/03/2014; Amended during 2001 codification; Ord. 9-2000 § 25; Ord. 7-1992 § 6.01)

Section 6.24.020 Exception For Animals Temporarily In Davis County

The provisions of this chapter with respect to rabies vaccination shall not apply to any animal which remains within the jurisdictions of Davis County for a period not exceeding thirty (30) days, regardless of the residency or location of the owner; provided, however that if the animal does remain within the jurisdiction of Davis County for more than thirty (30) days, the animal must be vaccinated for rabies and comply with all provisions of this title. It is unlawful to bring any animal into the jurisdiction which does not fully comply with all applicable federal, state and local animal health and import laws, rules, regulations and standards, and specifically those relating to rabies.

(Ord. 9-2000 § 26; Ord. 7-1992 § 6.02)

Section 6.24.030 Vaccination Certification And Tags

A metal or durable plastic rabies vaccination tag, authorized by the Animal Care Director, and serially numbered, shall be securely attached to the collar or harness of the vaccinated animal. An animal not wearing a current rabies vaccination tag shall be deemed to be unvaccinated and may be impounded, held, released or disposed of pursuant to this chapter.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 1-2014, § 3, Amended, 06/03/2014; Ord. 9-2000 § 27; Ord. 7-1992 § 6.03)

Section 6.24.040 Impoundment Of Animals Without Current Vaccination Tags

1. Any animal impounded because it is not wearing a current rabies vaccination tag may be reclaimed by its owner or custodian furnishing a currently valid rabies vaccination tag or adequate documentary proof of a valid and unexpired rabies vaccination showing that the animal had been vaccinated within the immediate

prior two years and license if required, obtaining a current vaccination tag, and paying all impoundment fees prior to release.

2. Any unvaccinated animal which has not been exposed or potentially exposed to rabies and is not suspected of having rabies may be reclaimed by the owner or custodian prior to disposal by payment of impound fees and required costs and by obtaining a rabies vaccination within seventy-two (72) hours of release. Any animal not reclaimed within the prescribed period shall be disposed of pursuant to the provisions of this chapter.
3. Any animal not reclaimed by the owner or custodian within the prescribed period of time shall be disposed of pursuant to the provisions of this title.
4. An animal that has been previously vaccinated will be deemed to be unvaccinated if the owner or custodian is unable to provide adequate documentary proof that the previous vaccination has not expired and occurred within the immediate prior two years.
5. For the purposes of this section, "adequate documentary proof" shall consist of the certificate of vaccination or a letter from the veterinarian who vaccinated the animal verifying the date of vaccination and the date of expiration of that vaccination.

(Ord. 9-2000 § 28; Ord. 7-1992 § 6.04)

Section 6.24.050 Quarantine And Disposition Of Biting, Exposed, Potentially Exposed, Suspected Or Rabid Animals

1. Any animal that has rabies, shows signs of having rabies, and every animal has been exposed or potentially exposed to rabies, has bitten or been bitten by another animal or a wild animal, or has bitten a person, any an animal suspected of any of the foregoing shall be reported by the owner, custodian, or any person having reason to believe that any of the foregoing has occurred or exists as set forth in Section 6.24.060 to the department, State Department of Health, or the Davis County Health Department. The animal shall be immediately confined in a secure place by the owner or custodian. The owner or custodian shall turn the animal over to an Animal Care officer upon demand.
2. The owner or custodian of any animal of any species which is subject to rabies and which has been exposed or potentially exposed to rabies, has bitten or been bitten by another animal or a wild animal, or has bitten a person, any an animal suspected of any of the foregoing shall surrender the animal to an Animal Care officer upon demand. Any person authorized to enforce this title may enter upon private property to seize the animal if the owner or custodian refuses to surrender the animal.
3.
 1. An animal that has rabies, shows signs of having rabies, has been exposed or potentially exposed to rabies, has bitten or been bitten by another animal or a wild animal, or has bitten a person, any an animal suspected of any of the foregoing may be received, taken or seized and placed into quarantine for observation for a period of not less than ten (10) days, or longer as

otherwise provided in this title or applicable state and health standards and regulations or as circumstances may reasonably necessitate, by the department.

2. The owner or custodian shall pay the costs of the confinement and quarantine.
 3. The animal shelter shall be the preferred place for the quarantine. The department may, at its discretion, make arrangements for the quarantine to be at another place, including confinement by the owner, but only if the department determines that the animal had a current and valid rabies vaccination at the time of the exposure, potential exposure, or bite, or that there are special circumstances which justify a place other than the animal shelter for the quarantine.
 4. The person having custody of the animal under quarantine shall immediately notify the department if the animal displays any signs of rabies, sickness, disease, injury, or unusual or otherwise notable behavior, or if the animal has escaped confinement.
 5. It is unlawful for any person who has custody of a quarantined animal to fail or refuse to allow a health officer or Animal Care officer to inspect and examine the animal or place of quarantine.
 6. If the animal dies within ten (10) days from the date of the exposure, potential exposure, or bite, the person having custody of the quarantined animal shall immediately notify the department. The department shall immediately remove the animal carcass and deliver the head to the State Health Department.
 7. If at the end of the observation period, a veterinarian or an investigating officer of the department examines the animal and finds no indication of rabies, the animal may be released to the owner. If the owner of the animal is unknown or fails or refuses to reclaim the dog within a reasonable time after notice, the department may dispose of the animal as provided in this title.
- 4.
1. In the case of an animal of a species subject to rabies, which is known to have been bitten by or exposed or potentially exposed to a known rabid animal, and that animal has not been vaccinated or if the owner or custodian of that animal is unable to provide adequate documentary proof that the previous vaccination has not expired and occurred within the immediate prior two years. Such bitten or exposed animal shall be immediately destroyed, except as provided in subsection (D)(2) of this section.
 2. If the owner or custodian is unwilling to destroy or consent to the destruction of the bitten, exposed or potentially exposed animal, the animal shall be immediately isolated and quarantined for a six months period under veterinary care.
 3. The animal shelter shall be the preferred place for the quarantine. The department may, at its discretion, make arrangements for the quarantine to

be at another place, including confinement by the owner, but only if the department determines that the animal had a current and valid rabies vaccination at the time of the exposure, potential exposure, or bite, or that there are special circumstances which justify a place other than the animal shelter for the quarantine.

4. The cost of such confinement and quarantine shall be the responsibility of and paid by the owner.
5. The animal shall be destroyed if the owner does not comply with the provisions of this section.
5.
 1. If the animal which has been, exposed or potentially exposed to rabies, has bitten or been bitten by another animal or a wild animal, or has bitten a person, or is an animal suspected of any of the foregoing, is currently vaccinated, as prescribed in this chapter.
 1. If the other animal or wild animal cannot be located and tested, the animal shall be revaccinated immediately, kept under the owner's or custodian's control or placed into quarantine and observed for a period of not less than 45 days.
 2. If the other animal or wild animal can be located and tested, the animal shall be kept under the owner's or custodian's control or placed into quarantine until the test has been completed and the results given to the Director.
 1. If the test result is negative, then the quarantine may be terminated and no further action will be necessary.
 2. If the test result is positive, the animal shall be revaccinated immediately, kept under the owner's or custodian's control or placed into quarantine and observed for a period of not less than 45 days.
 2. If the animal is not revaccinated within twenty-four (24) hours, the animal shall be isolated and quarantined under veterinary supervision for six months.
 3. The animal shall be destroyed if the owner or custodian does not comply with subdivisions 1 or 2 of this subsection.
 6. It is unlawful for any person to remove any quarantined animal from the place of quarantine without the specific written permission of the Animal Care Director.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 03-2003, Amended, 03/11/2003)

Section 6.24.060 Duty To Report

1. Any person having knowledge of an animal, or any information regarding its whereabouts, which that person knows or has reason to believe has rabies, has been exposed or potentially exposed to rabies, has bitten or been bitten by another animal or a wild animal, or has bitten a person, or of an animal suspected of any of the foregoing, shall notify the division of the department, the State Health Department, or the Davis County Health Department immediately.

2. The owner or custodian of an animal that has bitten any person and any person that has been bitten by an animal shall report the incident to the department within twenty-four (24) hours regardless of whether or not the biting animal is of a species subject to rabies.
3. A physician or other medically qualified person who renders medical or first aid treatment to a person bitten by an animal shall report the fact of that treatment to the department with twenty-four (24) hours of the treatment. The report shall include the name, sex, age and address of the person bitten as well as the nature and location of the bite. If known, the report shall also include the name and address of the owner or custodian of the biting animal and any other relevant facts such as the location and circumstances of the biting incident.
4. A veterinarian or other person treating an animal which has been bitten by another animal shall report the fact of that treatment to the department. The report shall contain the name and address of the owner or custodian of the bitten animal, and, if known, the name and address of the owner or custodian of the biting animal, together with a description of the animals, the nature and location of the bite or bites, and the location and circumstances of the biting incident.

Chapter 6.28 OFFENSES CONCERNING ANIMALS

Section 6.28.010 Cruelty To Animals

Section 6.28.020 Defenses

Section 6.28.030 Injuries And Communicable Diseases

Section 6.28.040 Charge Of Violation And Seizure Of Animals

Section 6.28.050 Harboring Of Animals Prohibited--Duty To Notify

Section 6.28.060 Motorist Duty To Report Upon Striking An Animal

Section 6.28.070 Places Prohibited To Animals

Section 6.28.010 Cruelty To Animals

A person commits cruelty to animals when he or she:

1. Causes one (1) animal or fowl to fight with another;
2. Intentionally or carelessly administers or applies any poisonous or toxic drug or any material injurious to tissues or organs to any animal or livestock, or procures or permits the same to be done, whether the animals be his own property or that of another. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin in furtherance of public health when applied in such a manner as to reasonably prohibit access to other animals;
3. By act or omission causes pain, suffering, terror or torment, or if he or she injures, mutilates, or causes disease or death to any animal or fowl;
4. Administers or applies or procures or permits the administration of application of any trapping mechanism, other than a live capture trap or exposes such a trapping mechanism to domestic animals or livestock, with the intent to harm or take the animal whether the animal be his or her own property or that of another. All set live

capture traps shall be checked and emptied daily. All traps must have owner identification permanently affixed to them;

5. In the case of an animal owner, custodian, or sponsor, neglects or fails to supply such animal with necessary and adequate exercise, care, rest, food, drink, air, light, space, shelter, protection from the elements, and/or medical care;
6. Raises, trains, purchases or sells any animal or fowl for fighting or harbors fowl for fighting purposes, which has the comb clipped or the spur altered or who is in possession of an artificial spur;
7. Is present as a spectator at any animal contest wherein one animal or fowl is caused to fight with another, or rents any building, shed, room, yard, ground or premises for the purpose of holding such a contest between animals; or knowingly suffers or permits the use of any building, shed, room, yard, ground or premises belonging to him or her or under his or her control for any of these purposes;
8. Abandons an animal;
9. Performs or causes to be performed any of the following operations:
 1. Inhumanely removes any portion of the beak of any bird, domestic or wild;
 2. Alters the gait or posture of any animal, by surgical, chemical, mechanical, or any other means, including soring;
 3. Crops or cuts the ears, removes an animal's claws or sterilizes a dog or cat and is not a licensed veterinarian;
 4. Inhumanely docks the tail of an animal or removes an animal's dewclaws;
10. Carries or causes to be carried any animal in a manner harmful to that animal. Suitable racks, cars, crates or cages in which such animals may stand, move freely, or lie down during transportation, or while awaiting slaughter, must be provided;
11. Carries, transports, or confines any animal in or upon any vehicle in a cruel or inhumane manner, including but not limited to carrying or confining such animal without adequate ventilation, food or water for an unusual length of time. In this section the determination of whether treatment of an animal is "cruel or inhumane" shall be made by the Director of Animal Care, his designated officer, or local law enforcement officer, after considering the individual circumstances;
12. Continuously drives or works a horse or other animal to a point of observable strain, and denies the animal rest periods. Working animals shall be offered water periodically;
13. Takes or kills any bird(s) or robs or destroys any nest, eggs or young or any bird in violation of the laws of the State of Utah;
14. Inhumanely hobbles livestock or other animals;
15. Leaves any livestock species used for draught, driving or riding purposes, on the street without protection from the weather and without food and water;
16. Recklessly rides or drives any horse or other livestock species on any street, highway, or avenue within this jurisdiction;
17. Induces or encourages an animal to perform through the use of chemical, mechanical, electrical or manual devices in a manner which will cause, or is likely to cause physical injury or unnecessary suffering.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. No. 8-2011, § 5, Amended 12/20/2011; Amended during 2001 codification; Ord. 7-1992 § 7.01)

Section 6.28.020 Defenses

1. It is a defense to prosecution under this chapter that the conduct of the actor towards the animal was by a licensed veterinarian using an accepted veterinary practice or directly related to a bona fide experimentation for scientific research; provided, that if the animal is to be destroyed, the manner employed will not be unnecessarily cruel unless directly necessary to the veterinary purpose or scientific research involved.
2. Any person may kill a dog while it is attacking, chasing or worrying any domestic animal having a commercial value, or any species of hoofed protected wildlife, while attacking domestic fowls, or while such dog is being pursued thereafter.
3. Any dog making a vicious and unprovoked attack on any person, except when the attack is in defense of the person, family or property of the dog's owner, may be killed by any person while it is making such an attack.

(Ord. 7-1992 § 7.02)

Section 6.28.030 Injuries And Communicable Diseases

No person shall knowingly harbor or keep any animal with a serious injury, or afflicted with mange, ringworm, distemper, parvo, kennel cough, or any other contagious disease, unless such animal is being given adequate treatment to control or eliminate disease.

