



WHITE CITY COUNCIL MEETING AGENDA

January 2, 2025

6:00 PM

White City Water Improvement District
999 E Galena Drive, White City 84094

PUBLIC NOTICE IS HEREBY GIVEN that the White City Council will hold a regular meeting on the **2nd day of January 2025** at the White City Water Improvement District, 999 E Galena Drive, White City, Utah as follows:

This meeting will be held at the anchor location and electronically for members of the staff and/or public that cannot attend. Those interested in attending electronically should follow the information noted at the end of this agenda. **Portions of the meetings may be closed for reasons allowed by statute. Motions relating to any of the items listed below, including final action, may be taken.

6:00 p.m. - WORKSHOP

1. Discussion/Clarification of Agenda Items
2. Update and Discussion on Detached Accessory Dwelling Units [*DADU Committee*]
3. Update and Discussion on Community Civic Center [*Paul Ashton, City Attorney*]
4. Discuss the Comprehensive Emergency Management Plan (CEMP) [*Brian Buckhout, Emergency Municipal Planner*]
5. Discuss future agenda items
6. Close Workshop Meeting

BUSINESS MEETING

1. Welcome and Determine Quorum

2. Financial Report [*Dave Sanderson, Financial Manager*]

3. Unified Fire Authority Report [*Battalion Chief Kenneth Aldridge*]

3.1 Sandy Fire Quarterly Report [*Chief McConaghie*]

4. Unified Police Department Report [*Detective Josh Smith, Chief April Morse*]

5. **Public Comments** -- (*Limited to 3 minutes per person*) Any person wishing to comment on any item not otherwise scheduled for a public hearing on the agenda may address the Council at this point by coming to the table and giving their name for the record. *Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Governing Body.*

6. ACTION ITEMS

6.1 Present Audited FY2024 Financial Statements – [*Daniel Hoffman, Senior Accountant*]

6.2 Consider **Resolution No. 2025-01-01** Adopting the Greater Salt Lake Municipal Services District Comprehensive Emergency Management Plan (CEMP) [**Brian Buckhout, Emergency Municipal Planner**]

6.3 Consider **Resolution No. 2025-01-02** Approving and Authorizing the Execution of the Fourth Amendment to the Master Interlocal Agreement among the MSD, Salt Lake County, Town of Copperton, Emigration Canyon, City of Kearns, Magna City and White City for Municipal, Administrative, and Operational Services [**Paul Ashton, Attorney**]

6.4 Consider **Ordinance No. 2025-O-01** Amending Title 12 of the White City Municipal Code regarding Code Enforcement and Community Preservation [**Paul Ashton, Attorney**]

7. DISCUSSION ITEMS

7.1 Discussion regarding Amendments to Title 8 of the White City Municipal Code regarding Animals [**Paul Ashton, Attorney**]

8. COUNCIL REPORTS

8.1 Greater Salt Lake Municipal Services District/Council of Governments [**Mayor Paulina Flint**]

8.2 Unified Fire Authority/Unified Fire Service Area [**Council Member Tyler Huish**]

8.3 Mosquito Abatement/Salt Lake County Animal Control [**Council Member Linda Price**]

8.4 Unified Police Department/SLVLESA [**Council Member Phillip Cardenaz**]

8.5 Wasatch Front Waste & Recycling District [**Council Member Greg Shelton**]

9. CLOSED SESSIONS IF NEEDED AS ALLOWED UNDER UTAH CODE ANN. 52-4-205

9.1 Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual.

9.2 Strategy sessions to discuss pending or reasonably imminent litigation.

9.3 Strategy sessions to discuss the purchase, exchange, or lease of real property.

9.4 Discussion regarding deployment of security personnel,

9.5 Other lawful purposes as listing in Utah Code 52-4-205

10. ADJOURN

ZOOM MEETING

Topic: White City Council Meeting

Time: Jan 2, 2025 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87358232785?pwd=JhrKgmdyYCbUg6XYkL4eO9VTSE04LM.1>

Meeting ID: 873 5823 2785

Passcode: 279375

Upon request with three (3) working days' notice, the Greater Salt Lake Municipal Services District, in support of White City, will make reasonable accommodation for participation in the meeting. To request assistance, please call (385) 468-6703 – TTY 711.

A copy of the foregoing agenda was posted at the following locations on the date posted below: White City website at whitecity.utah.gov and the State Public Notice Website at <http://pmn.utah.gov> . Pursuant to State Law and White City Ordinance, Councilmembers may participate electronically. Pursuant to Utah Code Ann. § 52-4-205, Parts of Meetings may be Closed for Reasons Allowed by Statute.

POSTED: December 30, 2024



Transition from EOP (Emergency Operations Plan) to a CEMP (Comprehensive Emergency Management Plan)

Limitations of the current Emergency Operations Plan (EOP)

- ❑ Reactive Approach:
 - ❑ EOP Focuses mainly on response and recovery, lacking proactive measures.
- ❑ Scope:
 - ❑ Limited to specific emergency scenarios, not a comprehensive plan.
- ❑ Integration:
 - ❑ Does not fully integrate all phases of emergency management: Mitigation, preparedness, response, and recovery.

FOUR PHASES OF EMERGENCY MANAGEMENT



Benefits of the Comprehensive Emergency Management Plan (CEMP)

- ❑ Proactive Approach:
 - ❑ Emphasizes all five phases of emergency management.
- ❑ Comprehensive Scope:
 - ❑ Covers a wide range of potential hazards and scenarios.
- ❑ Integration and coordination:
 - ❑ Enhances coordination among various agencies and stakeholders.
- ❑ Community Resilience:
 - ❑ Builds long-term resilience and reduces vulnerability.



What is a CEMP

A Comprehensive Emergency Management Plan (CEMP) is a strategic and all-encompassing document created by government agencies, organizations, or jurisdictions to prepare for and respond to a wide range of emergencies and disasters. **The CEMP serves as a roadmap for effectively managing emergencies, addressing various phases of emergency management, and coordinating the efforts of multiple stakeholders.**

Today, many **jurisdictions utilize the CEMP as the jurisdiction's EOP** as it provides **broader guidance in describing the jurisdiction's overall emergency management program.**

What is in a CEMP



The **base plan** provides information regarding policy and operations focused on coordination, command and control structures, roles and responsibilities, procedures, and resources for the County and its agencies that support response, recovery, preparedness, and mitigation for all hazards.



The **ESF and RSF checklists** provide an overview of each of the 15 ESFs and six RSFs and include step-by-step actions for activation, response, and recovery operations. The checklists are contained in the Emergency Support Functions and Recovery Support Functions Handbook, a list is included on page 50-51 of this base plan.



The **hazard-specific annexes** describe unique aspects, actions, and considerations for specific hazards.

Common Questions regarding a CEMP

- ❑ Do we still need a EOP if we have a CEMP?
 - ❑ No, the CEMP replaces the EOP.
- ❑ Does a CEMP have to be approved/resolution by city council?
 - ❑ The main CEMP does go through council approval, the attached annexes however are separate and do not require Formal Council approval.
- ❑ Explain what the annexes are?
 - ❑ The annexes for the MSD CEMP are often operational plans that can focus on hazard of jurisdictional specifics. They can hold more specific local information such as evacuation routes or triggers to prompt specified actions in response and recovery.

Benefits of the Comprehensive Emergency Management Plan (CEMP)

- ❑ Proactive Approach:
 - ❑ Emphasizes all five phases of emergency management.
- ❑ Comprehensive Scope:
 - ❑ Covers a wide range of potential hazards and scenarios.
- ❑ Integration and coordination:
 - ❑ Enhances coordination among various agencies and stakeholders.
- ❑ Community Resilience:
 - ❑ Builds long-term resilience and reduces vulnerability.

Call to Action



GREATER SALT LAKE
**Municipal Services
District**

☐ Summary/Key Points:

- ☐ Better aligns us with our neighboring cities and with Salt Lake County's new CEMP.
- ☐ In summary, the limitations of our current EOP highlight the need for a more comprehensive approach to emergency management.
- ☐ The CEMP offers significant benefits, including a proactive approach, comprehensive scope, better integration and coordination, and enhanced community resilience.

White City

Budget Report Yearly

41.60%

11/30/2024

Revenues

	Actual to 11/30/2024	FY 2025 Budget	Projected
Sales tax	398,541	900,000	900,000
Franchise tax	2,343	7,500	7,500
Transportation sales tax	38,135	85,000	85,000
Class C road funds	85,633	230,000	230,000
ARPA funding	682,646	-	682,646
Business licenses	2,138	1,000	2,500
Building permits	12,022	25,000	25,000
Other permits	-	10,000	10,000
Zoning-land use permits	-	-	-
Grants care funds	-	-	-
ARPA funding	-	682,646	682,646
Engineering services	284	1,000	1,000
Planning services	-	25,000	25,000
Code enforcement fines	-	1,500	1,500
Justice court fines	13,123	30,000	30,000
Miscellaneous	6	-	10
Interest earnings	28,090	-	72,000
Transfers in	499,992	499,992	499,992
Total Revenues	\$ 1,762,953	\$ 2,498,638	\$ 3,254,794

Expenses - Administration

Wages	34,375	82,500	82,500
Employee Benefits	2,629	9,000	9,000
Awards, Promotions & Meals	5,063	-	7,500
Subscriptions/Memberships	350	4,070	4,070
Printing/Publications/Advertising	1,466	5,000	5,000
Office expense and supplies	1,126	1,070	1,150
Attorney-civil	12,985	75,000	75,000
Attorney- land use	-	10,000	10,000
Training and seminars	-	7,070	7,070
Web page development/maint	-	17,686	17,686
Software streaming	1,569	500	2,500
Payroll processing fees	257	900	900
Communications	-	4,000	4,000
Contributions/special events	-	53,161	53,161
Credit card and bank expenses	-	535	535
Insurance	9,740	16,000	16,000
Workers comp insurance	84	1,200	1,200
Postage	1,333	2,000	2,000
Professional & technical	39,662	132,900	132,900
UFA Emergency services	-	-	-
SL (Client) County support services	122	65,000	65,000
Cares act expenses	-	-	-
ARPA expense	-	682,646	682,646
Justice Court remediation -UPD	-	5,000	5,000
Rent	164	2,400	2,400
Non classified expenses	-	5,000	5,000
Total Administration	\$ 110,925	\$ 1,182,638	\$ 1,192,218

41.60%

11/30/2024

Expenses - Transfers

ARPA expenss

Transfer to General fund

Transfer to Capital projects

Total Transfers**Total Expenses****Surplus/Deficit**

Actual to 11/30/2024	FY 2025 Budget	Projected
682,646	-	682,646
580,316	1,316,000	1,316,000
-	-	-
\$ 1,262,962	\$ 1,316,000	\$ 1,998,646
\$ 1,373,887	\$ 2,498,638	\$ 3,190,864
\$ 389,066	\$ -	\$ 63,930

**WHITE CITY, UTAH
RESOLUTION NO. 2025-01-01**

**A RESOLUTION OF THE WHITE CITY COUNCIL
ADOPTING THE GREATER SALT LAKE MUNICIPAL
SERVICES COMPREHENSIVE EMERGENCY
MANAGEMENT PLAN**

WHEREAS, a Comprehensive Emergency Management Plan (CEMP) can reduce the vulnerability of citizens community of White City, which is within the jurisdiction of the Greater Salt Lake Municipal Services District, to loss of life, injury, damage and destruction of property during natural, technological, or human-caused emergencies and disasters or during hostile military or paramilitary actions; and

WHEREAS, a CEMP will help White City, which is within the jurisdiction of the Greater Salt Lake Municipal Service District, prepare for prompt and efficient response and recovery to protect lives and property affected by emergencies and disasters;

WHEREAS, a CEMP will help White City, which is within the jurisdiction of the Greater Salt Lake Municipal Services District, respond to emergencies using all systems, plans and resources necessary to preserve the health, safety and welfare of persons affected by an emergency; and

WHEREAS, a CEMP helps White City, which is within the jurisdiction of the Greater Salt Lake Municipal Services District, with recovering from emergencies and disasters by providing for the rapid and orderly restoration and rehabilitation of persons and property affected by emergencies; and

WHEREAS, a CEMP provides an emergency management system encompassing all aspects of pre-emergency preparedness and post-emergency response, recovery and mitigation; and

WHEREAS, White City is within the jurisdiction of the Greater Salt Lake Municipal Services District and desires to adopt a CEMP as the White City CEMP in the interest of the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WHITE CITY, UTAH:

Section 1. Adoption of an Emergency Operations Plan. The Comprehensive Emergency Management Plan (“Plan”) of the Greater Salt Lake Municipal Services District is hereby adopted as the emergency operations plan for White City, including its designation of an alert plan, and alert system. The Plan is attached as Exhibit 1.

Section 2. Adoption of the National Incident Management System (NIMS). White City hereby adopts the National Incident Management System (NIMS) as a framework to integrate and coordinate the emergency response and recovery actions of all levels of government.

Section 3. This Resolution shall take effect immediately.

APPROVED AND ADOPTED this 2nd day of January 2025.

Paulina F. Flint, Mayor

ATTEST:

Nicole Smedley, Clerk/Recorder

Voting

Mayor Flint

Council Member Shelton _____

Council Member Cardenaz _____

Council Member Price _____

Council Member Huish _____

APPROVED:

Paul Ashton, Attorney



**Greater Salt Lake
Municipal Services District
Comprehensive
Emergency
Management Plan**

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i. EXECUTIVE SUMMARY

The Greater Salt Lake Municipal Services District Comprehensive Emergency Management Plan (MSD CEMP) establishes the framework through which Greater Salt Lake Municipal Services District (MSD) **and the communities it serves (Towns of Brighton and Copperton, Emigration Canyon, Magna City, White City, and the City of Kearns)** respond to, recover from, prepare for, and mitigate against all hazards that threaten it. Local government has the primary responsibility of emergency management activities. When the emergency exceeds the local government's capabilities to respond, the local government will then request assistance from the MSD. When the MSD exceeds its capabilities, it will then request assistance from Salt Lake County, and then the State of Utah. The Federal Government will aid the State when appropriate. This plan is based upon the concept that the emergency functions for municipal departments, functions or groups will generally parallel their normal day-to-day functions. To the extent possible, the same personnel and material resources will be employed in both cases.

Along with the Hazard Analysis, this plan is intended to be used as a guiding document when executing response or recovery operations during a disaster or emergency and to guide preparedness and mitigation operations.

Navigating the Comprehensive Emergency Management Plan

The following sections in the CEMP provide direction on emergency or disaster activation, response, recovery, preparedness, and mitigation procedures.

Activation occurs after identifying an occurring or imminent emergency or disaster incident. Operations in this section include:

- Assessing the scope and potential impacts of the emergency
- Convening the Policy Group and senior leadership to determine response priorities and next steps
- Activating the CEMP to facilitate response and recovery operations
- Determining if the MSD ECC will be activated to support response and recovery operations
- Staffing the **MSD Emergency Coordination Center [MSD ECC]** to facilitate and support response and recovery operations

Response includes immediate operations following the identification of an occurring or imminent emergency or disaster to save lives and prevent further property damage.

Operations in this section include:

- Forming a common operating picture to ensure situational awareness among responding entities
- Developing and documenting incident priorities through the Incident Action Plan (IAP)

- Issuing and/or coordinating with the County for timely and accurate public warning and guidance to the community
- Implementing protective actions, such as evacuations and sheltering, to save lives and property
- Coordinating with partners such as other municipalities, the County, and the State to support emergency or disaster response
- Documenting response operations to support audits, documentation policies, and transition to recovery operations

Recovery operations support returning the community to pre-emergency or disaster conditions. Operations in this section include:

- Transitioning from response to recovery operations
- Assessing recovery needs of the community to execute targeted recovery operations
- Initiating long-term recovery efforts to support the community returning to normal

Preparedness operations prepare for and mitigate the impacts of all hazards. Operations in this section include:

- Developing planning documentation to formalize capabilities and procedures that prepare for and mitigate the impacts of emergencies and disasters
- Conducting mitigation planning to build resilience and identify mitigation actions to lessen the impacts of specific hazards
- Training and exercising on plans and procedures to support execution of response and recovery operations
- Involving the public in emergency management through outreach to increase community preparedness

ii. PROMULGATION

Transmitted herewith is the Greater Salt Lake County Municipal Services District Comprehensive Emergency Management Plan (MSD CEMP). The MSD CEMP was developed through the collaborative efforts of the MSD, stakeholders from the Town of Brighton, Copperton, Emigration Canyon, Magna City, White City, The City of Kearns, Salt Lake County Emergency Management, and the Utah Division of Emergency Management (DEM).

The MSD appreciates the cooperation and support from all stakeholders that contributed to the development of the MSD CEMP. The Towns and Cities, Municipal Service District, County and State organizations listed in this plan will review the MSD CEMP for accuracy on a periodic basis.

The MSD CEMP and its supporting documents supersede any previous Emergency Management plan and have been approved for implementation by:

Name

Position

Date

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iii. RECORD OF DISTRIBUTION

Table 1: Record of Distribution

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iii. RECORD OF REVISION

Table 2: Record of Revision

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1.0 BASE PLAN INTRODUCTION

The Salt Lake Greater Municipal Service District Comprehensive Emergency Management Plan (MSD CEMP) establishes the framework through which the MSD, Towns of Brighton and Copperton, Magna City, White City, the City of Kearns and Emigration Canyon will respond to, recover from, prepare for, and mitigate against all hazards that are threats to them. It describes the comprehensive integration and coordination of all levels of municipal, County, State, and federal government, volunteer organizations, non-profit agencies, and the private sector.

1.1 Purpose

The base plan provides a comprehensive overview of scalable command and control structures and operational procedures across all levels of government to respond to, recover from, prepare for, and mitigate against all hazards. The MSD CEMP for the Town of Brighton and Copperton, Emigration Canyon, Magna City, White City, and the City of Kearns, establishes a framework for an effective system of comprehensive emergency operations and management for the purpose of:

- Reducing the loss of life, injury, property damage and loss from natural or man-made emergencies.
- Preparing for prompt and efficient response activities to protect lives and property impacted by emergencies.
- Responding to emergencies with the effective use of all relevant plans and appropriate resources.
- Providing for the rapid and orderly implementation of recovery operations.
- Assisting in awareness, education, prevention, and mitigation of emergencies.

1.2 Scope

The MSD CEMP includes several incident-specific annexes that describe the concept of operations to address specific hazard situations that contain technical information, details, and methods for use in emergency operations for agencies located within the communities served by the MSD.

The MSD CEMP addresses the various levels of emergencies or disasters likely to occur and, in accordance with the magnitude of an event, the corresponding short- and long-term response actions that state organizations will take in coordination with the MSD ECC, SLCo Emergency Management Division, Utah DEM, and the surrounding local jurisdictions.

1.3 Hazard Overview

The Salt Lake County Hazard Mitigation Plan identifies the hazards that pose a risk to the communities served by the MSD and details their potential impacts. Each community's specific hazard mitigation plan is included in the jurisdiction-specific sections of the Salt Lake County Hazard Mitigation Plan. Many communities have chosen to adopt the MSD-wide plan. These hazards are identified in the Salt Lake County THIRA (Threat and Hazard Identification and Risk Assessment).

Figure 1 provides an overview of those hazards.

Figure 1: County Hazard Overview

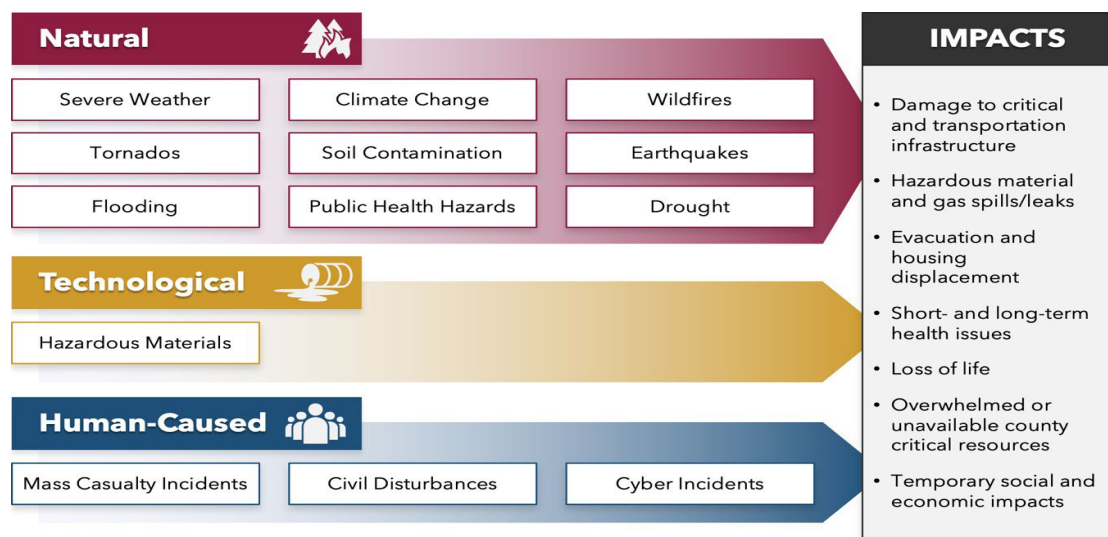
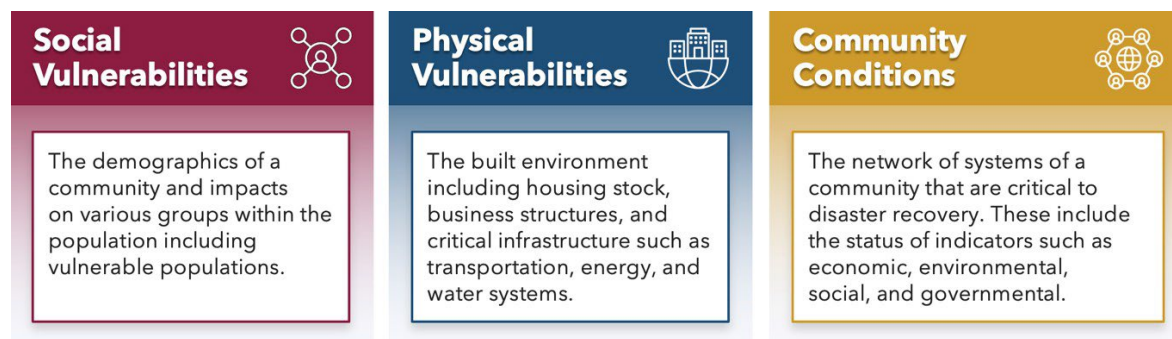


Figure 2: Types of Vulnerability



2.0 ASSUMPTIONS

- The emergency command and control structure in the communities served by the MSD are based on a bottom-up approach to response and recovery resource allocation. Each level of government must exhaust its resources prior to elevation to the next level. Homeland security statutes and regulations may govern certain response activities. The recovery of losses and reimbursements of costs from federal resources will require preparation and compliance with specific and defined processes.
- Many homes, businesses, and industries may be damaged or destroyed. The structural integrity of many public buildings, bridges, roadways, and facilities may be compromised. Water and utility infrastructure can be severely affected, and emergency response efforts will be hampered due to transportation problems, lack of electrical power, debris, and damaged, destroyed or inaccessible structures.
- The responsibilities and functions outlined in this MSD CEMP will be fulfilled only if the situation, information exchange, extent of actual agency capabilities and resources are available at the time of the emergency or disaster.
- There will likely be direct physical and economic damage to critical infrastructure. This damage will diminish emergency response capabilities due to inaccessible locales, will cause inconvenience or overwhelming distress due to temporary or protracted service interruptions and will result in long-term economic losses due to the economic and physical limitations of recovery operations.
- The Mayor or Emergency Manager for the town or city, or their designated representative(s) from the communities served by the MSD, at the time of the emergency, will coordinate activities in their jurisdiction with the MSD ECC. The MSD ECC will then maintain communication with the ESF 5 – Emergency Management desk with the Salt Lake Co ECC.
- A few of the significant factors that will affect casualties and damage include time of occurrence, severity of impact, weather conditions, population density, building construction, and secondary events (for example, fires, explosions, structural collapse, contamination issues, loss of critical infrastructure, floods, etc.).
- Disaster relief from departments and agencies outside the communities served by the MSD may take five days or more to arrive.
- The communities served by the MSD will respond according to their Emergency Response Guidelines.
- The MSD CEMP describes basic strategies that will outline the mobilization of resources and emergency operation activities that support local emergency management efforts. The MSD CEMP addresses the following five mission areas of the National Preparedness Goal for Homeland Security:

The following planning assumptions of the five mission areas of the National Preparedness Goal for Homeland Security are in Table 1 were considered in the development and execution of the base plan.

Table 1: Base Plan Assumptions

Coordination Structures	<ul style="list-style-type: none"> ● Municipal, County, State, and federal response organizations adopt NIMS as the integrated system to respond to and recover from incidents. ● Emergency management coordination and resource allocation starts at the municipal level and extends to County, State, and federal resources as availability and capabilities are exhausted. ● The MSD Emergency Coordination Center (ECC) is staffed with representatives from the MSD under the [ESF/ISM] structure during response and the Recovery Support Function (RSF) structure during recovery.
Activation	<ul style="list-style-type: none"> ● Some activation notifications and communications depend on availability of communications and energy infrastructure. ● Damaged infrastructure impacts the speed at which municipal, special service district, County, State, and federal agencies can activate and deploy resources.
Response	<ul style="list-style-type: none"> ● The MSD ECC makes every reasonable effort to respond in the event of an emergency or disaster. ● Time of occurrence, severity of impact, weather conditions, population density, building construction, and cascading events are significant factors that affect casualties and damage. ● Emergency response capabilities are diminished due to damaged infrastructure and equipment or inaccessible locales. ● Damages to infrastructure are likely to manifest in direct physical and economic damages to facilities and systems. ● Disaster relief from agencies outside the Cities or Towns serviced by the MSD may take 120 hours or more to arrive.
Recovery	<ul style="list-style-type: none"> ● Recovery of losses or reimbursements of costs from federal assistance requires preparation and compliance with federal statutes and regulations. ● The economic and physical limitations of recovery operations may result in temporary or protracted interruptions to services.
Preparedness and Mitigation	<ul style="list-style-type: none"> ● Effective preparedness requires ongoing public community awareness and education programs so that citizens are prepared and understand their responsibilities should a major disaster or emergency occur. ● Residents living within Cities and Towns serviced by the MSD are expected to maintain essential supplies to be self-sufficient for a minimum of 120 hours and up to two weeks following the initial impacts of an emergency or disaster. Effective mitigation may prevent certain hazards or incidents from occurring. For hazards or incidents that cannot be prevented, effective mitigation may reduce their impacts.

2.1 Activation

2.1.1 Involve the Community in Emergency Management

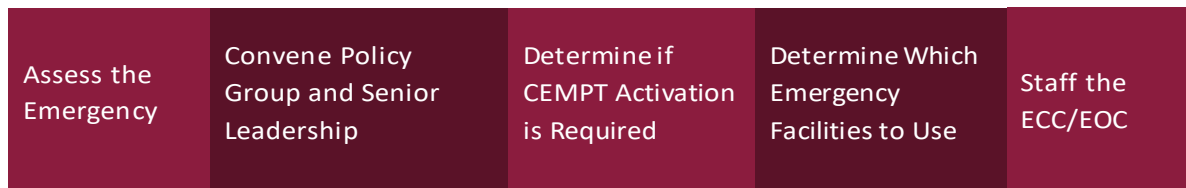
Effective community preparedness requires ongoing community awareness and education programs so citizens are prepared and understand their responsibilities should a major disaster or emergency occur.

2.1.2 Improve Public Safety through Education and Outreach

The Emergency Managers of the city and towns serviced by the MSD, working with the Communications Manager/PIO of the MSD will coordinate with other municipal communications officers, and be responsible for developing and disseminating preparedness public messaging campaigns. Examples of these campaigns include:

- Signing up for public alert applications
- Developing a personal preparedness plan
- Informing the community on safety information about flood zones and evacuation routes

2.2 Activation Phase



Key Activities

- The MSD Duty Officer is contacted by the Chief Elected Official or their designated representative (Emergency Manager) from the affected municipality and assess the potential or actual emergency and determine whether the MSD Policy Group needs to be contacted. If the incident warrants the contact of the MSD Policy Group, the Duty Officer will contact them. (See MSD ECC Activation Plan in Annex H of this plan).
- The MSD Duty Officer and MSD Policy Group of the municipality affected will determine if the MSD ECC should be used to support response.
- The MSD Manager determines the extent of the MSD ECC activation, and which organizational structures and staff need to be mobilized to support activated facilities.
- EM notifies personnel they have been activated to support response.

2.2.1 Assess the Emergency

Municipal first responders are often the first agency to identify an imminent or potential emergency or disaster. Responding agencies on-scene utilize coordination structures defined in NIMS to respond to and assess the scope or potential impacts of the incident. Considerations when assessing the scope or potential impacts include:

- Potential for loss of life or injury
- Potential damage to property, roads, electricity, water, and other infrastructure
- Amount of time before incident impact
- Potential economic disruption

When the Chief Elected Official or Emergency Manager (EM) are advised of the incident by the first responders or the community, they shall contact the MSD Duty Officer at the 24-hour contact number. (See MSD ECC Activation Response Plan in Annex B). The Chief Elected Official or EM shall conference with the MSD Duty Officer to determine to declare an emergency. The Duty Officer will advise the Chief Elected Official or EM that they will advise the MSD Leadership (General Manager and/or Associate Manager) of the incident and the possible emergency declaration. The MSD Leadership will determine if the MSD Policy Group needs to convene. If the Policy Group does not need to convene, the MSD Leadership will contact the Chief Elected Official or EM and advise them of their action. If the MSD Leadership chooses to convene the MSD Policy Group, see MSD ECC Activation and Response Plan in Annex H.

