

**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: March 5, 2014

AGENDA ITEM: Ordinance No. 14-04 - Amending Chapter 8.40 of the Taylorsville Code of Ordinances – Animal Control Enforcement

PUBLIC HEARING REQUIRED: YES ____ NO X ____

RESOLUTION/ORDINANCE REQUIRED:

ORDINANCE X ____ RESOLUTION ____ NONE ____

PRESENTER: John Brems

ISSUE SUMMARY: The proposed ordinance amendment has been requested by West Valley City Animal Services to solve some problems as the City transitions to non-criminal animal control enforcement.

STAFF RECOMMENDATION: Consider Ordinance 14-04

CITY ATTORNEY (Approved as to form): Yes

ACTION REQUIRED: Motion to approve/disapprove Ordinance No. 14-04

ATTACHMENTS: Ordinance No. 14-04

CONTACT FOR FURTHER INFO: John Brems

TAYLORSVILLE, UTAH
ORDINANCE NO. 14-04

AN ORDINANCE AMENDING CHAPTER 8.40 OF THE TAYLORSVILLE CODE OF ORDINANCES

WHEREAS, the City Council (“Council”) met in regular meeting on March 5, 2014, to consider, among other things, amending Chapter 8.40 of the Taylorsville Code of Ordinances; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to amend Chapter 8.40.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council that the amendments made to Chapter 8.40 are hereby adopted and are designated by interlineating the words to be deleted and underlining the words to be added, as follows:

8.40.010: VIOLATION OF TITLE; PENALTIES:

Except for violation of sections 8.12.070, 8.12.080, 8.24.020, and 8.36.010, ~~this~~ title may be enforced through the administrative code enforcement hearing program established by title 18 of this code or by filing a civil action in the district court. Violations of sections 8.12.070, 8.12.080, 8.24.020, and 8.36.010 of this title may be enforced through the administrative code enforcement hearing program established by title 18 of this code by filing a civil or criminal action in the district court or criminal action in the justice court. Notwithstanding anything to the contrary, the city has sole discretion to decide whether to pursue or file a civil or criminal case for any violations. The possibility of an administrative remedy pursuant to title 18 of this code shall in no way interfere with the city's right to prosecute violations of this title as criminal action. If the city chooses to file both civil and criminal charges for the same violation, no civil penalty may be assessed, but all other remedies are available. The correction period set forth in section 18.04.030 may be eliminated by the animal control officer, and an administrative citation penalty of fifty dollars (\$50) may be assessed immediately upon issuance of the administrative citation.

8.40.020: ISSUANCE OF CITATIONS:

An animal control officer is authorized to issue a criminal citation to any person upon a charge of violating any of sections 8.12.070, 8.12.080, 8.24.020, and 8.36.010. The form of the citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of applicable law.

This Ordinance, assigned Ordinance No. 14-04, shall take effect as soon as it shall be published or posted as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this ____ day of _____, 2014.

TAYLORSVILLE CITY COUNCIL

SEAL

By: _____
Kristie Overson, Chairman

VOTING:

Dama Barbour	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Larry Johnson	Yea ___ Nay ___
Kristie Overson	Yea ___ Nay ___
Brad Christopherson	Yea ___ Nay ___

PRESENTED to the Mayor of the City of Taylorsville for approval this ____ day of _____, 2014.

APPROVED this ____ day of _____, 2014.

ATTEST:

Mayor Lawrence Johnson

Cheryl P. Cottle, City Recorder

DEPOSITED in the Recorder's office this ____ day of _____, 2014.

POSTED this ____ day of _____, 2014.