(Ord. 7-1992 § 7.03)

Section 6.28.040 Charge Of Violation And Seizure Of Animals

It shall be the duty of a person filing charges under this chapter to seize or arrange to be seized an animal found in the keeping or custody of a person being charged, and which are being used or will be used as evidence in the case resulting from such charge. The person making the seizure shall cause such animals to be delivered immediately to the Department of Animal Care, or in such cases as may be necessary to a veterinarian for treatment. It shall be the duty of that department to humanely hold such animals until further court order regarding their disposal. The perpetrator of any such act shall be responsible for the costs of impound, board, and any medical expenses incurred during the holding period of the animal.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 9-2000 § 32; Ord. 7-1992 § 7.04)

Section 6.28.050 Harboring Of Animals Prohibited--Duty To Notify

It is unlawful for any person to harbor or keep within this jurisdiction any lost or strayed animal. Whenever any animal shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the Davis County animal shelter within seventy-two (72) hours. The Animal Care Director may take the animal into protective custody.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Ord. 9-2000 § 33; Ord. 7-1992 § 7.05)

Section 6.28.060 Motorist Duty To Report Upon Striking An Animal

It shall be the duty of the operator of any motor vehicle or self-propelled vehicle upon the streets of this jurisdiction to immediately notify, upon injuring, striking, maiming or running down any domestic animal, the animal's owner, the Department of Animal Care, or a law enforcement department. In addition, it shall be the duty of the operator of the motor vehicle to remain with the animal or to obtain a responsible person to remain with

the animal until professional assistance arrives. Emergency vehicles are exempted from the requirements of this section.

(Ord. 10-2019, § 1, Amended, 12/10/2019; Amended during 2001 codification; Ord. 7-1992 § 7.06)

Section 6.28.070 Places Prohibited To Animals

1. It is unlawful for any person to take or permit any animals, excluding "hearing" or "seeing-eye" dogs, whether on a leash or carried or transported into any establishment or place of business where food or food products are sold or distributed, including but not limited to restaurants, grocery stores, meat markets, and fruit or vegetable stores.
2. It is unlawful for any person to take or permit any animals, whether on a leash or not on a leash, onto any school premises or any posted picnic, play, or other public area, excluding "hearing" and "seeing-eye" dogs and trained dogs in the presence of their owners or custodians for the purpose of public education programs or law enforcement purposes, programs or exercises.



CITY OF NORTH SALT LAKE FINANCE DEPARTMENT

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Brian J. Horrocks
Mayor

Heidi Voordeckers
Finance Director

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Heidi Voordeckers, Finance Director

DATE: May 30, 2023

SUBJECT: Consideration of Resolution 2023-25R, A Resolution adopting an amendment to adjust the 2022~2023 General Fund Budget

BACKGROUND

Pursuant UCA 10-6-127 and 10-6-128, municipal budgets may be modified by resolution of the City Council. Should the amendment include an increase in expenditures/appropriations, a public hearing must also be held. All budget appropriations lapse at the end of the fiscal year, except for appropriations for Capital Projects, which may be transferred to the new budget year.

REVIEW

The HVAC system at the City Administration building has continued to experience failures, incurring larger than anticipated repair costs. This includes a fairly significant Glycol Antifreeze leak that occurred on April 7th, just a few days after the last budget amendment for this line item. The additional funding for General and Contracted Services is now being requested to accommodate expenses incurred to date (totaling a little over \$110,000) as well as anticipated service obligations for building maintenance through the end of the fiscal year (janitorial, alarm service, elevator repairs, etc.).

POSSIBLE MOTION

I move the City Council approve Resolution 2023-25R: A Resolution Adopting an Amendment to adjust the Fiscal Year 2022~2023 General Fund Budget.

RESOLUTION NO. 2023-25R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE APPROVING AND ADOPTING AMENDMENTS TO THE FISCAL YEAR 2022~2023 GENERAL FUND BUDGET

WHEREAS, the City of North Salt Lake has considered the adoption of an amendment to increase the 2022~2023 budgets for the General Fund and finds that it is in the best interest of the citizens and the City as a whole to adopt the aforesaid budgets; and

WHEREAS, a public hearing was properly noticed and held on Tuesday May 30, 2023 for public comment concerning the adoption of said budgets; and

WHEREAS, such action is authorized by statute.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Salt Lake, Utah that the amendments as set forth in Exhibit “A” which is attached hereto and incorporated herein by this reference, are hereby authorized and approved as follows:

By Amendment Type:	Increase/(Decrease) in CITY-WIDE Fund Balance
Increase in Governmental Expenditures	(\$40,000)
Total Fund Balance Increase/(Decrease)	(\$40,000)

By Fund:	Increase/(Decrease) in Fund Balance
General Fund	(\$40,000)
Total Fund Balance Increase/(Decrease)	(\$40,000)

Immediately after its adoption, this resolution shall be signed by the appropriate officers of the City of North Salt Lake, shall be recorded in the official records of the City of North Salt Lake, and shall take immediate effect.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 30th day of May 2023.

CITY OF NORTH SALT LAKE
By:

BRIAN J. HORROCKS
Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____
Council Member Gordon _____
Council Member Knowlton _____
Council Member Porter _____
Council Member Van Langeveld _____

EXHIBIT A
BUDGET AMENDMENT HEARING - May 30, 2023

ACCOUNT #	ACCOUNT TITLE	CURRENT BUDGET	BUDGET ADJUSTMENT	TOTAL BUDGET	REASON
FUND 10 -	GENERAL FUND				
10-1140-42000	GENERAL & CONTRACTED SERVICES	80,000	40,000	120,000	INCREASE COST FOR BUILDING HVAC EMERG REPAIRS
			(40,000)		NET INCREASE/(DECREASE) IN FUND BALANCE
TOTAL ALL FUNDS			(40,000)		NET INCREASE/(DECREASE) IN FUND BALANCE



CITY OF NORTH SALT LAKE

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: May 30, 2023

SUBJECT: Consideration of Amending the City's Youth City Council Charter

RECOMMENDATION

I recommend approval of the proposed amendment to the City's Youth City Council Charter allowing the youth mayoral candidate to be an 11th or 12th grader during their term of service.

BACKGROUND

The City Council established and approved a charter on April 19, 2016 for the City's Youth City Council which replaced outdated versions. The charter details the City's Vision, Youth Mission Statement, Purpose, Membership, Meetings and Procedures.

While in the process of accepting applications for YCC leadership for 2023-24, the Youth City Council and advisors reviewed the YCC Charter. They found that the Charter requires the YCC mayoral candidate to be a senior in high school. The YCC discussed and voted to propose a change to the charter allowing either a junior or senior to function as the YCC mayor. During the discussion it was contemplated that juniors have a little less on their plates than seniors and may be more able to devote their time to the position. Also, this change would allow the outgoing mayor to mentor the new mayor.

A redlined copy of the charter was prepared by the YCC and Peyton Otis, YCC Mayor, will present the proposed amendment to the City Council.

PROPOSED MOTION

I move that the City Council approve Resolution 2023-24R: A resolution approving the amendment to the City's Youth City Council Charter allowing the youth mayoral candidates to be in the 11th or 12th grade during their term of service.

RESOLUTION NO. 2023-24R

**A RESOLUTION OF THE GOVERNING BODY OF THE
CITY OF NORTH SALT LAKE APPROVING
AMENDMENTS TO THE CHARTER FOR THE CITY'S
YOUTH CITY COUNCIL**

WHEREAS, the governing body of the City of North Salt Lake has established a Youth City Council to provide an opportunity for the youth of the City to acquire a greater knowledge of and appreciation for the political system through active participation in the system; and

WHEREAS, the City Council established a charter in 2016 for the City's Youth City Council (YCC) by which to be governed; and

WHEREAS, City staff, YCC advisors, and YCC Executive Committee recommend that the City Council amend the Charter to allow the youth mayoral candidates be in the 11th or 12th grade during term of service.

NOW, THEREFORE, BE IS RESOLVED by the City Council of the City of North Salt Lake that the Youth City Council Charter be amended as outlined in Exhibit A.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 30th day of May, 2023.

CITY OF NORTH SALT LAKE
By:

BRIAN J. HORROCKS
Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____
Council Member Gordon _____
Council Member Knowlton _____
Council Member Porter _____
Council Member Van Langeveld _____

EXHIBIT A



CITY OF NORTH SALT LAKE YOUTH CITY COUNCIL (YCC) CHARTER

City of North Salt Lake Vision

The City of North Salt Lake will be a place where all citizens, young and old alike, take pride in their Community and are involved in contributions to the safety, health, education, economic development and moral well-being of all through mutual effort, support and cooperation.

Mission Statement

We, the youth of the City of North Salt Lake, will unite with and involve all youth of the community in worthwhile endeavors for the purpose of creating traditions, fun, and building memories in which all youth feel accepted.

Purpose

The purpose of the Youth Council is to help build a better community.

Membership

A. JOB DESCRIPTIONS

- a. Youth Mayor – responsible for the activities of the Council, including conducting all meetings, preparing agendas and addressing membership concerns. Leads Executive Committee.
- b. Youth City Manager – responsibilities include meeting and working with mayor. Together they will manage and be responsible for Youth Council. Should be a close working relationship. Sits on Executive Committee.
- c. Executive Committee
 - i. Activities Chair – responsible for planning and carrying out social activities in conjunction with other council and executive committee members. This person delegates the things that need to be done, but is responsible to oversee process.
 - ii. Service Chair – responsible for planning and carrying out service activities in conjunction with other council and executive committee members. This person delegates the things that need to be done, but is responsible to oversee process. (This person could collaborate with other community organizations.)
 - iii. Publicity Chair – responsible for announcing and advertising our activities in local newspapers, schools, businesses, religious organizations, etc. Also responsible for public relations associated with the council. This council member notifies the local newspapers and the City's newsletter, about the council's activities. It is their job to let the public know about the YCC, and to create ties with community.
 - iv. Treasurer – responsible for keeping track of revenues and expenditures, cash box and giving financial report upon request.

- v. Recorder – responsible for keeping track of attendance, maintaining an accurate roster of members, and acting as repository of records, libraries, inventories and histories that belong to the Youth Council.
- d. Council Members – responsibilities will rotate according to assignment and interest. They are expected to attend meetings and activities on a regular basis and support the council members in their appointed areas.
- e. Other offices as considered necessary.

B. APPLICATION REQUIREMENTS

- a. Applicants must reside within the City of North Salt Lake boundaries.
- b. Must be in grades 8-12 at the time of application.
- c. Youth Mayoral candidates will ideally be in the 11th or 12th grade during term of service.
- d. Applicants should be in good academic standing.
- e. Applicants must set a proper example for the youth of the community by demonstrating good citizenship in school and community.
- f. Applicants must complete an application and may be asked to attend an interview
- g. Applicants may be asked to submit a letter of recommendation from a person outside their immediate family concerning their ability to work well in a group situation.

C. SELECTION

- a. Selection of youth to serve on the North Salt Lake Youth Council executive committee will be done in May by way of written application and interview. Applications are due May 15.
- b. The number of members allowed to serve on the Council will be flexible and might change from year to year.
- c. The minimum number of members for an operating Council will be eight.
- d. Advisors will set the quota of Council members as they see fit and need requires.

D. TERMS

- a. Swearing in will be done by the City of North Salt Lake Mayor or a dignified person appointed by the Mayor.
- b. The term of office will be from June 1 to May 31 of the following year.

E. MEMBERSHIP RETENTION REQUIREMENTS

- a. Meeting attendance of Youth Council members will be monitored by the Youth Council Recorder. Any absences will need to be excused by reporting to either the Youth Mayor or an Advisor who in turn will report to the Youth Recorder.
 - i. After two unexcused absences, a phone contact will be made and after three unexcused absences the Council member will be called for a consultation to determine the future status of his/her membership.
 - ii. A phone contact will also be made after four excused absences.
- b. Members will be expected to perform any assignments well, and to participate in support of other Council members.

- c. Members should demonstrate social interaction that promotes the mission and purpose of the Youth Council.
- d. The Youth Mayor, Youth Manager, Executive Committee and Advisors are in charge of the evaluation of the performance of individuals.

F. RESIGNATION

- a. Resignation must be reported personally to the Youth Mayor or to an Advisor.

G. VACANCIES

- a. Advisors will assess the need to fill a vacancy.
- b. Vacancies will be filled by appointment by the Youth Mayor, Executive Committee and Advisors. Those who are interested or considered may be required to apply for the position.

H. ADVISORS

- a. It is recommended that there be at least two advisors for the Youth Council and that these advisors be approved by the City of North Salt Lake Mayor and/or Council.
- b. It is advisable that one of the advisors be a City staff member or elected official.
- c. Other advisors may be approved as specialists over individual activities as needed.
- d. Advisors shall attend Youth Council meetings and become involved in the advisory role in all council projects.

Meetings

- A. One regularly-scheduled Executive Committee meeting each month for Youth Mayor, City Manager, and Executive Committee.
- B. At least one regularly-scheduled meeting per month for the entire YCC.
- C. Additional planning meetings as necessary.
- D. Council function and activities as scheduled.
- E. Attend the official (adult version) City Council meetings quarterly.
- F. Cancel and/or reschedule meetings when a quorum is not available.
- G. FORMAT OF YOUTH COUNCIL MEETINGS
 - a. Each meeting will begin with the Pledge of Allegiance, and follow a prepared agenda made jointly by the Youth Mayor and/or Youth City Manager and Advisor. Each agenda will have a copy of the Youth Council Mission Statement as a reminder to the members of the Council's purpose.
 - b. Progress reports on individual assignments will be given at each YCC meeting.
 - c. Financial reports when necessary.
 - d. The YCC must have a quorum (quorum=a majority of its members) in order to conduct business.

Procedures

- A. Youth Council members may identify problems within the community they wish to address, and work out solutions with appropriate members. They may suggest projects they would like the Youth Council to undertake.
- B. Amendments or deletions to the Charter may be suggested by any member of the youth organization. The Youth Mayor and Advisor will then determine the feasibility of such an amendment or deletion.
- C. The agendas of all Youth Council Meetings will be distributed to the Council members and Advisors prior to the start of the meetings and will be available for anyone else attending.
- D. YOUTH COUNCIL APPOINTMENTS
 - a. The appointment process shall begin in May of each year. Each candidate shall submit an application form to the Appointment Committee for review. No person shall hold the office of City Youth Council Mayor for two terms in a row. The Appointment Committee shall consist of:
 - i. All City of North Salt Lake Youth Council adult advisors.
 - ii. Three non-returning City of North Salt Lake Youth Council members from the previous term if possible.