2.3 Determine Whether Comprehensive Emergency Management Plan Activation is Required

Upon identification or warning of an incident, the following members of the MSD Policy Group will work collectively to activate the CEMP.

- Emergency Manager or designee
- MSD [Administrator/General Manager] or designee
- Local City/town Mayor

The MSD Policy Group will consider the initial assessment from first responders to determine if the MSD CEMP and MSD ECC should be activated. Once the CEMP has been activated, relevant municipal and county agencies and partners are notified to implement the subsequent sections of this plan.

Warn the Community About Imminent Threats

If an emergency or disaster poses an immediate risk to the community, first responder agencies, in coordination with local Public Information Officers (PIO's) and EM's provide alert and warnings to the community and implement protective actions as rapidly as possible. If needed, local jurisdictions should coordinate with MSD and SLCo EM PIO for iPAWS messaging.

Effective and timely life and property saving operations often depend on prompt identification and activation of resources during a disaster or emergency. This section provides an overview of operations that occur after identifying an occurring or imminent emergency disaster

2.3.1 Convene Policy Group and Senior Leadership

Responding agencies use established communications channels to notify senior decision makers, such as the local Emergency Manager/Mayor or UFA liaison Officer, the MSD ***On call Officer***, of imminent or occurring emergencies or disasters. These channels include:

- Emergency dispatch
- Field observation
- ECC Planning and Intelligence Section
- Alerts from neighboring jurisdictions

2.3.2 Determine Which Emergency Facilities to Use

Decide Which Facilities are Necessary to Support Response

Following the activation of the CEMP, the MSD Emergency Manager coordinates with the local cities and/or towns, Salt Lake County Emergency Management, first responding agencies, and other City/County leadership. Together, they determine which emergency management facilities to activate.

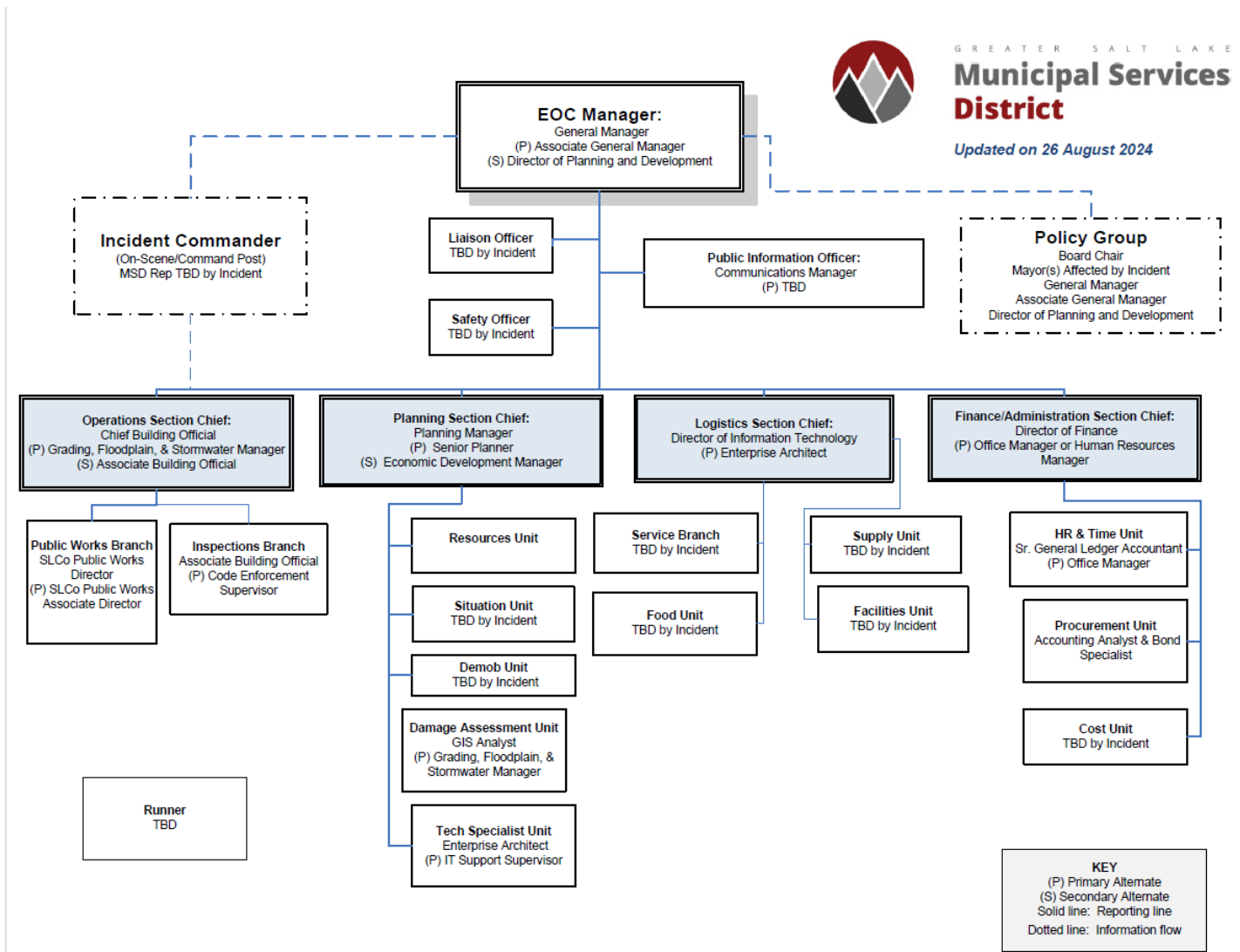
2.3.3 Staff the Emergency Coordination center (ECC)

When an event requires ECC activation, the MSD General Manager or designee will determine which ECC sections, branches, positions, and [ESF/ISM] are activated or deactivated depending on the emergency or disaster's scope and size.

The ECC uses an *ICS/Hybrid structure* to respond to incidents and is organized by:

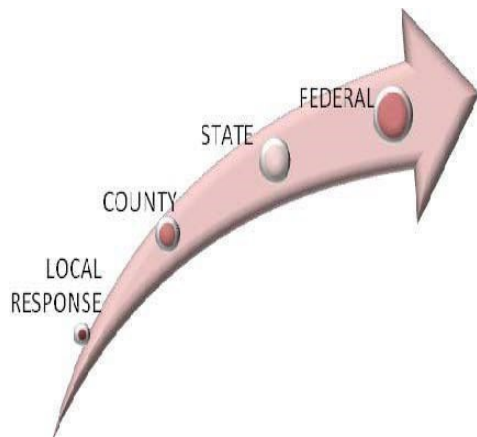
- *Sections that group the operations of the four core functions of the ECC (See table)*
- *Branches that organize section-specific operations and may have a combination of [ESF/ISM] and ECC positions.*
- *[ESF/ISM] that are groupings of similar organizations and agencies to support section and branch-specific operations.*
- *ECC positions that provide specific support for ECC sections and overall ECC operations, such as safety, communications support, and documentation.*

Figure 4 provides an overview of the ECC structure, including sections, branches, and positions.



The 2019 Utah Hazard Mitigation Plan and the 2019 Salt Lake County Hazard Mitigation Plan served as the guidelines for mitigation operations in the State of Utah in general, SLCo, and the communities served by the MSD, specifically. These plans help to promote sound public policy designed to protect **citizens, critical facilities, infrastructure, private property, and the environment.**

3.CONCEPT OF OPERATIONS



The communities served by the MSD use a bottom-up approach in all phases of emergency management, with emergency activities being resolved at the lowest possible level of response. The resources of local response agencies, county, state, and federal agencies are to be used in this sequential order to ensure a rapid and efficient response.

3.1 Normal Operations

In the absence of a declared disaster or state of emergency, the emergency response forces (EMS, fire, law enforcement, and public works) will respond to emergencies within the communities served by the MSD. Mutual aid and shared response jurisdictions are addressed through local agreements and do not require a local declaration of emergency to enable them. The Chief Elected Executive(s) or their designee(s) from the City or Town affected by the emergency may request operational assistance from the MSD ECC, if the event exceeds the City or Town capabilities.

3.2 Declaring a Local State of Emergency

The very nature of disasters — their unique circumstances, the unexpected timing, and varied impacts — precludes a complete listing of factors considered when evaluating disaster declaration requests. All disasters start and end at the local level; however, the primary factors considered include the following:

- Amount and type of damage (number of homes destroyed or homes with major damage)
- Impact on the infrastructure of affected areas or critical facilities
- Imminent threats to public health and safety
- Impact on essential government services and functions
- Dispersion or concentration of damage
- Level of insurance coverage in place for homeowners and public facilities
- Assistance available from other sources (federal, state, local, voluntary organizations)

- State and local resource commitments from previous, undeclared events
- Frequency of disaster events over a recent time period
- When conditions warrant, the Chief Elected Executive of the city or town, or their designee(s), will request a Declaration of Emergency (*Each City or Town Mayor has the authority to declare an emergency within their Jurisdiction and are defined as a “municipality” by U.C.A. § 10-1-104(5)(c). The “chief executive officer” of a city or a town is defined as the “mayor” by U.C.A. § 53-2a-203(1)(a)(i) because they are a “form of municipal government.” Finally, each mayor has the powers outlined in U.C.A. § 53-2a-205 when a “state of emergency or local emergency has been declared.”*)
- A local emergency declaration shall not be continued or renewed for a period in excess of 30 days except by or with the consent of the affected City or Town Council. *Utah Code § 53-2a-208 (1) (b)*
- Damage assessment updates from affected areas should follow at regular intervals from the Chief Elected Executive or their designee, from the Cities or Towns, with assistance from the MSD. Crisis Track is the current platform for completing damage assessments.

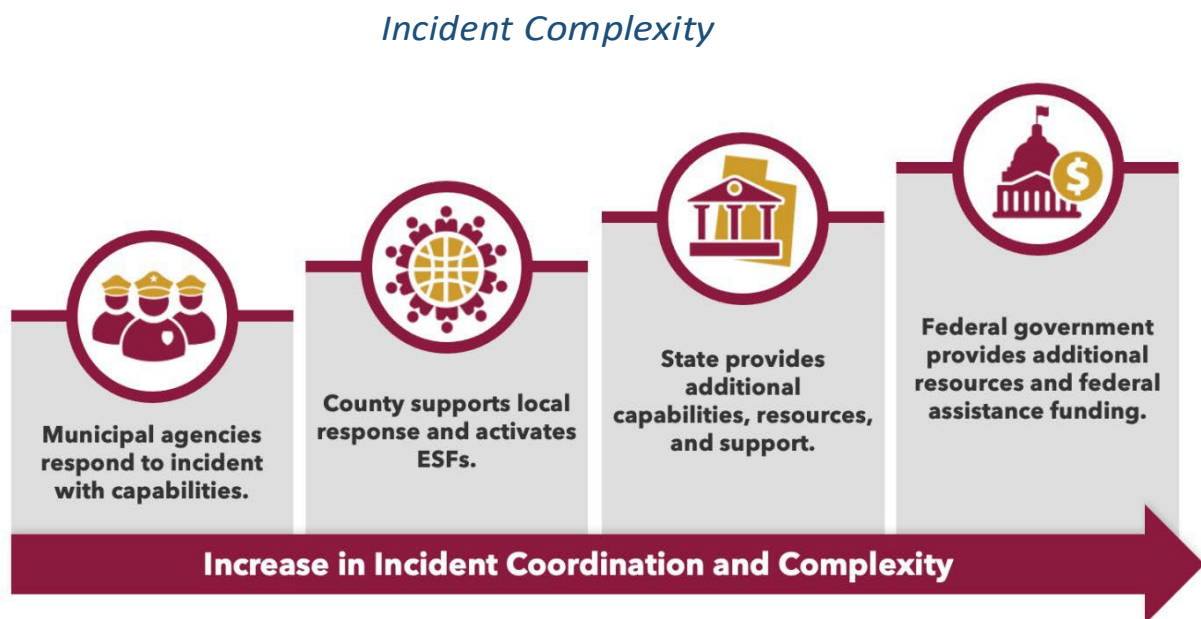
The Robert T. Stafford Disaster Relief and Emergency Assistance Act (referred to as the Stafford Act - 42 U.S.C. 5721 et seq.) authorizes the President to issue major disaster or emergency declarations before or after catastrophes occur. Emergency declarations trigger aid that protects property, public health and safety, and lessens or averts the threat of an incident becoming a catastrophic event.

Effective and timely life and property saving operations often depend on prompt identification and activation of resources during a disaster or emergency. This section provides an overview of operations that occur after identifying an occurring or imminent emergency or disaster incident

3.3 Coordinate with City and Town Municipality Partners

To effectively implement activation, response, recovery, and preparedness actions, the **MSD and its ECC** coordinates with County, State, federal, and private sector partners. This section provides an overview of how these entities coordinate.

As an incident evolves, expands, or affects certain sectors, various agencies may become involved to support response and recovery operations. Figure 7 provides a general overview of how different agencies and entities are involved as an incident becomes more complex.



The table below describes the major responsibilities related to coordination during emergency and disaster response and recovery operations.

Coordination Roles and Responsibilities

Municipalities	<ul style="list-style-type: none"> ● Respond to incident based on available resources and capabilities ● Notify municipal emergency management and other supporting agencies of operations, initial assessment, and need for further support (if required) ● Activate relevant municipal EOC to provide timely, accurate, and regular assessments and coordination support ● Declare a local emergency if warranted ● Activate MSD ECC
County	<ul style="list-style-type: none"> ● Activate ECC to support response and recovery coordination. ● Notify DEM of incident and request support as needed. ● Create County disaster declaration as needed. ● Coordinate with Utah DEM to request federal assistance as needed. ● Coordinate requests from municipalities and County departments, organizations, and agencies for resources to support response and recovery. ● Regularly assess and document incident impacts and status. ● Develop timely and accurate messaging to the community regarding incident status and protective actions.
State of Utah	<ul style="list-style-type: none"> ● Provide DEM liaison to support communication and coordinate between the <i>Salt Lake County ECC</i> and DEM. ● Coordinate support from State of Utah agencies, other counties, and inter-State mutual aid through EMAC. ● Support <i>[Town/City/Municipality/County]</i> and State disaster declaration as needed. ● Coordinate federal assistance.
Federal Government	<ul style="list-style-type: none"> ● Provide response support and resources if State of Utah capabilities are insufficient to respond and recover from the incident. ● Provide federal assistance to help the [Municipality] recover from emergency or disaster impacts.
Private Sector	<ul style="list-style-type: none"> ● Incorporate response and recovery resources and support to municipal and County governments through requests, agreements, and memorandums of understanding (MOU). ● Provide situational assessment and ensure situational awareness of disaster or emergency, if applicable.

3.4 Preparedness

This section provides an overview of preparedness actions executed by the communities serviced by the MSD and the MSD partnering agencies to prepare for the impacts of all hazards. Preparedness actions occur prior to and after emergencies and disasters and include planning, training, and exercises.

Preparedness Phase Overview



Key Activities

- All agencies develop internal plans to support emergency or disaster preparedness.
- Local communities and MSD EMs coordinates hazard mitigation planning and identification of mitigation projects to lessen the impacts of emergencies and disasters.
- Local communities and MSD EMs plans for, executes training, and exercises for different partner entities within the Municipality.
- The local communities EM, working with the MSD Leadership and MSD PIO implement outreach strategies to inform, educate, and engage the community on emergency preparedness.

3.5 Develop Plans for Future Emergencies

Maintain Plans that Support Response and Recovery

The cities and towns serviced by the MSD will maintain operational plans and documents described in the table below to better facilitate disaster and emergency response.

Planning Documentation Overview

Comprehensive Emergency Management Plan	Establishes the framework for the Cities and towns serviced by the MSD to respond to, recover from, prepare for, and mitigate against all hazards that pose a threat to them

3.5.1 Update Plans Regularly

Emergency Managers of the cities and towns serviced by the MSD have the overall responsibility for ensuring their plans, annexes, operation guides, and associated checklists are current. The city or town Emergency Manager or designee assigns personnel to be accountable for the upkeep of specific planning documentation.

3.6 MSD Emergency Coordination Center Activation

This MSD CEMP and the MSD ECC may be activated when the Chief Elected Executive, or their designee(s) from a city or town, have declared a local emergency, or when an emergency is considered imminent or probable, and the implementation of this MSD CEMP and the MSD ECC is considered a prudent, proactive response. (See MSD ECC Activation and Response Plan).

An event may start out small, escalate quickly, or may occur at any time of day or night. The following are steps leading to a disaster declaration:

- As soon as an incident occurs, the Chief Elected Executive(s), or their designee(s) of the Cities or Towns affected will monitor the situation and advise the MSD Duty Officer (DO).
- The Cities or Towns will initially respond to the emergency using their Emergency Response Guidelines.
- The MSD DO will then contact the MSD General Manager (GM) and Associate General Manager (AGM) to advise them of the incident. (See MSD ECC Activation and Response Procedures).
- The communities served by the MSD will use their own or contracted resources first in dealing with an emergency.
- In an emergency or disaster situation, when those resources are overwhelmed or threatened to be overwhelmed, the Chief Elected Executive(s) or their designee of the Cities or Towns affected, will notify the MSD ECC Duty Officer, and advise them of the incident. (See MSD ECC Activation and Response Plan).
- The GM, AGM, or the Director of Planning or designee of the MSD, working

with the Chief Elected Executive or their designee of the affected City or Town, will determine whether or not to activate the MSD ECC. (See MSD ECC Activation and Response Procedures).

- Once activated, the MSD ECC will serve as the representative for the City or Town to the Salt Lake County ECC. (See MSD ECC Activation and Response Procedures).
- If the incident is beyond the MSC ECC capabilities, the MSD ECC Command will, using the most functional and available method of communication, notify the SLCo Emergency Manager, or the 24-hour SLCo Emergency Watch Desk (Duty Officer), of the incident and request assistance. (See MSD ECC Activation and Response Procedures). When required, the communities served by the MSD, will declare a local state of emergency and assist emergency response coordination and operations from the MSD ECC.

3.6.1 Requesting Mutual Aid

To expedite the resource sharing process, the MSD *has* entered into mutual aid agreements with neighboring jurisdictions and assisting agencies to access additional resources should they be available. Such mutual aid agreements are pre-established (preferred) or created at the onset of response operations. Pre-establishing mutual aid agreements prior to response operations is preferred as the agreements can be rapidly utilized during response. The MSD has already established contracts and mutual aid agreements.

Mutual aid agreements often include:

- Identification of the resources accessed
- Reasonable assurance that resources are available when needed
- Terms for compensation

3.6.2 Salt Lake County Emergency Coordination Center Activation

The SLCo ECC will serve as the command center for all disaster response operations in Salt Lake County. The ECC is located at 3380 South 900 West, Salt Lake City, Utah. If a disaster or emergency prevents the use of this primary facility, SLCo will determine the alternate ECC.

ECC Activation Levels of Operation

- 1. The Salt Lake County ECC activation is divided into three levels of readiness, to establish emergency operations.**
- 2. SLCo Emergency Management staff are always on-call to monitor and follow up on situations, threats, or events within the communities served by the MSD.**

The severity of the event will directly affect the level of activation by the SLCo ECC. The SLCo Emergency Manager, will help decide to increase or decrease levels of activation. When the SLCo ECC is activated, a centralized response and recovery will be established, with operational plans and activities focused on efficiency, quality, and quantity of resources.

The three levels of activation coordinate with the SLCo, Utah DEM, and federal plan activation levels:

- Level I: Full-scale activation (Red)
- Level II: Limited activation (Yellow)
- Level III: Monitoring activation (Green)

- 3. Level I – Full-Scale Activation**

Level I is the complete mobilization and operation of the SLCo ECC with full staffing, as available. The SLCo ECC may operate on a 24-hour schedule due to the severity of the event. The MSD ECC will coordinate with the SLCO ECC.

- 4. Level II - Limited Activation**

Level II is limited county activation, where only those Emergency Services Functions (ESFs) which are necessary to support the response to the emergency are activated. The SLCo Emergency Manager will notify coordinators of ESFs that they are activated and to report to the ECC. All other ESFs will be alerted and put on-standby. The SLCo Emergency Manager may request a liaison from the MSD to represent the Cities and Towns affected by the emergency. These emergencies require limited staff to direct and support the needed ECC operations.

5. Level III – Monitoring Activation

Level III is a preparatory step taken upon the receipt of a warning for a potential disaster or emergency condition. The SLCo Emergency Manager will apprise the MSD of the event. The SLCo Emergency Manager will evaluate the situation and, if conditions warrant, alert and advise the appropriate individuals and agencies of the situation and instruct them to take appropriate action as part of their everyday responsibilities. The SLCo ECC may be activated with only administrative staff. They will assess the situation and may escalate the activation if needed. This level typically involves observation, verification of appropriate action, and follow-up. Notifications may be made that will potentially affect departments and other agencies or jurisdictions. The ECC may be set up and prepared for operations. Communications equipment will be tested and made operational. The day-to-day operations are typically not altered, and the management structure stays the same.

3.6.3 Emergency Support Functions

The SLCo ECC uses the ICS structure, which provides the ECC staff with a standardized operational structure and common terminology. The ECC is organized into 15 ESFs which are composed of local departments, agencies, and voluntary organizations that are grouped together to provide needed assistance.

3.6.4 Decision Making in the Salt Lake County ECC

Activation of the ECC is to develop and maintain awareness of the entire situation for decision makers and to coordinate support for emergency responders. A common operating picture is critical because it provides the basis for making decisions and facilitates the release of emergency public information. Situational awareness is also vital to the effective coordination of support for responders in the field.

3.6.5 Salt Lake County ECC Action Planning

ECC Incident Action Plans (IAP) provide designated ECC personnel with knowledge of the objectives to be achieved and the steps required for their achievement. ECC IAPs also provide a basis for measuring the achievement of objectives and overall system performance.

Action planning is an important management tool that involves the following:

- Identification of emergency response priorities and objectives based on situational awareness
- Documentation of established priorities and objectives and the associated tasks and personnel assignments

The Planning Section is responsible for developing the ECC incident action plan and facilitating action-planning meetings. ECC action plans are developed for a specified operational period, which may range from a few hours to 24 hours. The operational period is determined by establishing an initial set of priority actions. A reasonable timeframe is then determined for the accomplishment of those actions.

It is imperative that the liaison from the MSD be a part of the Planning process and the Policy Group.

3.6.6 After Action and Corrective Action Plans

As immediate threats to life and property subside and the need for sustained ESF operations diminishes, responsible individuals will be debriefed, and lessons learned will be documented. The General Manager or Associate General Manager of the MSD working with their liaison to the County ECC, will prepare a written After-Action Report (AAR) of their activities, which will be submitted to the General Manager of the MSD for review. A copy of this AAR is included in the Forms Annex at the end of this document. The AAR will then be submitted to the SLCo Emergency Manager for review. Matters requiring corrective action will be written up in a Corrective Action Plan (CAP). It will be forwarded to the Chief Elected Executive(s) of the Cities and Town affected by the emergency to be addressed as needed. Copies of the ICS 214 Log, After Action Form, and Corrective Action Plan are in the annexes section of this document.

4.0 ORGANIZATION AND RESPONSIBILITIES

Representatives from the communities served by the MSD may have various roles and responsibilities throughout the duration of an emergency. Therefore, it is important the MSD General Manager, or their designee(s), the cities and Town(s) Chief Elected Executive(s), or his/her designee(s), understand and be trained in the command structure established to support response and recovery efforts. Typical duties and roles may also vary depending on the severity of impact, size of the incident, and availability of local resources.

It is also important that the Chief Elected Executive(s) from the City or Town, or their designee(s), and MSD personnel, are identified and receive training in their responsibilities to support existing response plans, procedures and policies.

The Chief Elected Executive(s) of the City and Town(s), or their designee(s), and the GM and AGM of the MSD, and any MSD personnel, should be able to:

- Maintain current internal personnel notification rosters and standard operating procedures to perform assigned tasks (notifications, staffing, etc.).
- Provide the MSD ECC and the SLCo Emergency Manager with current contact information and email addresses.
- Identify potential sources of additional personnel, equipment, and supplies.
- Provide for continuity of operations by taking action to accomplish the following:
 - Ensure orders of succession for key management positions are established to ensure continuous leadership and authority for emergency actions and decisions in emergency conditions.
 - Protect records, facilities, and organizational equipment deemed essential for sustaining government functions and conducting emergency operations.
 - If practical, ensure that alternate operating locations are available if the primary location suffers damage, becomes inaccessible, or requires evacuation.
- Be trained and understand their Continuity of Operations Plan (COOP)
- Refer to their City or Town Emergency Response Guidelines or Plan

4.1 Greater Salt Lake Municipal Services District

The following are the MSD divisions that may be requested with support responsibilities as detailed by the CEMP or requested by MSD ECC and/or SLCo Emergency Management Division.

- Planning and Zoning
- Animal Control
- Business Licenses
- Code Enforcement
- Public Works Operations and Engineering
- Parks
- Staff Administration and support ECC for its members

The MSD provides these services to its member entities directly or via contract with other agencies, such as Parks Maintenance and Public Works Operations. The MSD should advise SLCo Emergency Management of any contracted services to provide support.

4.2 County Departments and Agencies

Salt Lake County Emergency Management

- Maintain ESF 5 (Emergency Management) - Computer-driven information management programs and ensure the training of personnel on their operation and utilization.
- Provide disaster management-related information using ESF 5's information management and response planning computer programs.
- Provide this information to the Chief Elected Executive(s) of the communities served by the MSD, to the SLCo ECC and others as determined by the SLCo Emergency Manager.
- Maintain incident logs, mission-tracking logs, mutual aid request logs, and document all SLCo ECC briefings and meetings, plus other information tracking procedures.
- Develop division procedures that increase capabilities to respond to, and recover from, emergencies and disasters to local jurisdictions.
- Coordinate, supervise and manage the procurement, distribution, and conservation of supplies and resources available for use by SLCo government in supporting recover.

Salt Lake County Health Department

- Provide subject matter expertise, consultation, and technical assistance to ESF 8 (Public Health and Medical Services) for its partners on disaster human services issues.
- Provide medical staff and support to augment health services personnel as appropriate.
- Provide medical care and mental health services for affected populations either within or outside shelter locations in accordance with appropriate guidelines.
- Provide technical assistance for shelter operations related to food, vectors, water supply, and wastewater disposal.
- Assist in the provision of medical supplies and services, including durable medical equipment.
- Coordinate overall needs assessment and monitors potential health hazards.
- Identify critical personnel and responsibilities, emergency chain of command, appropriate emergency notification procedures, and alternate work locations.
- Endeavor to provide accurate and timely emergency public information.

Valley Emergency Communications Center (VECC)

- Operate as a 24-hour/7-day a week, 911 police, fire, and emergency medical services dispatch center.
- Provide after-hours notification for the emergency management staff, responders and the media if there is threat to life, property, or safety of the responders.

4.3 State Agencies

Utah Division of Emergency Management

- Coordinate the State of Utah's response to disasters.
- Support local emergency management efforts when local resources are unable to cope with the situation and when a particular capability or resource is required but unavailable.
- Contact other states or the federal government for assistance if the state is unable to fulfill the request.

Utah National Guard

- Supports statewide emergency management efforts when local resources are unable to cope with the situation and when a capability or resource is required but unavailable.
- Contact other State National Guard Agencies or the federal government for assistance if the state is unable to fulfill the request.

Utah Department of Transportation

- Supports statewide emergency management efforts for all state roadways and highways within Utah.

4.4 Federal Agencies

Federal Emergency Management Agency

- Coordinates the federal government's role in preparing for, preventing, mitigating the effects of, responding to, and recovering from all domestic disasters, whether natural or human-caused, including acts of terror.

Department of Defense

- Coordinates federal military forces responding to, and recovering from, all domestic disasters, whether natural or human-caused, including acts of terrorism.

National Weather Service

- Issues severe weather watches and warnings.

4.5 Non-governmental Organizations

The role of Non-Governmental Organizations (NGOs) in disasters is to fill the gaps that governmental agencies cannot perform. Disaster response and recovery require a coordinated effort between various public, private and NGOs in order to be effective. Planning must involve everyone from these multiple sectors in order to ensure a coordinated response and recovery effort.

American Red Cross

- Provide staff to work in support of mass care and sheltering activities.
- Provide subject-matter expertise on regulations, policy, and all relevant ARC issues, including general mass care planning, preparedness, and response and recovery activities as ARC-specific activities in these areas.
- Provide information on current ARC mass care activities as required.
- Support reunification efforts through its Safe and Well web site and

in coordination with government entities as appropriate. ([link here](#))

- Provide public health and safety and lessen or avert the threat of an incident becoming a catastrophic event.
- Provide staff and support as part of an integrated case management system.

Faith-Based Organizations

- Provide staff to work in support of mass care and sheltering activities.
- Provide facilities for sheltering, mass care, and feeding.
- Provide areas for Points of Distribution (POD).
- This section outlines general roles and responsibilities for Municipal, County, State, and Federal entities related to response, recovery, preparedness, and mitigation operations.

4.6 Functional Responsibilities

This table provides an overview of emergency response functions and the primary (P) and secondary (S) entities that are responsible for executing those functions.

