

**WORK SESSION OF THE
BRIGHAM CITY COUNCIL
TO REVIEW TITLES 4-9 OF THE CITY CODE
NOVEMBER 15, 2012
6:00 PM**

PRESENT:	Dennis Fife	Mayor
	Scott Ericson	Councilmember
	Ruth Jensen	Councilmember
	Brian Rex	Councilmember
	Mark Thompson	Councilmember
	Tyler Vincent	Councilmember
ALSO PRESENT:	Jim Buchanan	EMS Director
	Mary Kate Christensen	City Recorder
	Jared Johnson	Building Official
	Paul Larsen	Economic Development Director
	Bruce Leonard	City Administrator
	Kirk Morgan	City Attorney
	Jason Roberts	Finance Director
	Paul Tittensor	Police Chief

Mayor Fife said there have been some suggestions on how to best approach this review. When this process began, each department looked at their sections for things that should be added or removed. They did not really look at it from the perspective of simplifying it and moving some of it into administrative policies. Mr. Leonard added that staff was checking the code for items that were no longer applicable and position titles that should be changed. Mr. Morgan said during the review they also looked at references to the Utah Code. They removed some of the references, but they felt that some of them needed to be left in.

Mr. Leonard recommended that another committee be formed to relook at the code with simplification in mind and moving some of the chapters to the administrative policies. The Council agreed. The committee will consist of Mayor Fife, Bruce Leonard, Mary Kate Christensen and Councilmember Jensen.

Mr. Morgan recommended the Council review Titles 15 and 16 first, the Criminal and Miscellaneous Offenses Titles. The State Legislative Session will be coming up soon and if this is not updated, it will have to be updated again once the legislative session closes.

Title 4, Animal Control

Mayor Fife suggested **that rather than listing a particular department in the City, that it simply says “the City.”**

Councilmember Jensen said the Animal Control Officer contacted her and had the following concerns:

- ◆ A definition for “Service Animal” should be in this Title. Chief Tittensor said ADA and service dogs are addressed in the State Code. This **definition should be added and have a reference to the State Code.**
- ◆ 4.02.050. Animal Shelter Provided. At the end of this paragraph they wanted to add **“no animal shall be released for testing purposes” and refer to State Code.** Chief Tittensor explained that certain organizations will not issue grants or gifts to shelters that use animals for testing. Mr. Leonard added that the City passed an ordinance years ago stating that no animals would be released for testing. The City received a grant to help fund the building of the shelter and an ordinance had to be passed to get the money.
- ◆ 4.05.040(A). Terms of Impoundment. It states that animals shall be impounded for a minimum of three working days. The State Code says it is a **minimum of five working days.**
- ◆ Chapter 4.03.070, Animal Care and Offenses, has been removed. Mr. Morgan said this is all in the criminal section of the State Code.

Councilmember Jensen asked why the Animal Shelter does not take credit cards. Chief Tittensor said it is cost prohibitive. There is the cost for the machine and a yearly fee, plus the percentage of the credit payments. Mr. Roberts said the credit card machine costs \$400-\$500, plus a monthly fee whether it has been used or not. They recently looked at the volume that goes through the Animal Shelter and they do not have very many transactions. It would take a long time to cover the cost of the machine. Mr. Roberts will **look into this further.**

The Mayor had the following concerns/recommendations:

- ◆ **4.03.050, Number of Cats and/or Dogs per Residence, be rewritten for clarity.**
- ◆ The word “worry” is too vague in the statement “*it shall be unlawful for the Owner of any animal to allow such animal to bite, attack, chase or worry any person....*” This is used in several places in Title 4. Mr. Morgan thought this wording came directly from the State Code. **He will verify this.**
- ◆ In Section 4.03.070, Keeping of Residential Chickens, **add “chickens are allowed in Brigham City but a permit is required for the zoning and maintenance restrictions.”**
- ◆ Dog licenses have to be renewed every year when rabies are only required every three years. Ms. Christensen said reminder notices are sent out every year and there might be an issue with keeping track of who needs to renew each year if it is only required every three years. **The Council requested that this be considered.**
- ◆ In Section 4.06.010 it states that cats should be revaccinated every 24 months. This should be changed to 36 months. **The sentence should be shortened to say “every dog and cat shall be revaccinated every thirty-six (36) months.**
- ◆ It is unclear in this section whether bees are allowed in the City. Under the definition of pet it states that invertebrates can be pets if they are contained. Bees are invertebrates and are kept in containers, but can also get loose and not be controlled. There are citizens with honeybees and it is vague whether they are allowed or not.

Title 5, Buildings

No changes.

Title 6, Cabarets and 6A, Teenage Dances and Dance Halls

These titles have been removed.

Title 7, Library

This Title should be moved to the City’s Administrative Policies. Mr. Morgan will review the violation of not returning books in the State Code. Paragraph 7.01.060 should be moved to the Miscellaneous Offenses Title.

Title 8, Cemetery

This Title, with the exception of the criminal offenses, should be in the Administrative Policy. The criminal offenses should be in the Miscellaneous Offenses Title.

Title 9, Nominations and Elections

This Title should be removed because it is all set by State Code.

The meeting adjourned at 6:57 PM.