CITY OF NORTH SALT LAKE

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: May 30, 2023

SUBJECT: Consideration of the Proposed 2023 Youth City Council Scholarships

RECOMMENDATION

The Youth City Council Advisors recommend using some of the budgeted YCC funds to provide scholarships to those that served in leadership positions during the 2022-23 fiscal year.

BACKGROUND

In years past the YCC mayor or other individuals were recommended for scholarship awards. This year the YCC advisors, Audrey and Enos Beebe, are proposing scholarships be provided via deposit into a my529 account for each of the following executive committee members:

- Mayor - \$800
- City Manager - \$400
- Recorder - \$200
- *Activities Committee Chair - \$200
- Service Committee Chair - \$200
- Leadership Committee Chair - \$200
- Publicity Committee Chair - \$200

*As a note, this year the YCC Activities Committee Chair did not complete the work of the Committee Chair, so it is recommended the \$200 scholarship not be disbursed for that role in 2023. The YCC advisors would encourage a similar proposal for scholarships in future years if funding allows because it would be a way of rewarding those who serve in the mentioned roles with scholarship funds toward higher education and would be a worthwhile use of YCC funds. It gives those serving motivation to continue serving in their roles through the end of their term. It would provide an incentive for those looking to apply for the upcoming year, as serving on the executive committee requires a little more time and commitment than just being on the Youth City Council.

PROPOSED MOTION

I move that the City Council approve the proposed 2023 scholarship awards using the remaining funds in the YCC 2022-23 Fiscal Year Budget.



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Pace, Community Development Director
DATE: May 30, 2023
SUBJECT: Consideration of **Ordinance 2023-07**: An Ordinance amending Title 5, Chapter 4 and Title 10 in relation to animal control regulations

RECOMMENDATION

The Planning Commission recommends to the City Council the approval of the Title 10 amendments, with the following findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.

REVIEW

The Planning Commission has reviewed the proposed amendment and held a public hearing on May 23, 2023. The Planning Commission is not required to review or recommend changes to City code outside of Title 10, Land Use and Subdivision Codes. However, amendments to Title 5, Chapter 4 were included with their review for context.

Title 5, Chapter 4 currently provides regulations for dog licensing, prohibited acts related to animals, dangerous animals, rabies, bites and attacks, etc. The items currently included in this code section will be replaced entirely by the Davis County Animal Control Ordinance. However, the County regulations do not address the specific land uses associated with animals, like animal hospitals or domestic farm animals. Therefore, a provision will remain in City code allowing the City to seek civil enforcement of our animal ordinances by our code enforcement process.

The County ordinance specifies that household pets are limited to 3 cats or dogs, or combination therein and provides for a special permit for a fourth dog or cat. The current City ordinance allows residents to have 2 dogs and requires a kennel license for 3 or more dogs. The County ordinance defines a kennel as a commercial endeavor and there has been a lot of confusion surrounding the enforcement of that particular provision. Thus the definition of a kennel in City code is necessary.

Adoption of these changes will mean that residents will now be able to have 3 household pets and may be permitted to have a 4th pet with a special permit. The special permit will be approved based upon the specifics of each application, such as size of pet, ability of the owner to care for 4 pets, previous animal control citations, etc. The City ordinance related to domestic farm animals will remain unchanged and

provisions of that ordinance will be enforced by the City with the assistance of the County in the event nuisance animals have to be removed from a residential property.

POSSIBLE MOTION

I move that the City Council approve Ordinance 2023-07 amending Title 5, Chapter 4 and Title 10 in relation to animal control regulations with the following findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.

Attachments

- 1) ORD2023-07
- 2) Redline Amendment Draft

ORDINANCE NO. 2023-07

**AN ORDINANCE OF THE CITY OF NORTH SALT LAKE
AMENDING TITLE 5, CHAPTER 4, AND TITLE 10 OF THE CITY
CODE RELATED TO ANIMAL CONTROL REGULATIONS.**

WHEREAS, the City of North Salt Lake is an incorporated city in Davis County Utah;
and

WHEREAS, the City Council of North Salt Lake finds it necessary to update the ordinance relating to the regulation of animal control to adopt uniform county wide animal control regulations for the protection of the health, safety, and welfare of the citizens of North Salt Lake;

WHEREAS, the City Council finds that it is in the public interest that the North Salt Lake City Code, Title 5, Chapter 4 and Title 10 be amended at this time.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of North Salt Lake as follows:

Section 1. Code Amendment. Pursuant to Utah Code 15A-5-101, Title 5, Chapters 4 and Title 10 of the City Code is hereby amended as attached in Exhibit A.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective upon publication or posting.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah on this 30th day of May, 2023.

CITY OF NORTH SALT LAKE
By:

BRIAN J. HORROCKS
Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____
Council Member Gordon _____
Council Member Knowlton _____
Council Member Porter _____
Council Member Van Langeveld _____

EXHIBIT A

Title 5, Chapter 4 is repealed in its entirety and replaced herein below:

TITLE 5: PUBLIC SAFETY

CHAPTER 4: ANIMAL CONTROL

SECTION:

5-4-1: Davis County Animal Control Ordinance Adopted

5-4-2: Regulations of Animals

5-4-3: Penalties

5-4-1: Davis County Animal Control Ordinance Adopted

The Davis County Animal Control Ordinance, as adopted by Davis County, and as amended or superseded from time to time, is hereby adopted by reference and made part of this code as if fully set out at length herein. All laws, rules and regulation contained therein, where applicable and within the jurisdictional authority of the City of North Salt Lake, shall be in full force and effect within the limits of the city, except as hereinafter specified.

5-4-2: Land Use Regulations of Animals in Effect

Adoption of the Davis County Animal Control Ordinance shall not supersede regulations outlined within Title 10, Land Use and Subdivision Ordinances. Davis County Animal Control shall be responsible for the enforcement of animal related regulations within the City, with the advise and assistance of the Community Development Department and Code Enforcement Specialist.

5-4-3: Penalties

Unless otherwise provided in any section of this chapter, any person violating any provision of the Davis County Animal Control Ordinance, shall be subject to civil or criminal penalty as outlined in said ordinance. Nothing therein shall prohibit the City from pursuing separate civil enforcement action of violation of said ordinance, this chapter, or Title 10 Land Use and Subdivision Ordinances, in accordance with Title 12, Administrative Code Enforcement Hearing Program.

Title 10 is hereby amended as follows:

10-1-47: DEFINITIONS:

ANIMAL KENNEL, <u>COMMERCIAL</u> :	Land or buildings used in the keeping, <u>care, or boarding</u> of <u>more than</u> three (3) or more dogs, cats, or other household pets, <u>four (4) months or older</u> as a commercial endeavor.
HOUSEHOLD PETS:	Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats and canaries, but not normally dangerous animals, such as lions or tigers. This definition shall not include a sufficient number of dogs as to constitute an "animal kennel", as defined in this section. Purebred miniature Vietnamese potbelly pigs and other similar purebred miniature pigs, not exceeding one hundred twenty five (125) pounds and twenty two inches (22") in height at the shoulder, limited to no more than two (2) miniature potbelly pigs per residence.

10-10-3: USE REGULATIONS:

	Zone				
	R1-12	R1-10	R1-7	RM-7	RM-20
Domestic farm animals.	P	P	P	P	P
Household pets. <u>Subject to Davis County Animal Control Ordinance, including the number of household pets allowed.</u>	P	P	P	P	P

10-11-3: USE REGULATIONS:

	Zone			
	C-S	C-G	M-D	M-G
Professional, Scientific And Technical Services:				
Veterinary services	C	P	P	N
Miscellaneous Store Retailers:				
Pet and pet supplies stores	P	P	P	N
Personal Services:				
Pet care (except veterinary) services	C	P	P	N
<u>Animal Kennel, Commercial (subject to Davis County Animal Control Ordinance)</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>N</u>



CITY OF NORTH SALT LAKE FINANCE DEPARTMENT

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Brian J. Horrocks
Mayor

Heidi Voordeckers
Finance Director

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Heidi Voordeckers, Finance Director

DATE: May 30, 2023

SUBJECT: Consider approval of a Federal Awards Policy

RECOMMENDATION

Staff recommends the City Council approve the attached Federal Awards Policy to meet certain federal compliance requirements outlined in 2 CFR 200 (Uniform Guidance), and in response to the audit findings carried forward from the City's 2021 independent auditor report.

BACKGROUND

With the increased availability of federal assistance, the City has greatly expanded its portfolio of federal awards over the last few years. The award of federal funds is typically accompanied by additional procurement, performance, and financial reporting requirements that must be met before, during, and after the award period. The proposed Federal Award Policy identifies these specific requirements and outlines the processes the City should follow to accomplish regulatory compliance.

REVIEW

Among other things, the attached Federal Awards Policy sets the minimum standards for the City's financial management system. This includes guidance for identifying and documenting grant related expenditures, establishing budgetary control, and financial reporting. The policy also establishes tracking requirements for capital assets purchased with federal funds, and defines the steps that must be taken for proper asset disposition.

In addition, the proposed policy identifies allowable and non-allowable project or program costs, and the process for allocating indirect costs. Generally, costs must meet the definitions of being reasonable and necessary, and awards may not be used to support programs that are already funded by existing (non-federal) funds. Rather, the intent is to use the funds to expand or enhance existing programming or infrastructure.

Last, the policy sets forth allowable procurement methods and thresholds as well as when a competitive process must be utilized. While the Uniform Guidance is less restrictive, the proposed Federal Awards Policy has been drafted to closely mirror the current City purchasing policy for ease of administration. Splitting purchases to circumvent the competitive process is strictly prohibited. The policy further establishes that federal awards may not be used to compensate vendors who have been suspended or debarred.

POSSIBLE MOTION

I move the City Council adopt the Federal Award Policy as presented.

Attachments

- 1) Federal Awards Policy



CITY OF NORTH SALT LAKE

Federal Award Policy

INTRODUCTION

The purpose of this policy is to establish and maintain guidelines and procedures that provide reasonable assurance that federal awards are being managed in compliance with all federal regulations and with the terms and conditions of the award. City of North Salt Lake employees, elected officials, and representatives engaging in federal grant administration and procurement activities will follow the City's current purchasing, travel, and personnel policies and procedures, the State of Utah Uniform Accounting Manual, the Uniform Fiscal Procedures Act for Cities, the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO) and federal requirements of 2 CFR Part 200 (Uniform Guidance).

Pursuant to §200.318(a), a non-federal entity must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in this section.

Applicable federal laws include:

- §200.305 Payment
- §200.318 General procurement standards
- §200.319 Competition
- §200.320 Methods of procurement to be followed
- §200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms
- §200.322 Procurement of recovered materials
- §200.323 Contract cost and price
- §200.325 Bonding requirements
- §200.326 Contract Provisions

POLICY

The City of North Salt Lake will maintain effective internal control over federal awards by providing reasonable assurance that the City and its sub-recipients are managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. Effective control and accountability must be maintained for all funds, real and personal property, and other assets. The City shall adequately safeguard all such property and assure that it is used solely for authorized purposes. The City shall take prompt action when instances of noncompliance are identified.

FINANCIAL MANAGEMENT SYSTEM

The City's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of federal awards, shall be sufficient to permit:

- the preparation of reports required by general and program specific terms and conditions, and
- the tracing of funds to a level of expenditure adequate to establish that they have been used according to the federal statutes, regulations, and the terms and conditions of the federal award.

The financial management systems of the City shall provide for the following:

Identification. The City shall identify, using generally accepted accounting principles, all federal awards received and expended, and the federal programs under which they were received.

Financial reporting. Accurate, current, and complete disclosure of the financial results of each federal award or program must be made in accordance with the reporting requirements of the grant or sub grant.

Accounting records. The City shall maintain records which adequately identify the source and application of funds provided for financially assisted activities. These records must contain information pertaining to federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

Budget control. Actual expenditures or outlays must be compared with budgeted amounts for each federal award. Financial information must be related to performance or productivity data provided by the awarded City department, including the development of unit cost information whenever appropriate or specifically required in the grant or sub grant agreement. If a budget amendment is necessary during the program year, the awarded department shall make written notice to the Finance Director requesting a public hearing be held and a resolution of the City Council adopted to approve the new appropriation. The following reasons are allowable for federal Funds:

- Change in the number of funded positions
- Change in program intent
- Change in funding amount

Cash management. Whenever feasible, the City, in acting as a pass-through entity, shall advance funds to sub-recipients prior to receiving reimbursement from the U.S. Treasury. Advance payments to sub-recipients shall be limited to the minimum amounts requested and be timed to be in accordance with the actual, immediate cash requirements of the sub-recipient in carrying out the purpose of the approved program or project. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the U.S. Treasury for direct program or project costs and the proportionate

share of any allowable indirect costs. The City and its sub-recipients must make timely payment to contractors in accordance with the contract provisions. The City maintains written procedures to implement the requirements of 2 CFR 200.305 - Payment.

Allowable cost. Applicable Uniform Guidance cost principles, City policies and procedures, and the terms of grant and sub-recipient agreements will be followed in determining that reimbursed costs are reasonable, allowable, and allocable.

Source documentation. Accounting records shall be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract and sub-recipient award documents, etc.

An awarding agency may review the adequacy of the financial management system of any applicant for financial assistance.

SUPPLEMENT NOT SUPPLANT

The City has implemented guidelines to ensure compliance with the federal fiscal requirement of supplement, not supplant. The purpose of the procedures is to ensure that the level of state and local support for programs remains at least constant and is not replaced by federal funds. Federal funds are used to supplement (add to, enhance, to expand, create something new, increase) the funds available from non-federal sources, and not to supplant (replace or take the place of) the existing non-federal funds.

State or local funds which previously funded activities may not be diverted to another purpose simply because federal funds are now available to fund those activities. In other words, the use of federal funds may not result in a decrease in state or local funds for a particular activity, which, in the absence of the federal funds, would have been available to conduct the activity. Federal funds may however be used to maintain programs where state or local funding was being cut prior to awarding of the federal award.