Function	[Municipality] EM	Mayor/Manager Office	Health Department	Information Services	Public Works	Human Services	Mayors/Manager Office of Finance	Police Department	Fire Department	American Red Cross (ARC)	Salvation Army	Faith-Based NGOs	Private Sector
Administration and Finance	S						P						
Agriculture and Natural Resources					S								P
Alert and Notification	P							S	S				
Communications	S			P				S	S				
Critical Infrastructure and Key Resource Restoration					P								S
Damage Assessment	S				P								
Debris Management					P				S				
Detection And Monitoring	S							P	P				
Direction, Control, and Coordination	P	P						S	S				
Donation Management							P			S	S	S	S
Emergency Public Information	P	S											
Energy and Utilities Services					S								P
Evacuation and Shelter-in-Place		S						P	P				
Fatality Management and Mortuary Services													

Firefighting/Fire Protection									P				
Function	[Municipality] EM	Mayor/Manager Office	Health Department	Information Services	Public Works	Human Services	Mayors/Manager Office of Finance	Police Department	Fire Department	American Red Cross (ARC)	Salvation Army	Faith-Based NGOs	Private Sector
Food, Water, and Commodities Distribution											P		
Hazardous Materials									P				
Information Collection, Analysis, and Dissemination	P							S					
Law Enforcement								P					
Mass Care and Sheltering	S									P	P	S	
Mutual Aid	P	S											
Private Sector Coordination	P												P
Public Health and Medical Services			P										
Public Works and Engineering					P								
Resource Management and Logistics	P								S				
Search and Rescue									P				
Transportation Systems and Resources					P								
Volunteer Management	S									P	P		
Warning	P							S	S				

5.0 DIRECTION, CONTROL AND COORDINATION

In the event of an emergency or disaster, the communities served by the MSD depend on SLCo's emergency response agencies, including EMS, fire, law enforcement, and public works.

The senior leadership of the Cities or Towns will focus on information gathering and situational awareness needed to make informed decisions. The Chief Elected Executive or EM will contact the MSD Duty Officer and advise them of the incident and situation. After the extent of the emergency is determined, the MSD Duty Officer will contact the MSD General Manager or Associate General Manager to ascertain if the MSD ECC needs to be activated and/or contracts are overwhelmed, then an emergency may be declared. The MSD ECC is charged with coordinating efforts to represent the Cities and Towns during emergencies with the Salt Lake County Emergency Management Department. SLCo Emergency Management is the agency charged with coordinating local jurisdictions located within SLCo and the disaster response efforts.

The Chief Elected Executive(s) of the Cities Towns, or their designee(s), and the General Manager of the MSD, or their designee(s), will help support response to major events, during the declared emergency, through the MSD ECC.

The communities served by the MSD CEMP components will be coordinated as follows:

1. This promulgated CEMP is effective immediately upon approval and implementation.
2. All communities served by the MSD are responsible for developing and maintaining their own internal operating and notification procedures.
3. All communities served by the MSD are responsible for filling any important vacancies, recalling personnel from leave if appropriate, and alerting those who are absent due to other duties or assignments, identified in their Emergency Response Guidelines or Plan.
4. Unless directed otherwise, existing City or Town communications systems and frequencies will be employed.
5. Unless directed otherwise, the release of information to the public or media will be coordinated through the MSD Communication Officer and/or SLCo Joint Information System (JIS) using the concepts outlined in ESF 15 (External Affairs).
6. The MSD ECC will identify a representative that will respond to the County ECC as a liaison for the MSD. The Liaison to the County ECC will make prior

arrangements to ensure that their families are provided for in the event of an emergency to ensure a prompt, worry-free response and subsequent duty.

5.1 Perform Damage Assessments

Municipal agencies conduct damage assessments during the response to identify incident impacts, prioritize response and restoration activities, and initiate the cost recovery process. The objectives of damage assessments include:

- Determining immediate life safety issues such as trapped or missing individuals
- Assessing economic impacts
- Identifying the scope of damages
- Determining the status of infrastructure
- Prioritizing response operations
- Documenting damages
- Affixing an estimated dollar amount to damage to justify the need for additional assistance

New impacts, damages, or disruptions to infrastructure are incorporated into updated assessments and reported to relevant *[ESFs/ISMs]* and County, State, and federal supporting agencies.

5.2 Rapid Damage Assessment

A Rapid Damage Assessment (RDA) is an assessment that takes place within hours after an incident and focuses on lifesaving needs, imminent hazards and critical lifelines. This is also referred to as a 'windshield assessment' and will be gathered information using all means available. First responders, volunteers, or the Community Emergency Response Teams (CERT) can assist using the RDA Forms. Initial RDAs will focus on high- hazard areas (i.e., hospitals, schools, churches, etc.) and then residential structures.

5.3 Preliminary Damage Assessment

A preliminary damage assessment is conducted within the framework of a declaration process, identifies and affixes a dollar amount to government and commercial property, and percentage of damages to residential property. The preliminary damage assessment assists the SLCo Mayor and Council in determining resources available and additional needs that may be required. Damage assessments are to be conducted in the affected communities served by the MSD online program, which is then relayed to the ECC through the internet.

A preliminary damage assessment team may be composed of personnel from FEMA, the state DEM, county and local officials, and the U.S. Small Business Administration (SBA). The team's work begins with reviewing the types of

damage or emergency costs incurred by the units of government and the impact to critical facilities, such as public utilities, hospitals, schools, fire, and police departments. They will also look at the effect on individuals and businesses, including the amount of damage and the number of people displaced, as well as the threat to health and safety caused by the event. Additional data from the American Red Cross (ARC) or other local voluntary agencies may also be reviewed.

During the assessment, the team will collect estimates of the expenses and damages and forward to the SLCo Emergency Manager. This information is used by the SLCo Mayor to support a declaration of a state of emergency or declaration at the county level. The Governor can also utilize this information to support a declaration of a state of emergency request that will outline the cost of response efforts, such as emergency personnel overtime, other emergency services shortfalls, community damage, citizenry affected and criteria to illustrate that the needed response efforts are beyond state and local recovery capabilities. The information gathered during the assessment will help the Governor certify that the damage exceeds state and local resources.

Preliminary damage assessments also assist the Chief Elected Executive(s) of the communities served by the MSD, the opportunity to assess the damage in their City or Town. The Chief Elected Executive(s) of the Cities or Towns affected by an emergency, or their designee(s), working with the MSD ECC, will work with SLCo Emergency Management to assemble assessments in the ECC environment.

5.4 Response Procedures

If the MSD ECC is activated, a representative from the MSD ECC will contact the SLCo ECC within two hours. The SLCo Emergency Manager may also request a representative from the MSD as a liaison. Emergency response actions may be undertaken and coordinated, with or without activation of the MSD ECC or the City and Town activating their CEMP. This will depend on the severity of the impending or actual situation. Response priorities will focus on life safety; then basic survival issues (water, food, basic medical care, shelter); restoration of the City or Town vital infrastructures (water/waste systems, electrical grid, phones, roads); clean up and emergency repairs; and then recovery. The Joint Information Center (JIC) will organize notifications to the public, business community, and other parties of developments and activities via the local media.

5.5 Response & Recovery

The SLCo ECC, working with the MSD ECC will support a needs assessment soon after a disaster occurs. The needs assessment identifies the resources required to respond to and recover from the disaster. The assessment will form the basis for notification and resource requests from SLCo, State, and Federal assistance. The MSD ECC and the SLCo ECC will compile damage assessment information to determine the fiscal impact and dollar loss associated with a disaster. Damage assessment information is needed to secure a presidential disaster declaration; however, it is not always required before federal assistance is requested in a disaster.

5.6 Continuity of Operations

Continuity of Operations (COOP) is a function of emergency management and is vital during a community emergency or disaster situation. COOP is defined as the preservation and maintenance of the local civil government's ability to carry out its constitutional responsibilities. All the communities served by the MSD shall have a Continuity of Operations Plan (COOP).

6.0 COMMUNICATIONS

Emergency communications are defined as the ability of emergency responders to exchange information via data, voice, and video. Emergency response at all levels of government must have interoperable and seamless communications to manage emergencies, establish command and control, maintain situational awareness, and function under a common operating picture for a broad spectrum of incidents.

Emergency communications consist of three primary elements:

1. **Operability:** The ability of emergency responders to establish and sustain communications in support of the operation.
2. **Interoperability:** The ability of emergency responders to communicate among jurisdictions, disciplines, and levels of government using a variety of communication mediums. System operability is required for system interoperability.
3. **Continuity of communications:** The ability of emergency response agencies to maintain communications in the event of damage to or destruction of the primary infrastructure.

7.0 ADMINISTRATION, FINANCE, AND LOGISTICS

7.1 Administration Information

The Chief Elected Executive(s) of the communities served by the MSD, and the MSD ECC, will keep narratives and operational journals of response actions during an emergency in which they are affected.

The Chief Elected Executive(s) of the City or Town, working with the MSD ECC, are responsible for implementing their CEMP's. They will work with and support the MSD ECC and the SLCo Emergency Manager with any administrative and logistical needs for their jurisdiction. This will assist in the preparation of a list of resources necessary in carrying out their emergency responsibilities.

7.2 Records, Preservation and Restoration

All affected communities served by the MSD, as well as the MSD, must ensure the protection of their records so normal operations can continue after the emergency. Such records may also be vital to the rapid recovery from the effects of an emergency. The communities that are served by the MSD, and are affected, will support any information technology from their agency with the maintenance of plans for the safety, recovery, and restoration of the data and telecommunication systems during a disaster.

7.3 Reports and Records

The planning and activation of an effective emergency response require timely and accurate reporting of information and the maintenance of records on a continual basis. The Chief Elected Executive(s) of the communities served by the MSD and the MSD ECC if activated, will keep narrative and written log-type records of all actions that happened during an operational period, using the ICS 214 form. The General Manager of the MSD or the Command Staff of the MSD ECC, will also keep a narrative written log-type records of all actions that happened within the MSD ECC and the City or Town, using the ICS 214 form. These reports are to include any situation reports, request for assistance, and damage assessments. Copies are to be sent to the SLCo Emergency Manager in a timely manner.

The City or Towns and the MSD ECC Command Staff will use pre-established bookkeeping and accounting methods to track and maintain records of expenditures and obligations.

The logs and records will form the basis for status reports to the county and the state. At a minimum, daily situation reports from both the City and Towns affected, and the MSD, will be forwarded to the county ECC during a local activation.

7.4 Financial Management

The General Manager of the MSD or their designee(s) and the MSD ECC Command Staff, working with the Chief Elected Executive(s) of the Cities and Towns affected, will track all expenditures staff time, and injuries during the time of the disaster or emergency in their jurisdiction. The expenditure tracking form will be sent to the County Finance/Administration Section of the County ECC, with a copy to be kept by the MSD ECC Finance/Administration Section Chief.

The Finance/Administration Section Chief at the MSD ECC will ensure all documentation is complete, recorded on the appropriate forms and proper in all respects. If a community served by the MSD, is federally declared, the SLCo auditor will submit for reimbursement. If not declared, the documentation will serve as a recorded history of activity with expenditures.

7.5 Accounting

The General Manager of the MSD or the Finance/Administration Section Chief of the MSD ECC will maintain a complete and accurate account of emergency expenditures and obligations, to include personnel and equipment costs. Such records are essential to identify and document funds for which no federal reimbursement will be requested but might be eligible for reimbursement under major emergency project applications. When federal public assistance is provided under the Disaster Relief Act, local projects approved by FEMA are subject to state and federal audits.

The MSD finance division will coordinate the reimbursement documentation for the FEMA Public Assistance Program during a presidentially declared disaster for the county government.

7.6 Fiscal Agreements

The Finance/Administration Section Chief will keep a clear statement of the agreements between all major agencies responding to an emergency concerning payment or reimbursement for personnel services rendered, equipment costs, and expenditures of materials used in response to an emergency is mandatory.

7.7 Logistics

Assumptions:

- The communities served by the MSD have no local logistical capabilities.
- The MSD has some logistical assets that are under contract with SLCo and may be requested by SLCo Emergency Management.
- The MSD will supply SLCo Emergency Management a copy of the list of logistical assets that are available from the MSD.

SLCo Emergency Management maintains current resource information on supplies, equipment, facilities, and skilled personnel available for emergency response and recovery operations. Unless covered in a mutual aid agreement/memorandum of understanding, emergency resources may not be sent outside the county unless the SLCo Mayor, the SLCo Emergency Manager, or other designated representative grants approval.

8.0 PLAN MAINTENANCE AND DISTRIBUTION

The MSD General Manager, or his/her designee(s), and the MSD Board of Trustees are responsible for the overall maintenance (review and update) of this CEMP and for ensuring that changes and revisions are prepared, coordinated, published and distributed.

This plan shall be reviewed annually or after the following events:

- A major incident
- A change in operational resources (i.e., policy, personnel, organizational structures, management process, facilities, equipment)
- A formal update of planning guidance or standards
- A change in elected officials
- Each activation of the MSD CEMP and of the MSD ECC
- Major exercises
- A change in the jurisdiction's demographics or hazard or threat profile
- A change in the acceptability of various risks
- The enactment of new or amended laws or ordinances.

If the review does not generate significant changes to the CEMP, no new copies of this document are to be distributed. A copy will be kept with the MSD for their records.

If significant changes are required, then the CEMP will be updated, and copies will be sent to each City and Town Council for re-promulgation.

8.1 Emergency Operations Plan Maintenance

To maintain CEMP capabilities and be prepared for any emergency or disaster that may affect communities served by the MSD, the General Manager of the MSD, or his designee(s), has developed and maintains a multi-year strategy. Table 10-1 provides a standardized list of activities necessary to monitor the dynamic elements of the MSD CEMP and the frequency of their occurrence.

Table 8-1 MSD - CEMP Maintenance Standards

Tasks		Frequency
Plan update and certification	<ul style="list-style-type: none"> • Review entire plan for accuracy. • Incorporate lessons learned and changes in policy and philosophy. 	Annually
Train new Municipal Services District (MSD) Emergency Management	<ul style="list-style-type: none"> • Conduct MSD CEMP training for new management staff. 	Within 90 days of appointment
Orient new policy officials and senior leadership	<ul style="list-style-type: none"> • Brief officials on the existence and concepts of the MSD CEMP. 	Within 90 days of appointment
Plan and conduct exercises	<ul style="list-style-type: none"> • Conduct internal CEMP exercises. • Conduct joint exercises with the MSD, Cities, Towns and County emergency personnel. • Support and participate in state-level and local-level exercises. 	Semiannually, annually or as needed.

9.0 AUTHORITIES AND REFERENCES

9.1 Authorities

Presidential Policy Directive 5 (PPD 5), Management of Domestic Incidents

Presidential Policy Directive 8 (PPD 8), Enhance the country's security and resilience against emerging security challenges, threats, and risks, specifically acts of terrorism, natural disasters, and cyberattacks.

Federal Authorities

- National Flood Insurance Act (42 U.S.C 4027) Executive Order 12146 of July 20, 1979
- Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended)
- National Response Framework (NFR) Policy 1410, Ordinance 2.28.160 and 2.28.170

The authorities under which the MSD CEMP may be activated include the following:

State of Utah

- Utah Code § 53-2a Emergency Management Act
- State of Utah, Emergency Operations Plan Salt Lake County
- Salt Lake County Municipal Code § 2.86 Emergency Response and Recovery
- Salt Lake County Emergency Declaration

Greater Salt Lake Municipal Services District

- MSD Emergency Coordination Center (ECC) Activation and Response Plan
- MSD Comprehensive Emergency Management Plan

Cities or Town

- Local Emergency Declaration
- City or Town CEMP

9.2 Supporting Documents/Plans

- Federal Emergency Management Agency (FEMA) 501, National Incident Management System (NIMS)
- Federal Response Plan
- FEMA 501-3, NIMS Basic - Preparedness
- FEMA 501-7, NIMS Basic - Ongoing Management and Maintenance
- Comprehensive Preparedness Guide (CPG) 101
- State of Utah Emergency Operations Plan

- State of Utah Hazard Mitigation Plan
- Salt Lake County Comprehensive Emergency Management Plan (CEMP) 2023
- Salt Lake County Hazard Mitigation Plan 2019
- Town of Brighton Hazard Mitigation Annex
- Town of Brighton Emergency Operations Plan
- The City of Kearns Hazard Mitigation Annex
- The City of Kearns Emergency Operations Plan
- The Town of Copperton Hazard Mitigation Annex
- The Town of Copperton Emergency Operations Plan
- White City Hazard Mitigation Annex
- White City Emergency Operations Plan
- Emigration Canyon City Hazard Mitigation Annex
- Emigration Canyon City Emergency Operations Plan
- Magna City Hazard Mitigation Annex
- Magna City Emergency Operations Plan
- Greater Salt Lake Municipal Services District Emergency Coordination Center Activation and Response Plan (MSD ECC Plan)
- Greater Salt Lake Municipal Services District Comprehensive Emergency Management Plan (MSD CEMP)

10.0 GLOSSARY & LIST OF EMERGENCY SUPPORT FUNCTIONS

All-Hazards: Describes all incidents, natural or human-caused, that warrant action to protect life, property, environment, and public health or safety and to minimize disruptions of government, social or economic activities.

Emergency Management: The preparation for, mitigation of, response to, and recovery from emergencies and disasters. Specific emergency management responsibilities include, but are not limited to, the following:

- Reducing vulnerability of Utah people and communities to damage, injury, and loss of life and property, resulting from natural, technological or human-caused emergencies or hostile military or paramilitary action
- Preparing prompt and efficient response and recovery to protect lives and property affected by emergencies
- Responding to emergencies using all systems, plans, and resources necessary to preserve the health, safety, and welfare of persons or property affected by the emergency
- Providing for the rapid and orderly start of restoration and rehabilitation of persons and property affected by emergencies

Salt Lake County Emergency Manager: A staff member who oversees the Salt Lake Emergency Management Division and serves as the manager when the Salt Lake Emergency Coordination Center is activated.

Emergency Management Assistance Compact (EMAC): A congressionally ratified organization that provides form and structure to interstate mutual aid. Through EMAC, a disaster-affected state can request and receive assistance from other member states quickly and efficiently, resolving two key issues up front, liability, and reimbursement.

Emergency Coordination Center (ECC): A designated site from which public, private or voluntary agency officials can coordinate emergency operations in support of on-scene responders.

Emergency Support Functions (ESFs): A functional emergency management responsibility established to facilitate assistance required during mitigation, preparedness, response, and recovery to save lives, protect health and property, and maintain public safety.

ESF Assignment Matrix: Organizational grouping of all primary and support ESF agencies.

Federal Emergency Management Agency (FEMA): Agency of the U.S. government tasked with disaster mitigation, preparedness, response and recovery planning.

Finance/Administration Section: Responsible for tracking incident costs and reimbursement accounting.

Homeland Security Presidential Directive (HSPD)-5: Enhances the ability of the United States to manage domestic incidents by establishing a single, comprehensive National Incident Management System.

Incident Command System (ICS): An all-hazard, on-scene functional management system that establishes common standards in organization, terminology and procedures.

Joint Information Center (JIC): The primary location for the coordination of media relations located in or near the EOC.

Joint Information System (JIS): Provides the public with timely and accurate incident information and unified public messages. This system employs JICs and brings incident communicators together during an incident to develop, coordinate, and deliver a unified message. This will ensure that federal, state, and local levels of government are releasing information during an incident.

Local Government: Local municipal governments, the school board and other government authorities created under county or municipal legislation.

Local Nonprofits: Nonprofit agencies active in providing local community services that can either provide assistance during an emergency or would require assistance to continue providing their services to the community. United Way agencies are an example of local nonprofits under this category.

Logistics Section: Provides facilities, services, and materials (including personnel to operate the requested equipment) for incident support.

Municipality: Legally constituted municipalities are authorized and encouraged to create municipal emergency management programs. Municipal emergency management programs shall coordinate their activities with those of the county emergency management agency. Municipalities without emergency management programs shall be served by their respective county agencies. If a municipality elects to establish an emergency management program, it must comply with all laws, rules, and requirements applicable to county emergency management agencies. Each municipal CEMP must be consistent with, and subject to, the applicable county CEMP. In addition, each municipality must coordinate requests for state or federal emergency response assistance with its county.

This requirement does not apply to requests for reimbursement under federal public disaster assistance programs.

National Incident Management System (NIMS): A systematic, proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations and the private sector, to work seamlessly to prevent, protect against, respond to, recover from and

mitigate the effects of incidents, regardless of cause, size, location or complexity, to reduce the loss of life and property and harm to the environment.

National Response Framework (NRF): The guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies. It establishes a comprehensive, national, all-hazards approach to domestic incident response.

Operations Section: Directs and coordinates all operations and assists the emergency management bureau chief in the development of incident operations.

Planning Section: Responsible for collecting, evaluating, disseminating, and using information about the development of the incident and the status of resources.

Primary ESF Agency: Agency assigned primary responsibility to manage and coordinate a specific ESF. Primary agencies are designated based on their having the most authorities resources, capabilities or expertise relative to the accomplishment of the specific ESF.

Primary ESF Coordinator: The entity with management oversight for that particular ESF. The coordinator has ongoing responsibilities throughout the preparedness, response, and recovery phases of incident management. Responsibilities of the ESF coordinator include the following:

- Coordinating before, during and after an incident, including pre-incident planning and coordination
- Maintaining ongoing contact with ESF primary and support agencies
- Conducting periodic ESF meetings and conference calls
- Coordinating efforts with corresponding private sector organizations
- Coordinating ESF activities relating to catastrophic incident planning and critical infrastructure preparedness, as appropriate

Policy Group: Consists of executive decision-makers who must collaborate to manage the consequences of the disaster. This group makes critical strategic decisions to manage the emergency.

Public Information: Emergency information that is gathered, prepared and coordinated for dissemination during a disaster or major event.

Safety/Security: Safety/security is monitored, and measures are developed for ensuring a safe and secure environment in which to run emergency operations.

State liaison: Individual appointed by the Utah Department of Emergency Management to act as liaison during emergencies to coordinate state actions for providing effective coordination and communications during the event.

Standard Operating Procedures (SOPs): States in general terms what the guideline is expected to accomplish.

Support ESF Agency: Entities with specific capabilities or resources that support the primary agency in executing the mission of the ESFs.

ESFs and their roles in Emergency Management

The 15 Emergency Support Functions (ESFs) in emergency management are organized into key areas of support that federal, state, and local agencies provide during an emergency or disaster. Each ESF has a specific role and function, ensuring a coordinated response to various aspects of an incident.

1. ESF #1 - Transportation

Description: Supports the restoration and management of transportation infrastructure, including roads, bridges, and public transit systems. It also coordinates the evacuation and movement of people and resources.

2. ESF #2 - Communications

Description: Ensures the availability and reliability of communication systems, including telecommunications, information technology, and cybersecurity. It facilitates communication among agencies, responders, and the public.

3. ESF #3 - Public Works and Engineering

Description: Provides engineering expertise, construction management, and infrastructure repair, including roads, bridges, public buildings, and utilities. It also supports debris removal and restoration of essential services.

4. ESF #4 - Firefighting

Description: Manages and coordinates firefighting operations and resources, including the suppression of wildfires and structural fires. It also provides support to local firefighting efforts during emergencies.

5. ESF #5 - Information and Planning

Description: Supports overall coordination and planning efforts during an emergency, including the collection, analysis, and dissemination of critical information. It ensures that decision-makers have timely and accurate information.

6. ESF #6 - Mass Care, Emergency Assistance, Temporary Housing, and Human Services

Description: Coordinates the provision of mass care services, including shelter, feeding, and emergency first aid. It also provides support for temporary housing, family reunification, and human services.

7. ESF #7 - Logistics and Resource Support

Description: Provides logistics management and resource support, including the acquisition, transportation, and distribution of essential supplies and equipment. It ensures that resources are available and accessible during an emergency.

8. ESF #8 - Public Health and Medical Services

Description: Manages public health and medical services during an emergency, including medical care, public health surveillance, mental health services, and mass casualty management. It also addresses environmental health and the safety of food and water supplies.

9. ESF #9 - Search and Rescue

Description: Coordinates search and rescue operations for individuals trapped or missing during an emergency, including urban, wilderness, and water rescues. It also supports the recovery of human remains.

10. ESF #10 - Oil and Hazardous Materials Response

Description: Manages and coordinates the response to oil spills and hazardous materials incidents, including the containment, cleanup, and disposal of hazardous substances. It also addresses the environmental impact of such incidents.

11. ESF #11 - Agriculture and Natural Resources

Description: Supports the protection and restoration of agricultural resources, including food safety, animal and plant health, and natural resources. It also coordinates the provision of food assistance during emergencies.

12. ESF #12 - Energy

Description: Coordinates the restoration and protection of energy infrastructure, including electricity, natural gas, and petroleum. It ensures the continued availability of energy resources and supports the stabilization of energy supplies.

13. ESF #13 - Public Safety and Security

Description: Provides public safety and security support, including law enforcement, crowd control, and traffic management. It also coordinates the protection of critical infrastructure and the enforcement of emergency orders.

14. ESF #14 - Cross-Sector Business and Infrastructure

Description: Facilitates the restoration and resilience of critical infrastructure sectors, including communications, energy, transportation, and financial services. It also coordinates the protection and recovery of private sector assets.

15. ESF #15 - External Affairs

Description: Manages public information, media relations, and community outreach during an emergency. It ensures that accurate and timely information is provided to the public, stakeholders, and the media, and coordinates messaging across agencies.

These ESF provide a comprehensive framework for organizing and coordinating response efforts across multiple sectors and levels of government.

11.0 ACRONYMS

ARES – Amateur Radio Emergency Services COG – Continuity of Government

CFR – Code of Federal Regulations COOP – Continuity of Operations Plan

ECC – Emergency Coordination Center

EMAC – Emergency Management Assistance Compact EMS - Emergency Medical Services

EOC - Emergency Operations Center

EOP - Emergency Operations Plan

ESFs - Emergency Support Functions

FEMA - Federal Emergency Management Agency MSD – Greater Salt Lake

Municipal Services District Haz Mat - Hazardous Materials

HSPD – Homeland Security Presidential Directive ICS - Incident Command System

ICP - Incident Command Post

ISM – Incident Support Model

JIC - Joint Information Center JIS – Joint Information System

NIMS – National Incident Management System NRF – National Response Framework

SARA – Superfund Amendment and Reauthorization Act SOP – Standard Operating Procedures

TRAX – Light Rail System

UVDD—Utah Valley Dispatch District

VECC – Valley Emergency Communications Center

WFZ – Wasatch Fault Zone or WVFZ – Wasatch Valley Fault Zone

12.0 ANNEXES

1. The Town of Brighton

- a. Comprehensive Emergency Management Plan (CEMP)
- b. Continuity of Operations Plan (COOP)
- c. Hazard Mitigation Plan
- d. City Map
- e. Evacuation Map/Zones

2. Copperton

- a. Comprehensive Emergency Management Plan (CEMP)
- b. Continuity of Operations Plan (COOP)
- c. Hazard Mitigation Plan
- d. City Map
- e. Evacuation Map/Zones

3. Emigration Canyon

- a. Comprehensive Emergency Management Plan (CEMP)
- b. Continuity of Operations Plan (COOP)
- c. Hazard Mitigation Plan
- d. City map
- e. Evacuation Map/Zones

4. The City of Kearns

- a. Comprehensive Emergency Management Plan (CEMP)
- b. Continuity of Operations Plan (COOP)
- c. Hazard Mitigation Plan

- d. City Map
- e. Evacuation Map/Zones

5. Magna City

- a. Comprehensive Emergency Management Plan (CEMP)
- b. Continuity of Operations Plan (COOP)
- c. Hazard Mitigation Plan
- d. City Map
- e. Evacuation Map/Zones

6. White City

- a. Comprehensive Emergency Management Plan (CEMP)
- b. Continuity of Operations Plan (COOP)
- c. Hazard Mitigation Plan
- d. City map
- e. Evacuation Map/Zones

7. Unincorporated Salt Lake County

The Unincorporated areas of Salt Lake County are supported directly by Salt Lake County Emergency Management and associated County plans, such as the County CEMP, COOP, Hazard Mitigation Plan and other plans. Those plans, and their annexes, may be obtained from Salt Lake County Emergency Management or may be included in this MSD CEMP annex for reference as needed.

WHITE CITY, UTAH

RESOLUTION NO. 2025-01-02

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE FOURTH AMENDMENT TO THE MASTER INTERLOCAL AGREEMENT AMONG THE MSD, SALT LAKE COUNTY, TOWN OF COPPERTON, EMIGRATION CANYON, CITY OF KEARNS, MAGNA CITY AND WHITE CITY FOR MUNICIPAL, ADMINISTRATIVE, AND OPERATIONAL SERVICES

WHEREAS, the Greater Salt Lake Municipal Services District (the “District”), Salt Lake County (the “County”), the Town of Copperton, Emigration Canyon, City of Kearns, Magna City, White City, and the Town of Brighton (collectively the “Municipalities”) are “public agencies” as defined by the Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101 *et seq.* (the “Interlocal Act”) and, as such, are authorized by the Interlocal Act to enter into agreements to act jointly and cooperatively on the basis of mutual advantage;

WHEREAS, on or about January 25, 2018, all of the Parties except the Town of Brighton entered into an Interlocal Agreement (the “Agreement”) for the provision of municipal, administrative, and operational services by the County to unincorporated areas of the County and to five of the Municipalities which, at that time, were known as the Copperton Metro Township, the Emigration Canyon Metro Township, the Kearns Metro Township, the Magna Metro Township and the White City Metro Township;

WHEREAS, subsequent to the approval of the Agreement, the previously unincorporated area known as Brighton incorporated as a town;

WHEREAS, the Town of Brighton desires to be admitted as a Party to the Agreement, as amended, and the original Parties to the Agreement are willing to add the Town of Brighton as a Party to the Agreement;

WHEREAS, effective May 1, 2024, four of the metro townships became cities and one became a town as provided in Utah Code Ann. § 10-1-201.5 with the proviso that “a contractual or other obligation of the incorporated township, including a contractual or other obligation with another governmental entity, becomes the contractual or other obligation of the converted municipality” and a “converted municipality succeeds to the position of the incorporated township with respect to the incorporated township’s participation or inclusion in a special district or special service district, including a municipal services district”, *Id.* § 10-1-201.5(6)(vi) and (7);

WHEREAS, Section 1.2 of the Agreement provides that the provision of services may transition away from the County to the District pursuant to the terms of a separate agreement; and

WHEREAS, the County and the Municipalities desire the public works engineering services referenced in the Agreement, which have been provided by the County, to transition to and be performed by the District as provided in the Fourth Amendment to the Agreement (the “Amendment”), a copy of which may be attached to this Resolution.

NOW, THEREFORE, be it resolved as follows:

1. That the Fourth Amendment to the Master Interlocal Agreement among the District, the County and the Municipalities for municipal, administrative, and operational services be and is approved, including the addition of the Town of Brighton as a Party to the Agreement as amended, and that the Mayor of White City, or his/her designee, is/are authorized, empowered and directed to execute and deliver the same on behalf of the White City.

2. That the keeper of the records of the city is authorized and instructed to keep an executed copy of the Fourth Amendment to the Master Interlocal Agreement as part of the City's records.

3. That this Resolution has been placed on the agenda of an official meeting and this action has been taken by the White City Council during that meeting in compliance with the Utah Open and Public Meetings Act.

4. That this Resolution shall be effective immediately upon its adoption, but the Fourth Amendment to the Master Interlocal Agreement will become effective as and when stated in Section 6 of the said Fourth Amendment in harmony with the requirements of the Interlocal Cooperation Act.

Adopted and approved by the White City Council this 2nd day of January 2025.

Paulina F. Flint, Mayor

ATTEST:

APPROVED:

Nicole Smedley, Clerk/Recorder

Paul Ashton, Attorney

Voting

Mayor Flint	_____
Council Member Shelton	_____
Council Member Cardenaz	_____
Council Member Price	_____
Council Member Huish	_____

ATTACHMENT “A”

Fourth Amendment to the Master Interlocal Agreement for
Municipal, Administrative, and Operational Services

FOURTH AMENDMENT OF THE MASTER INTERLOCAL AGREEMENT

BETWEEN

GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT, SALT LAKE COUNTY, TOWN OF COPPERTON, EMIGRATION CANYON, CITY OF KEARNS, MAGNA CITY, TOWN OF BRIGHTON, AND WHITE CITY FOR MUNICIPAL, ADMINISTRATIVE, AND OPERATIONAL SERVICES

This Fourth Amendment of the Master Interlocal Agreement (the “Amendment”) is entered into on the date the Amendment is signed by all the Parties, and is effective as provided in Section 3 below, between and among the GREATER SALT LAKE MUNICIPAL SERVICES DISTRICT, a local district and political subdivision of the state of Utah (the “District”), SALT LAKE COUNTY, a body corporate and politic and a political subdivision of the State of Utah (the “County”), TOWN OF COPPERTON, a municipal corporation, EMIGRATION CANYON, a municipal corporation, CITY OF KEARNS, a municipal corporation, MAGNA CITY, a municipal corporation, TOWN OF BRIGHTON, a municipal corporation, and WHITE CITY, a municipal corporation. All of these entities collectively shall be referred to hereafter as the “Parties” and individually as a “Party.”

RECITALS

- A. On or about January 25, 2018, the District, the County, and the prior Metro Townships of Copperton, Emigration Canyon, Kearns, Magna, and White City entered into a Master Interlocal Agreement for the provision of municipal, administrative, and operational services by the County to unincorporated areas of the County and each of the Metro Townships on behalf of the District (as previously amended, the “Agreement”).
- B. Subsequent to the Agreement, the Town of Brighton incorporated and the Metro Townships became cities and a town (together hereafter “Municipal Member(s)”). The Municipal Members and the County (respecting unincorporated areas) may be referred to as the “District Members”.
- C. The Town of Brighton desires to be admitted as a Party to the Agreement, as amended, on an equal footing with the other Municipal Members, and the original Parties to the Agreement are willing to add the Town of Brighton as a Party to the Agreement.
- D. Section 1.2 of the Agreement provides that the provision of services may transition away from the County to the District pursuant to the terms of the Agreement.

- E. The Parties desire the Public Works Engineering Services referenced in the Agreement, which were provided by the County to the District, to transition to and be performed by the District for the District Members. However, the Parties acknowledge that the County will continue to provide public works operations services to the District and the County will remain responsible for providing and funding the administrative duties associated with the UPDES Media Campaign Agreement (as hereinafter defined).
- F. The transfer of assets related to the Public Works Engineering Services transition hereunder, and County provision of support services to the District, may also be governed by agreements that are separate from this Amendment.

THEREFORE, the Parties agree to amend the Agreement as follows:

1. The District hereby assumes responsibility for the Public Works Engineering Services (as hereinafter defined), and the County shall no longer have responsibility to perform said services under the Agreement, pursuant to the terms hereof. To effectuate this change, the Agreement is amended as follows:
 - a. Recital A. The final sentence of this paragraph is replaced with the following language: “These services include (1) road and street construction and maintenance and engineering; (2) animal control; (3) planning and development; and (4) municipal parks maintenance; along with related administrative services and Capital Projects (collectively “Municipal Services”).
 - b. Article I, Section 1.1(A). This paragraph is replaced with the following language: “The County agrees to provide road and street construction and maintenance services (the “Road and Street Construction and Maintenance Services”) (as more fully delineated in Attachment “A” to the District for the benefit of its Members, including, but not limited to, construction, repair, curb, gutter, sidewalk, street lighting, traffic control lights and signage, striping, snow removal, and local storm drain construction and maintenance. Construction services provided by County are limited to projects that County can accommodate in-house and that are less than the public works project bid limit under Utah Code § 11-39-101; other projects will be engineered by the District pursuant to this Agreement and constructed by contractors with which the District contracts. The provision of Road and Street Construction and Maintenance Services shall include the use of County personnel, equipment, buildings, supplies, assets, and other County resources. The Road and Street Construction and Maintenance Services, budget, and overhead (accounting) to be provided are more fully delineated in Attachment ‘A.’ The Parties specifically acknowledge that the Road and Street Construction and Maintenance Services do not include Public Works Engineering Services (as hereafter defined).

The District agrees to provide the following services (collectively, the “Public Works Engineering Services”), in-house or via third party contractors, for the benefit of District Members: roadway and infrastructure design and engineering, and municipal UPDES compliance services as more fully delineated in Attachment ‘A-1’, except that the County will continue to provide public works operations services to the District, and the County will also remain responsible for providing and funding the administrative duties associated with the Interlocal Cooperation Agreement between the District and the County for Cost Sharing 2024-2028 UPDES Media Campaign which bears an execution date of on or about September 25, 2024 (the “UPDES Media Campaign Agreement”), while the District will continue to participate in the cost-sharing outlined in the UPDES Media Campaign Agreement. It being further understood that the UPDES municipal minimum control measures (“MCM’s”) components covered under the UPDES Media Campaign Agreement will continue to be provided by the County as long as the District remains a participant in the UPDES Media Campaign Agreement; all other MCM’s will be provided by the District as provided in this Agreement. The provision of Public Works Engineering Services shall include the use of District personnel, equipment, buildings, supplies, assets, and other District resources.” The Public Works Engineering Services budget and overhead (accounting) to be provided are more fully delineated in Attachment ‘A-1’.

- c. Add Article I, Section 1.1(H) as follows: “The various services outlined in subsections 1.1(A) – (G) shall be referred to hereafter collectively and singularly as “Services.”
- d. Add Article I, Section 1.2.2 as follows: “The District shall perform the Public Works Engineering Services hereunder in a professional, reasonable and responsive manner in compliance with all applicable laws, ordinances, rules and regulations (including but not limited to all applicable environmental and safety regulations) and consistent with the agreement of the applicable Parties, and other applicable requirements and standards of performance.

Subject to the foregoing and the following paragraph, the exact nature of how Public Works Engineering Services are to be provided, the discipline of personnel, the maintenance of District assets and any other matters incidental to providing Public Works Engineering Services shall remain with the District in its sole discretion after consultation with the County and/or the impacted Municipal Member(s), as applicable. Subject to paragraphs 5.1 and 5.2 of this Agreement, the applicable Parties further agree to acknowledge in writing, prior to the end of each calendar year during the term of this Agreement, which Public Works Engineering Services will continue to be provided by the District for an additional calendar year and which Public Works Engineering Services will be discontinued upon expiration of the then current calendar year. In addition, each of the Public Works Engineering Services covered by this Agreement may be modified or extended with a minimum of ninety (90) days advance notice, provided that the

parties reach written agreement on the particulars of the modification, cancellation or extension.

- e. Add Article I, Section 1.3.2 as follows: “As provided herein, the provision of Public Works Engineering Services hereunder shall include the use of all District equipment, buildings (as applicable), supplies, assets (including vehicles), and other resources (“public works engineering assets”) necessary to provide Public Works Engineering Services. The District shall at all times retain management authority and control over its public works engineering assets. The responsibility to insure, maintain, and repair said public works engineering assets shall at all times remain obligations solely of the District.”
- f. Add Article I, Section 1.4.2 as follows: “With respect to Public Works Engineering Services, the relationship of the District, and of any District employee, with the County or Municipal Members under this Agreement shall be that of an independent contractor. The District has the entire responsibility to discharge all of the obligations of an independent contractor under federal, state, and local laws, including, but not limited to, those obligations relating to employee supervision, benefits and wages, taxes, unemployment compensation and insurance, social security, worker’s compensation, and disability pensions and tax withholdings, including the filing of all returns and reports and the payment of all taxes, assessments and contributions, and other sums required of an independent contractor. Nothing contained in this Agreement shall be construed to create the relationship between the District or its employees and the County or any of the Municipal Members of employer and employee, partners, or parties to a joint venture. Should the County or Municipal Members have any criticism, concern, or recommendation regarding any District employee, specifically or generally, the County or Municipal Members may raise it directly with the District General Manager. The District shall diligently and appropriately address an issue raised by the County or Municipal Member and report back to the County or Municipal Member, as appropriate.

In performing the Public Works Engineering Services, the District shall furnish and supply all necessary labor, supervision, equipment communication facilities, uniforms, badges, and other items necessary and incident to the provision of Public Works Engineering Services in compliance with the requirements of the law, including the Americans with Disabilities Act, and all rules and regulations adopted or promulgated in furtherance thereof, as understood by the District. As provided herein, the Public Works Engineering Services shall be provided and supervised by District employees.”

- g. Article I, Section 1.5 is hereby deleted and replaced with a new Article I, Section 1.5 as follows:

“A. REPORTS. The District and the County, with respect to the respective Services that each provide hereunder, shall provide financial, operational, or other information reasonably requested by any of the Parties.

B. COMPLAINTS AND EXCEPTIONAL BEHAVIOR. All complaints regarding Public Works Engineering Services or planning and development services shall be referred to the District, and all complaints regarding other Services to be provided by the County hereunder shall be referred to the County. The District shall be responsible for resolution of Public Works Engineering Services and planning and development services complaints in consultation with the County and Municipal Member, and the County shall be responsible for resolution of complaints related to all other Services to be provided by the County hereunder, as appropriate. On a regular basis, the District shall provide to the County and Municipal Members copies of any written complaint(s) received regarding the applicable Party’s Public Works Engineering Services or planning and development services, and the County shall provide to the District and the applicable Municipal Member the same related to other Services performed by the County. The District and County need not provide such information if either (as applicable) reasonably deems such notice to be a violation of any merit provision or any applicable privacy law, or that such notice would jeopardize any ongoing investigation or the safety of any person. Notwithstanding the foregoing, the District or County (as applicable) may share this information with any of the Parties upon request if appropriate restrictions are put into place, such as redacted complaints and related information, with private, controlled or protected information deleted. Further, the District shall provide to the County or the applicable Municipal Member copies of any written documents demonstrating commendable behavior regarding the provision of Public Works Engineering Services or planning and development services to the applicable Party, and County shall provide the same for all other Services performed by the County. These documents may be used to help measure the performance of the District or County (as applicable) in fulfilling its respective obligations under this Agreement.

C. SERVICE EMERGENCIES. All service complaints or requests, including those of an emergency nature, shall be resolved by the division or department of the County or District, as applicable, that is providing the service in accordance with standards employed by a modern, well equipped division or department.

D. ADDITIONAL DISCLOSURE AND POLICY DEVELOPMENT. From time to time, the County or District (as applicable), upon reasonable request of any of the Parties, shall provide controlled or protected information under the provisions of the Government Records Access and Management Act. The Parties agree to jointly develop and implement a policy for communicating and safeguarding such information.”

- h. Add Article I, Section 1.6.2 as follows: “District agrees to cooperate, communicate and work closely with the County and each Municipal Member to ensure the timely performance of Public Works Engineering Services, including follow up with all Parties as the need may require or as requested.”
- i. Amend and replace Article II, Section 2.1 as follows: “Subject to available funding and resources and Section 1.2.1 and 1.2.2 hereof, the Parties acknowledge and agree that, after considering input from District Members (including the County), the District shall retain final decision-making authority with regard to the type, scope, priority and quality of the Municipal Services provided under this Agreement, provided, however, that, except as provided in subsection 2.1.1 or 2.1.2, the District will pay to the County not less than the minimum amount required for the budgeted level of service consistent with each of the Attachments to this Agreement other than Attachments “A-1” and “C”.
- j. Add Article II, Section 2.1.2 as follows: “With respect to Public Works Engineering Services, the District will provide to the County and each Municipal Member not less than the minimum services required consistent with Attachment “A-1” to this Agreement.”
- k. Add Article II, Section 2.3.2 as follows: “Subject to available funding, the minimum contract amount to be used by the District for Public Works Engineering Services, as set forth in the District budget, which, under generally acceptable fiscal practices, will necessarily include a fund balance, is based on actual District costs to purchase, own, operate and maintain the equipment and materials and to employ the personnel necessary to provide the budgeted level of Public Works Engineering Services. The District agrees to use the budgeted contract amount identified by the District Budget to cover these base costs plus income attributable to Public Works Engineering Services received by the District, its Members, and the County. Actual costs for Public Works Engineering Services will be tracked by the District monthly.

The Parties agree to cooperate with each other to bring Public Works Engineering Services costs in line with estimated budgeted amounts. Subject to the terms of this Agreement, the District shall cover the actual full costs of the Public Works Engineering Services work performed, including labor, equipment, and materials, as outlined in this Agreement.”

- l. Add Article II, Section 2.4.2 as follows: “The County or any Municipal Member may modify (increase or decrease) the level of Public Works Engineering Services, or accelerate the timing of any component of the same if the County or any Municipal Member provides at least ninety (90) days prior written notice to the District of such change and, in the event of an increase, the District approves such change or modification and a modified rate schedule. The District shall use its best efforts to provide any increase in Public Works Engineering Services requested by the County or any Municipal Member. The amount due for such

increase or decrease shall be agreed to by the District and County or Municipal Member in good faith and shall accrue as of the date the modified Public Works Engineering Services become effective and shall be paid as provided in Article IV below.”

- m. Add Article III, Section 3.1.2 as follows: “To facilitate the provision of Public Works Engineering Services, and recognizing the District’s reliance on applicable local laws and regulations in the performance of those services, each Municipal Member and the County agrees to provide District representatives with copies of current resolutions, ordinances, rules and regulations that pertain to said Party’s respective Public Works Engineering Services as well as provide timely amendments and updates to resolutions, ordinances, rules and regulations. The County and each Municipal Member shall retain its respective policy decision-making power and authority with regard to enacting county or municipal ordinances, land use regulations, decisions or actions and other police powers, as provided pursuant to law.”
- n. Add Article III, Section 3.2.2 as follows: “The County and each Municipal Member agrees that the District shall be responsible for funding all costs associated with Public Works Engineering Services from the funds received under Article IV.

Municipal Members and the County will provide timely input to the District’s General Manager, not less than annually and more often as appropriate, regarding the District’s budget to address the type, scope and priority of Public Works Engineering Services anticipated to meet the reasonable public works engineering service needs of the County and each Municipal Member (as applicable).

“The Parties agree to cooperate with each other to bring costs in line with estimated budgeted amounts. Subject to the terms of this Agreement, the District shall fund the total actual costs of the work performed, including labor, equipment, materials, and other costs for Public Works Engineering Services, as outlined in this Agreement.”

- o. Add Article IV, Section 4.5.2 as follows: “The District shall collect, on behalf of the County and Municipal Members, all fees and charges established by each Municipal Member or by the County for Public Works Engineering Services performed by the District. The District shall retain all such fees and charges to fund Public Works Engineering Services to the County and Municipal Members (as applicable). To the extent necessary, the County and Municipal Members authorize the District to pursue the efficient collection and enforcement of all fees, assessments, and fines within the District service area for Public Works Engineering Services. The County and Municipal Members shall maintain in effect valid fee ordinances for Public Works Engineering Services. When necessary, each of the County and Municipal Members shall pass a resolution delegating authority to the District to collect such fees. Copies of these

resolutions shall be maintained by the District and shall be made available to any person upon request.”

- p. Add Article IV, Section 4.6.2 as follows: “Any and all grants, donations, and contributions applicable to Public Works Engineering Services for use in the District service area shall be collected and accounted for by the District to fund the provision of the applicable Public Works Engineering Services.”
- q. Add Article IV, Section 4.7.2 as follows: “Subject to all limitations herein, the District shall fund the cost of Public Works Engineering Services as reasonably determined by the District and as set forth in the annual District budget and subsequent amendments to that budget, as approved by the District Board. The District shall fund the cost of the work performed for the County and Municipal Members, including labor, equipment, materials, and indirect costs, if any, as outlined in the approved budget and provided herein.

The Parties recognize, understand and agree that Public Works Engineering Services to be provided by the District to the County and Municipal Members pursuant to this Agreement are not to be a “profit center” for the District but, rather, are intended to cover the District’s reasonable actual costs incurred in providing Public Works Engineering Services. The Parties further recognize, understand and agree that the District’s annual budget must be balanced as required by the Utah Code, particularly Section 17B-1-606(3).”

- r. Add Article IV, Section 4.9.2 as follows: “The process for determining full cost for Public Works Engineering Services shall be as follows: The District will budget for Public Works Engineering Services, recognizing that County and Municipal Member needs and available funding will fluctuate from year to year. During the year, the District will maintain accurate records of Public Works Engineering Services provided.”
- s. Add Article VII, Section 7.1.2 as follows: “The District shall be responsible for insuring all of its employees, assets, and activities including, but not limited to, comprehensive all risk insurance, commercial general liability insurance, worker’s compensation insurance, motor vehicle liability coverage for owned and non-owned vehicles, and umbrella liability insurance, for the benefit of the District, County, and Municipal Members in such amounts as may be prudent or legally required to protect against any and every risk, loss, cost, damage and/or liability respecting the provision of Public Works Engineering Services, the District’s employees and/or the District’s assets, including, without limitation, the assets described in the County and District’s Agreement for Transfer of Assets in Conjunction with Transition of Public Works Engineering Services executed concurrently herewith.

The District shall indemnify and hold harmless the County and Municipal Members and their respective officers, agents, and employees against any actual

or threatened claims, losses, damages, injuries, and liabilities resulting directly or indirectly or arising out of any acts or omissions of the District, its agents, representatives, officers, employees, or subcontractors in connection with the District's provision of Public Works Engineering Services under this Amendment. This duty to indemnify includes all litigation and court costs, expert witness fees, and any sums expended by or assessed against County or Municipal Members for the defense of any claim or to satisfy any settlement, arbitration award or verdict paid or incurred by or on behalf of County or Municipal Members (respectively).

In the event of an audit of the UPDES services that the District provides for the County and Municipal Members after the date of this Amendment, the District shall indemnify and hold harmless the County and each of the Municipal Members from any claims or penalties brought against the County or any of the Municipal Members arising from such services to the same extent as outlined in the prior paragraph. The County and Municipal Members shall cooperate in providing information in their possession required by the District in responding to such audits.”

- t. Add Article VII, Section 8.2.2 as follows: “Claims, disputes, and other issues between any of the Parties arising out of or related to Public Works Engineering Services which cannot otherwise be resolved by the applicable Parties shall be first submitted to mediation as mutually agreed by the applicable Parties. Each applicable Party shall be responsible to pay a proportionate share of the costs of the Mediator. In the event mediation is unsuccessful, the claim or dispute may be decided by litigation in the Third Judicial District Court of Salt Lake County, Utah. Unless the provision of Public Works Engineering Services is otherwise terminated pursuant to the provisions hereof or as otherwise agreed to by the applicable Parties in writing, during litigation of any such dispute the District shall continue to provide Public Works Engineering Services in accordance with the terms of this Agreement. The County and Municipal Members shall continue to perform their commitments under this Agreement.”
- u. Amend and replace Article IX, Section 9.1(D) as follows: “The District may be funded by Sales Tax Revenues, by class B and C roads account revenues, by cable franchise fees, by grants and by fines, fees, charges, levies, property taxes, or other available funds. Such funds will be the District's source of funds to make payments to the County or provide Public Works Engineering Services and planning and development services required by this Agreement and, in the event and to the extent such funds are not timely provided to the District, the District's obligations to make payment to the County or provide Public Works Engineering Services and planning and development services hereunder shall be proportionately abated until such time as the required funding is provided to the District. The District shall be responsible for formulating and approving its annual budget and the County shall be responsible for formulating and approving its annual budget and, in particular, the annual budget of each County division

and department that will or may provide any Service to the District as provided in this Agreement.

v. Amend Attachment “A-1” as follows:

The first paragraph related to services provided is retained in its entirety.

The second paragraph entitled “Budget” is replaced with the following language: “Subject to available funds, the District shall fund the actual cost of Public Works Engineering Services as set forth in the annual District budget and subsequent amendments to that budget, as approved by the District Board. NOTE: The District General Manager will retain the authority, to the extent delegated by the District Board, to approve all field change orders and other budgetary matters impacting the cost of the project services within the approved budget.”

The “Overhead” paragraph is hereby deleted.

Add a paragraph with the following language. The “county engineer” and “public works engineer” referenced in the Salt Lake County Code shall be the Salt Lake County Division Director of Flood Control Engineering (“Director”).

Notwithstanding sections 1.2.2, 1.4.2, and 2.1 of this Amendment, the Director shall have the discretion to provide direction to the District regarding any area of responsibility that the Salt Lake County Code assigns to the county engineer and/or the public works engineer for the unincorporated county. Additionally, the District shall regularly report to the Director its day-to-day actions in such areas of responsibility assigned to the county engineer and/or public works engineer. The County will invoice the District for personnel costs related to the engineering work performed by the Director for the unincorporated county.

2. To accomplish the transition of Public Works Engineering Services from the County to the District, the Parties agree to the following additional terms:
 - a. “The District will need to lease from the County that office space at the Salt Lake County Government Center depicted in the attached Exhibit 1 from January 1 – 31, 2025 (“Engineering Leased Space”). The Engineering Leased Space shall include use of the computer equipment, copiers, and small office machines located therein. The lease rate for the Engineering Leased Space during this one-month term shall be \$6,524.25 (\$17.21/sq.ft., 4,462 sq.ft., + \$125/month parking fees). If needed, the District may lease the Engineering Leased Space thereafter at the same rate on a month-to-month basis in accordance with the Lease Agreement between the County and District, dated September 15, 2022 (“MSD Planning & Development Lease”); the District shall provide the County notice of the same by January 15, 2025 in accordance with the MSD Planning & Development Lease. The Engineering Leased Space shall be leased upon the same terms and conditions as the MSD Planning & Development Lease. To the

extent any inconsistencies exist between this Amendment and the MSD Planning and Development Lease, this Amendment shall govern.

Rent for the Engineering Leased Space will be billed by the Salt Lake County Facilities at the same time and manner as the space subject to the MSD Planning and Development Lease.

- b. The County and District acknowledge that County employees who become District employees as part of the transition of engineering services outlined in this Amendment will need to retain their key cards to the Salt Lake County Government Center and agree to the same so long as the District leases the Engineering Leased Space from the County. The District will return these key cards to the County at the time it vacates the Engineering Leased Space.
- c. As part of the transition of Public Works Engineering Services from the County to the District, the County will be assigning contracts, work orders, task orders, and the like to the District for various services performed by contractors for the County (collectively “Contracts”). Many of those Contracts have retainage provisions wherein the County retains certain moneys from contractors until services are completed, after which the retainage is paid to contractors. For these retainage amounts, as of January 1, 2025, and thereafter, the District will assume the retainage liability as of January 1, 2025, and will make payments to contractors for these payment types as and when due.

Additionally, work on assigned Contracts will be performed by contractors for County in 2024 but billed to the County in 2025. Beginning in January 2025, County will continue to process payments for invoices for work performed under assigned Contracts through December 31, 2024. Consistent with current County billing practice, County will submit these invoices- to District for reimbursement in January and February 2025.

Following December 31, 2024, the District will take full responsibility for all payments and reimbursements for engineering services rendered, with the County forwarding any relevant invoices it receives for such payments to the District.

- d. The District agrees that the County has the right to bill the District for the following items, some of which will be billed after the January-February 2025 closeout period:
 - i. Indirect overhead costs incurred in 2024, as outlined in the original Exhibit A-1 to the Agreement;
 - ii. Reasonable costs for the accounting work needed to close out the County’s Public Works Engineering books, including the fiscal team's

time to finalize payments and conclude transactions with Salt Lake County Mayor's Finance;

- iii. Reasonable costs incurred by Flood Control Engineering staff through January 31, 2025, to complete the transition; and
 - iv. The actual Public Works Engineering personnel and operating expenses through December 31, 2024.”
- 3. The Parties covenant and agree that, from and after the effective date of this Assignment, the Town of Brighton is and shall be a Party to the Agreement as previously amended and as amended by this Amendment the same as each of the other Municipal Members.
 - 4. Should, for any reason, this Amendment not be effective under the Interlocal Cooperation Act, it is nevertheless the intent and agreement of the Parties that the Agreement, as previously amended, shall be incorporated herein by reference and shall be effective separate and apart from the Interlocal Cooperation Act to the maximum extent allowed by law. It is also the intent and agreement of the parties that, once two or more parties have satisfied the requirements stated in paragraph 6 below, this Amendment shall be fully effective and binding upon those Parties and, as additional parties satisfy the requirements of paragraph 6 below, they shall also be bound by this Amendment.
 - 5. All other provisions of the Agreement and all amendments thereto shall remain in full force and effect.
 - 6. As required by the Interlocal Cooperation Act, Title 11, Chapter 13 of the Utah Code (the “Interlocal Act”), this Amendment shall be effective on December 31, 2024 so long as the following have taken place:
 - a. This Amendment shall be approved by the governing body of each Party, pursuant to Section 11-13-202.5 of the Interlocal Act;
 - b. This Amendment shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party, pursuant to Section 11-13-202.5 of the Interlocal Act;
 - c. A duly executed counterpart of this Amendment shall be filed with the keeper of records of each Party, pursuant to Section 11-13-209 of the Interlocal Act.

IN WITNESS WHEREOF, the Parties execute this Amendment on the respective dates stated below.

SALT LAKE COUNTY

By: **Lisa Hartman** Digitally signed by Lisa Hartman
Date: 2024.12.23 11:23:49
-07'00'

Mayor or Designee

Date: _____

REVIEWED AS TO FORM/LEGALITY
Zachary D. Digitally signed by Zachary D.
Shaw
Date: 2024.12.23 07:40:01
-07'00'
Shaw

Attorney representing Salt Lake County

**GREATER SALT LAKE MUNICIPAL
SERVICES DISTRICT**

By: _____
Chair

Date: _____

APPROVED AS TO FORM

Attorney representing Greater Salt Lake
Municipal Services District

TOWN OF COPPERTON

By: _____
Mayor

Date: _____
APPROVED AS TO FORM

Attorney representing Town of Copperton

EMIGRATION CANYON

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

Attorney representing Emigration Canyon

CITY OF KEARNS

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

Attorney representing City of Kearns

MAGNA CITY

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

Attorney representing Magna City

WHITE CITY

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

Attorney representing White City

TOWN OF BRIGHTON

By: _____
Mayor

Date: _____

APPROVED AS TO FORM

Attorney representing Town of Brighton

Flood Control Engineering

Planning & Development



WHITE CITY, UTAH

Ordinance No. 2025-O-01

AN ORDINANCE OF WHITE CITY COUNCIL AMENDING TITLE 12 OF MUNICIPAL CODE, PROVISIONS ON CODE ENFORCEMENT AND COMMUNITY PRESERVATION

WHEREAS, White City ("White City") adopted each county ordinance in effect at the time of its incorporation as a Metro Township pursuant to Utah Code Ann. Subsection 10-2a-414(3)(2023), which ordinance continued in force upon its conversion to a City, pursuant to Utah Code Ann. § 10-1-201.5(6)(2024), and White City has authority to amend or repeal such ordinance when it determines it is necessary; and

WHEREAS, White City is a municipality and has authority to regulate and enforce its code pursuant to Utah Code; and

WHEREAS, White City has authority to adopt ordinances and land use controls necessary for the use and development of land within its municipal boundaries in accordance with the Municipal Land Use, Development, and Management Act, ("MLUDMA"), Title 10, Section 9a, Utah Code, to protect public health, safety, and welfare; and

WHEREAS, the White City Council deems it necessary to amend its ordinances in order to ensure compliance with State Statute, encourage conformity with the White City General Plan, promote ease of use for residents and staff, and preserve the unique character of the White City community; and for the protection and preservation of the public health, safety and general welfare.