REIMBURSEMENT

Reimbursement shall be the preferred method of payment. Advances should only be used in rare circumstances and only after consultation with the Finance Director. In the event of payment advances the requirements in 2 CFR 200.305 should be followed, including maintaining advance payments in an interest-bearing account, provided the best reasonable interest-bearing account is expected to earn interest in excess of \$500 per year on federal cash balances.

The City will initially charge federal grant expenditures to nonfederal funds. The project manager of the awarding department will request reimbursement for actual expenditures incurred under the federal grants on a monthly or quarterly basis, as required. Such requests shall be submitted with appropriate documentation and signed by the department head.

Consistent with state and federal requirements, the City will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for review upon request.

ALLOWABLE COSTS

Federal awards will meet the following general criteria in order to be allowable except where otherwise authorized by statute;

- Be necessary and reasonable for proper and efficient performance and administration of federal awards.
- Be allocable to federal awards under the provisions of the Uniform Guidance.
- Be authorized or not prohibited under State or local laws or regulations.
- Conform to any limitations or exclusions set forth in this policy, federal laws, terms and conditions of the federal award, or other governing regulations as to types or amounts of cost items.
- Be consistent with policies, regulations, and procedures that apply uniformly to both federal awards and other activities of the City or sub-recipient.
- Be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the federal award as an indirect cost.
- Except as otherwise provided for in the Uniform Guidance, be determined in accordance with generally accepted accounting principles.
- Not be included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior period, except as specifically provided by federal law or regulation.
- Be the net of all applicable credits (ex. Program Income).
- Be adequately documented.
- Costs that may be allowable under 2 CFR 200 under specific conditions:
 - Advisory councils
 - Audit costs and related services
 - Bonding costs
 - Communication costs
 - Compensation for personal services
 - Depreciation and use allowances
 - Employee morale, health, and welfare costs
 - Equipment and other capital expenditures

- Gains and losses on disposition of depreciable property and other capital assets
- Insurance and indemnification
- Maintenance, operations, and repairs
- Materials and supplies costs
- Meetings and conferences
- Memberships, subscriptions, and professional activity costs
- Security costs
- Professional service costs
- Proposal costs
- Publication and printing costs
- Rearrangement and alteration costs
- Rental costs of buildings and equipment
- Training costs
- Travel costs

Costs Forbidden by Federal Law. 2 CFR 200 identifies certain costs that may never be paid with federal funds. The following list provides examples of such costs. If a cost is on this list, it may not be supported with federal funds. The fact that a cost is not on this list does not mean it is necessarily permissible. There are other important restrictions that apply to federal funds, such as those detailed in 2 CFR 200; thus, this list is not exhaustive.

- Advertising and public relations costs (with limited exceptions), including promotional items and memorabilia, gifts and souvenirs
- Alcoholic beverages
- Certain employee benefits (ex., bonuses, severance pay)
- Bad debts
- Contingency provisions (with limited exceptions)
- Fundraising and investment management costs (with limited exceptions)
- Contributions and donations
- Lobbying costs
- Entertainment (amusement, diversion, and social activities and any associated costs)
- Fines, penalties, and settlements
- General government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs))
- Goods or services for personal use

- Travel expenses for non-employees
- Interest, unless specifically stated in 200.441 as allowable

REASONABLE COSTS

A cost is **reasonable** if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when governmental units or components are predominately federally funded. In determining reasonableness of a given cost, consideration shall be given to:

- Whether the cost is of a type generally recognized as ordinary and **necessary** for the operation of the City or the sub-recipient of the City for the performance of the federal award.
- The restraints or requirements imposed by such factors as: sound business practices; arms-length bargaining; federal, State and other laws and regulations; and the terms and conditions of the federal award.
- Market prices for comparable goods or services.
- Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the City or sub-recipient of the City, its employees, the public at large, and the federal government.
- Significant deviations from the established practices of the City which may unjustifiably increase the federal award's cost.

ALLOCABLE COSTS

A cost is allocable to a particular program/project objective if the goods or services involved are chargeable or assignable in accordance with relative benefits received.

All activities which benefit from the City's indirect cost, including unallowable activities and services donated to the City by third parties, will receive an appropriate allocation of indirect costs.

Any cost allocable to a particular federal award or program/project objective under the principles provided for in the Uniform Guidance may not be charged to other federal awards to overcome fund deficiencies, avoid restrictions imposed by law or terms of the federal awards, or for other reasons.

Where an accumulation of indirect costs will ultimately result in charges to a federal award, a cost allocation plan will be implemented.

PROGRAM INCOME

If the federal awarding agency does not specify in its regulations or the terms and conditions of the federal award, or give prior approval for how program income is to be used, paragraph a) of this section must apply.

When the federal awarding agency authorizes the approaches in paragraphs b) and c) of this section, program income in excess of any amounts specified must also be deducted from expenditures.

- a) **Deduction.** Ordinarily program income must be deducted from total allowable costs to determine the net allowable costs. Program income must be used for current costs unless the federal awarding agency authorizes otherwise. Program income that the non-federal entity did not anticipate at the time of the federal award must be used to reduce the federal award and non-federal entity contributions rather than to increase the funds committed to the project.
- b) **Addition.** With prior approval of the federal awarding agency, program income may be added to the federal award by the federal agency and the City. The program income must be used for the purposes and under the conditions of the federal award.
- c) **Cost sharing or matching.** With prior approval of the federal awarding agency, program income may be used to meet the cost sharing or matching requirement of the federal award. The amount of the federal award remains the same.

There are no federal requirements governing the disposition of income earned after the end of the period of performance for the federal award unless the federal awarding agency regulations or the terms and conditions of the federal award provide otherwise.

PROCUREMENT

When procuring goods and services under a federal award, the City of North Salt Lake will follow 2 CFR part 200.318 through part 200.326 - Contract provisions, or the City purchasing policies and procedures identified in Chapter 11 of the City of North Salt Lake Code of Ordinances, whichever is more restrictive. The following procurement methods are acceptable per Uniform Guidance however City purchasing policies and procedures may be more restrictive. Under no circumstance shall it be permissible to split purchases into smaller increments in order to avoid purchase thresholds.

- **Micro-purchases** of supplies and services of \$10,000 or less do NOT require quotes to be received. Effort should be made to distribute these purchases evenly to qualified suppliers.
- **Small purchases** of supplies, property, and services more than \$10,000 and less than \$50,000 do require quotes but NO pricing analysis. If used, price or rate quotations must be obtained from an adequate number of qualified sources (typically not less than three unique sources).
- **Procurement by sealed bids** (formal advertising) is required for purchases of supplies and property greater than \$50,000. Bids are publicly solicited, and a contract may be awarded to

the responsible bidder whose bid, conforming to all the material aspects of the invitation for bids, is the lowest in price. **The sealed bid method is the preferred method for procuring all construction projects.**

In order for sealed bidding to be feasible, the following conditions should be present:

- A complete, adequate, and realistic specification or purchase description is available;
- Two or more responsible bidders are willing and able to compete effectively for the business; and
- The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, and the invitation for bids must be publicly advertised;
 - The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
 - All bids will be opened at the time and place prescribed in the invitation for bids, and the bids must be opened publicly;
 - A contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - Any or all bids may be rejected if there is a sound documented reason.
- **Competitive proposals** used for professional services over \$50,000 and may be fixed price or cost reimbursement.
 - This method is typical for architectural/engineering professional services and price is not used. Instead, the contract may be awarded to the most qualified competitor with compensation subject to negotiation.
 - **Noncompetitive proposals (sole source)**. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- The item is only available from a single source;
- The public exigency or emergency for the supply, property, or service will not permit a delay resulting from competitive solicitation;
- The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-federal entity; or
- After solicitation of a number of sources, competition is determined inadequate.

All grant-funded purchases must be received in time to substantially benefit the project during the current grant period. The City cannot obligate funds for goods and services during a grant period if the goods and services will be delivered after the ending date of the grant. Equipment purchased with grant funds must be received, installed, and put into service before the ending date of the grant. All obligations and receipt of goods must occur within the grant period.

DEBARMENT AND SUSPENSION

The City is prohibited from contracting with or making sub-awards under “covered transactions” to parties that are suspended or debarred or whose principals are suspended or debarred. “Covered transactions” include procurement contracts for goods and services awarded under a grant or cooperative agreement that are expected to equal or exceed \$25,000.

All non-procurement transactions entered into by a recipient (i.e., sub-awards to sub-recipients), irrespective of award amount, are considered covered transactions, unless they are exempt as provided in 2 CFR section 180.215.

This verification may be accomplished by:

- Checking the Excluded Parties List System (EPLS) maintained by the General Services Administration (GSA). EPLS is no longer a separate system; however, the OMB guidance and agency implementing regulations still refer to it as EPLS and is available at <https://www.sam.gov/home>, or
- Collecting a certification from the entity, or
- Adding a clause or condition to the covered transaction with that entity. The sub-recipient cannot make a contract to parties listed on the EPLS through the System for Award Management (SAM). SAM contains the list of names of parties debarred, suspended, or otherwise excluded by federal agencies.

If a recipient or subrecipient becomes aware that it or one of its principals is debarred or suspended, it must notify the City immediately and take appropriate action, which may include terminating the individual or entity’s involvement in the federal award.

CONFLICT OF INTEREST

In accordance with 2 CFR Part 200 the following conflict of interest policies and standards of conduct must be followed by the City, its subrecipients, and its employees and governs the actions of its employees engaged in the selection, award, and administration of contracts. 2 CFR Part 200 includes the following provisions:

Employee conflict of interest. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the City of North Salt Lake may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to which it subcontracts. However, the City may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees or agents of the City.

Organizational conflicts of interest exist when, due to relationships with a parent company, affiliate, or subsidiary organization, the City of North Salt Lake is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization.

Disclosing Conflict of Interest. The City or sub-recipient of the City must disclose in writing any potential conflict of interest in accordance with applicable federal awarding agency policy.

TIME AND EFFORT REQUIREMENTS

The City of North Salt Lake is required to maintain auditable “time and effort” documentation that shows how each employee paid with federal funds spent their compensated time. Such documentation is recorded after the fact (not estimated or budgeted) and must indicate what time was spent on both direct and indirect activities.

Time and effort reports should be prepared by staff when wages are charged:

- directly to a federal award,
- directly to multiple federal awards, or
- directly to any combination of a federal award and other federal, state or local funding source.

Reporting must be done at least monthly for non-exempt employees and semi-annually for hourly employees.

INDIRECT COST RATES

Indirect costs are those that are incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be allocated to a particular cost objective in amounts to the results achieved. After direct costs have been determined and assigned to federal awards and other activities as appropriate, indirect costs are those remaining to be allocated to benefitted cost objectives. A cost may not be allocated to a federal award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to a federal award as a direct cost.

Indirect costs are normally charged to federal awards using an indirect cost rate. Typical examples of indirect costs may include certain central service costs, general administration, accounting and personnel services, depreciation on buildings and equipment, and the costs of operating and maintaining facilities.

Where the City's department or division has only one major function, or where all its major functions benefit from the indirect costs to approximately the same degree, the allocation of indirect costs and the computation of an indirect cost rate may be accomplished through simplified allocation procedures.

Where the City's department or division has several major functions which benefit from its indirect costs in varying degrees, the allocation of indirect costs may require the accumulation of such costs into separate cost groupings which then are allocated individually to benefitted functions by means of a base which best measures the relative degree of benefit.

PROGRAM REPORTING AND FINANCIAL AUDIT

The City of North Salt Lake and its sub-recipients shall:

- Comply with all federal guidelines regarding financial and program reporting. General requirements are outlined in 2 CFR part 200.327 through part 200.329. Specific requirements may be added under the requirements of certain grants.
- Prepare appropriate financial statements, including the schedule of expenditures of federal awards in accordance with 200.510 - Financial statements.
- Procure or otherwise arrange for an audit required by 200.501 in accordance with 200.509 - Auditor selection, and ensure it is properly performed and submitted when due in accordance with 200.512 - Report submission.
- Promptly follow up and take corrective action on audit findings, including preparation of a summary schedule of prior audit findings and a corrective action plan in accordance with 200.511 - Audit findings.

FIXED ASSET REPORTING

The City of North Salt Lake and its sub-recipients shall follow federal regulations found in part 200.310 through 200.316, which refers to capitalization of items purchased that exceed \$5,000 and

have a shelf life of more than 12 months. Items purchased with federal dollars that exceed these limits must be individually identifiable in the City's fixed asset system. Note that this requirement is more restrictive than the City's fixed asset policy.

Management requirements. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part with grant funds, shall meet the following minimum requirements:

- Property records must be maintained that include a description of the property, a serial number or other identification number, the source of property, who holds title, the acquisition date, and cost of the property, percentage of federal participation in the cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
- A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be reported to the Finance Director and investigated. If an item is valued at \$1,000 or more, a police report should be filed.
- Adequate maintenance procedures must be developed to keep the property in good condition.
- If the City is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.
- Disposal of capitalized assets must follow the City's purchasing policy and should be disposed of in a manner that is in the best interest of the City. Whenever excess property is to be sold at auction, all sales shall be to the highest bidder.

The Uniform Guidance provides additional requirements around disposal of fixed assets purchased with federal dollars. When original or replacement equipment acquired under a grant or sub grant is no longer needed for the original project or program or for other activities currently or previously supported by a federal agency, disposition of the equipment will be made as follows:

- Equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the City.
- Equipment with a current per-unit fair market value in excess of \$5,000 may be retained or sold and the City shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the City's percentage of participation in the cost of the original purchase. If the equipment is sold, the federal awarding agency may permit the City to deduct and retain \$500 or ten percent of the proceeds, whichever is less, from the federal share for selling and handling expenses.

RECORDS RETENTION

The City of North Salt Lake and its sub-recipients shall comply with all federal guidelines regarding retention of grant records. At a minimum the City shall keep records that fully show:

- The amount of funds under the grant or sub grant;
- How the City uses the funds;
- The total cost of the project;
- The share of that cost provided from other sources;
- Other records to facilitate an effective audit, and
- Other records demonstrating compliance with federal program requirements.