BE IT ORDAINED BY WHITE CITY COUNCIL as follows:

1. Title 12 is repealed and replaced in its entirety with the revised Title 12 attached hereto as **Attachment 1**.
2. Severability. If a court of competent jurisdiction determines that any part of these Ordinances is unconstitutional or invalid, then such portion(s) of these Ordinances, or specific application of these Ordinances, shall be severed from the remainder, which shall continue in full force and effect.
3. Implementation. White City staff are instructed to take any administrative steps needed to prepare and finalize Attachment 1 for publication to Municode, including but not limited

to making any formatting, grammatical, or other non-substantive changes to the Ordinances that may be needed.

4. Posting and Effective Date. After White City staff have prepared Attachment 1 for publication to Municode, the staff shall post the attached summary pursuant to Utah Code § 10-3-711(1)(b); and publish Attachment 1 to Municode. This ordinance will become effective as of the date the summary is posted and Attachment 1 is published to Municode.

PASSED AND ADOPTED this ____ day of _____ 2025.

Paulina F. Flint, Mayor

ATTEST:

APPROVED:

Nicole Smedley, Clerk/Recorder

City Attorney

Voting

Mayor Flint voting _____
Council Member Shelton voting _____
Council Member Price voting _____
Council Member Cardenaz voting _____
Council Member Huish voting _____

Date ordinance summary was posted on the Utah Public Notice Website:

Effective date of ordinance: _____

**SUMMARY OF WHITE CITY
ORDINANCE NO. 2025-O-01**

On the ____ day of _____, 2025 the White City Council enacted Ordinance No. 2025-O-01 that adopts a new and updated version of Titles 12 (Code Enforcement and Community Preservation) of the White City Municipal Code (“WCMC”) and repeals and replaces in its entirety the prior version of Title 12.

WHITE CITY COUNCIL

Paulina F Flint, Mayor

ATTEST

APPROVED AS TO FORM:

CITY ATTORNEY

Nicole Smedley, Clerk/Recorder

Voting:

Mayor Flint voting	_____
Council Member Shelton voting	_____
Council Member Price voting	_____
Council Member Cardenaz voting	_____
Council Member Huish voting	_____

A complete copy of Ordinance No. 2025-O-01 is available in the office of the White City Clerk, 2001 South State Street, N2-700, Salt Lake City, Utah.

Title 12 CODE ENFORCEMENT AND COMMUNITY PRESERVATION*

Chapter 12.02 General*

Chapter 12.04 Administrative Code Enforcement Procedures*

Chapter 12.06 Administrative And Judicial Remedies*

Chapter 12.08 Recover Of Code Enforcement Penalties And Costs*

Chapter 12.02 General*

12.02.010 Short Title*

12.02.020 Authority*

12.02.030 Declaration Of Purpose*

12.02.040 Scope*

12.02.050 Existing Ordinances And Laws Continued*

12.02.060 Criminal Prosecution Right*

12.02.070 Effect Of Headings*

12.02.080 Validity Of Title - Severability*

12.02.090 No Mandatory Duty - Civil Liability*

12.02.100 General Rules Of Interpretation Of Ordinances*

12.02.110 Definitions Applicable To Title Generally*

12.02.111 Acts Include Causing, Aiding And Abetting*

12.02.200 Part 2 - Service Requirements*

12.02.210 Service Of Process*

12.02.220 Construction Notice Of Recorded Documents*

12.02.300 Part 3 - General Authority And Offenses*

12.02.310 General Enforcement Authority*

12.02.320 Adoption Of Policy And Procedures*

12.02.330 Authority To Inspect*

12.02.340 Administrative Warrant Procedure

12.02.350 Power To Issue Citations *

12.02.360 False Information Or Refusal Prohibited*

12.02.370 Failure To Obey A Subpoena*

12.02.010 Short Title*

Title 12 shall be known as the "Code Enforcement and Community Preservation Program."

12.02.020 Authority*

White City promulgates this Code pursuant to Utah Code Ann. §§ 10-3-702- 703.7; 10-3-716; 10-8-60; 10-11-1, *et seq.*; and 76-10-801, *et seq.*

12.02.030 Declaration Of Purpose*

White City finds enforcement of its Code and applicable state codes throughout the municipality to be an important public service. Code enforcement and abatement are vital to the protection of the public's health, safety, and quality of life. The Council recognizes that comprehensive code enforcement starts with the drafting of precise regulations that can be effectively applied in administrative code enforcement hearings and judicial proceedings that use a combination of judicial and administrative remedies to achieve fair and equitable compliance, and which address the failure to comply through judicial action.

12.02.040 Scope*

The provisions of this Title may be applied to any violation of White City Code as an additional remedy to achieve compliance.

12.02.050 Existing Ordinances And Laws Continued*

The provisions of this Title do not invalidate any other title or ordinance but shall be read in conjunction with the title or ordinance as an additional enforcement remedy and with any other applicable laws. If there is a conflict between this Title and another provision of White City Code, this Title shall control.

12.02.060 Criminal Prosecution Right*

White City has sole discretion in deciding whether to file a civil or criminal case or both for the violation of any of its ordinances. The enactment of the administrative remedies in this Title shall not interfere with White City's right to prosecute ordinance violations as criminal offenses in a court of law. White City may use any of the remedies available under the law in both civil and criminal prosecution. If White City decides to file both civil and criminal charges for the same day of violation, no civil penalties may be assessed, but all other remedies will be available. White City may at its discretion proceed with a civil enforcement action under this Title in district court without first holding an administrative hearing or exhausting other administrative remedies.

12.02.070 Effect Of Headings*

Title, chapter, part and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any title, chapter, part, or section hereof.

12.02.080 Validity Of Title - Severability*

If any provision of this Title is held to be invalid or unconstitutional by a court of competent jurisdiction, the decision of invalidity or unconstitutionality shall not affect the other provisions of this Title which can be given effect without the invalid or unconstitutional provision.

12.02.090 No Mandatory Duty - Civil Liability*

It is the intent of the Council that in establishing performance standards or an obligation to act by a White City officer, employee, or designee, the standards or obligation shall not be construed to create a mandatory duty for purposes of tort liability if the officer, employee, or designee fails to perform his or her directed performance standards or obligation to act.

12.02.100 General Rules Of Interpretation Of Ordinances*

For purposes of this Title:

- (1) Any gender includes the other gender(s).
- (2) "Shall" is mandatory; "may" is permissive.
- (3) The singular number includes the plural.
- (4) Any word or phrase used in this Title, and not specifically defined, shall be construed according to the context and approved usage of the language.

12.02.110 Definitions Applicable To Title Generally*

The following words and phrases, as used in this Title, shall be construed as defined in this section, unless the context or subject matter requires a different meaning as specifically defined elsewhere in this Title and specifically stated to apply:

- (1) "Abate" or "Abatement" means any action White City may take on public or private property and any adjacent property as may be necessary to remove or alleviate a violation, including demolition, removal, eviction of persons, repair, boarding, securing, or replacement of property.
- (2) "Administrative Code Enforcement Order" means an order issued by an Administrative Law Judge. The order may include an order to abate the violation, pay civil penalties and administrative costs, or take any other action as authorized or required by this Title and applicable state codes.
- (3) "Administrative Law Judge" or "hearing officer" means the position established by the Code § 1.16.
- (4) "Animal Control Administrator" means the supervisor of the Animal Control Division, established in the Code § 8.1.
- (5) "Chief Building Official" means the official authorized and responsible for planning, directing, and managing the building inspection activities within White City.
- (6) "Council" means the White City Council.
- (7) "Code Enforcement Lien" means a lien recorded to collect outstanding civil penalties, administrative fees, or costs.
- (8) "Code Enforcement Performance Bond" means a bond posted by a responsible person to ensure compliance with White City Code, applicable state titles, a judicial action, or an administrative code enforcement order.
- (9) "County" means Salt Lake County, Utah.
- (10) "Courtesy Notice" means a written notice prepared by an enforcement official that informs a responsible person of a minor violation and notifies the responsible person of the necessary actions that are required to correct the minor violation.
- (11) "Department" means White City's Planning and Development Services Department, or its designee.
- (12) "Director" means the director of White City's Planning and Development Services Department or the director's authorized agent or any other person or entity and authorized agent directed to provide code enforcement services.
- (13) "Enforcement Official" means any person authorized to enforce violations of White City Code or applicable state codes.
- (14) "Financial Institution" means any person or entity that holds a recorded mortgage or deed of trust on a property.
- (15) "Fire Department" means the applicable entity that is authorized and responsible for providing fire and emergency services to White City.
- (16) "Good Cause" means incapacitating illness; death; lack of proper notice; unavailability due to unavoidable, unpreventable, or extenuating emergency or circumstance; if a required act causes an imminent and irreparable injury; or acts of nature adverse to performing required acts.
- (17) "Hazardous Materials" means the same as that term is defined in Utah Code Section 10-11-1.
- (18) "Imminent Life Safety Hazard" means any condition that creates a present, extreme, or immediate danger to life, property, health, or public safety.
- (19) "White City" means White City, a municipal corporation or city under state law' pursuant to Utah Code Subsection 68-3-12.5(6).
- (20) "Legal Interest" means any interest that is represented by a document, including a deed of trust, quitclaim deed, mortgage, judgment lien, tax or assessment lien, mechanic's lien, or other similar instrument that is recorded with the County Recorder.
- (21) "Major Violation" means any nuisance or other violation as defined in White City Code, state code or Utah state courts, to include, without limitations, any:
 - a. land use that does not conform to existing zoning of the property;
 - b. unauthorized collection of motor vehicles that are unlicensed, unregistered, or inoperable;
 - c. accumulations of trash, litter, illegal dumping, which occupy a combined area more than 50 square feet;
 - d. weeds that occupy a combined area that exceeds 100 square feet or increase the risk of fire spreading to a neighboring property;
 - e. unauthorized use of any public street or sidewalk, including news racks, merchandise displays, mobile food vending, or other illegal uses.
 - f. illegal advertising;

- g. illegal residing in a Recreational Vehicle
 - h. open storage of items; or
 - i. any other violation of White City Municipal Code that is not specifically defined as a minor violation.
- (22) "Municipality" or "City" means the area within the territorial municipal limits of White City, and such territory outside the area over which White City has jurisdiction or control.
- (23) "Minor violation" means the following violations of White City Municipal Code:
- a. accumulations of trash, litter, or illegal dumping, which occupy a combined area less than 50 square feet; or
 - b. weeds which occupy a combined area less than 100 square feet and do not increase the risk of fire spreading to a neighboring property.
- (24) "Notice of Compliance" means a document issued by White City, representing that the violations outlined in the notice of violation have been remedied and the property is in compliance with applicable codes.
- (25) "Notice of Satisfaction" means a document or form approved by the Director or designee, which states that all outstanding civil penalties and costs have been paid in full, negotiated to an agreed amount, or resolved by a subsequent administrative or judicial decision. The property shall also be in compliance with the requirements of the notice of violation.
- (26) "Notice of Violation" means a written notice prepared by an enforcement official that informs a responsible person of any code violation and orders the person to take certain actions to correct the violation.
- (27) "Oath" includes any affirmation or oath.
- (28) "Person" means any natural person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, sergeant, officer, or employee of any of them, or any other entity that is recognized by law as the subject of rights or duties.
- (29) "Program" means the Code Enforcement and Community Enhancement Program authorized under this Title.
- (30) "Property Owner" means the record owner of real property based on the county assessor's records.
- (31) "Public Nuisance" means any condition caused, maintained, or permitted to exist that constitutes a threat to the public's health, safety, and welfare or that significantly obstructs, injures, or interferes with the reasonable or quiet use of property in a neighborhood, community, or by a considerable number of persons. A public nuisance also has the same meaning as set forth in the Utah statute.
- (32) "Recreational Vehicle" means a vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, or vacation use, that is either self-propelled or pulled by or on another vehicle, including truck campers, camper trailers, motorhomes, vehicles converted to have living facilities, or other vehicles used as sleeping or living accommodations.
- (33) "Residing" as it relates to a Recreational Vehicle means a rebuttable presumption that a Recreational Vehicle is being used as a residential unit if the Recreational Vehicle is occupied at any time between the hours of 1:00 a.m. and 5:00 a.m. for more than 14-consecutive days within a 6-month period. This presumption may be rebutted upon a showing of substantial evidence that the Recreational Vehicle is not used for sleeping, toilet facilities, food preparation, or showering.
- (34) "Responsible Person" means a person who has charge, care, or control of any premises, dwelling, or dwelling unit as the legal or equitable owner, agent of the owner, lessee, or as an executor, administrator, trustee, or guardian of the estate of the owner. In all cases, the person with legal title to any premises, dwelling, or dwelling unit shall be considered a responsible person, with or without accompanying actual possession thereof.
- (35) "Treasurer" means the White City Treasurer as designated pursuant to Utah Code Ann. § 10-3c-203.
- (36) "Written" includes handwritten, typewritten, photocopied, computer printed, or facsimile, whether in physical or electronic form.

12.02.111 Acts Include Causing, Aiding And Abetting*

If any act or omission is made unlawful in this Title, it shall include causing, permitting, aiding, or abetting the act or omission.

12.02.200 Part 2 - Service Requirements*

12.02.210 Service Of Process*

- (1) If service in person or by mail is required to be given under this Title, service shall be made in accordance with Utah Code Ann. § 10-11-2 unless another form of service is required by law.
- (2) If service complies with the requirements of this Part, it shall be considered to be a valid service even if a party claims not to have received the service and it shall not affect the validity of any proceedings taken under this Title.
- (3) The failure to serve all responsible persons shall not affect the validity of any proceedings.

12.02.220 Construction Notice Of Recorded Documents*

If a document is recorded with the County Recorder as authorized or required by this Title or applicable state statute, recordation shall provide constructive notice of the information contained in the recorded documents.

12.02.300 Part 3 - General Authority and Offenses*

12.02.310 General Enforcement Authority*

If the Director or enforcement official finds that a violation of White City Code or applicable state code has occurred or continues to exist, the administrative enforcement procedure may be used as provided in this Title. The Director or any designated enforcement official has the authority and power necessary to enforce compliance with the provisions of White City Code and applicable state code provisions, including issuing notices of violation or administrative citations, inspecting public or private property, abating public and private property, or using other judicial and administrative remedies available pursuant to White City Code or state statute. White City may elect to proceed with an action in District Court without first exhausting administrative remedies.

12.02.320 Adoption of Policy and Procedures*

In compliance with the Utah Administrative Code, the Administrative Law Judge is authorized to develop policies and procedures relating to the hearing procedures, scope of hearings, subpoena powers, and other matters relating to the Program. The policies and procedures may vary based on the circumstances of each matter before the Administrative Law Judge.

12.02.330 Authority to Inspect*

The Director or any designated enforcement official is authorized to enter upon any property or premises to inspect and ascertain if the person is complying with White City Code or applicable state code provisions and to make any necessary examination or survey in the performance of the enforcement duties with either the permission of the responsible person, land owner, or upon obtaining a search warrant. If the responsible person refuses to allow the enforcement official to enter the property, the enforcement official shall obtain a search warrant. The Director or any designated enforcement official may not enter a property, except to access the front door, without permission or a warrant. Any inspection entry, examination, or survey shall be done in a reasonable manner based upon probable cause. The Director or any designated enforcement official may obtain evidence viewable from any public street, sidewalk, adjacent property or location where the responsible person has given authorization for entry without a warrant.

12.02.340 Administrative Search Warrant Procedure

- (1) The Director or any designated enforcement official may apply for an administrative search warrant with the Administrative Law Judge upon a showing of probable cause to believe that a violation of the White City Code or an applicable state code has occurred, is occurring, or is about to occur. The showing of probable cause shall be based on specific and articulable facts or circumstances and shall be supported by a sworn affidavit or a verified complaint.
- (2) A search warrant shall be issued by the Administrative Law Judge upon a finding of probable cause to believe that a violation of the White City Code or an applicable state code has occurred, and that a search of private property is necessary to investigate and enforce such ordinance.
- (3) A search warrant shall specify the property to be searched and, if applicable, the items to be seized.
- (4) The search warrant shall be executed by a designated enforcement official in accordance with the Fourth Amendment to the United States Constitution and Utah law.
- (5) The search warrant shall be executed in a reasonable manner, taking into account the nature of the ordinance being enforced, the nature of the property being searched, and the presence of any individual(s) on the property.
- (6) A report of the execution of the search warrant shall be made in writing and filed with the Administrative Law Judge that issued the warrant. The report shall include a description of the property searched, the items seized, and any other information required by law or court order.
- (7) No person shall refuse entry or access to any authorized representative of the department who requests entry for purposes of inspection, and who presents appropriate credentials and warrant, nor shall any person obstruct, hamper or interfere with any such inspection.
- (8) Nothing in this section shall be construed to prevent prompt inspection without consent or appropriate warrant in emergency situations.

12.02.350 Power to Issue Citations*

The Director or any designated enforcement official is authorized to issue a misdemeanor citation or administrative citation if there is reasonable cause to believe that the person is committing or has committed a violation of the White City Code or state code in the enforcement official's presence.

12.02.360 False Information or Refusal Prohibited*

It shall be unlawful for any person to make a false statement or refuse to give his or her name or address with intent to deceive or interfere with a duly authorized White City official or agent, including to the Director or any authorized enforcement officials, when in the performance of official duties under the provisions of this Title. A violation of this Section is a class B misdemeanor.

12.02.370 Failure to Obey a Subpoena*

It is unlawful for any person to refuse or fail to obey a subpoena issued for an administrative code enforcement hearing. Failure to obey a subpoena constitutes contempt and is a class B misdemeanor.

Chapter 12.04 Administrative Code Enforcement Procedures*

[12.04.010 Authority*](#)

[12.04.020 Courtesy Notice*](#)

[12.04.030 Notice of Violation*](#)

[12.04.040 Failure to Bring Property Into Compliance*](#)

[12.04.050 Inspections*](#)

[12.04.200 Part 2 - Emergency Abatement*](#)

[12.04.210 Authority to Abate*](#)

[12.04.220 Procedures for Abatement*](#)

[12.04.300 Part 3 – Emergency Abatement*](#)

[12.04.310 Authority*](#)

[12.04.320 Procedures*](#)

[12.04.230 Notice of Emergency Abatement*](#)

[12.04.400 Part 4 - Abatement of Hazardous Materials](#)

[12.04.420 Notice Of Hazardous Material Abatement*](#)

[12.04.430 Certified Decontamination Specialist*](#)

[12.04.500 Part 5 - Hearing Procedures*](#)

[12.04.510 Declaration of Purpose*](#)

[12.04.520 Authority and Scope of Hearings*](#)

[12.04.530 Request for Administrative Code Enforcement Hearing*](#)

[12.04.540 Hearings and Orders*](#)

[12.04.550 Notification of Administrative Code Enforcement Hearing*](#)

[12.04.560 Disqualification of Administrative Law Judge*](#)

[12.04.570 Powers of The Administrative Law Judge*](#)

[12.04.580 Procedures at Administrative Code Enforcement Hearing*](#)

[12.04.590 Failure to Attend Administrative Code Enforcement Hearing*](#)

[12.04.591 Administrative Code Enforcement Order*](#)

[12.04.595 Failure to Comply With Order*](#)

[12.04.600 Part 6 - Administrative Enforcement Appeals*](#)

[12.04.610 Appeal of Administrative Code Enforcement Hearing Decision*](#)

12.04.010 Authority*

Any condition caused, maintained, or permitted to exist in violation of any provisions of the White City Code or applicable state codes that constitutes a violation may be abated by White City pursuant to the procedures set forth in this Title.

12.04.020 Courtesy Notice*

(1) If the Director or any designated enforcement official determines that a minor violation has occurred, the Director or enforcement official may issue a courtesy notice to a responsible person by leaving a courtesy notice with the responsible person or affixing the notice to the door or gate of the property. The courtesy notice shall include the following information:

- a. Name of the property owner of record according to the records of the County Recorder;
- b. Street address of violation;
- c. Nature and results of the examination and investigation conducted;
- d. Date and approximate time the violation was observed
- e. All code sections violated and descriptions of the condition of the property that violates the applicable codes;

- f. A statement explaining the type of remedial action required to permanently correct outstanding violations, which may include corrections, repairs, demolition, removal, eradication, destruction, or other appropriate action;
 - g. A statement that if the violation has not been remedied within 7 days, the designated enforcement official will issue a notice of violation consistent with the requirements of this chapter.
 - h. The name and contact information of the code enforcement official who may be contacted regarding the courtesy notice.
- (2) The issuance of a courtesy notice is discretionary, and an enforcement official may proceed with the issuance of a notice of violation without first issuing a courtesy notice.

12.04.030 Notice of Violation*

- (1) If the Director or any designated enforcement official determines that a major violation of the White City Code or applicable state codes has occurred or continues to exist or a minor violation continues to exist, the Director or enforcement official may issue a notice of violation to a responsible person. The notice of violation shall include the following information and shall comply with Utah Code § 10-11-2 or the applicable successor statute(s):
- a. Name of the property owner of record according to the records of the County Recorder;
 - b. Street address of violation;
 - c. Nature and results of the examination and investigation conducted;
 - d. Date and approximate time the violation was observed;
 - e. All code sections violated and descriptions of the condition of the property that violates the applicable codes;
 - f. A statement explaining the type of remedial action required to permanently correct outstanding violations, which may include corrections, repairs, demolition, removal, eradication, destruction, or other appropriate action;
 - g. A specific date for the responsible party to correct the violations listed in the notice of violation or appeal the notice of violation, which date shall be at least fifteen days from the date of service unless the Director determines that the violation requires emergency abatement under Section 12.2.200;
 - h. Explanation of the consequences if the responsible person fails to comply with the terms and deadlines as prescribed in the notice of violation, which may include criminal prosecution; civil penalties; revocation of permits; recordation of the notice of violation; withholding of future municipal permits; abatement of the violation by White City and re-payment to White City for the costs of the abatement; other costs incurred by White City; administrative fees; and any other legal remedies;
 - i. Civil penalties shall begin to accrue immediately on expiration of the date to correct violations;
 - j. The amount of the civil penalty on each violation and that the penalty shall accrue daily until the property is brought into compliance;
 - k. Only one notice of violation is required for any 12-month period, and civil penalties begin immediately upon any subsequent violation of the notice. The responsible person may request a hearing on the renewed violation by following the same procedure as provided for the original notice;
 - l. Procedures to appeal the notice and request a hearing, including the amount of the appeal fee, as provided in the adopted fee schedule and consequences for failure to request one, including that failure to appeal waives all defenses to the notice of violation and the Director, or designee, may order the abatement of the property without a subsequent hearing or order; and
 - m. Procedures to request an inspection after the violation has been abated.

- (2) The notice of violation shall be served by one of the methods of service listed in Section 12.2.210 of this Title.
- (3) More than one notice of violation may be issued against the same responsible person if it encompasses different dates, or different violations.

12.04.040 Failure To Bring Property Into Compliance*

- (1) If a responsible person fails to bring a violation into compliance within the compliance period specified in the notice of violation:
- a. civil penalties shall be owed to White City for each and every subsequent day of violation;
 - b. If the responsible party does not request a hearing on the notice of violation within the required period specified in the notice of violation, the Director may
 - i. schedule the abatement of violations on the property specified in the notice of violation;
 - ii. schedule a default hearing with the Administrative Law Judge; or
 - iii. bring an enforcement and abatement action in the district court.
- (2) Failure to comply with the notice of violation is a Class C misdemeanor.

12.04.050 Inspections*

It shall be the duty of the responsible person served with a notice of violation to request in writing an inspection when the responsible person's property has been brought into compliance. It is prima facie evidence that the violation remains on the property if no inspection is requested. Civil penalties accumulate daily until the property has been inspected and a notice of compliance is issued. Re-inspection fees shall be assessed if more than one inspection is necessary.

12.04.200 Part 2 - Abatement

12.04.210 Authority To Abate*

The Director is authorized to enter upon any property or premises to abate the violation of White City Code and applicable state codes pursuant to this Part. The Director is authorized to assess all costs for the abatement to the responsible person and use any remedy available under the law to collect the costs, including assessment of the costs on the County tax rolls.

12.04.220 Procedures For Abatement*

- (1) The Director may abate a violation pursuant to this Part after providing notice under this Title and by following the process set forth in Utah Code § 10-11-3 or any applicable successor statute if the Responsible Party:
- a. Does not abate a violation within the time period prescribed in a notice; and
 - b. Did not file a request for an administrative code enforcement hearing under this Title.
- (2) The Director may request a default hearing but is not required to do so to abate the violation under this Part and may abate the violation without a default hearing pursuant to Utah Code § 10-11-3 or any applicable successor statute.
- (3) The Director may use White City personnel or a private contractor acting under the Director's or White City' direction to abate the violation.
- (4) White City personnel or a private contractor may enter upon private property in a reasonable manner to abate the ordinance violation as specified in the notice of violation or administrative code enforcement order.
- (5) If the responsible person abates the violation before White City performs the actual abatement pursuant to a notice of violation or administrative code enforcement order, the Director may still assess the costs incurred by White City against the responsible person.

(6) In compliance with Utah Code § 10-11-3 or any applicable statute, the Director shall prepare an itemized statement of the work performed when the abatement is completed on the responsible person.

(7) The Administrative Law Judge shall hear any appeals filed by a responsible person in response to an itemized statement issued under this Part and shall conduct such appeals and any related hearings in accordance with Utah Code § 10-11-3 or any applicable successor statute.

12.04.300 Part 3 - Emergency Abatement*

12.04.310 Authority*

(1) Whenever the Director determines that an imminent life safety hazard exists that requires immediate correction or elimination, the Director may exercise the following powers without prior notice to the responsible person:

- a. Order the immediate vacation of any tenants, and prohibit occupancy or entry until all repairs are completed, provided that an order prohibiting entry shall specify how entry is to be made to mitigate damage, complete repairs, retrieve personal property, or for any other purpose, if any, during the abatement process;
- b. Post the premises as unsafe, substandard, or dangerous;
- c. Board, fence, or secure the building or site;
- d. Raze, grade, and remove that portion of the building or site to prevent further collapse or any hazard to the general public;
- e. Make any minimal emergency repairs as necessary to eliminate any imminent life safety hazard; or
- f. Take any other action appropriate to eliminate the emergency.

(2) The Director and his or her agents have the authority for good cause to enter the property without a search warrant or court order to accomplish the above listed acts to abate the safety hazard.

(3) The responsible person shall be liable for all costs associated with the abatement of the life safety hazard. Costs may be recovered pursuant to this Title.

12.04.320 Procedures*

(1) The Director shall pursue only the minimum level of correction or abatement as necessary to eliminate the immediacy of the hazard. Costs incurred by White City during the emergency abatement process shall be assessed and recovered against the responsible person through the procedures provided in this Title.

(2) The Director may also pursue any other valid and legal administrative or judicial remedy to abate any remaining violations.

12.04.330 Notice Of Emergency Abatement*

After an emergency abatement, White City shall notify the owner or responsible person of the abatement action taken in writing. This notice shall be served within ten days of completion of the abatement and will describe in reasonable detail the abatement actions taken.

12.04.400 Part 4 – Abatement of Hazardous Materials*

12.04.410 Authority*

If the Director determines that a structure has been closed to occupancy or entry by a local health department due to contamination from hazardous materials, the Director may appoint a municipal inspector for the purpose of implementing and complying with the provisions of Utah Code 10-11-1. The

Director may authorize abatement of the interior of the structure to eliminate or remove hazardous materials within a structure that has been closed to occupancy or entry by a local health department or fire department.

12.04.420 Notice of Hazardous Material Abatement*

(1) If the Director or any designated enforcement official determines that a structure has been closed by the local health department or fire department for hazardous materials, the Director or enforcement official will issue a notice of hazardous material abatement to a responsible person.

(2) The notice of hazardous material abatement shall include the following information and shall comply with Utah Code § 10-11-2 or the applicable successor statute:

- a. Name of the property owner of record according to the records of the County Recorder;
- b. Street address of violation;
- c. Nature and results of the examination and investigation conducted;
- d. Date and approximate time the violation was observed;
- e. All code sections violated and descriptions of the condition of the property that violates the applicable codes;
- f. A statement explaining the type of remedial action required to permanently correct outstanding violations, which may include corrections, repairs, demolition, removal, eradication, destruction, or other appropriate action;
- g. A specific date for the responsible party to correct the violations listed in the notice of hazardous material abatement or appeal the notice of hazardous material abatement, which date shall be at least 180 days from the date of service;
- h. Explanation of the consequences if the responsible person fails to comply with the terms and deadlines as prescribed in the notice of violation, which may include criminal prosecution; civil penalties; revocation of permits; recordation of the notice of violation; withholding of future municipal permits; abatement of the violation by White City and re-payment to White City for the costs of the abatement; other costs incurred by White City; administrative fees; and any other legal remedies;
- i. Civil penalties shall begin to accrue immediately on expiration of the date to correct violations or the appeal and administrative proceeding process is completed;
- j. The amount of the civil penalty on each violation and that the penalty shall accrue daily until the property is brought into compliance;
- k. Procedures to appeal the notice and request a hearing, including the amount of the appeal fee, as provided in the adopted fee schedule, and consequences for failure to request one, including that failure to appeal waives all defenses to the notice of hazardous material abatement and the Director, or designee, may order the abatement of the property without a subsequent hearing or order; and
- l. Procedures to request an inspection after the violation has been abated.

(3) The notice of hazardous material abatement shall be served by one of the methods of service listed in Section 12.02.210 of this Title.

12.04.430 Certified Decontamination Specialist*

A responsible party, owner, or occupant must use a certified decontamination specialist to abate hazardous materials as described in Utah Code § 19-6-906.