All records must be retrievable and available for programmatic or financial audit. The City and its sub-recipients shall provide the federal awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, the right of access to any documents, papers, or other City records which are pertinent to the federal award.

Records shall be retained for a minimum of three (3) years from the date of the final expenditure report, or as otherwise specified in the requirements of the federal award. If any litigation, claim or audit is started before the expiration of the standard record retention period, the records shall be retained until all litigation, claims or audits have been resolved and final action taken.



CITY OF NORTH SALT LAKE FINANCE DEPARTMENT

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Brian J. Horrocks
Mayor

Heidi Voordeckers
Finance Director

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Heidi Voordeckers, Finance Director

DATE: May 30, 2023

SUBJECT: Consideration of updated policy language in the City's Personnel Policies and Procedures Manual Section 17: Benefits related to Employee Tuition Reimbursement

RECOMMENDATION

Staff recommends the City Council approve updates to the City's Personnel Policies and Procedures Manual to replace language regarding "Continuing Education" with the proposed "Tuition Reimbursement Program" policy to:

- 1) Aid in the administration of the existing benefit;
- 2) Create a tax-free, qualified plan for City Employees; and
- 3) Provide an additional recruitment incentive for prospective employees.

BACKGROUND

The current Personnel Policies and Procedures Manual contains language regarding "Continuing Education" benefits for City employees. Under the current policy, employees are eligible for reimbursement with advance approval from the Mayor, City Manager, or designee for education costs that will enhance job performance. To receive reimbursement, employees must submit proof of completing the training or coursework with a grade 2.0 (a letter grade "C") or higher, which is refundable to the City should the employee terminate employment within one year of graduation. The City has had two employees participate in the benefit in recent years.

Under Section 127 of the Internal Revenue Code, employers are allowed to provide tax-free payments of up to \$5,250 per year to eligible employees for qualified educational expenses. To be considered qualified, the tuition reimbursement plan must meet certain minimum criteria that are not listed in the current policy. This includes clear administrative guidance on employment eligibility, coursework and educational institution requirements, and program documentation and reporting.

REVIEW

The attached Tuition Reimbursement policy includes updated language that clearly defines how the Tuition Reimbursement program may be administered by City administration.

First, the revised policy removes language related to non-voluntary trainings and certifications which are required by the employer, and already considered under the City's Travel policy. In most cases, these costs are paid directly by the City and are not subject to reimbursement based on an employee's performance in the training. The tuition reimbursement program is designed for voluntary continuing education efforts conducted on an employee's own time.

Second, the policy identifies the administrative process for which employees may request to participate in the program. Employees must complete an application for assistance and provide the necessary documentation to verify that both the coursework and educational institution are allowable under the program. Coursework must be related to the employees' current position or another position that the City currently recruits for, and the educational institution must be accredited by the U.S. Department of Education. Further, reimbursement will only be authorized with proof of passing with a grade "C" or better.

Last, the proposed policy sets funding limits for the benefit, subject to annual budget allocation by the City Council. Where the current policy does not provide any funding caps or thresholds, the proposed policy sets a \$2,000/annual, \$6,000/lifetime benefit per eligible employee. In addition, reimbursement is limited to tuition (removing vague language regarding "necessary and approved" expenses) and the repayment period has been expanded from "1 year after graduation" to "within 24-months of receiving reimbursement."

POSSIBLE MOTION

I move the City Council adopt the proposed amendments to "Section 17: Benefits" of the City's Personnel Policies and Procedures Manual to include Tuition Reimbursement Program language.

Attachments

- 1) Tuition Reimbursement Program policy

SECTION 17: BENEFITS

Current policy language:

~~5. CONTINUING EDUCATION~~

~~Employees are encouraged to obtain continuing education through attendance at job related seminars. Requests for attendance must be approved in advance by the Mayor, City Manager, or designee.~~

- ~~(a) Required by the City. When the City requires an employee to attend any education or training course, conference, seminar, or certification course the City will provide the necessary time off with pay and will reimburse the employee for all associated costs including tuition or registration fees, authorized travel, meals, and lodging.~~
- ~~(b) Encouraged by the City. Employees are encouraged to further their education and training in areas that will enhance their job performance. Upon advance approval by the Mayor, City Manager, or designee, and upon successful completion of relevant training courses, employees shall be reimbursed for tuition fees, materials, and other necessary and approved expenses upon presentation of proper receipts. Proof of successful completion will include one of the following:~~

- ~~(1) A certificate indicating successful course completion, if applicable.~~
- ~~(2) A grade point average of 2.0 or higher on a 4.0 (A, B, C, D) scale.~~
- ~~(3) A grade pass on a pass/fail grading system.~~
- ~~(4) The City will encourage the employees to increase their education and assist them financially within the limits outlined below.~~

~~(c) PAYMENT SCHEDULE~~

~~Upon advance approval by the City Manager, or designee and upon successful completion of relevant training courses, employees shall be reimbursed for tuition fees, materials, and other necessary and approved expenses upon presentation of proper receipts. Proof of successful completion will include one of the following:~~

- ~~(1) 100% of tuition for classes that will be of direct benefit to help the employee perform their job.~~
- ~~(2) If the employee does not remain with the City for at least one (1) year after graduation, they will be required to refund to the City that amount which the City contributed to their education. A promissory note to guarantee this reimbursement by the employee will be required. The educational cost reimbursement would not apply in a situation where a full grant is provided by another source.~~
- ~~(3) 100% of fees for approved conferences, seminars, conventions, etc. will be paid by the City.~~
- ~~(4) The financial assistance indicated above does not apply to a full-time educational curriculum but for special classes taken by an employee who performs in a full-time capacity for the City.~~

- ~~(5) The City Manager, upon consultation with the department heads, will be responsible to administer this regulation and determine if the proposed study courses will aid an employee to perform better service for the City.~~
- ~~(6) Police officers attending the police academy will receive full pay and benefits during the training period and must remain with the department for at least one (1) year after graduation or repay.~~

Proposed policy language:

5. TUITION REIMBURSEMENT PROGRAM

Employees are encouraged to further their education in areas that will enhance their job performance, and the City supports educational efforts by providing reimbursement for continuing education courses. This program is open to eligible employees who wish to voluntarily pursue educational courses or training from an accredited college, university, or trade school. The program is overseen by City Administration and is subject to the approval by the City Council each fiscal year based on availability of funds, as part of the adopted budget process. Note that this policy does not apply to courses or training that are required by the employee's department or supervisor.

- (a) **Eligibility.** This program is eligible to all full-time employees who have completed at least one year of continuous employment with the City.
- (b) **Course Requirements.** Coursework must be taken for credit from an accredited college, university or trade school. Courses must be directly related to the employees' current job or deemed to increase the employee's knowledge, skills, and abilities relative to potential advancement opportunities available within the City.
- (c) **Application Process.** Applications meeting requirements (a) and (b) above may be submitted beginning July 1 of each fiscal year that funding is approved through the annual budget process. Applications will be reviewed on a first come, first served basis and must meet the minimum application criteria:
 - a. Proof of acceptance (or enrollment eligibility) to the education program or institution.
 - b. Approval by the employee's supervisor or department head.
 - c. Verification that employee meets program eligibility requirements.
 - d. Verification that coursework meets program eligibility requirements.
 - e. Disclosure of other anticipated sources of educational assistance (scholarships, grants, etc.)

Application must be made within the fiscal year in which the coursework will be completed. Requests do not "roll" from year to year and application must be resubmitted for each funding cycle (budget year).

- (d) **Reimbursement.** Approval of tuition reimbursement requests are contingent on the successful completion of coursework with a grade point average of 2.0 (grade "C") or higher, or a grade of "pass" on a pass/fail system. Requests must be submitted to human resources with payment (e.g., receipt from education institution) and grade (e.g., unofficial transcript) documentation within sixty (60) days of course completion. Reimbursement will be made via payroll and will be reflected on the employee's paycheck stub. Amount of reimbursement shall be authorized as follows, and pro-rated for the period for any scholarships, grants, or other educational assistance received:
- a. **Per employee annual limit:** 100% of annual tuition, up to \$2,000 per fiscal year
 - b. **Per employee lifetime benefit limit:** \$6,000
- (e) **Repayment Obligation.** Employees who leave employment with the City shall be required to reimburse the City for all tuition reimbursements received in the previous twenty-four month period. This may be accomplished through a deduction on the employee's final paycheck(s) or through direct payment to the City Treasurer.
- (f) **Agreement.** Employees approved for tuition reimbursement will be required to sign an agreement that will include repayment terms and conditions.
- (g) **Other provisions.** Courses must not interfere with the employee's job responsibilities and must be taken on the employee's own time. Other educational costs, including tests, books, transportation, and room and board are the responsibility of the employee.



CITY OF NORTH SALT LAKE

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: May 30, 2023

SUBJECT: Consideration of Addition to the City's Personnel Policies and Procedures Manual Related to Sick Leave Donation

RECOMMENDATION

I recommend approval of the proposed amendment to the City's Personnel Policies and Procedures Manual Related to Sick Leave Donation.

BACKGROUND

The City Council is required by City Code to approve amendments to the City's Personnel Policies and Procedures Manual. The purpose of this request is to formally establish a sick leave donation policy under which employees may voluntarily share accumulated sick leave benefits with other employees who qualify to receive donated sick leave hours.

The attached policy is limited to situations where an employee who has a qualifying medical emergency may receive donated sick leave only during the ten weeks immediately preceding the use of Long-Term Disability (LTD) benefits which the City provides. Receiving employees must have also used all of their own leave (sick, vacation, holiday and comp) before they are eligible to receive donated hours. A qualifying medical emergency for the purposes of this policy is defined as an illness or injury which prevents the employee, or immediate family of the employee, from working for a period of time in excess of 14 consecutive calendar days. Further, immediate family is defined as the spouse of an employee, a dependent child of the employee or another family member who resides in the employee's home and for which the employee has primary well-being and support responsibility.

The reason this policy has become important is because the City no longer provides Short-Term Disability (STD) which was previously in place as a benefit to employees and which generally covers the ninety-day (90) period of time between the illness or injury and qualification for LTD benefits. The City was paying several thousand dollars annually for a STD policy which to my knowledge was never used. In

addition, most of our employees have accumulated sufficient leave to weather a circumstance such as the one described in this policy.

An additional benefit to the City could also be that it is expected that employees with longevity and likely higher rates of pay will be donors. The reason this is potentially beneficial is that the City may be trading hours with a high monetary value and allowing them to be used at a much lower rate of pay. Also, retiring employees who have previously donated sick leave hours may be paid out less due to fewer hours than they would have otherwise been paid out. Again, this is conjecture and this program may not generate a great deal of donated hours, but there is always potential for cost savings to the City.

For the Council's information, a previous City Council on March 19, 2019 had a discussion about an employee sick leave donation policy during a City Manager report. The Council expressed support for that idea, but it was never implemented because it turned out there was not a need for the program. Today, the question has come up again with two employees who may need donated hours in the near future and it is being presented formally so that we can have an adopted policy on this matter.

PROPOSED MOTION

I move that the City Council approve the proposed amendment to Section 19-4 of the City's Personnel Policies and Procedures Manual related to sick leave donations.

Proposed Amendment to Section 19-4, Sick Leave

L. Sick Leave Donation

The intent of this program is to provide assistance to employees who, because of long-term personal illness or injury, have exhausted their paid leave benefits and are unable to have paid time off during the period of time immediately prior to qualifying for Long-Term Disability (LTD) coverage. This situation would typically result from a medical emergency causing absence due to an ongoing illness or injury which requires long-term loss of work or long-term recovery.

Pursuant to IRS regulations, a donation must be determined to qualify as a medical emergency for the donation to be tax-exempt to the donor. The City defines a qualifying medical emergency as an illness or injury which prevents the employee, or immediate family of the employee, from working for a period of time in excess of 14 consecutive calendar days. For the purpose of this policy, immediate family is defined as the spouse of an employee, a dependent child of the employee or another family member who resides in the employee's home and for which the employee has primary well-being and support responsibility.

Recipient

Donated sick leave will be available for use by an employee when the following conditions have been met:

1. The recipient employee has filed a request with the City for the use of donated sick leave using the City's form "Sick Leave Donation Request – Recipient Form".
2. The recipient employee has been unable to work in excess of 14 consecutive calendar days.
3. The recipient employee has a zero balance in all leave types (sick, vacation, holiday and comp time).
4. Sick leave hours are available from donors.

The recipient employee may receive up to 400 hours donated hours in a 12-month period. The 12-month period will begin on the day the City receives the Sick Leave Donation Request – Recipient form. Donated sick leave hours will be transferred to qualified recipients in the qualifying pay-periods as available and needed.

Donated sick leave will be used in accordance with sick leave regulations, with the exception that donated hours cannot be used for retirement or sick leave buyout. Sick leave donations may not be used to cover lost wages related to a worker's compensation injury. Upon qualifying

for and receiving Long-Term Disability (LTD) benefits, the recipient employee may no longer use donated sick leave.

Donor

Employees may donate sick leave when the following conditions have been met:

1. The donor employee must have at least 80 hours in their own sick leave balance after the donation.
2. An employee may not provide or receive remuneration or a gift in exchange for a donation.
3. All donations will remain anonymous.
4. Donating employees shall submit a completed, signed "Sick Leave Donation – Donor Form".

A donor may donate up to 40 hours anytime during the 12-month period beginning on the first day of the second pay period each November. Hours donated by employees will not be considered sick hours used for the purpose of calculating the annual sick leave buyout. Donated hours will be deducted from the employees' sick leave balance within 2 weeks of submitting the "Sick Leave Donation – Donor Form" to the Finance Director. Unused donated sick leave hours will not be returned to donors, but will remain in a pool maintained by the City for future use by any qualifying employee or event.



CITY OF NORTH SALT LAKE FINANCE DEPARTMENT

10 East Center Street
North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

Brian Horrocks
Mayor

Heidi Voordeckers
Finance Director

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Heidi Voordeckers, Finance Director

DATE: May 30, 2023

SUBJECT: Presentation of Annual Fraud Risk Assessment

BACKGROUND

In 2020, the Utah State Auditor presented new auditing standards for local governments. Specifically, the City is required to prepare an annual Fraud Risk Assessment related to internal controls and segregation of duties of financial activities.

Attached to this memorandum is the assessment prepared for financial activities conducted in fiscal year 2022-2023. During this period, the City has maintained a Risk Level of "Very Low", with a total score of 365 out of 395. No action is needed by the City Council on this item.

In the future, the City may improve the score by adopting formal written policies for IT and Computer Security as well as Cash Receipting and Deposits. The score may be further improved by adopting a formal internal audit function.

Fraud Risk Assessment

Continued

*Total Points Earned: 365 /395 *Risk Level: Very Low Low Moderate High Very High
 > 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	X	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	X	5
b. Procurement?	X	5
c. Ethical behavior?	X	5
d. Reporting fraud and abuse?	X	5
e. Travel?	X	5
f. Credit/Purchasing cards (where applicable)?	X	5
g. Personal use of entity assets?	X	5
h. IT and computer security?		5
i. Cash receipting and deposits?		5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?	X	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	X	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	X	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?	X	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	X	20
7. Does the entity have or promote a fraud hotline?	X	20
8. Does the entity have a formal internal audit function?		20
9. Does the entity have a formal audit committee?	X	20

*Entity Name: City of North Salt Lake

*Completed for Fiscal Year Ending: June 30, 2023 *Completion Date: May 16, 2023

*CAO Name: Ken Leetham *CFO Name: Heidi Voordeckers

*CAO Signature:  *CFO Signature: 

*Required

Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	X			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?	X			
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".		X	X*	
4. Are all the people who have access to blank checks different from those who are authorized signers?	X			
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?		X	X**	
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	X			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".	X			
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	X			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".	X			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	X			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			

* MC = Mitigating Control * The Finance Director does not collect or process payments, but must approve all utility customer account adjustments, write-offs, and refunds.

** The Finance Director reconciles bank statements, but does not have the ability to generate transfers or disbursements, which are generated by the AP clerk or Treasurer and approved by the Finance Director and City Manager.

Basic Separation of Duties

Continued

Instructions: Answer questions 1-12 on the Basic Separation of Duties Questionnaire using the definitions provided below.

☺ If all of the questions were answered “Yes” or “No” with mitigating controls (“MC”) in place, or “N/A,” the entity has achieved adequate basic separation of duties. Question 1 of the Fraud Risk Assessment Questionnaire will be answered “Yes.” 200 points will be awarded for question 1 of the Fraud Risk Assessment Questionnaire.

☹ If any of the questions were answered “No,” and mitigating controls are not in place, the entity has not achieved adequate basic separation of duties. Question 1 of the Fraud Risk Assessment Questionnaire will remain blank. 0 points will be awarded for question 1 of the Fraud Risk Assessment Questionnaire.

Definitions:

Board Chair is the elected or appointed chairperson of an entity’s governing body, e.g. Mayor, Commissioner, Councilmember or Trustee. The official title will vary depending on the entity type and form of government.

Clerk is the bookkeeper for the entity, e.g. Controller, Accountant, Auditor or Finance Director. Though the title for this position may vary, they validate payment requests, ensure compliance with policy and budgetary restrictions, prepare checks, and record all financial transactions.

Chief Administrative Officer (CAO) is the person who directs the day-to-day operations of the entity. The CAO of most cities and towns is the mayor, except where the city has a city manager. The CAO of most local and special districts is the board chair, except where the district has an appointed director. In school districts, the CAO is the superintendent. In counties, the CAO is the commission or council chair, except where there is an elected or appointed manager or executive.

General Ledger is a general term for accounting books. A general ledger contains all financial transactions of an organization and may include sub-ledgers that are more detailed. A general ledger may be electronic or paper based. Financial records such as invoices, purchase orders, or depreciation schedules are not part of the general ledger, but rather support the transaction in the general ledger.

Mitigating Controls are systems or procedures that effectively mitigate a risk in lieu of separation of duties.

Original Bank Statement means a document that has been received directly from the bank. Direct receipt of the document could mean having the statement 1) mailed to an address or PO Box separate from the entity’s place of business, 2) remain in an unopened envelope at the entity offices, or 3) electronically downloaded from the bank website by the intended recipient. The key risk is that a treasurer or clerk who is intending to conceal an unauthorized transaction may be able to physically or electronically alter the statement before the independent reviewer sees it.

Treasurer is the custodian of all cash accounts and is responsible for overseeing the receipt of all payments made to the entity. A treasurer is always an authorized signer of all entity checks and is responsible for ensuring cash balances are adequate to cover all payments issued by the entity.

1 CITY OF NORTH SALT LAKE
2 CITY COUNCIL MEETING-WORK SESSION
3 ANCHOR LOCATION: CITY HALL
4 10 EAST CENTER STREET, NORTH SALT LAKE
5 MAY 16, 2023

6
7 **DRAFT**
8

9 Mayor Horrocks welcomed those present at 6:02 p.m.

10
11 PRESENT: Mayor Brian Horrocks
12 Councilmember Lisa Watts Baskin
13 Councilmember Natalie Gordon
14 Councilmember Ted Knowlton
15 Councilmember Stan Porter
16 Councilmember Alisa Van Langeveld
17

18 STAFF PRESENT: Ken Leetham, City Manager; David Frandsen, Assistant City Manager; Jon
19 Rueckert, Public Works Director; Craig Black, Police Chief; Karyn Baxter, City Engineer; Todd
20 Godfrey, City Attorney; Sherrie Pace, Community Development Director; Heidi Voordeckers,
21 Finance Director; Wendy Page, City Recorder.
22

23 1. PRESENTATION ON CITY CODE RELATED TO XERISCAPING BY SHERRIE
24 PACE, COMMUNITY DEVELOPMENT DIRECTOR
25

26 Sherrie Pace reported that the new water efficient landscape ordinance applied to new and
27 rehabilitated landscaping including public projects, private commercial and industrial projects,
28 developer installed landscaping (multifamily and single family), new single family and two
29 family homes, homeowners who replace lawn, multifamily, commercial, or industrial building
30 additions of 30% or more, and site plan amendments adding/removing 5,000 square feet of
31 impervious surface. She noted the exceptions would be a physical hardship with unique
32 circumstances, a reduction in the percentage of landscape requirement mitigated via
33 enhancements above required standards in other areas, and not granted to increase building area,
34 density, or to meet minimum parking.
35

36 Ms. Pace then spoke on design standards related to plant selection that included plants selected
37 for the climate and soil conditions and grouping plantings of similar water use plants, for slopes
38 greater than 25% required deep-rooted and water conserving plants for erosion control (no turf),
39 park strips and areas less than eight feet in width may not have turf, recommended plants and
40 trees from the Weber Basin Water Conservancy District (WBWCD) or City plant/tree lists, plant
41 bed sizes to be one to three feet depending on plant type, and new trees to be planted with drip
42 irrigation.
43

44 Councilmember Van Langeveld asked if the design standards were in conflict with the HOA
45 requirements. Sherrie Pace replied that City requirements would supersede any HOA
46 requirements which was specified in the City code and State code.

47
48 Councilmember Van Langeveld commented there may be areas in Foxboro where the backyard
49 area was less than eight feet wide. She asked about turf in those areas and if there could be an
50 exception. Sherrie Pace clarified that existing grass/turf could remain and these standards only
51 applied to new and rehabilitated areas.

52
53 Councilmember Knowlton was in favor of an exemption of the eight foot wide restriction of turf
54 in backyards. Ms. Pace noted staff would review how many residences in Foxboro may be
55 affected by this restriction.

56
57 Sherrie Pace reported on design standards for mulch selection which included a requirement for
58 non-irrigated areas to have a three inch layer of mulch, rock must be crushed or angular and
59 washed with a two inch minus, pea gravel would be prohibited in the park strip, park strip on a
60 road with an eight inch or greater slope must be compacted (bark and lava rock prohibited), and
61 the final grade of the mulch must be slightly below sidewalk/curb. She spoke on bark mulch use
62 and decorative rock and that this should be updated in the standards.

63
64 Councilmember Baskin asked if the rubber mulch could be included as an approved option.
65 Sherrie Pace replied that she would review rubber mulch as an approved option.

66
67 Sherrie Pace spoke on the requirements for soil preparation including scarifying the soil to a six
68 inch depth and amending the soil with organic material based on soil conditions. She explained
69 for areas permitted to have turf it would need to be drought tolerant, prohibited in areas less than
70 eight feet wide and/or slope greater than 25%, in park strips, or parking islands. She mentioned
71 there would be a requirement for a minimum of one tree per every 1,000 square feet. She asked if
72 the City should allow artificial turf.

73
74 The Council then briefly discussed artificial turf.

75
76 Sherrie Pace reported on park strip plant coverage which required live plants up to 22 inches tall,
77 accent plants up to 36 inches tall (out of the clear view), and all plants could not be site
78 obscuring. She noted the requirements were for 33% live plants including street trees (small trees
79 50 square feet, medium trees 75 square feet, and large trees 100 square feet), thorns, spines, and
80 sharp hazards were prohibited.

81
82 Councilmember Knowlton asked if a tree canopy extended into the park strip if this would count
83 towards the requirement. Sherrie Pace replied that this was something to consider.

84
85 **Councilmember Gordon arrived at 6:18 p.m.**

86 Sherrie Pace said gravel, rocks, and boulders were prohibited within a 36 inch radius of a tree
87 without a drip irrigation system. She stated boulders were limited to 36 inches in height and must
88 be a minimum 24 inches from the curb. She noted gravel and rocks must be compacted on a
89 slope greater than eight percent. Ms. Pace indicated poured concrete, pavers, bricks, and stone
90 would be allowed as four inch carriage ways in the park strip. She mentioned retaining walls and
91 fences were only allowed in the park strip as part of the General Development Plan. She said this
92 was another area to consider whether artificial turf would be allowed. She said consideration
93 should be given to utilities in the park strip and the potential for removal of the artificial turf to
94 access these utilities.

95
96 Sherrie Pace reviewed artificial turf and if it was an option where it would be allowed or
97 prohibited (park strip, front, side, rear yards), and what percentage would be allowed. She stated
98 other considerations included what standards such as lifelike individual blades emulating natural
99 turf, prohibiting indoor/outdoor plastic or nylon carpeting, a minimum pile height of 1.5 inches, a
100 face weight of 50 ounces per square yard, and a minimum eight year warranty against color fade
101 and decreased pile height. She continued other requirements would include installation and
102 maintenance including aggregate sub base, nailed and glued, not sewn, solid barrier device
103 (cubing, sidewalk, bender board), leveled surface, grain direction, trimmed to fit at edges for a
104 natural look, grading, compaction, drainage, a minimum water permeability of 30 inches per
105 hour/square yard, and cleaning and maintenance.

106
107 **There was a brief recess from 6:25 p.m. to 6:48 p.m.**

108
109 Sherrie Pace reported on xeriscape and where this could potentially be allowed including front,
110 side, and rear yards and what percentage of live plant material would be required.

111
112 Councilmember Gordon asked if the City could control what residents had/did in their
113 backyards. She commented there was recent legislature related to HOAs dictating what could be
114 done in a residential backyard. Sherrie Pace replied affirmatively. She said the City could
115 regulate shed placement, fence height, etc.

116
117 Councilmember Knowlton asked for clarification on the term xeriscape. Sherrie Pace responded
118 this included rocks and plant material or inorganic and organic material.

119
120 Ken Leetham clarified that this included drought tolerant and low water usage plant materials.

121
122 Councilmember Baskin suggested clarifying the definition of xeriscape in the ordinance to avoid
123 confusion with zeroscape. Councilmember Gordon commented on rock and mulch related to heat
124 islands and potentially requiring mulch in certain places.

125
126 Sherrie Pace said standards included current maximum turf area for a new single family home
127 would be 6,500 square feet or 25% of the lot whichever was less and new or rehabilitated

128 commercial, industrial, and multifamily would be 5,000 square feet or 5% of the lot whichever
129 was less. She reported on available rebate programs through Weber Basin Water Conservancy
130 District that included Flip Your Strip, Landscape Lawn Exchange, residential smart irrigation
131 controller rebate, pre-1994 toilet exchange rebate, a commercial smart irrigation controller
132 replacement, and a commercial toilet replacement rebate.

133

134 Mayor Horrocks asked why residents would choose the Flip the Strip program when the
135 Landscape Lawn Exchange was a bigger rebate. Sherrie Pace replied that a resident could
136 participate in both programs.

137

138 Councilmember Porter asked about the prerequisite classes. Sherrie Pace replied that it was a two
139 hour class given by Weber Basin on how to convert your yard and irrigation system.

140

141 Sherrie Pace mentioned City outreach efforts which included a public outreach coordinator, a
142 water conservation web page, developing print resource materials, coordinating classes with
143 WBWCD, a water conservation social media campaign, and promoting water week and earth day
144 forums.

145

146 Councilmember Porter asked about the park strip width and trees. He also asked about snow, salt
147 and park strips. Sherrie Pace replied generally there were four foot park strips in the City and the
148 size of the park strip would determine what type of tree could be planted. She said there were salt
149 tolerant plants that could be placed in park strips.

150

151 Councilmember Van Langeveld asked if the presentation could be placed on the City's water
152 conservation page of the website.

153

154 Councilmember Gordon suggested earth day as part of the food truck night event.

155

156 Councilmember Van Langeveld suggested having a booth at the food truck night events to
157 provide public outreach.

158

159 2. ADJOURN

160

161 Mayor Horrocks adjourned the meeting at 7:02 p.m. to begin the regular session.

162

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
MAY 16, 2023

DRAFT

Mayor Horrocks welcomed those present at 7:03 p.m. Lisa Baskin offered the thought and Dee Lalliss led those present in the Pledge of Allegiance.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin
Councilmember Natalie Gordon
Councilmember Ted Knowlton
Councilmember Stan Porter
Councilmember Alisa Van Langeveld

STAFF PRESENT: Ken Leetham, City Manager; David Frandsen, Assistant City Manager; Jon Rueckert, Public Works Director; Craig Black, Police Chief; Karyn Baxter, City Engineer; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Heidi Voordeckers, Finance Director; Wendy Page, City Recorder; Ali Avery, Long Range Planner.