12.04.430 Restricting Access*

The Director may issue an order limiting or restricting access to a structure and the real property appurtenant to the structure while the municipal inspector or a certified decontamination specialist destroys, removes, or abates hazardous materials within the structure.

12.04.500 Part 5 - Demolitions*

12.04.510 Authority*

If the Director determines that a property or building requires demolition, the Director may demolish or remove the offending structure, or exercise any or all of the powers listed in this Title once appropriate notice has been given to a responsible person pursuant to the Uniform Abatement of Dangerous Buildings Code or Uniform Fire Codes as required under state law, provided that the notice shall include a written description of the Director's findings, explaining the need for the demolition and citations to the applicable ordinances or laws authorizing the demolition. The responsible person shall be liable for all costs associated with the demolition. Costs may be recovered pursuant to this Title.

12.04.420 Procedures*

Once the Director has determined that the White City Chief Building Official or the Fire Department has complied with all of the notice requirements of the applicable laws, the property will be demolished. Other applicable remedies may also be pursued.

12.042.400 Part 4 – Administrative Citations*

12.042.410 Declaration Of Purpose*

The Council finds that there is a need for an alternative method of enforcement for violations of the White City Code and applicable state codes which do not relate to land use violations. The Council further finds that an appropriate method of enforcement is an administrative citation program.

The procedures established in this Part shall be in addition to criminal, civil, or any other legal remedy established by law that may be pursued to address violations of the White City Code or applicable state codes.

12.042.420 Authority*

Any person violating a provision of the White City Code or applicable state codes may be issued an administrative citation by an enforcement official as provided in this Part.

A civil penalty shall be assessed by means of an administrative citation issued by the enforcement official and shall be payable directly to the White City Treasurer's Office, or other offices designated to receive payment on behalf of White City.

Penalties assessed by means of an administrative citation shall be collected in accordance with the procedures specified in the remedies section of this Title.

12.042.430 Procedures*

(1) Upon discovering any violation of the White City Code, or applicable state codes, an enforcement official may issue an administrative citation to a responsible person in the manner prescribed in this Part or as prescribed in Section 12.1.210. The administrative citation shall be issued on a form approved by the Director.

(2) If the responsible person is a business, the enforcement official shall attempt to locate the business owner and issue an administrative citation to the business owner. If the enforcement official can only locate the manager of the business, the administrative citation may be given to the manager of the business. A

copy of the administrative citation may also be mailed to the business owner or any other responsible person in the manner prescribed in Section 12.1.210 of this Title.

(3) Once the responsible person has been located, the enforcement official shall attempt to obtain the signature of that person on the administrative citation. If the responsible person refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the citation and subsequent proceedings.

(4) If the enforcement official is unable to locate the responsible person for the violation, then the administrative citation shall be mailed to the responsible person in the manner prescribed in Section 12.1.210 of this Title.

(5) If no one can be located at the property, then the administrative citation may be posted in a conspicuous place on or near the property and a copy subsequently mailed to the responsible person in the manner prescribed by Section 12.1.210 of this Title.

(6) The administrative citation shall also contain the signature of the enforcement official.

(7) The failure of any person with an interest in the property to receive notice shall not affect the validity of any proceedings taken under this Part.

HISTORY

Adopted by Ord. [19-07-01](#) on 7/22/2019

12.042.440 Contents Of Administrative Citation*

Administrative citations shall include the information required in Section 12.2.020 and shall:

(1) State the amount of penalty imposed for the minor violations; and

(2) Explain how the penalty shall be paid, the time period by which the penalty shall be paid, and the consequences of failure to pay the penalty.

12.042.450 Civil Penalties Assessed*

(1) The City Council shall establish policies to assist in the assessment of civil penalties for administrative citations.

(2) Civil penalties shall be assessed immediately for each violation listed on the administrative citation. The penalties shall be those established in the Consolidated Fee Schedule.

(3) Payment of the penalty shall not excuse the failure to correct the violations, nor shall it bar further enforcement action by the City.

12.04.500 Part 5 – Appeal and Hearing Procedures*

12.04.510 Declaration Of Purpose*

The Council finds that there is a need to establish uniform procedures for administrative code enforcement hearings conducted pursuant to White City Code. It is the purpose and intent of the Council to afford due process of law to any person who is directly affected by an administrative action. Due process of law includes notice, an opportunity to participate in the administrative hearing, and an explanation of the reasons justifying the administrative action. These procedures are also intended to establish a forum to efficiently, expeditiously, and fairly resolve issues raised in any administrative code enforcement action.

12.04.520 Authority and Scope of Hearings*

The Administrative Law Judge shall preside over hearings of White City Code violations. The Administrative Law Judge shall develop policies and procedures to regulate the hearing process for any violation of

White City Code and applicable state codes that are handled pursuant to the administrative abatement procedures, emergency abatement procedures, demolition procedures, or administrative citation procedures. If there is a conflict between the appeal procedures in this Title and the appeal procedures in another code incorporated by White City, this Title shall control.

12.04.530 Appeal and Request For Administrative Code Enforcement Hearing*

(1) A person served with one of the following documents or notices has the right to appeal by requesting an administrative code enforcement hearing, if the request is filed within 15 calendar days from the date of service of one of the following notices:

- a. Notice of violation;
- b. Notice of itemized bill for costs; or
- c. Notice of emergency abatement;

(2) A person served with a notice of hazardous material abatement shall have the right to appeal by requesting an administrative code enforcement hearing, if the request is filed within 180 calendar days from the date of service.

(3) The request for hearing shall be made in writing and filed with the Director or as otherwise indicated in the notice of violation. The request shall contain the following:

- a. the case number,
- b. the address of the violation,
- c. a statement of the legal and factual basis supporting the overturning the notice of violation; and
- d. the signature of the responsible party.

(4) The request for hearing shall be accompanied by payment of the appeal fee the amount of which shall be provided forth in the White City Fee Schedule.

(5) Failure to provide all the information required in Subsection 12.02.530(2) and payment of the appeal fee required in Subsection 12.02.530 (3), may result in the dismissal of the appeal without a hearing.

(6) As soon as practicable after receiving the written notice of the request for hearing, the Director shall schedule a date, time, and place for the hearing with the Administrative Law Judge and serve a Notice of Hearing on the responsible party.

(7) Failure to request a hearing as provided shall constitute a waiver of the right to a hearing and a waiver of the right to appeal the action.

12.04.540 Hearings And Orders*

(1) If the responsible person fails to request a hearing before the expiration of the 15 calendar day required deadline, the Director may:

- a. Schedule the abatement of the property and serve a notice of abatement on the responsible party.
- b. Request a default hearing, with the Administrative Law Judge and notify the responsible person of the date, time, and place of the hearing by one of the methods listed in Section 12.2.210.

(2) A default hearing may be scheduled for all cases that have outstanding or unpaid civil penalties, fines, fees and/or costs due to White City before collection.

(3) At any hearing, the responsible person shall have the opportunity to present evidence to show that good cause exists, as defined in the Title, to do one or more of the following in addition to any other rights afforded under other provisions of White City Code or applicable law:

- a. Waive or reduce the fines which have accumulated;
- b. Postpone an abatement action by White City; or
- c. Excuse the responsible person's failure to request a hearing within the 15-day period.

(4) If the responsible person fails to establish good cause to take one or more of the actions set forth in paragraph (3), the Administrative Law Judge shall review the notice of violation and any other relevant information included in the case file. The Administrative Law Judge shall not accept any other evidence.

If the evidence shows that the violations existed, the Administrative Law Judge shall enter an order requiring abatement of the violations, and the payment of all fines and fees. Fines shall run until the Director or other duly authorized representative of White City issues a Notice of Compliance stating when the violations were actually abated.

12.04.550 Notification Of Administrative Code Enforcement Hearing*

- (1) The Administrative Law Judge or White City shall provide written notice of the day, time, and place of the hearing to a responsible person as soon as practicable prior to the date of the hearing with the format and contents of the hearing provided in accordance with rules and policies promulgated by the Administrative Law Judge.
- (2) The notice of hearing shall be served by any of the methods of service listed in Section 12.1.210 of this Title.

12.04.560 Disqualification Of Administrative Law Judge*

- (1) A responsible person may file a written motion to disqualify an Administrative Law Judge for bias, prejudice, a conflict of interest, or any other reason for which a judge may be disqualified in a court of law. The motion to disqualify shall be accompanied by an affidavit or unsworn declaration as described in Title 78B of the Utah Code or applicable successor statute signed by the responsible person, which shall:
 - a. State that the motion is filed in good faith;
 - b. Allege facts sufficient to show bias, prejudice, a conflict of interest, or any other reason that would disqualify a judge in a court of law in Utah; and
 - c. State when and how the Responsible Party came to know of the reason for disqualification.
- (2) The responsible person shall file the motion within 21 days of the assignment of the action to an Administrative Law Judge or the date on which the responsible person knew or should have known of the grounds on which the motion is based, whichever is later.
- (3) A responsible person may only file one motion to disqualify an Administrative Law Judge, unless a second or subsequent motion is based on grounds that the responsible person did not know of and could not have known of at the time of the earlier motion.
- (4) The Administrative Law Judge who is the subject of a motion to disqualify must, without taking any further action, provide the Director with a copy of the motion and refer the motion to the White City Council.
- (5) Upon receipt of a motion to disqualify, the White City Council will schedule and notice the matter for review at its next regular scheduled meeting. The White City Council may, in its sole discretion, elect to hold a special meeting to hear the motion before its next regularly scheduled meeting. The White City Council shall first review the motion to disqualify to determine if it satisfies the requirements of paragraphs (1) and (2) of this Section. If the motion to disqualify does not satisfy the requirements of this Section, the Council will deny the motion and remand it to the Administrative Law Judge for further proceedings. If the motion to disqualify satisfies the requirements of paragraphs (1) and (2) of this Section, the White City Council shall determine whether the motion is legally sufficient to warrant disqualification. If the White City Council determines that disqualification is warranted, it will assign the matter to another Administrative Law Judge. If the White City Council determines that the motion to disqualify is not legally sufficient, it will remand the matter back to the Administrative Law Judge.

12.04.570 Powers of the Administrative Law Judge*

- (1) The Administrative Law Judge has the authority to conduct an adjudicative proceeding, determine if any violation of White City Code exists, order compliance with White City Code, and enforce compliance as provided in this Title on any matter subject to the provisions of the Title.
- (2) The Administrative Law Judge may complete the attendance of a witness and production of a document or other evidence, administer an oath, take testimony, and receive evidence as necessary.

(3) The Administrative Law Judge may continue a hearing based on good cause shown by one of the parties to the hearing. The Administrative Law Judge must enter on the record the good cause on which a continuance is granted.

(4) The Administrative Law Judge, at the request of any party to the hearing, may sign subpoenas for witnesses, documents, and other evidence. All costs related to the subpoena, including witness and mileage fees, shall be borne by the party requesting the subpoena. The Administrative Law Judge shall develop policies and procedures relating to the issuance of subpoenas in administrative code enforcement hearings, including the form of the subpoena and related costs.

(5) The Administrative Law Judge has continuing jurisdiction over the subject matter of an administrative code enforcement hearing for the purposes of granting a continuance; ordering compliance by issuing an administrative code enforcement order using any remedies available under the law; ensuring compliance with that order, which includes the right to authorize White City to enter and abate a violation; modifying an administrative code enforcement order; or, where extraordinary circumstances exist, granting a new hearing.

(6) The Administrative Law Judge has the authority to require a responsible person to post a code enforcement performance bond to ensure compliance with an administrative code enforcement order.

12.04.580 Procedures at Administrative Code Enforcement Hearing*

(1) Administrative code enforcement hearings are intended to be informal. Formal rules of evidence and discovery do not apply; however, an informal exchange of discovery may be required. The request shall be in writing. Failure to request discovery may not be a basis for a continuance. Complainant information is protected and shall not be released unless the complainant is a witness at the hearing. The procedure and format of the administrative hearing shall follow the procedures promulgated by the Administrative Law Judge.

(2) White City bears the burden of proof at an administrative code enforcement hearing to establish the existence of a violation of White City or applicable state codes.

(3) The standard of proof to be used by the Administrative Law Judge in deciding the issues at an administrative hearing is whether the preponderance of the evidence shows that the violations exist.

(4) Each party shall have the opportunity to cross-examine witnesses and present evidence in support of his or her case. A written declaration signed under penalty of perjury may be accepted in lieu of a personal appearance. Testimony may be given by telephone or other electronic means. The Administrative Law Judge may accept testimony offered by proffer.

(5) All hearings are open to the public, but public notice is not required. All hearings shall be recorded. The recording may be audio or video. Hearings may be held at the location of the violation.

(6) The responsible person has a right to be represented by an attorney. If an attorney is representing the responsible person at the hearing, notice of the attorney's name, address, and telephone number shall be provided to White City at least one day prior to the hearing. If notice is not given, the hearing may be continued at White City's request, and all costs of the continuance assessed to the responsible person.

(7) No new hearing shall be granted, unless the Administrative Law Judge determines that extraordinary circumstances exist which justify a new hearing.

12.04.590 Failure to Attend Administrative Code Enforcement Hearing*

Any party whose property or actions are the subject of any administrative code enforcement hearing and who fails to appear at the hearing is considered to have waived the right to a hearing, and will result in a default judgment, provided that proper notice of the hearing has been provided.

12.04.591 Administrative Code Enforcement Order*

- (1) Once all evidence and testimony are completed, the Administrative Law Judge shall issue, or cause the prevailing party to circulate, an administrative code enforcement order that affirms, modifies, or rejects the notice or citation. The Administrative Law Judge may increase or decrease the total amount of civil penalties and costs that are due pursuant to White City's fee schedule and the procedures in this Title.
- (2) The parties may enter into a stipulated agreement, which must be signed by both parties. This agreement shall be entered as a stipulated administrative code enforcement order. Entry of this agreement shall constitute a waiver of the right to a hearing and the right to appeal.
- (3) The Administrative Law Judge may order White City to enter the property and abate all violations, including demolitions and the removal of vehicles, garbage, animals, and other property kept in violation of White City Code.
- (4) The Administrative Law Judge may revoke a kennel permit, an animal license, or the right to possess animals as provided in White City Code.
- (5) As part of the administrative code enforcement order, the Administrative Law Judge may condition the total or partial assessment of civil penalties on the responsible person's ability to complete compliance by specified deadlines.
- (6) The Administrative Law Judge may schedule subsequent review hearings as may be necessary or as requested by a party to the hearing to ensure compliance with the administrative code enforcement order.
- (7) The Administrative Law Judge may order the responsible person to post a performance bond to ensure compliance with the order.
- (8) The administrative code enforcement order shall become final on the date of the signing of the order.
- (9) The administrative code enforcement order shall be served on all parties by any one of the methods listed in Section 12.1.210 of this Title.

12.04.595 Failure To Comply With Order*

Upon the failure of the responsible person to comply with the terms and deadlines set forth in the administrative code enforcement order, White City may abate the violation as provided in this Title and use all appropriate legal means to recover the civil penalties and administrative costs to obtain compliance.

12.04.600 Part 6 - Administrative Enforcement Appeals*

12.04.610 Appeal of Administrative Code Enforcement Hearing Decision*

- (1) Any person adversely affected by any administrative decision made pursuant to this Chapter may file a petition for review of the decision or order by the district court within 30 days after the decision is rendered.
- (2) No person may challenge in district court an administrative code enforcement hearing officer's decision until that person has exhausted his or her administrative remedies.
- (3) Within 120 days after submitting the petition, the party petitioning for appeal shall request a copy of the record of the proceedings, including transcripts of hearings when necessary. The Administrative Law Judge shall not submit copies of files or transcripts to the reviewing court until the party petitioning for appeal has paid all required costs, including the cost of a licensed court reporter transcribing all relevant recorded hearings. The petitioning party's failure to properly arrange for copies of the record, or to pay the full costs for the record, within 180 days after the petition for review was filed shall be grounds for dismissal of the petition.
 - a. If a transcript of a hearing cannot be prepared because the tape recording is incomplete or unintelligible, the district court may remand the matter to the Administrative Law Judge for a

supplemental proceeding to complete the record. The district court may limit the scope of the supplemental proceeding to issues that, in the court's opinion, need to be clarified.

(4) The district court's review is limited to the record of the administrative decision that is being appealed. The court shall not accept nor consider any evidence that is not part of the record of that decision.

(5) The courts shall:

- a. Presume that the administrative code enforcement hearing officer's decision and orders are valid; and
- b. Review the record to determine whether or not the decision was arbitrary, capricious, or illegal.

12.04.700 Part 7 – Administrative Citations*

12.04.710 Declaration of Purpose*

The Council finds there is a need for an enforcement of administrative violations that are not land use or nuisance violations of the White City Code and applicable state code. The Council further finds that an appropriate method of enforcement is an administrative citation program.

The procedures established in this part shall be in addition to criminal, civil, or any other legal remedy established by law that may be pursued to address violations of White City Code or applicable State Code.

12.04.720 Authority*

(1) Any person violating any minor provision of the White City Code or applicable state statutes may be issued an administrative citation by an enforcement official as provided in this Part.

(2) A civil penalty shall be assessed by means of an administrative citation issued by the enforcement official, and shall be payable directly to White City Treasurer's Office, or other offices designated to receive payment on behalf of White City.

(3) Penalties assessed by means of an administrative citation shall be collected in accordance with the procedures specified in the remedies section of this Title.

12.04.730 Procedures*

(1) Upon discovering a violation of the White City Code, or applicable state codes, an enforcement official may issue an administrative citation to a responsible person in the manner prescribed in this Part or as prescribed in Section 12.1.210. The administrative citation shall be issued on a form approved by the Director.

(2) If the responsible person is a business, the enforcement official shall attempt to locate the business owner and issue an administrative citation to the business owner. If the enforcement official can only locate the manager of the business, the administrative citation may be given to the manager of the business. A copy of the administrative citation may also be mailed to the business owner or any other responsible person in the manner prescribed in Section 12.1.210 of this Title.

(3) Once the responsible person has been located, the enforcement official shall attempt to obtain the signature of that person on the administrative citation. If the responsible person refuses or fails to sign the administrative citation, the failure or refusal to sign shall not affect the validity of the citation and subsequent proceedings.

(4) If the enforcement official is unable to locate the responsible person for the violation, then the administrative citation shall be mailed to the responsible person in the manner prescribed in Section 12.1.210 of this Title.

- (5) If no one can be located at the property, then the administrative citation may be posted in a conspicuous place on or near the property and a copy subsequently mailed to the responsible person in the manner prescribed by Section 12.1.210 of this Title.
- (6) The administrative citation shall also contain the signature of the enforcement official.
- (7) The failure of any person with an interest in the property to receive notice shall not affect the validity of any proceedings taken under this Part.

12.04.740 Contents Of Administrative Citation*

Administrative citations shall include the information required in Section 12.2.020 and shall:

- (1) State the amount of penalty imposed for the minor violations; and
- (2) Explain how the penalty shall be paid, the time period by which the penalty shall be paid, and the consequences of failure to pay the penalty.

12.04.750 Civil Penalties Assessed*

- (1) The Council shall establish policies to assist in the assessment of civil penalties for administrative citations.
- (2) Civil penalties shall be assessed immediately for each violation listed on the administrative citation. The penalties shall be those established in the Consolidated Fee Schedule.
- (3) Payment of the penalty shall not excuse the failure to correct the violations, nor shall it bar further enforcement action by White City.

Chapter 12.06 Administrative and Judicial Remedies*

12.06.100 Part 1 - Recordation of Notices Of Violation*

12.06.110 Declaration of Purpose*

12.06.120 Authority*

12.06.130 Procedures for Recordation*

12.06.140 Service of Notice of Recordation*

12.06.150 Failure To Request*

12.06.160 Notice of Compliance - Procedures*

12.06.170 Prohibition Against Issuance of Municipal Permits*

12.06.180 Cancellation of Recorded Notice of Violation*

12.06.200 Part 2 - Administrative Civil Penalties*

12.06.210 Authority*

12.06.220 Procedures for Assessing Civil Penalties*

12.06.230 Determination of Civil Penalties*

12.06.240 Modification of Civil Penalties*

12.06.250 Failure To Pay Penalties*

12.06.300 Part 3 – Costs*

12.06.310 Declaration of Purpose*

12.06.320 Authority*

12.06.330 Notification of Assessment Of Reinspection Fees

12.06.340 Failure To Timely Pay Costs*

12.06.400 Part 4 - Administrative Fees*

12.06.410 Administrative Fees*

12.06.500 Part 5 - Injunctions*

12.06.510 CML Violations - Injunctions*

12.06.600 Part 6 - Performance Bonds*

12.06.610 Performance Bond*

12.06.100 Part 1 - Recordation of Notices of Violation*

12.06.110 Declaration Of Purpose*

The Council finds that there is a need for alternative methods of enforcement for violations of White City Code and applicable state codes that are found to exist on real property. The Council further finds that an appropriate method of enforcement for these types of violations is the issuance and recordation of notices of violation.

The procedures established in this Part shall be in addition to criminal, civil, or any other remedy established by law that may be pursued to address the violation of White City Code or applicable state codes.

12.06.120 Authority*

Whenever the Director determines that a property or violation has not been brought into compliance as required in this Title, the Director has the authority, in his or her discretion, to record the notice of violation or administrative code enforcement order with the County Recorder's Office.

12.06.130 Procedures For Recordation*

- (1) Once the Director has issued a notice of violation to a responsible person, and the property remains in violation after the deadline established in the notice of violation, and no request for an administrative hearing has been filed, the Director shall record a notice of violation with the County Recorder's Office.
- (2) If an administrative hearing is held, and an order is issued in White City's favor, the Director shall record the administrative code enforcement order with the County Recorder's Office.
- (3) The recordation shall include the name of the property owner, the parcel number, the legal description of the parcel, and a copy of the notice of violation or order.
- (4) The recordation does not encumber the property, but merely places future interested parties on notice of any continuing violation found upon the property.

12.06.140 Service Of Notice Of Recordation*

A notice of the recordation shall be served on the responsible person and the property owner pursuant to any of the methods of service set forth in Section 12.1.210 of this Title.

12.06.150 Failure To Request*

The failure of any person to file a request for an administrative code enforcement hearing when served with a notice of violation shall constitute a waiver of the right to an administrative hearing and shall not affect the validity of the recorded notice of violation.

12.06.160 Notice of Compliance - Procedures*

- (1) When the violation has been corrected, the responsible person or property owner may request an inspection of the property from the Director.
- (2) Upon receipt of a request for inspection, the Director shall re-inspect the property as soon as practicable to determine whether the violations listed in the notice of violation or the order have been corrected, and whether all necessary permits have been issued and final inspections have been performed.
- (3) The Director shall serve a notice of satisfaction to the responsible person or property owner as provided in Section 12.2.210 of this Title, if the Director determines that the violation listed in the recorded notice of violation or order has been corrected;
- (4) All necessary permits have been issued and finalized;
- (5) All civil penalties assessed against the property have been paid or satisfied; and
- (6) The party requesting the notice of satisfaction has paid all administrative fees and costs.
- (7) If the Director denies a request to issue a notice of satisfaction, upon request, the Director shall serve the responsible person with a written explanation setting forth the reasons for the denial. The written explanation shall be served by any of the methods of service listed in Section 12.1.210 of this Title.

12.06.170 Authority to Withhold Issuance of Municipal Permits

If a property is in violation, White City may withhold business licenses; permits for kennels; or permits for any alteration, repair, or construction pertaining to any existing or new structures or signs on the property, or any permits pertaining to the use and development of the real property or the structure. White City may withhold permits until a notice of satisfaction has been issued by the Director. White City may not withhold permits that are necessary to obtain a notice of satisfaction or that are necessary to correct serious health and safety violations if violator has otherwise satisfied the compliance standards. Nothing in this section shall be construed as prohibiting White City from denying a permit if the application is insufficient or denial is otherwise warranted.

12.06.180 Cancellation Of Recorded Notice Of Violation*

The Director or Responsible Person shall record the notice of satisfaction with the County Recorder's Office. Recordation of the notice of satisfaction shall cancel the recorded notice of violation.

12.06.200 Part 2 - Administrative Civil Penalties*

12.06.210 Authority*

- (1) Any person violating any provision of White City Code, or applicable state codes, may be subject to the assessment of civil penalties for each violation.
- (2) Each and every day a violation of any provision of White City Code or applicable state codes exists is a separate violation subject to the assessment of civil penalties.
- (3) Civil penalties cannot be assessed when a criminal case has been filed for the same date and violation, because fines will be assessed with the criminal case.
- (4) Interest shall be assessed pursuant to White City policy, or at the judgment rate provided in Utah Code
§ 15-1-4 in the absence of White City policy, on all outstanding civil penalties balances until the case has been paid in full.
- (5) Civil penalties for violations of any provision of White City Code or applicable state codes shall be assessed pursuant to the White City's applicable fee schedule.

12.06.220 Procedures For Assessing Civil Penalties*

If a responsible person fails to bring a violation into compliance by the required deadline and fails to request an administrative hearing appealing the notice, civil penalties shall be owed to White City for each and every subsequent day of violation.

12.06.230 Determination Of Civil Penalties*

- (1) Civil penalties shall be assessed per violation per day pursuant to the applicable White City fee schedule.
- (2) Civil penalties shall continue to accrue until the violation has been brought into compliance with White City Code or applicable state codes.

12.06.240 Modification Of Civil Penalties*

- (1) After the property is determined by the Chief Building Official to be in compliance with White City Municipal Code, the responsible person may request a modification of the civil penalties on a finding of good cause.
- (2) Civil penalties may be waived or modified by the Administrative Law Judge if there is a finding of good cause based on the responsible person's claim of nonconforming use or conditional use and:
 - (3) White City's need to verify the claim; or
 - (4) The responsible person's filing of an application for either use before expiration of the date to correct.

12.06.250 Failure To Pay Penalties*

The failure of any person to pay civil penalties assessed within the specified time may result in the Director pursuing any legal remedy to collect the civil penalties as provided in the law.

12.06.300 Part 3 - Costs*

12.06.310 Declaration of Purpose*

- (1) The Council finds that there is a need to recover costs incurred by enforcement officials and other White City personnel who spend considerable time inspecting and re-inspecting properties throughout White City in an effort to ensure compliance with White City Code or applicable state codes.
- (2) The Council further finds that the assessment of costs is an appropriate method to recover expenses incurred for actual costs of abating violations, re-inspection fees, filing fees, attorney fees, hearing officer fees, title search, and any additional actual costs incurred by White City for each individual case. The assessment and collection of costs shall not preclude the imposition of any administrative or judicial civil penalties or fines for violations of White City Code or applicable state codes.

12.06.320 Authority*

- (1) If actual costs are incurred by White City on a property to obtain compliance with provisions of White City Code and applicable state codes, the Director may assess costs against the responsible person.
- (2) Once a notice of violation has been issued, the property will be inspected one time. Any additional inspections shall be subject to re-inspection fees pursuant to the applicable White City fee schedule as adopted in White City's annual budget.

12.06.330 Notification of Assessment of Reinspection Fees

- (1) Notification of any applicable re-inspection fees adopted by White City shall be provided on the notice of violation served to the responsible person.
- (2) Any re-inspection fees assessed or collected pursuant to this Part shall not be included in any other costs assessed.
- (3) The failure of any responsible person to receive notice of the re-inspection fees shall not affect the validity of any other fees imposed under this Part.

12.06.340 Failure To Timely Pay Costs*

The failure of any person to pay assessed costs by the deadline specified in the invoice shall result in a late fee pursuant to White City policy.

12.06.400 Part 4 - Administrative Fees*

12.06.410 Administrative Fees*

The Director or the Administrative Law Judge is authorized to assess administrative fees for costs incurred in the administration of this program, such as investigation of violations, preparation for hearings, hearings, and the collection process. The fee assessed shall be the amount set in the applicable White City fee schedule.

12.06.600 Part 5 - Injunctions*

12.06.510 Violations - Injunctions*

In addition to any other remedy provided under White City Code or state codes, including criminal prosecution or administrative remedies, any provision of White City Code may be enforced by injunction issued in the Third District Court upon a suit brought by White City.

12.06.700 Part 6 - Performance Bonds*

12.06.610 Performance Bond*

(1) As part of any notice, order, or action, the Director or Administrative Law Judge has the authority to require responsible persons to post a performance bond to ensure compliance with White City Code, applicable state codes, or any judicial action.

(2) If the responsible person fails to comply with the notice, order, or action, the bond will be forfeited to White City. The bond shall not be used to offset the other outstanding costs and fees associated with the case.

Chapter 12.08 Recovery of Code Enforcement Penalties and Costs*

12.08.100 Part 1 - Code Enforcement Tax Liens*

12.08.110 Declaration of Purpose*

12.08.120 Procedures for Tax Liens Without A Judgement*

12.08.130 Procedures for Tax Liens With A Judgement*

12.08.140 Cancellation of Code Enforcement Tax Lien*

12.08.200 Part 2 - Writ of Execution*

12.08.201 Recovery of Costs By Writ Of Execution*

12.08.300 Part 3 - Writ of Garnishment*

12.08.310 Recovery of Costs By Writ Of Garnishment*

12.08.400 Part 4 - Allocation of Funds Collected Under Administrative Code Enforcement Hearing Program*

12.08.410 Abatement Fund*

12.08.420 Repayment of Abatement Fund*

12.08.430 Code Enforcement Administrative Fees And Cost Fund*

12.08.440 Allocation of Civil Penalties*

12.08.100 Part 1 - Code Enforcement Tax Liens*

12.08.110 Declaration Of Purpose*

The Council finds that recordation of code enforcement tax liens will assist in the collection of civil penalties, administrative costs, actual costs, and administrative fees assessed by the administrative code enforcement hearing program or judicial orders. The Council further finds that collection of civil penalties, costs, and fees assessed for code enforcement violations is important in deterring future violations and maintaining the integrity of White City's code enforcement system. The procedures established in this Part shall be used to complement existing administrative or judicial remedies that may be pursued to address violations of White City Code or applicable state codes.