OTHERS PRESENT: Dee Lalliss, Shawn F., Peter Wirthlin, Bruno Barron, residents; Logan Taggart, Lisa Romney, Rocky Mountain Power.

1. CITIZEN COMMENT

Dee Lalliss spoke on the open house for the golf course and was impressed with the majority of the remodel. He suggested additional handicap accessible parking spaces and extended hours for The Grill/café.

2. CONSIDERATION OF APPOINTMENT TO PARKS, TRAILS, ARTS AND RECREATION ADVISORY BOARD

Councilmember Porter introduced Peter Wirthlin as his appointee for the Parks, Trails, Arts and Recreation Advisory Board.

Peter Wirthlin commented that he was the head coach of the Woods Cross Mountain Bike team. He said there were 89 students on the team.

204 **Councilmember Porter recommended Peter Wirthlin for the Parks, Trails, Arts and**
205 **Recreation Advisory Board. Councilmember Gordon seconded the motion. The motion was**
206 **approved by Councilmembers Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**
207

208 Peter Wirthlin shared information on the team and said Bountiful High School had 125 riders and
209 Viewmont High had 100-150 riders that utilized the trail system.
210

211 3. CONSIDERATION OF RESOLUTION 2023-20R: A RESOLUTION ENTERING INTO
212 AN INTERLOCAL COOPERATION AGREEMENT (2023-13A) WITH DAVIS
213 COUNTY RELATING TO THE CONDUCT OF COMMUNITY DEVELOPMENT
214 BLOCK GRANT (CDBG) PROGRAM FOR FEDERAL FISCAL YEARS 2024, 2025,
215 AND 2026
216

217 Ali Avery reported every three years the City entered into this agreement with the County for the
218 Community Development Block Grant (CDBG) through the U.S. Department of Housing and
219 Urban Development (HUD). She mentioned this program allowed the City to make public
220 improvements to benefit low to moderate income populations. She stated the City had previously
221 used CDBG funds for improvements such as the sidewalk construction on Overland Road near
222 the Colonial Woods Mobile Home Park. She said the newly annexed Val Verda area qualified for
223 CDBG funding so there would be the potential for public improvements such as sidewalks, street
224 lights, water lines, etc. in that area.
225

226 **Councilmember Van Langeveld moved that the City Council approve Resolution 2023-20R;**
227 **a resolution entering into an interlocal cooperation agreement relating to the conduct of**
228 **Community Development Block Grant (CDBG) program for federal fiscal years 2024,**
229 **2025, and 2026. Councilmember Gordon seconded the motion. The motion was approved**
230 **by Councilmembers Baskin, Gordon, Knowlton, Porter, and Van Langeveld.**
231

232 4. CONSIDERATION OF THE LOCAL GOVERNMENT UNDERSTANDING AND
233 AGREEMENT WITH WASATCH FRONT REGIONAL COUNCIL (WFRC) AND
234 LELAND CONSULTING FOR A TOWN CENTER STUDY INCLUDING
235 AUTHORIZING THE MAYOR TO SIGN ATTACHMENT D OF THE AGREEMENT
236 (2023-12A)
237

238 Ali Avery reported that in 2022 the City was awarded grant funds from Wasatch Front Regional
239 Council (WFRC) through the Transportation and Land Use Connection program for the
240 completion of a Town Center Market Study. She stated the intent of this project was to obtain a
241 better idea of the types of uses that would be viable in the Town Center so the City could make
242 better informed decisions regarding the allocation of RDA funds and understanding the building
243 types that would be needed in order to accommodate those uses. She noted as development
244 pressure in the Town Center persisted staff had found it necessary to acquire data regarding the
245 realities of the market and actual development needs in the area. Ms. Avery explained the total

246 budget for the project would be \$40,000 with a grant award of \$30,100. She acknowledged in
247 accordance with WFRC requirements the City match of \$9,900 had already been paid and
248 WFRC would release the funds to the selected consultant throughout the project.

249
250 Ms. Avery said a selection committee consisting of the City Manager, Community Development
251 Director, Long Range Planner, and a representative from WFRC reviewed the three proposals
252 that were submitted for this project. She stated the consultants who submitted proposals were
253 Zions Public Finance Inc., Leland Consulting Group, and Design Workshop. Ms. Avery said after
254 a thorough review, the selection committee decided that Leland Consulting Group had the best
255 proposal and would get the City closest to its goals for the Town Center. She noted the agreement
256 to perform the project work would be between WFRC and Leland Consulting. She explained the
257 City Council's approval of the proposed contract should specifically allow the Mayor to sign
258 Attachment D, Local Government Understanding and Agreement. She mentioned though the
259 contract indicated management by WFRC staff, City staff would work directly with Leland
260 Consulting to also manage the project and guide the work as described in the scope.

261
262 Councilmember Knowlton asked for the specific boundary of the proposed study area. He asked
263 about the inclusion of the landowners or tentative business owners. Ali Avery replied the
264 boundary would be 350 North to Eaglewood Village and Orchard Drive to I-15. She said the
265 consultant would perform a study of the area and hold a stakeholders meeting.

266
267 **Councilmember Van Langeveld moved that the City Council approve Agreement 2023-12A**
268 **with Leland Consulting Group for the completion of a Town Center Market Study,**
269 **including authorizing the Mayor to sign Attachment D of the Agreement. Councilmember**
270 **Porter seconded the motion. The motion was approved by Councilmembers Baskin,**
271 **Gordon, Knowlton, Porter and Van Langeveld.**

272
273 5. CONSIDERATION OF RESOLUTION 2023-21R: A RESOLUTION ENTERING INTO
274 AN INTERLOCAL COOPERATION AGREEMENT (2023-07A) WITH WOODS
275 CROSS CITY FOR COST SHARING AND IMPLEMENTATION OF THE TRAFFIC
276 SIGNAL PROJECT AT 400 WEST 1100 NORTH

277
278 Ken Leetham explained this was in conjunction with the grant from Davis County 3rd quarter
279 cent sales tax funding to build the intersection lighting at 400 West and 1100 North. He noted the
280 total project cost was estimated to be \$343,000 with a local match of \$100,000, which this
281 agreement would memorialize, and that the City and Woods Cross would share equally. He
282 explained both cities would share in 100% of the project costs above \$243,000 including any
283 unforeseen change orders, right of way costs, or any cost overruns.

284
285 **Councilmember Baskin moved that the City Council approve Resolution 2023-21R: A**
286 **Resolution entering an Interlocal Cooperation Agreement (2023-07A) with Woods Cross**
287 **City for Cost Sharing and Implementation of the Traffic Signal Project at 400 West 1100**

288 **North. Councilmember Porter seconded the motion. The motion was approved by**
289 **Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.**

290

291 6. CONSIDERATION OF RESOLUTION 2023-22R: A RESOLUTION AMENDING THE
292 GENERAL PLAN TO INCLUDE CHAPTER 11, WATER USE AND PRESERVATION
293 ELEMENT

294

295 Sherrie Pace reported that in 2022 the Utah State Code, Section 10-9a-403 was amended to
296 require that cities include a Water Use and Preservation element in their General Plan. She stated
297 in 2022, the City hired consulting firm Bowen Collins & Associates to update the City's Water
298 Master Plan, Storm Drain Master Plan, and Water Conservation Plan. She noted that work had
299 been completed and as part of the adoption of the updated plans the City intended to utilize those
300 studies in the update to the General Plan and include the documents by reference in the Plan. She
301 mentioned the recommendations from those documents had been included in the General Plan
302 update.

303

304 Ms. Pace stated State code required that the Water Use and Preservation element of the General
305 Plan address the effect of permitted development or patterns of development on water demand
306 and water infrastructure, methods of reducing water demand and per capita consumption for
307 future development, methods of reducing water demand and per capita consumption for existing
308 development, and opportunities for the City to modify the City operations to eliminate practices
309 or conditions that waste water.

310

311 Sherrie Pace mentioned staff had also determined nine requirements from the State statute for
312 consideration by the Planning Commission in drafting the water element. She reviewed the
313 requirements which included considering applicable regional water conservation goals
314 recommended by the Division of Water Resources, considering the City's water conservation
315 plan, recommendation for water conservation policies to be determined by the City,
316 recommendation for landscaping options within a public street for current and future
317 development that do not require lawn in park strip, review and recommendations on City's land
318 use ordinances that promote inefficient use of water, consider principles of sustainable
319 landscaping, consult with public water systems or systems serving the City with drinking water
320 regarding how implementation of the land use element and water use and preservation element
321 may affect water supply and distribution planning, recommendations for additional water
322 demand reduction strategies, and recommendations for low water use landscaping standards for
323 new development. She indicated the Planning Commission held a public hearing on May 9, 2023
324 as part of the State code requirements.

325

326 Councilmember Baskin congratulated staff on their good work and being ahead of the State
327 requirements. Councilmember Gordon was in agreement.

328

329 **Councilmember Gordon moved that the City Council approve Resolution 2023-22R: A**
330 **resolution amending the General Plan to include Chapter 11, Water Use and Preservation**
331 **Element with the following findings:**

- 332
- 333 1) **The state legislature has determined that cities must include a Water Use &**
 - 334 **Preservation Element in the General Plan prior to December 31, 2025; and**
 - 335 2) **The proposed draft meets the requirements of the state code for the Water Use and**
 - 336 **Preservation Element.**

337

338 **Councilmember Porter seconded the motion. The motion was approved by**
339 **Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.**

340

341 7. CONSIDERATION OF RESOLUTION 2023-23R: A RESOLUTION AMENDING THE
342 CITY'S COMPREHENSIVE FEE SCHEDULE FOR STREET EXCAVATION
343 PERMITS AND STORM WATER SERVICE AREAS MAP

344

345 Karyn Baxter reported there were two proposed set of changes to the comprehensive fee
346 schedule. She stated the first included a text change to “Street Excavation, Encroachment, and
347 Site Grading” to match the existing permit. She indicated the second change was updated costs
348 for permits to more accurately reflect the time spent by staff to review, inspect, and manage the
349 permits and to update construction costs for asphalt preservation treatments including slurry
350 seals, high density mineral bonds, chip seals, and bonded matrix overlays. She shared a table
351 highlighting the recommended changes including the application fee to \$250, asphalt
352 preservation to \$1.00 per square foot, chip seal or bonded matrix overlay to \$2.50 per square
353 foot, curb and gutter remove/replace to \$1 linear foot with a \$50 minimum, waterway remove
354 and replace to \$1 per linear foot with a \$50 minimum, sidewalk remove/replace to \$1 per linear
355 foot with a \$50 minimum, drive approach remove/replace at \$75 each, curb and gutter sawcut
356 only to \$50 up to 30 linear feet, and sidewalk replacement only at \$0.50 per linear foot with a
357 \$50 minimum.

358

359 Ms. Baxter spoke on an additional change to update the Storm Water Service Area map to show
360 revised City boundaries. This would apply to new development only.

361

362 Councilmember Baskin asked regarding the distinction between Area One and Two on the Storm
363 Water Service Area map. Karyn Baxter clarified that Area Two was based on drainage studies
364 performed or developed prior to 2007.

365

366 **Councilmember Baskin moved that the City Council approve Resolution 2023-23R,**
367 **amending the Comprehensive Fee Schedule as presented. Councilmember Van Langeveld**
368 **seconded the motion. The motion was approved by Councilmembers Baskin, Gordon,**
369 **Knowlton, Porter and Van Langeveld.**

370

371 8. CONSIDERATION OF REQUEST FROM ROCKY MOUNTAIN POWER TO CUT
372 INTO CITY ROADS LESS THAN FIVE YEARS OLD ON EAGLEWOOD LOOP AND
373 ROCKWOOD DRIVE
374

375 Karyn Baxter reported on the proposed improvements to the project. She explained that the
376 northern section of Eaglewood Loop was paved in 2021. She said Rocky Mountain Power must
377 enlarge the service capacity of the existing system in order to provide power to the new
378 Eaglewood Cove Phase 13 subdivision, as well as the new pump station located at the 5480
379 water tanks and other culinary and secondary water infrastructure including PRV stations and a
380 new chlorination building.

381
382 Ms. Baxter stated City Ordinance 2022-06 was adopted in September 2022 with the provision
383 that no excavations or road cuts are allowed for new streets for five (5) years. She also reviewed
384 exceptions to the restrictions which are: street excavations required for the development of an
385 approved building lot, or excavation which may be granted by the City Council for a new
386 development after receiving a favorable recommendation from the City Engineer.

387
388 She explained Rocky Mountain Power had verified that there would be no alternative route to
389 bring power to the area that would not require crossing a new road. She mentioned this location,
390 adjacent Bountiful City, limited the number of possible connections as they were served by
391 Bountiful Power. Ms. Baxter noted the crossing would be done by boring that required potholing
392 the existing road to locate underground utilities before the bore could safely be made for the new
393 power service.

394
395 **Councilmember Gordon moved that the City Council approve Rocky Mountain Power to**
396 **cut the following roads which are less than five years old: Eaglewood Loop in two places**
397 **and Rockwood Drive. Councilmember Knowlton seconded the motion. The motion was**
398 **approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.**
399

400 9. CONSIDERATION OF REQUEST TO PARTNER WITH SOUTH DAVIS WATER
401 DISTRICT FOR THE RECONSTRUCTION OF ELM AVENUE IN AN AMOUNT UP
402 TO \$153,000
403

404 Karyn Baxter reported South Davis Water District (SDWD) was currently replacing the water
405 line and services in Elm Avenue (725 West). She stated the project involved installing a new
406 water line along the east side of the road. She said the existing road was in poor condition and
407 full asphalt replacement was part of the City's Capital Facilities plan for 2024. Ms. Baxter said
408 the current SDWD project would patch the asphalt trench along the east side of the road and the
409 project would be done through a CDBG grant with limited options for cost sharing on the
410 asphalt. She explained that typically, the City could request that South Davis Water contribute to
411 the asphalt under a follow-up project under the direction of the City, but due to grant constraints,
412 the only option would be to do a change order with the existing general contractor.