12.08.120 Procedures For Tax Liens Without a Judgement*

- (1) Once White City has abated a property, the Director shall prepare an Itemized Statement of Costs incurred in the removal and destruction of the violations and deliver them to the Director after completion of the work of removing the violations.
- (2) The Director shall send, by registered mail to the property owner's last known address, a copy of the Itemized Statement of Costs informing the property owner that a code enforcement tax lien is being recorded for the amount of actual costs of abatement. Payment shall be due within 30 calendar days from the date of mailing.
- (3) Upon receipt of the Itemized Statement of Costs, the Director, shall record a Code Enforcement Tax Lien against the property with the County Treasurer's office.
- (4) The failure of any person with a financial interest in the property to actually receive the notice of the lien shall not affect the validity of the lien or any proceedings taken to collect the outstanding costs of abatement.

12.08.130 Procedures For Tax Liens With A Judgement*

Once a judgment has been obtained from the appropriate court assessing costs against the responsible person, the Director may record a code enforcement tax lien against any real property owned by the responsible person.

12.08.140 Cancellation Of Code Enforcement Tax Lien*

Once payment in full is received for the outstanding civil penalties and costs, or the amount is deemed satisfied pursuant to a subsequent administrative or judicial order, the Director shall either record a Notice of Satisfaction of Judgment, or provide the Responsible Person, property owner, or financial institution with the Notice of Satisfaction of Judgment so that it can record this notice with the county recorder's office. The notice of satisfaction of judgment shall include the same information as provided for in the original Code Enforcement Tax Lien. Such notice of satisfaction of judgment shall cancel the code enforcement tax lien.

12.08.200 Part 2 - Writ of Execution*

12.08.201 Recovery of Costs By Writ of Execution*

After obtaining a judgment, the Director may collect the obligation by use of all appropriate legal means. This may include the execution on personal property owned by the responsible person by filing a writ with the applicable court.

12.08.300 Part 3 - Writ of Garnishment*

12.08.310 Recovery of Costs By Writ of Garnishment*

After obtaining a judgment, the Director may collect the obligation by use of all appropriate legal means. This may include the garnishment of paychecks, financial accounts, and other income or financial assets by filing a writ with the applicable court.

12.08.400 Part 4 - Allocation of Funds Collected Under Administrative Code Enforcement Hearing Program*

12.08.410 Abatement Fund*

There is established a revolving fund to be known as the "Abatement Fund" to defray costs of administrative and judicial abatements as provided in Section 12.08.430. The fund shall be reimbursed by collection from the property or property owner as specified in this Title. The White City Council shall establish accounting procedures to ensure proper account identification, credit, and collection. This fund may be operated and used in conjunction with procedures ordered or authorized under the abatement provision of this Title.

12.08.420 Repayment Of Abatement Fund*

All monies recovered from the sale or transfer of property or by payment for the actual abatement costs shall be paid to the White City Treasurer, who shall credit the appropriate amount to the Abatement Fund.

12.08.430 Code Enforcement Administrative Fees And Cost Fund*

Administrative fees and administrative costs, except for actual abatement costs, collected pursuant to this Part shall be deposited in a fund established by the White City Council for the enhancement of White City's code enforcement efforts and to reimburse White City for investigative costs and costs associated with the hearing process. Fees and costs deposited in this fund shall be appropriated and allocated in a manner determined by the White City Council. White City Council shall establish accounting procedures in consultation with the White City Auditor to ensure proper account identification, credit, and collection.

12.08.440 Allocation Of Civil Penalties*

Civil penalties collected pursuant to this Part shall be deposited in the General Fund of White City. Civil penalties deposited in this fund shall be appropriated and allocated in a manner determined by the White City Manager and the White City Council. The White City Council shall establish accounting procedures to ensure proper account identification, credit, and collection.

8.01.010 Definitions

As used in Chapter 8 the following terms shall have the definitions provided herein.

"Abandonment" means placing an animal in an environment where the animal is separated from basic needs such as food, water, shelter or necessary medical attention, for a period longer than twenty-four hours or if an animal is found to be an Animal at Large 3 or more times in any 7 day period. Abandonment includes failure to reclaim an animal seventy-two hours beyond the time agreed upon with a kennel, grooming service or similar facility. Abandonment includes failure to reclaim a pet from an animal shelter beyond seventy-two hours of notification or refusal to sign relinquishment authorization.

"Adequate space" means that when a dog is fixed to a tether, fastener, chain, tie, or other restraint, the dog is able to easily stand up, sit down, turn around, lay down, and make all normal bodily movements and interact safely with the environment and with other animals that may be in the immediate area.

"Allow," for the purposes of this Title 8, shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal.

"Animal" means every nonhuman species, both domestic and wild.

"Animal at large."

1. "Animal at large" means any animal, whether licensed or unlicensed, which is not under physical restraint imposed by the owner or handler (i.e., caged, enclosed or on a leash), or is not capable of being immediately controlled by the owner or handler when off the premises of the owner. Cats are excluded from this definition.
2. An animal is considered an "animal at large," regardless of whether the animal is under physical restraint or capable of being immediately controlled, unless:
 1. The owner or handler has in his or her possession instruments necessary to clean up after the animal; and
 2. The owner or handler does remove the animal's feces to a proper trash receptacle.
3. An animal is considered an "animal at large," regardless of whether the animal is under physical restraint or capable of being immediately controlled, if the animal is not vaccinated and licensed in accord with federal, state and local laws and is wearing or displaying all tags required by law to evidence such licensing and vaccination. The owner or handler must be in possession of instruments necessary to physically restrain the animal.
4. A dog is not an "animal at large" in areas not specifically prohibited or restricted by Section 8.04.170 so long as the owner or handler is capable of being in immediate control and has the means to physically control the animal.

"Animal boarding establishment" means any commercial establishment that takes in animals for the purpose of providing temporary shelter or care and charges a fee for such service.

"Animal control officer" means any person designated by the state of Utah as a peace officer as defined in Utah Code § 53-13-101, (1953) et seq., as amended; or individual otherwise designated by a ~~municipal government~~ White City or by Salt Lake County, ~~through the division of animal services~~; as an officer who is authorized by law to perform the duties specified by this Title 8.

"Animal exhibition" means any display of, event or contest involving animals.

"Animal grooming parlor" means any commercial establishment maintained for the purpose of offering cosmetological services for animals for a fee.

"Animal shelter" means any facility owned, operated or maintained for the care and custody of seized, stray, homeless, quarantined, abandoned, unwanted animals or animals held for the purpose of protective custody under the authority of this Title 8 or state law.

"Animal under physical restraint."

1. "Animal under physical restraint" means any animal under the physical control of its owner or person over the age of twelve years having charge, care, custody or control of the animal, by the means of a leash, tether, or other physical control device or enclosure. A leash or tether shall not exceed eight feet in length when in close proximity to animals or people. Animals confined in or upon a motorized vehicle shall be considered physically restrained; provided, that the animal's body parts cannot extend beyond two inches from the vehicle when the vehicle is not in motion and not more than the length of the distance from the animal's shoulders to the tip of its muzzle when the vehicle is in motion. Animals upon the real property of their owner, or upon the property of another (with prior written permission of the property owner) and under direct adult supervision shall be considered under physical restraint.
2. "An animal capable of being immediately controlled" shall mean an animal within the sight of the owner or handler and which responds to command of said owner or handler and that is subject to being immediately placed under physical restraint by said owner or handler. An animal is subject to being immediately placed under physical restraint only if the owner or handler is in possession of a leash and the animal is wearing a collar, harness or similar device to which said leash may be attached.

"Bite" means an actual puncture, tear or abrasion of the skin, inflicted by the teeth of an animal

"Cat" means any feline of the domesticated types more than four months of age. Any feline of the domesticated types less than four months of age is a kitten.

"Cattery" means an establishment where cats are boarded, bred, bought, sold or groomed for a fee.

"Commercial animal establishment" means any pet shop, animal grooming parlor, guard dog location or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, cattery, kennel or animal breeding or housing facility.

"Coop" means a free-standing building for the feeding, watering and sheltering of fowl.

"Dangerous animal" means any animal, including invertebrate species, that would be a hazard to public health and safety should the animal escape. "Dangerous animal" includes those animals meeting the definition of "vicious animal" as set forth in this title and constrictor snakes in excess of ten feet in length.

"Director" means the director of the Salt Lake County division of animal services or other individual designated by White City.

"Division" means the Salt Lake County division of animal services.

"Dog" means any *canis familiaris* more than four months of age. Any *canis familiaris* less than four months of age is a puppy.

"Dog breeder" means any person within unincorporated Salt Lake County who, having the care of or responsibility for one or more female dogs, permits the whelping of litter of dogs. A veterinarian providing services within a veterinarian-client-patient relationship, and has no ownership interest in the animals, is not included in this definition.

"Domesticated animals" means animals accustomed to living in or about the habitation of man, including but not limited to cats, dogs, ferrets and livestock. "Domesticated animal," however, shall not include "exotic animals."

"Domestic fowl" means any of a variety of ducks or adult female domesticated chickens and baby ducks or chickens of either gender, not over 20 weeks in age, but not to include adult male chickens or other bird species, unless otherwise permitted by law.

"Enclosure."

1. For fowl, "Enclosure" means a fenced or sturdy wire pen containing a coop that allows domestic fowl access to the coop while remaining in an enclosed pen.
2. For all other animals, "Enclosure" means any structure of sufficient strength and height to prevent an animal from escaping its primary confines.

"Euthanasia" means the humane destruction of an animal accomplished by a method approved by the most recent report of the American Veterinary Medical Association Panel on Euthanasia that results in unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness.

"Exotic animal" means any animal whose native habitat is not indigenous to the continental United States, excluding Alaska, except tropical fish, fur-bearing animals commercially bred for the furrier trade, and birds. Constrictor snakes in excess of ten feet in length are defined as dangerous animals.

"Extreme weather conditions" means weather conditions of extreme heat or cold that are likely to endanger an animal confined in such temperatures.

"Feral Cat" means any free roaming, homeless, wild or untamed cat.

"Feral Cat Colony" means a group of free roaming, homeless, wild or untamed cats living together in an area.

"Ferret" means any domestic *Mustela putorius* (except the black footed ferret) more than three months of age. Any *Mustela putorius* less than three months of age is a kit.

"Found" means to be personally observed by an animal control officer or to be documented by photograph or video recording.

"Guard dog" means any dog that will detect and warn its handler that an intruder is present in or near an area that is being secured and will attack a human pursuant to training or its handler's command.

"Handler" is any person who has physical control, i.e., the charge, care, control, custody or possession, or responsibility for the same, of an animal at any given time. An "owner" shall be presumed to have ultimate responsibility for the physical control of the animal and may divest himself/herself of such responsibility only by the transferring of, or giving permission for, actual physical control of the animal to a legally responsible adult person of age eighteen or more. Whenever such other person of the requisite age has responsibility for physical control of the animal, such person shall be the "handler." At all other times, the "owner" shall be presumed to be the "handler."

"Holding facility" means any pet shop, kennel, cattery, animal grooming parlor, riding school, stable, animal shelter, veterinary hospital, or any other such facility used for holding animals.

"Kennel" means a commercial establishment having three or more dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, or selling such dogs.

"Leash" or "lead" means any chain, rope, or device of sufficient strength used to restrain an animal.

"Livestock" means animals kept for husbandry, including but not limited to fowl, ratites, horses, mules, burros, asses, cattle, sheep, goats, llamas, swine and other farm, hoofed domesticated animals, excluding dogs, cats and ferrets.

"Nuisance."

1. "Nuisance" means any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or humans, or substantially interfere with humans', other than their owner's, enjoyment of life or property.
2. The term "public nuisance animal" shall mean and include, but is not limited to, any animal that:
 1. Is ~~repeatedly~~ found at large;
 2. Damages the property of anyone other than its owner;
 3. ~~Repeatedly~~ molests or intimidates neighbors, pedestrians or passersby by lunging at fences, chasing, or acting aggressively towards such person(s), unless provoked by such person(s);
 4. Chases vehicles;

5. Makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other noise which causes unreasonable annoyance, disturbance or discomfort to neighbors or others;
 6. Causes fouling of the air by odors and thereby creates unreasonable annoyance or discomfort to neighbors or others;
 7. Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored;
 8. Defecates on any public sidewalk, park or building, or on any private property without the consent of the owner of such private property, unless the handler of such animal shall have in his or her possession the instruments to clean up after his or her animal and ~~shall~~ removes the animal's feces to a proper trash receptacle;
 9. Is offensive or dangerous to the public health, safety or welfare by virtue of the number and/or types of animals kept or harbored;
 10. Attacks people or other animals, whether such attack results in actual physical harm to the person or animal to whom or at which the attack is directed;
 11. Has been found by a court ~~or by~~, any other commission or board lawfully established under Utah law, or hearing officer of White City, to be a public nuisance under any other provision(s) of Utah law, common law, or based on a the circumstances or a combination of circumstances described in this section;
 12. Cannot be restrained by normal restraints, such as standard leashes, standard chains or muzzles; or
 13. Cannot be effectively controlled by its owner or handler.
3. The fact, or evidence of the fact, that the factors alleged to have caused the animal to be a nuisance are inherent and/or natural behavior for such animal, or the action of the owner or animal are otherwise legal, shall not negate or excuse a charge of nuisance.

"Owner" means any person, partnership, corporation or any other type of entity or association having title to, or custody of, or keeping, or harboring one or more animals. An animal shall be deemed to be harbored if it is fed and sheltered for a period of twenty-four consecutive hours or more, or fed for a period of two or more days.

"Performing animal exhibition" means any spectacle, display, act or event in which animals are used to provide a performance, whether a fee is charged or not.

"Pet" or "companion animal" means any animal of a species that has been domesticated to live in or about the habitation of humans, is dependent on humans for food and shelter and is kept by its owner for pleasure rather than utility and/or commercial purposes.

"Pet shop" means any commercial establishment containing cages or exhibition pens wherein dogs, cats, birds or other pets, are kept, displayed and sold.

"Provoked" means any deliberate act by a person towards a dog or any other animal done with the intent to tease, torment, abuse, assault or otherwise cause a reaction by the dog or other animal; provided, however, that any act by a person done with the intent to discourage or prevent a dog or other animal from attacking shall not be considered provocation.

"Quarantine" means the isolation of an animal in an enclosure so that the animal cannot have physical contact with other animals or persons without recognized authority to be near or about the quarantined animal.

"Riding school" or "stable" means an establishment which offers boarding and/or riding instruction for any horse, pony, donkey, mule or burro, or which offers the use of such animals for hire.

"Single-Family residential lot" means a single parcel in a primarily residential zone that is occupied by one single-family detached home. For the purposes of Chapter 8.12 of these ordinances single family residential lots shall also include single parcels in a primarily residential zone occupied by a lawful duplex.

"Species subject to rabies" means any species that has been reported to the Center for Disease Control and Prevention to have contracted the rabies virus and become a host for that virus.

"Stray" means any animal at large, as defined in this chapter.

"Tether" means any chain, rope, cable, or device attached to a fixed object and used for restraining a dog. The tether must be of sufficient strength to restrain the dog and be appropriate to the breed, age, size, and weight of the dog and is attached to the dog by a properly applied collar, halter or harness configured so as to protect the dog from injury or entanglement with objects or other animals.

"Veterinarian" means any person properly licensed under the laws of the state of Utah to practice veterinary medicine.

"Veterinary hospital" means any establishment operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

"Vicious animal" means:

1. Any animal which, in a threatening and terrorizing manner, approaches any person upon the streets, sidewalks or any public grounds or places in an apparent attitude of attack;
2. Any animal with a known propensity, tendency or disposition to attack or to cause injury or otherwise endanger the safety of human beings or animals; or
3. Any animal which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property.

Whether an animal has been properly licensed under the provisions of this title shall have no relevance to the determination of whether an animal is a "vicious animal" as defined in this section.

"Wild animal" means any animal of a species that in its natural life is usually untamed and undomesticated, including hybrids and animals which, as a result of their natural or wild condition,

cannot be vaccinated effectively for rabies. These animals, however domesticated or tamed, shall include, but are not limited to:

1. Alligators and crocodiles;
2. Bears (Ursidae). All bears, including grizzly bears, brown bears, black bears, etc.;
3. Cat Family (Felidae). All except the commonly accepted domesticated cats, including cheetah, leopard, lion, lynx, panther, mountain lion, tiger, wildcat, etc.;
4. Dog Family (Canidae). All except domesticated dogs, including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.;
5. Porcupine (Erethizontidae);
6. Primate (Hominidae). All nonhuman primates;
7. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ring-tailed cat, etc.;
8. Skunks;
9. Venomous fish and piranha;
10. Venomous snakes or lizards;
11. Weasels (Mustelidae). All including martens, wolverines, black-footed ferrets, badgers, otters, ermine, mink, mongoose, etc.
For the purpose of this section, animals that are kept commercially or ranched shall not be wild animals.

"Zoological park" means any facility, properly and lawfully licensed by applicable federal, state or local law, operated by a person, partnership, corporation or government agency, other than a pet shop, kennel or cattery, displaying or exhibiting one or more species of nondomesticated animals.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[Chapter 8.02 ADMINISTRATION](#)

[8.02.010 Division Of Animal Services Created](#)

[8.02.020 Director--Powers And Duties](#)

[8.02.030 Director And Officers--Enforcement Authority](#)

[8.02.040 Animal Control Officers--Powers And Duties](#)

[8.02.050 Right Of Entry For Enforcement](#)

[8.02.060 Interfering With Officers Prohibited](#)

[8.02.010 Division Of Animal Services Created](#)

There is created a division of animal services as a division of the Salt Lake County department of public works.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.02.020 Director--Powers And Duties

The division shall be under the direction of a director, who shall:

1. Enforce this chapter and perform other responsibilities inherent thereto;
2. Supervise the municipal animal shelter(s) under his/her jurisdiction;
3. Keep records of all animals impounded in such shelter(s);
4. Keep accounts of all moneys collected and received and follow the Uniform Fiscal Procedures Act for Counties in accordance therewith in the administration of the division;
5. Establish, in cooperation with the Salt Lake Valley health department and other interested governmental agencies, measures for the control of, and immunization of animals against, rabies;
6. Negotiate interlocal cooperation agreements with other interested governmental agencies for the purpose of establishing animal control services throughout Salt Lake County;
7. Establish rules and regulations for the training of all persons hired as animal control officers to assure professional conduct of said persons and compliance with the division's policies and with governing law;
8. Pursuant to duly adopted policies and procedures, waive or reduce impound-related fees if warranted, or waive fees and penalties otherwise authorized in this title; and
9. Pursuant to duly adopted policies and procedures, provide for deferred payments of impound-related fees if warranted.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.02.030 Director And Officers--Enforcement Authority

The director, his/her authorized deputies, assistants and animal control officers, ~~or others authorized by White City~~, are empowered to apprehend, and transport and impound any animal found in violation of this title, including licensable animals for which no license has been procured in accordance with this title, or any licensed or unlicensed animals for any other violation thereof and issue criminal citations and/or notice of violation and stipulation for violations of this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.02.040 Animal Control Officers--Powers And Duties

The director shall employ and designate those employees and volunteers of his/her division who shall perform the duties of animal control officer. Animal control officers shall be authorized to enforce this chapter in all respects, including, but not limited to, the apprehension and

impoundment of animals found to warrant such action and issue criminal citations and/or notice of violation and stipulation for violations of this title. Such officers shall further carry out all lawful duties prescribed or delegated by the director. For the purpose of this section, "volunteers" shall be defined as persons working without compensation who have met the minimum training standards to perform the duties as set forth by the director.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.02.050 Right Of Entry For Enforcement](#)

In the enforcement of this title, any peace officer, animal control officer, or the director or his/her assistants are authorized to enter into the open premises of any person to secure or take possession of any animal which is reasonably deemed by such officer to then and there, in the presence of such officer or official, be in violation of this title and issue criminal citations and/or notice of violation and stipulations for violations of this title to the owner or handler of such animal.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.02.060 Interfering With Officers Prohibited](#)

It is unlawful for any person to knowingly and intentionally interfere with the director or any animal control officer in the lawful discharge of his/her duties as prescribed in this title. For the purpose of this section, interfering with officers shall include, but not be limited to, failing to hand over to or release to an officer an identifiable animal which has been pursued but not captured by such officer, failing to make payment of agreed upon fees that have been deferred by the director, failing to meet the agreed upon conditions of a fee waiver, reduction or deferment, knowingly and intentionally failing to comply with an abatement order lawfully issued by the director or failing to meet the conditions imposed by a notice of violation and stipulation.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[Chapter 8.03 COMMERCIAL PERMITS AND FANCIER'S PERMITS](#)

[8.03.010 Commercial Permit Requirements](#)

[8.03.020 Regulatory Authority Of Division](#)

[8.03.030 Procedures](#)

[8.03.035 Sale Of Dogs, Cats And Rabbits At Commercial Animal Establishments](#)

[8.03.040 Requirements For Catteries And Kennels](#)

[8.03.050 Requirements Of Pet Shops](#)

[8.03.060 Requirements For Stables](#)

[8.03.070 Requirements For Animal Exhibitions](#)

[8.03.080 Requirements For Guard Dogs](#)

[8.03.090 Fancier's Permit--Authorized When](#)

[8.03.100 Hobby Permit](#)

[8.03.110 Permit For Foster Animals](#)

[8.03.120 Exotic Animal Permit](#)
[8.03.130 Dangerous Animal Permit](#)
[8.03.140 Feral Cat Colony Permit](#)
[8.03.150 Exemptions](#)
[8.03.160 Permits--Display Requirements](#)
[8.03.170 Permit Fees--Expiration--Renewal](#)
[8.03.180 Establishments--Rules And Regulations](#)
[8.03.190 Establishments--Inspections And Reports](#)
[8.03.200 Unlawful Activities--Notice Requirements](#)
[8.03.210 Permits--Suspension Or Revocation--Grounds](#)
[8.03.220 Permits--Suspension Or Revocation--Procedure](#)
[8.03.230 Emergency Suspension Of Permits](#)
[8.03.240 Notice Of Suspension Of Permits--Service Procedures](#)

[8.03.010 Commercial Permit Requirements](#)

It is unlawful for any person to operate or maintain a commercial holding facility or any similar establishment, except a licensed veterinary hospital or clinic, unless such person first obtains a regulatory permit from the division, in addition to all other required licenses. All applications for permits to operate such establishments shall be submitted, together with the required permit fee, on a printed form provided by the division. Before the permit is issued, approval must be granted by the Salt Lake Valley health department, appropriate zoning authority and the division.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.020 Regulatory Authority Of Division](#)

The director shall have the authority to promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this Title 8 and other applicable laws. The director may amend such regulations from time to time as deemed desirable for public health and welfare and for the protection of animals. Regulations promulgated under this delegation of authority shall not extend the power of the division beyond that reasonably necessary to carry out the requirements of this title. Regulations will not go into effect without the giving of prior notice to the public of the proposed rule or regulation and of a public hearing to be held thereon, through publication at least once in a newspaper with general circulation in Salt Lake County, and the holding of a public hearing no sooner than fifteen days after the publication of notice. The hearing officer shall be appointed by the director. Such officer may be an officer or employee of Salt Lake County, but not of the division. Regulations shall not become effective until approved and adopted by Salt Lake County.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.030 Procedures](#)

1. All applications for permits to operate a commercial animal establishment or animal shelter shall be submitted to the division on a printed form provided by the division.
2. Upon submission of an application, the division will verify with the Salt Lake Valley health department, appropriate zoning authority, and appropriate business licensing division that the applicant is in compliance with applicable rules, regulations, ordinances and laws.
3. Applications must be accompanied by the fee established in Appendix A to this title, attached hereto and/or incorporated by reference. The appendix may be modified from time to time as deemed necessary by the director and upon approval of Salt Lake County. The current appendix shall be available from the division.
4. Each permit issued under this section shall expire as outlined in Section 8.03.170.
5. Permits issued pursuant to this section are nontransferable.
6. A permit issued under this section shall be prominently displayed in the business office of the commercial animal establishment or animal shelter.
7. Late applications for the permits required by this section shall be subject to the late fee set forth in Appendix A, attached to the ordinance codified in this Title 8 and adopted by reference.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.035 Sale Of Dogs, Cats And Rabbits At Commercial Animal Establishments](#)

1. It is unlawful for any person to display, offer for sale, deliver, barter, auction, give away, transfer, or sell any live dog, cat, or rabbit in any pet shop, retail business, or other commercial animal establishment located in the county, unless the dog, cat, or rabbit was obtained from an animal shelter. All pet shops, retail businesses, or other commercial animal establishments selling dogs, cats, or rabbits shall maintain a certificate of source for each of the animals and make it available upon request to animal control officers, law enforcement, code compliance officials or any other county or other employee charged with enforcing the provisions of this section.
2. For purposes of this section, a certificate of source is defined as any document from the source animal shelter declaring the source of the dog, cat, or rabbit on the premises of the pet shop, retail business or other commercial animal establishment.
3. This section shall not apply to the display, offer for sale, delivery, bartering, auction, giving away, transfer, or sale of dogs, cats or rabbits from the premises on which they were bred and reared.
4. Nothing in this section shall prevent the owner, operator, or employees of a pet shop, retail business, or other commercial animal establishment located in the county from providing space and appropriate care for animals owned by an animal shelter and maintaining those animals at the pet shop, retail business, or other commercial animal establishment for the purpose of public adoption.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.040 Requirements For Catteries And Kennels](#)

In addition to obtaining the permit required by this section, all catteries and kennels within the jurisdiction of the division shall:

1. Be operated in such a manner as not to constitute a nuisance;
2. Provide an isolation area for boarded animals which are sick or diseased;
3. Retain for a period of one year the name, address and telephone number of the owner and license number of each dog or cat boarded;
4. Retain for a period of three years the name and address of each person selling, trading or giving any animal to the kennel or cattery;
5. Keep all boarded animals caged or under control of the owner or operator of the kennel or cattery;
6. Care for all animals in the kennel or cattery, whether or not owned by the kennel or cattery, shall comply with all the requirements of this chapter for the general care of animals;
7. Comply with all applicable federal, state and local laws and all regulations respecting kennels and catteries which are adopted by the division and in effect from time to time; and
8. Supply the purchaser, residing in the licensing authority of this title, of any dog, cat or ferret with an application for animal license, the form of which is prescribed by the division.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.050 Requirements Of Pet Shops](#)

In addition to obtaining the permit required by this section, all pet shops within the jurisdiction of the division shall:

1. Be operated in such a manner as not to constitute a nuisance;
2. Provide an isolation area for animals which are sick or diseased, sufficiently removed so as not to endanger the health of other animals;
3. Keep all animals caged or under the control of the owner or operator of the pet store;
4. With respect to all animals in the pet shop, comply with all provisions of this chapter providing for the general care of animals;
5. Not sell animals which are unweaned or so young or weak that their sale poses a serious risk of death or inadequate development to them;
6. Comply with all applicable federal, state and local laws and all regulations respecting pet shops that are adopted by the division and in effect from time to time;

7. Supply any purchaser, residing within the jurisdiction of this code, of any dog, cat or ferret with an application for animal license, the form of which is prescribed by the division; and
8. Provide the purchaser of an animal with written instructions as to the proper care and control of that species.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.060 Requirements For Stables](#)

In addition to obtaining the permit required by this section, all stables within the jurisdiction of the division shall:

1. Be operated in such a manner as not to constitute a nuisance;
2. Provide an isolation area for animals which are sick or diseased, sufficiently removed so as not to endanger the health of other animals;
3. Keep all animals confined or under the control of the owner or operator of the stable;
4. Care for all animals in the stable; shall comply with all the requirements of this chapter for the general care of animals; and
5. Comply with all applicable federal, state and local laws, and all regulations respecting stables that are adopted by the division and in effect from time to time.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.070 Requirements For Animal Exhibitions](#)

1. It is unlawful for any person to own, operate, sponsor or conduct an animal exhibition within the jurisdiction of the division unless an animal exhibition permit issued by the division, is first obtained therefor.
2. No animal exhibition shall occur within the jurisdiction of the division in which any animal is exhibited, paraded or allowed to participate in a contest:
 1. Under conditions which cause physical injury to such animal;
 2. Under conditions that place spectators at risk of being harmed; or
 3. Unless all applicable federal, state and local laws and regulations, and standards adopted by reputable, nationally-recognized associations organized for the operation of such exhibitions and acceptable to the division are complied with by the operator of the exhibition.
3. A person owning, operating or sponsoring an animal exhibition within the jurisdiction of the division without first obtaining the permit therefor required by this section shall be guilty of a Class B misdemeanor. Each day of violation of this section shall be a separate offense. The

division may also seek to obtain an injunction against an animal exhibition through a court with jurisdiction over the matter.