413 Ms. Baxter reported the City could avoid design, bidding, and project management fees by
414 replacing the whole road surface now in partnership with SDWD. She mentioned mobilization
415 and traffic control costs would also be less, as well as sharing a portion of the cost of the asphalt
416 trench area. She indicated payment would be made for an estimated \$8,720 to ESI Engineering
417 for field inspections, project management, and CDBG compliance for the City's portion of the
418 work. She stated the current proposed change order was for \$143,863.71, but currently included
419 the full width of asphalt. Staff would negotiate with South Davis Water to determine the cost
420 savings allocation for the trench area. She explained the total cost for the project would not
421 exceed \$153,000 (construction plus project management), less the negotiated amount covered by
422 South Davis Water District in lieu of patching the trench.

423

424 Ken Leetham clarified that Elm Avenue was planned for Fiscal Year 2025 and would be moved
425 to fiscal year 2024 if approved. He also said the 4000 South reconstruction project would not be
426 delayed as noted in the memo included with the agenda packet, but staff would identify another
427 project that could be delayed until 2025 or see what other options were available to fund this
428 request.

429

430 **Councilmember Gordon moved that the City Council approve entering into an agreement**
431 **with South Davis Water District to include the repaving of Elm Avenue at a cost to the City**
432 **of North Salt Lake of not more than \$153,000. Councilmember Porter seconded the motion.**
433 **The motion was approved by Councilmembers Baskin, Gordon, Knowlton, Porter and Van**
434 **Langeveld.**

435

436 10. APPROVAL OF CITY COUNCIL MINUTES

437

438 The City Council minutes of May 2, 2023 were reviewed and approved.

439

440 **Councilmember Knowlton moved to approve the minutes of May 2, 2023 as presented.**
441 **Councilmember Porter seconded the motion. The motion was approved by**
442 **Councilmembers Baskin, Gordon, Knowlton, Porter and Van Langeveld.**

443

444 11. ACTION ITEMS

445

446 The action items list was reviewed. Completed items were removed from the list.

447

448 Councilmember Porter mentioned the area between the gravel parking lot and Tunnel Springs
449 Park had excess water.

450

451 Councilmember Van Langeveld asked about the trail at Legacy Park and if it would be finished
452 before the school year began in the fall. She suggested a ribbon cutting in combination with a
453 food truck night.

454

455 12. COUNCIL REPORTS

456
457 Councilmember Van Langeveld spoke on prioritizing bike safety with the active transportation
458 plan and citizen concerns due to the recent bike accident in Woods Cross. She noted the Foxboro
459 Elementary golf course field trip would be May 17th at 11 a.m. She reviewed upcoming events
460 which included the Juneteenth food truck night on June 12th and the Pride food truck night on
461 June 26th.

462
463 She mentioned the wellness report in collaboration with Utah State University had been
464 completed. She stated over 600 respondents participated and residents rated their highest areas of
465 wellbeing as safety and security, mental health, high living standards, and education. She
466 indicated areas of most important were mental health, safety and security, physical health, and
467 living standards. Councilmember Van Langeveld noted residents were concerned with air quality,
468 water supply, and affordable housing. She said the survey showed residents valued proximity to
469 Salt Lake and the diversity in social climate. She continued in comparison to other cities, the
470 residents were higher in average for personal wellbeing and lower in community wellbeing.

471
472 Councilmember Gordon reported the Youth City Council (YCC) would attend the next City
473 Council meeting to present some changes to the way the YCC functions. She reminded those
474 present that the next City Council meeting would be held May 30th and the June 6th meeting
475 would be canceled.

476
477 Councilmember Porter spoke on riding at the Golden Spoke event and said there was a good
478 number of participants. He said Tunnel Springs Park was well utilized.

479
480 Councilmember Baskin reported on the Senior Lunch Bunch and said there were approximately
481 55 participants each time. She complimented staff on the quality of the packet/agenda. She spoke
482 on an audit regarding cyber security and said this was something the City needed to look into.
483 Councilmember Baskin mentioned Arbor Day and the potential for tree giveaways in the future.

484
485 Councilmember Knowlton reported on the Golden Spoke event and encouraged individuals to
486 utilize the trails. He spoke on I-15 environmental impact statement and significant changes.
487 Councilmember Knowlton mentioned the Governor's Office and Guiding Our Growth related to
488 housing, water, and open space. He encouraged individuals to participate in the interactive study
489 for Guiding Our Growth.

490
491 Councilmember Knowlton suggested a meeting with Bountiful and Woods Cross to discuss joint
492 issues.

493
494 13. CITY ATTORNEY'S REPORT

495
496 Todd Godfrey had nothing to report.

497 14. MAYOR'S REPORT

498

499 Mayor Horrocks commented on how well attended the Kite Festival was with 400 kites
500 distributed. He spoke on the open house at the Eaglewood Golf Course and how the course had
501 received best in Salt Lake for the second year in a row.

502

503 Mayor Horrocks spoke on how the Wasatch Integrated Waste Management District was
504 undertaking a new service which had previously been contracted for the hauling of waste
505 materials that were diverted from the landfill to Box Elder. He noted the District was currently
506 buying out and purchasing equipment from the previous hauler that had to close its operations.
507 He reported savings were anticipated to be around \$1 million by moving the service in house.

508

509 He spoke on South Davis Fire District and the loss of eight paramedics in the last year to Salt
510 Lake City. He mentioned this would be addressed in their tentative budget with a truth in
511 taxation hearing.

512

513 15. CITY MANAGER'S REPORT

514

515 Ken Leetham reported on the City's spring cleanup May 19th-21st at the Public Works building.

516

517 Councilmember Porter mentioned the new residents in the annexation area would have Bountiful
518 addresses. Ken Leetham replied staff would be familiar with the annexation area addresses and
519 allow new residents to participate in the spring cleanup.

520

521 Ken Leetham said staff would be attending a Utah Growing Smart Water Workshop on June 6th.
522 He spoke on long and short term strategies to educate the public, water conservation and
523 management.

524

525 Councilmember Gordon asked about touring the County animal control facility to see if there
526 had been any interest or a date determined yet. Ken Leetham responded a Doodle Poll would be
527 sent out to help find the best date for the group to attend a tour.

528

529 16. ADJOURN

530

531 Mayor Horrocks adjourned the meeting at 8:40 p.m.

532

533 *The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday May*
534 *30, 2023 by unanimous vote of all members present.*

535

536

537

538 _____
Brian J. Horrocks, Mayor

_____ *Wendy Page, City Recorder*

Action Items for May 30, 2023

Item	Staff	Description
New		
1	Sherrie	(5/16/23) Review areas in Foxboro that may be affected by the less than 8 foot wide turf restriction design standard
2	Sherrie/Linda	(5/16/23) Landscaping/xeriscape presentation shared on the City's website (new conservation page).
3	Jon	(5/16/23) Check on excess water (pond) at Tunnel Springs Park between the park and gravel parking lot to see if any action is needed.
4	Wendy	(5/16/23) Potentially hold a ribbon cutting/food truck night to celebrate the new Legacy Park Trail. <i>Construction will likely begin Mid-July, with anticipated completion in mid-August. Staff will monitor the progress and can coordinate a ribbon cutting event as completion approaches.(5/24/23)</i>
5	Sherrie	(5/16/23) Future item: potential for tree giveaway in conjunction with Arbor Day (See Holladay City program for example).
6	Mayor Horrocks	(5/16/23) Potential for a meeting with Bountiful and Woods Cross cities (mayor to mayor arrangement).
Current		
1	Sherrie	(5/2/23) Update City Ordinances related to Animal Control reviewing setback distances for small lots. <i>Work session scheduled for May 30 to review proposed changes and current ordinances. (5/11/23)</i>
2	Sherrie/Ken	(5/2/23) Urban design services for Town Center & Form Based Code, including the idea of having a charette to get public feedback. <i>An RFP for services will be prepared to solicit qualified consultants to assist. (5-10-23)</i>
3	Jon/Ken	(4-4-23) Consider signage or other options for Deer Hollow Reservoir near the playground to prevent children from swimming in the reservoir. <i>Ken & Jon to provide a report to the Council which includes existing signage for their review. (5-10-23)</i>
4	Sherrie	(3-7-23) See if there is an interest from Bountiful City in working with NSL jointly on extending the bike lane pilot program on Orchard Drive to Boulton Elementary and the Rec Center on 200 West. (3-21-23) <i>Staff is working to create a draft pilot program and has reached out to Bountiful. (3/29/23)</i>
5	DRC	(3-7-23) Staff to make recommendations for implementing bike lane pilot program on Orchard Drive, Eagleridge Drive, and potential for 1100 North as well (5-2-23). <i>See above.</i>
6	Ken	(3-7-23) Staff to consider preparations for possible flooding in the spring. <i>Beginning on Friday, 3/24, the City will have self-service sandbags at the public works building. Staff also added a sandbag location at Eaglewood Golf Course. Staff is inspecting and clearing all storm drains throughout the City and has contingency plans for staging sandbags at various locations as needed. Staff made a presentation to the City Council related to flooding preparedness on the April 4 City Council meeting. (3/26/23)</i>
7	DRC	(3-7-23) Staff to identify any items that would qualify for the Community Funding Projects that Congressman Stewart advised Mayor Horrocks about. <i>Staff met with Stewart representatives and has had an additional training meeting on this program. We will work to prepare the City for the 2024 Grant cycle. (3/16/23)</i>
8	Ken/Wendy	(3-7-23) Staff to prepare a policy related to City Hall rental/use. <i>Staff is reviewing city hall use policies and will propose a written policy statement in a future Council meeting. (3/16/23)</i>
9	Heidi	(2-14-23) Resident requested that the City utility bills show additional detail related to the cost of water and tiered usage (instead of just a single line for "Water"). <i>Spoke</i>

		<i>w/Caselle and this can be done, but need to contact Freedom mailing about layout as it would require adding 26 new fields to the current export file (for both water and irrigation usage). I will reach out to FM when I get back in town. (3/2/23)</i>
10	Heidi	(2-14-23) Resident requested a newsletter or similar outreach showing a chart or report for city revenues and expenses with incoming funds from sales tax, property tax, etc. <i>Staff will prepare a "Budget in Brief" handout for FY24 to have at the front counter once the final budget is adopted and will present a budget summary to the Senior Lunch Bunch (tentatively scheduled for the October meeting). (5/25/23)</i>
11	Ken	(1-21-23) Include in the Hatch Park Design Project an inventory of existing trees and a detailed plan to keep existing trees as much as possible, particularly on the west side of the park and any areas where large mature trees exist.
12	Safety Committee	(9/6/22) Inventory of public safety weaknesses around the City's elementary schools. Identification of problem areas and recommendations for resolving pedestrian and other active transportation issues. (2-7-23) Seek WFRC funding for safety plan surrounding local elementary schools. <i>Safety Committee met on this on November 1. A meeting with interested CC members was scheduled. Safety Committee met with Councilmember VanLangeveld on this item on December 15, 2022. (12/28/22) Sherrie is checking with WFRC to see if there is funding assistance available for completion of safety plans around NSL elementary schools. (2/16/23)</i>
13	Sherrie & PW/Parks Dept.	<i>Combined Action Items:</i> (Various Dates) Park strips &: City owned property Review city code for park strip landscape requirements, propose alternatives for vegetation requirements (trees) & evaluate city owned park strips and properties for recommendation on conversion to water wise landscape & review compliance notifications and processes. (3-21-23) Look into increasing tree plantings on City owned land. <i>Work Session scheduled for May 16. (5/11/23)</i>
14	Ken	(5-17-22) Staff to review alternatives for uses of City-owned properties at City Hall parcels and Hatch Park; develop process for making decisions. <i>Project report back should be in Spring, 2023. City staff will also be attending training on "Your Land, Your Plan" on January 9 to learn of the benefits of that program (12/28/22)</i>
15	Sherrie	(8/16/22) Staff to review the ten-day courtesy notice to see if the language could be softened. <i>Code enforcement is preparing response and suggested process (9/27/22)</i>
16	Ken	(4-19-22) Staff to follow-up with Woods Cross on the dog park and then report back to the Council. (11-15-22) Schedule work session item to discuss dog park options. <i>City staff presented dog park options at the March 4 CC work meeting. Next steps include cost estimate preparation and coordination with Woods Cross on funding. (3/16/23)</i>
17	Sherrie/Ken	(3/15/22) Review cemetery possibilities including land in (or outside of) the City. <i>Sherrie, Ken, and Ali met to discuss possible sites-Ali will review property deed restrictions on city owned properties and provide to Council. (9/29/2022)</i>
18	Sherrie	(3-1-22) Staff to review disproportionate and other fees related to businesses like gas stations (cost of local consent licenses and State liquor sales license). <i>Staff to prepare memo (5/10/22)</i>
19	Ken	(1-4-22) Options for emergency preparedness training for staff including windstorms, landslides, etc. <i>Staff is exploring solutions with Davis County (4/12/22)</i>
20	Ken	(2-16-21) Staff to prepare policy (or review current policy) related to tree removal particularly when related to sidewalk damage. <i>Staff is working on a follow-up report to the City Council.</i>
21	Tyler	<i>Long range monitoring item:</i> (1-3-23) Staff to present an analysis on the 20% resident discount at the Eaglewood Event Center versus 10% or 15% discount, events on weekdays versus weekends, and day versus night rentals. <i>Golf Department will report back on analysis in 2024. (1/10/2023)</i>

22	David, Ken	Long range monitoring item: (3-1-22) Review the park reservation cleaning deposit next year to see if it was effective in relation to damage/cleaning-Staff to provide a study by the end of 2022. <i>Public Works has built a work order system for tracking, reviewing and documenting damages and associated costs made to pavilions and will report back to council at the end of the 2023 season because there was not enough data at the end of 2022. (3/21/23)</i>
23	Sherrie	Long range monitoring item: (8/3/22) Inventory and evaluation of safe and unsafe locations for bikes, scooters, pedestrians within one year or August 1, 2023. <i>Ali is reviewing the active transportation plan and will monitor scooter conflicts and make recommendations on safety improvements. (8/3/2022)</i>