4. The application for an animal exhibition permit required by this subsection shall:
 1. Describe the type of exhibition or contest and the kind and number of animals to be on exhibition or involved in the contest and list the sites and dates of the event(s); and
 2. Contain such other information as may be required under regulations established by the director; and include a sworn statement by the applicant that the provisions of this title pertaining to animal exhibitions will be complied with at all times.
5. No permit required by this subsection shall be issued until the applicant completes the application form, pays the applicable fees as set forth in the then-current Appendix A to this title, and receives the written approval of the division of the provisions made for the safety, well-being and comfort of the animals involved.
6. Animal exhibition permits issued pursuant to this subsection shall be effective only for the period specified in the permit, not to exceed thirty days.
7. A permit issued pursuant to this subsection shall not be transferable.
8. A permit issued pursuant to this subsection shall be displayed prominently at the site of the animal exhibition.
9. The director may waive the permit fee for an animal exhibition that is sponsored by a bonafide nonprofit organization, a governmental entity or a school if the purpose is a county public purpose or a charitable purpose.
10. Animal exhibitions permitted under this section shall provide immediate access to peace officers, animal control officers, and agents of the health department or Utah State officials for the purpose of compliance inspections.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.080 Requirements For Guard Dogs](#)

1. It is unlawful for any person to own a guard dog without first obtaining a guard dog permit as provided hereafter. It is unlawful for any person to hire the use of a guard dog that has not been issued a guard dog permit.
2. A permit required by this section shall be obtained from the division. The application shall set forth the type of dog, the site(s) where such dog shall be used, the hours of use of such dog, and any other information the director deems appropriate.
3. Permits are not transferable from one owner to another, nor from one site to another.
4. On the premises where a guard dog is used, conspicuous warning signs shall be posted at each door or gate that give access to the guard dog, and shall contain the following wording:

"Warning: A guard dog is guarding this property. Entry herein may cause said dog to attack your person and cause significant injury, even death. To reach the handler for said dog, call (enter telephone number)." The telephone number contained in the warning required by this subsection must provide a twenty-four-hour per day access to the guard dog's owner or handler.

5. A guard dog shall not be allowed to become a nuisance.
6. A guard dog shall, in addition to licensing, be microchipped and the microchip number shall be registered with the division. The license shall be attached to a one-inch wide red or orange collar with the word "Danger" written or embroidered in black lettering three-fourths inch in height. The collar must be on the dog at all times.
7. Any person violating any provision of this section shall be guilty of a Class B misdemeanor. Each day a guard dog is deployed for use by any person for the detection of intruders and/or protection of premises, in violation of any provision of this section, shall be deemed a separate offense.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.090 Fancier's Permit--Authorized When](#)

1. Where permitted by the zoning ordinances, owners of purebred dogs and cats may obtain a permit to keep more than two dogs or cats in a residential area; provided:
 1. Such pets are individually licensed;
 2. Such pets are registered with a national registry, such as, but not limited to the AKC, UKC or Field Dog;
 3. Approval is granted by the appropriate zoning authority, health department and division of animal services;
 4. Adequate confinement areas are provided;
 5. Other provisions of this title are complied with, and no pet or premises is deemed to be a nuisance.
2. The holder of a permit issued under this section may keep one litter intact until the animals reach six months of age; one animal from the litter may be retained until it reaches twelve months of age. At no time may the holder of a permit retain more animals than is indicated on the permit.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.100 Hobby Permit](#)

Where permitted by the zoning ordinances, owners of dogs, cats and ferrets may obtain a permit to keep more than two dogs, cats or ferrets in a residential area; provided:

1. Such pets are individually licensed;
2. Such pets are rendered sterile;
3. Approval is granted by the appropriate zoning authority, health department and division of animal services;
4. Adequate confinement areas are provided; and
5. Other provisions of this title are complied with, and no pet or premises is deemed to be a nuisance.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.110 Permit For Foster Animals](#)

Where permitted by the zoning ordinances, owners of dogs and cats may obtain a permit to keep more than two dogs or cats in a residential area; provided:

1. Such pets are the property of a local city or county operated animal shelter or a Section 501 (c)(3), United States Internal Revenue Code, animal welfare organization;
2. Such pets are awaiting adoption;
3. Approval is granted by the appropriate zoning authority, health department and division of animal services;
4. Adequate confinement areas are provided; and
5. Other provisions of this title are complied with, and no pet or premises is deemed to be a nuisance.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.120 Exotic Animal Permit](#)

It is unlawful for any person to own or keep an exotic animal without a permit. Unless prohibited by zoning or other ordinances or laws, any person, over the age of eighteen years of age, may obtain an exotic animal permit upon:

1. Demonstrating sufficient knowledge of the species to provide adequate care;
2. Presenting proof of adequate caging appropriate for the species;
3. Presenting proof that the animal poses no threat to the health and safety of the community in the event that the animal should escape. The director may consult with a review board comprising federal, state and local public health authorities in considering a request for an exotic animal permit; and
4. Presenting proof of required, if any, state or federal permits.

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he/she has adequate knowledge of a species to provide for its basic needs to maintain the animal's health and welfare. The director may consider the person's experience, education, apprenticeship or by examination administered by the division when determining that a person has sufficient knowledge of a species.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.03.130 Dangerous Animal Permit

It is unlawful for any person to own or keep a dangerous animal without a permit. Unless prohibited by zoning or other ordinances or laws, any person, over the age of eighteen years of age, may obtain a dangerous animal permit upon:

1. Demonstrating sufficient knowledge of the species so as to be an expert in the care and control of the species;
2. Presenting proof of adequate primary caging appropriate for the species and a sufficient secondary system of confinement so as to prevent unauthorized access to the animal and to prevent the animal's escape;
3. Presenting proof that adequate measures have been taken to prevent the animal from becoming a threat to the health and safety of the community;
4. Presenting a plan of action in the event of the animal's escape. The director may consult with a review board comprising federal, state and local public health authorities in considering a request for a dangerous animal permit;
5. Presenting proof of required, if any, state or federal permits;
6. Presenting proof of liability insurance in an amount of at least fifty thousand dollars.

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he/she has specialized knowledge of a species to provide for its basic needs to maintain the animal's health, welfare and confinement. The director may consider the person's experience, education, apprenticeship or by examination administered by the division when determining that a person has sufficient knowledge of a species.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.03.140 Feral Cat Colony Permit

It is unlawful for any person to maintain a feral cat colony without a permit. Unless prohibited by zoning or other ordinances or laws, any person over the age of eighteen years of age, may obtain a feral cat colony permit upon:

1. Presenting proof that the cats in the maintained colony have been sterilized, given their initial vaccinations and ear-tipped or are being actively trapped so as to perform sterilization, vaccination and ear-tipping;

2. Presenting a detailed description of each cat in the colony with vaccination history;
3. Presenting proof of property owner and/or landlord permission at the site that the colony is being maintained; and
4. Providing contact information, in the event that complaints are received by the division concerning management of the colony.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.03.150 Exemptions

Research facilities where bona fide medical or related research is being conducted, 501(c)(3) animal welfare shelters, and other animal establishments operated by state or local government, or which are licensed by federal law, are excluded from the permit requirements of Sections 8.03.040 through 8.03.060 of this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.03.160 Permits--Display Requirements

A valid permit shall be posted in a conspicuous place in any establishment for which such permit is required, and such permit shall be considered as appurtenant to the premises and not transferable to another location. The permittee shall notify the division within thirty days of any change in his/her establishment or operation, which may affect the status of his/her permit. In the event of a change in ownership of the establishment, the permittee shall notify the division immediately. Permits shall not be transferable from one owner to another.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.03.170 Permit Fees--Expiration--Renewal

1. A permit issued pursuant to this chapter shall expire one year after it is issued by the division and shall be renewable upon acceptance by the division of a new application. Renewal applications shall not be available until thirty days prior to the expiration date of the current permit. A permit may only be issued after the appropriate fee has been paid. Application must be accompanied by the fee established in the permit and fee schedule, Appendix A attached to the ordinance codified in this title and incorporated by reference into this chapter.
2. The permit and fee schedule may be modified from time-to-time as deemed appropriate by the director and upon approval of Salt Lake County. The then current permit fee schedule shall apply to all permit applications. A copy of the then-current fee schedule shall be available at the division.
3. Permits are not transferable from one owner to another, from one site to another or from one animal to another.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.180 Establishments--Rules And Regulations](#)

1. The director with approval of Salt Lake County may, from time to time, adopt rules and regulations governing the operation of kennels, catteries, animal grooming parlors, pet shops, riding stables or other animal-related establishments.
2. Such rules and regulations may provide for:
 1. The type of structures, buildings, pens, cages, runways or yards required for the animals sought to be kept, harbored or confined on such premises;
 2. The manner in which food, water, and sanitation facilities will be provided to such animals;
 3. Measures relating to the health of such animals, the control of odors, noise, and the protection of persons or property on adjacent premises; and
 4. Such other matters as Salt Lake County shall deem necessary.
3. Such rules and regulations shall, upon publication and following adoption by Salt Lake County, have the effect of law, and violation of such rules and regulations shall be deemed a violation of this title, subject to the penalties provided for in Section 1.12.010, Salt Lake County Code of Ordinances, and grounds for revocation of a permit issued by the division. Copies of the rules and regulations, when adopted, shall be filed for public inspection in the office of the county clerk and the division.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.190 Establishments--Inspections And Reports](#)

All establishments required to have permits under this title shall be subject to periodic inspections, and the inspector shall make a report of such inspection, which shall be given to the establishment and will be filed at the administration section of the division.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.200 Unlawful Activities--Notice Requirements](#)

If an inspection of kennels, catteries, animal grooming parlors, pet shops, riding stables, similar establishments, or the premises of the holder of a permit reveals a violation of this title, the inspector shall notify the permit holder or operator of such violation by means of issuance of a citation as provided in Chapter 8.10 or issuance of a notice of violation and stipulation as provided in Chapter 8.11. If the notice of violation and stipulation is used, the notice shall:

1. Set forth the specific violation(s) found;

2. Establish a specific and reasonable period of time for correction of the violation(s) found;
3. State that failure to comply in the specified period of time with any notice issued in accordance with the provisions of this section may result in immediate suspension of the permit and/or issuance of a citation; and
4. State that an opportunity for a hearing upon any grievance the owner or operator may have concerning the inspection findings and corrections ordered by the animal control officer may be processed according to the provisions of Chapter 8.11 of this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.210 Permits--Suspension Or Revocation--Grounds](#)

A permit may be suspended or revoked or a permit application rejected on any one or more of the following grounds:

1. Falsification of facts in a permit application;
2. Material change in the conditions upon which the permit was granted;
3. Violation of any provisions of this title or any other law or regulation governing the permittee's establishment, including, but not limited to, noise and/or building and zoning ordinances; or
4. Conviction on a charge of cruelty to animals.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.220 Permits--Suspension Or Revocation--Procedure](#)

1. Any permit granted under this title may be suspended or revoked by the division for violations of any of the requirements of this title. A permittee aggrieved by the suspension or revocation of his/her permit may petition the director for review of such grievance. Upon consideration of such grievance and upon good cause showing, the director may, at his or her sole discretion, uphold or modify the suspension or revocation, or reinstate the permit.
2. A new permit shall not be issued to any person whose prior permit was suspended or revoked by the division until the applicant has satisfied the director that he/she has the means and the will to comply with the requirements of this title in the future. An application for another permit must comply with the requirements for an application for an initial permit, including application fee.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.230 Emergency Suspension Of Permits](#)

Notwithstanding any other provisions of this title, when the inspecting officer finds unsanitary or other conditions in the operation of kennels, catteries, animal grooming parlors, riding stables, pet shops, or any similar establishments, or premises of the holder of a permit obtained under this title, which in his/her judgment constitute an immediate and substantial hazard to public health or the health and safety of any animal, he/she may order the immediate seizure of any animals whose health and safety are at risk and order the owner or operator of the establishment to immediately cease operations. It is unlawful for any person to whom such an order is given to fail to obey the same. Any animals seized under this section shall be impounded or otherwise cared for as the director of animal services deems necessary. Persons whose permit has been suspended by such action may petition the director for review of said suspension. Upon consideration of such petition and upon good cause showing, the director may, at his or her sole discretion, uphold or modify the emergency suspension or reinstate the permit.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.03.240 Notice Of Suspension Of Permits--Service Procedures](#)

Notice 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 holder. A copy of such notice shall be filed with the records section of the division of animal services.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[Chapter 8.04 ANIMALS REQUIRING A LICENSE](#)

[8.04.010 License--Required--Age And Residence Requirements For License Holder](#)

[8.04.020 License--Required--Age Of Animals](#)

[8.04.030 License--Application](#)

[8.04.040 Additional Requirements For Licensing Of Ferrets](#)

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[8.04.060 License--Fees--Senior Citizens](#)

[8.04.070 License--Term And Renewal](#)

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[8.04.150 Staking Dogs Improperly](#)

[8.04.160 Female Dogs In Heat](#)

[8.04.170 Animals Prohibited Or Restricted In Designated Areas](#)

[8.04.180 Attacks By Animals--Owner Liability--When Destruction Shall Be Authorized](#)

[8.04.190 Dog And Cat Limits](#)

[8.04.010 License--Required--Age And Residence Requirements For License Holder](#)

All cats, dogs and ferrets must be licensed each year, except as otherwise provided in this chapter, to a person of the age of eighteen years or older who has a residence, with street address, within the county.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.04.020 License--Required--Age Of Animals](#)

Any person owning, possessing or harboring any cat, dog or ferret within the county shall obtain a license for such animal within thirty days after the animal reaches the age of four months, or, in the case of a cat, dog or ferret over four months of age, within thirty days of the acquisition of ownership or possession of the animal by such person.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.04.030 License--Application](#)

License applications must be submitted to the division, utilizing a standard form which requests name, address and telephone number of the applicant; breed, sex, color and age of the animal; previous license information, rabies and sterilization information, and the number, location or other identification applicable to a tattoo or implanted microchip of the animal. The application shall be accompanied by the prescribed license fee and by a rabies vaccination certificate current for a minimum of six months beyond the date of application. A license shall not be issued for a period that exceeds the expiration date of the rabies vaccination. A licensed veterinarian shall give rabies vaccinations with a vaccine approved by the current compendium of animal rabies control.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.04.040 Additional Requirements For Licensing Of Ferrets](#)

First time applicants for ferret licenses must present, in addition to the requirements of Section 8.04.030, proof of applicant's satisfactory completion of a ferret ownership class. The class must have the approval/certification of the director and must, at a minimum, include the following:

1. Explanation of the dangers ferrets present to people and other animals; and
2. Explanation of the dangers of owning a ferret in a household with infants and small children.

The division encourages owners to sterilize and de-scent their ferrets.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.050 Veterinary Verification

No dog, cat or ferret will be licensed as spayed or neutered without veterinary verification that such surgery has been performed.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.060 License--Fees--Senior Citizens

A person sixty years of age or older on the date of license application may, upon proof of that person's age, obtain a senior citizen dog, cat or ferret license for an unsterilized animal for an annual fee as set forth in Appendix A to the ordinance codified in this title. A person sixty years of age or older may obtain a senior citizen dog, cat or ferret license for the life of a spayed or neutered animal for a one-time fee as set forth in Appendix A to the ordinance codified in this title, but such person shall nevertheless obtain a license tag, as needed, without fee thereafter. This section shall not be construed to relieve any person from meeting all licensing requirements not specifically exempted, including late fees and required vaccinations, nor is any license issued hereunder transferable to any other animal or owner other than that for which the license was issued.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.070 License--Term And Renewal

The license shall be issued for one year, two years or three years, and be effective from the date of purchase, through the end of the same month of the expiration year as the month in which the license is purchased, or at the end of the rabies vaccination period current for the animal at the time the license is obtained, whichever date occurs first. Renewals must be obtained prior to the expiration of the immediately preceding license. Applications for renewals made after the expiration of the immediately preceding license must be accompanied by a late fee as set forth in Appendix A to the ordinance codified in this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.080 License--Revocation

If the owner of any dog(s), cat(s) or ferret(s) is found to be in violation of this title on three or more different occasions within a twelve-month period, the director of animal services may seek a court order pursuant to Chapter 8.10, revoking for a period of one year any and all license(s) such person may possess, and providing for the animal services division to pick up and impound any animal kept by the person under such order. Any animal impounded pursuant to such an order shall be dealt with in accordance with the provisions of this title for impounded animals, except that the person under the order of revocation shall not be allowed to redeem their pet, unless successfully making reapplication of the license with the director. Persons seeking reapplication of such animals must comply with conditions as set forth by the director that may include, but not limited to, sterilization of the animal(s), enclosure requirements and confinement conditions.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.090 License--Tag Requirements

1. Upon payment of the license fee, the division shall issue to the owner a receipt and a tag for each pet licensed. The tag shall have stamped thereon the license number, corresponding with the tag number on the receipt. The owner shall attach the tag to the collar or harness of the animal and see that the animal constantly wears the collar and tag. Failure to attach the tag as provided shall be a violation of this title, except that dogs or cats which are kept for show purpose are exempt from wearing the collar and tag while participating in an animal exhibition.
2. Tags are not transferable from one animal to another unless authorized by the director. No refunds shall be made on any dog, cat or ferret license fee for any reason whatsoever. Replacement for lost or destroyed tags shall be allowed upon payment to the division of the replacement tag fee set forth in Appendix A to the ordinance codified in this title.
3. Any person who removes, or causes the removal, of the collar, harness or tag from any licensed dog, cat or ferret without the consent of the owner or keeper thereof, except a licensed veterinarian or animal control officer who removes such for medical or other reasons, shall violate this title.
4. Owners may have an identifying microchip implanted in their animals. If owners take such action, they shall be exempt from the requirement that such animals wear identifying tags at all times while off the premises; provided, that the microchip information has been registered with the division. Owners shall assume the risk of the loss or destruction of an unrestrained animal whose microchip either cannot be located after a reasonable search therefor or owner information cannot be found after a reasonable records search.
5. It is the responsibility of any vendor of microchips to provide information to the division as to the identification of the owner of an animal that has been microchipped by such vendor.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.100 License--Exemptions

1. The provisions of Sections 8.04.010 through 8.04.090 shall not apply in the following circumstances:
 1. The dog, cat or ferret is properly licensed in another jurisdiction and the owner thereof is within the county temporarily, for a period not to exceed thirty consecutive days. If the owner shall be within the county temporarily, but for a period longer than thirty consecutive days, he/she may transfer the dog, cat or ferret to the local license required by this chapter by payment of the fee set forth in Appendix A to the ordinance codified in this title, and upon presentment of proof of a current rabies vaccination for the animal;

2. Individual dogs or ferrets housed within a properly permitted facility or other such establishment when such animals are held for resale.
2. The fee provisions of Sections 8.04.010 through 8.04.080 shall not apply to:
 1. Seeing-eye dogs trained and certified to assist blind persons, if such dogs are actually used by blind persons to assist them in moving from place to place;
 2. Hearing dogs trained and certified to assist deaf persons to aid them in responding to sounds and in use for that purpose;
 3. Assistance dogs trained and certified to assist persons with a physical disability and in use for that purpose; or
 4. Dogs trained to assist officials of government agencies in the performance of their duties and which are owned by such agencies.
3. Nothing in this section shall be construed so as to exempt any dog, cat or ferret located within the county from having a current rabies vaccination.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.04.110 License Vendors](#)

The division director may contract with veterinary hospitals, veterinarians, pet shops, animal grooming parlors, and similar institutions or individuals for the issuance of license application forms.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.04.120 Harboring Stray Animals, Unlawful Confinement Or Concealment Of Animals](#)

1. It is unlawful for any person, except an animal welfare society incorporated, or otherwise qualified to do business within the state of Utah and licensed under this title, to harbor or keep any lost or stray pet, unless otherwise allowed by the laws of the state of Utah. A person who assumes and maintains control of a lost or strayed pet longer than twenty-four hours, without notifying the division of the presence and location of such animal, shall be presumed to have violated this section.
2. It is unlawful for any person to take an animal, without the permission of the owner or handler thereof, and/or to confine an animal in a place unknown to the owner or handler; or to conceal an animal's whereabouts from the owner or handler thereof. The offense described herein is committed irrespective of the period of time of such unlawful confinement or concealment. This section shall not apply to animal control officers legally taking an animal in an emergency or under protection from its owner or handler.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.130 Dogs Or Ferrets Running At Large--Owner Liability

1. It is unlawful for the owner or handler of any dog or ferret to allow such dog or ferret at any time to run at large. The owner or handler of a dog or ferret shall be liable in damages for injury committed by such dog or ferret and it shall not be necessary in any action brought therefore to allege or prove that such dog or ferret was of a vicious or mischievous disposition or that the owner or keeper thereof knew that it was vicious or mischievous.
2. The owner or handler of any dog or ferret shall be strictly liable for all damages and/or injury committed by said dog or ferret and shall indemnify and hold the county harmless from said damage or injury. In order to establish that an owner or handler is liable for and/or bound to indemnify the county from damage or injury done by said dog or ferret, it shall not be necessary to allege or prove that such dog or ferret was of a vicious or mischievous disposition or that the owner or handler thereof knew that it was vicious or mischievous.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.140 Animal Trespass

It is unlawful for the owner or handler of an animal to allow such animal to trespass on the property of another.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.150 Staking Dogs Improperly

1. It is unlawful for any person to chain, stake out or tether any dog 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.
2. It is unlawful for any person to chain, stake out or tether any dog on any premises in a manner that prevents the dog from having access to food, water or shelter.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.160 Female Dogs In Heat

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 other structure so as to prevent it from attracting by scent or coming into contact with other dogs and creating a nuisance.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.170 Animals Prohibited Or Restricted In Designated Areas

1. It is unlawful for any person to take or permit any animal, whether loose or on a leash or in arms, in or about any establishment or place of business where food or food products are sold or displayed, or served, including but not limited to restaurants, grocery stores, meat markets and fruit or vegetable stores.
2. It is unlawful for any person keeping, harboring or having charge or control of any dog to allow such dog to be within protected watershed areas as designated by either the Salt Lake Valley health department or any public water district.
3. In accord with Section 8.06.040, dogs that qualify as vicious or dangerous animals, shall not be permitted off the premises of the owner or handler unless such animal is under physical restraint and muzzled or confined so as to prevent it from injuring any person, animal or property.
4. In accord with Title 13, Parks and Recreation, Section 13.04.100C, unless otherwise established pursuant to subsection G below, all dogs in county parks, as defined under 13.04.020, shall be under physical restraint.
5. Unless otherwise established dogs shall be under physical restraint in all developed areas of the county, which include but are not limited to: residential neighborhoods; streets; sidewalks; areas that result in concentrated use, including campgrounds, picnic areas, playgrounds, parking lots and ski resorts; county parks unless otherwise designated and the Jordan River Parkway.
6. It is unlawful to possess an unleashed dog on even-numbered days in Millcreek Canyon.
7. This section shall not apply to dogs provided for in subsection B of Section 8.04.100, or when the Salt Lake Valley board of health adopts rules and regulations which set forth the times and places where dogs may be allowed, with or without physical restraint, without compromising the health and safety of humans, causing a nuisance or damaging property.
8. It is unlawful for any person to take any dog into or permit any dog to be at large in Parley's Historic Nature Park in any way contrary to any rules or regulations adopted by Salt Lake City setting out designated areas and trails where dogs may be either on-leash or off-leash.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.04.180 Attacks By Animals--Owner Liability--When Destruction Shall Be Authorized

1. 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 worry any human, domesticated animal, any species of hoofed wildlife protected by any law or ordinance, or any pet or companion animal. "Worry," as used in this section, means to harass or intimidate by barking or baring of teeth, growling, biting, shaking or tearing with the teeth; or approaching any person in an apparent attitude of attack or any aggressive behavior which would cause a reasonable person to feel they were in danger of immediate physical attack.

2. Any penalty imposed as a result of prosecution of a person under subsection A of this section shall be in addition to any penalties or liabilities imposed upon such person by any other law or ordinance.
3. Defenses. The following shall be considered in mitigating the penalties or damages, or in dismissing a charge brought under subsection A of this section:
 1. That the animal was properly confined on the premises; or
 2. That the animal was deliberately or maliciously provoked.
4. Animals May Be Killed. Any person may kill (or take other protective action) an animal while it is committing any of the acts specified in subsection A of this section or while such animal is being pursued thereafter or to protect him/herself, or members of the public from any threat of death or personal injury then being posed by the animal.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.04.190 Dog And Cat Limits](#)

There is no limitation on the numbers of dogs and cats that can be owned by a resident, provided that all dogs and cats are properly licensed and cared for. Dog and cat owners must abide by all applicable sections of Title 8 of these ordinances including, but not limited to, ordinances regarding proper care and maintenance, medical attention, and animal cruelty. Owners are required to prevent their animals from causing, and shall abate, any nuisances caused by animals including, but not limited to, noise and odor.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[Chapter 8.05 RABIES CONTROL](#)

[8.05.010 Dog, Cat And Ferret Rabies Vaccination Requirements](#)

[8.05.020 Rabies Vaccination--When Valid](#)

[8.05.030 Rabies Vaccination--Veterinarian Duties--Certification And Tags](#)

[8.05.040 Impoundment Of Animals Without Valid Vaccination Tags](#)

[8.05.050 Rabid Animal Reports](#)

[8.05.060 Animals Exposed To Rabies](#)

[8.05.070 Management Of Animals That Bite Humans](#)

[8.05.010 Dog, Cat And Ferret Rabies Vaccination Requirements](#)

1. The owner or person having charge, care, custody and control of a ferret, cat or dog four months of age or older shall have such animal vaccinated against rabies and shall thereafter ensure that such animal is revaccinated as often as is required to maintain the animal in a current rabies vaccination status. Any person permitting any animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for the vaccinations of the animal. Unvaccinated ferrets, dogs or cats

over four months of age acquired by the owner or moved into the jurisdiction must be vaccinated within thirty days of acquisition or arrival. Every dog, cat and ferret shall have a current rabies vaccination with a rabies vaccine approved by the current compendium of animal rabies control.

2. Veterinarians, cattery and kennel operators shall be responsible for determining that dogs, cats and ferrets are currently vaccinated for rabies prior to accepting the animal from their owners or caretakers for temporary housing on their premises.
3. The provisions of this section shall not apply to a veterinarian providing emergency medical care to a sick or injured animal.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.05.020 Rabies Vaccination--When Valid

1. Animals that have had a valid vaccination for rabies will not be considered to have a current vaccine until thirty days following the first vaccination and will be considered unvaccinated the day following the expiration of the last documented valid vaccination.
2. For the purpose of management of bite cases, an owner may, within the six months of expiration of the last vaccine, submit proof of protection against rabies. Such proof shall be in the form of a written statement from a veterinarian based upon a blood titer paid for by the owner, drawn after the bite and prior to, or within ten days of, any revaccination.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.05.030 Rabies Vaccination--Veterinarian Duties--Certification And Tags

1. It shall be the duty of each veterinarian, when vaccinating any animal for rabies, to complete a certificate of rabies vaccination, in duplicate, which includes the following information:
 1. Owner's name and address;
 2. Description of the animal (breed, sex, markings, age, name);
 3. Date of vaccination;
 4. Rabies vaccination tag number;
 5. Type of rabies vaccine administered; and
 6. Manufacturer's serial number of vaccine.
2. A copy of the certificate shall be distributed to the owner and the original retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies of the certificate for the interval between vaccinations specified in this chapter.

3. Additionally, a metal or durable plastic rabies vaccination tag, serially numbered, may be securely attached to the collar or harness of the animal. An animal discovered in public view and not wearing a rabies tag, or current license tag, shall be deemed to be unvaccinated and may be impounded or seized in accordance with law and dealt with pursuant to this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.05.040 Impoundment Of Animals Without Valid Vaccination Tags

1. Any vaccinated animal impounded because of a lack of a rabies vaccination tag may be reclaimed by its owner upon the owner furnishing proof of rabies vaccination and payment of all fees attributable to said animal's apprehension and impoundment accrued up to the date of release.
2. Any unvaccinated animal may be reclaimed by its owner prior to disposal of such animal under the procedures set forth hereafter in Section 8.07.040 of this title by payment of all fees attributable to said animal's apprehension and impoundment and by the owner posting a rabies deposit as found in Appendix A to the ordinance codified in this title. Such deposit may be recovered by owner upon showing proof of rabies vaccination within seventy-two hours of release.
3. Any animal not reclaimed prior to the period specified in Section 8.07.050 of this title shall be disposed of pursuant to that section.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.05.050 Rabid Animal Reports

1. Any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies and any person having knowledge of an animal or person bitten by a wild or domestic carnivorous mammal or bat shall report such knowledge and all pertinent information available to the division and/or Salt Lake Valley health department. Any person having custody of such animal shall confine the animal pending direction from the division or health department.
2. It is unlawful under this title for any person having knowledge of the presence or whereabouts of an animal known to have been exposed to, or reasonably suspected of having, rabies; or of an animal or person bitten by such an animal; to harbor, protect or otherwise interfere with the apprehension or identification of such animal or persons by wilfully withholding such knowledge from an animal control officer, peace officer, or any officer of the Salt Lake Valley health department or the Utah State Department of Health.
3. It is a violation of this title for an owner, or other person having the care, custody and control of an animal known, suspected or deemed to have been exposed to rabies as set forth in this section to fail to surrender such animal immediately upon demand by any peace

officer, animal control officer, or officer of the Salt Lake Valley health department or Utah State Department of Health.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.05.060 Animals Exposed To Rabies](#)

Any animal potentially exposed to rabies virus by a wild or domestic carnivorous mammal or a bat that is not available for testing shall be regarded as having been exposed to rabies.

1. Unvaccinated dogs, cats and ferrets exposed to a rabid animal shall be euthanized immediately. If the owner is unwilling to have this done, the animal shall be placed in strict isolation for six months under a veterinarian's supervision, at the owner's expense, and vaccinated one month before being released.
2. Dogs, cats and ferrets that are currently vaccinated shall be revaccinated immediately, kept under the owner's control and observed for forty-five days.
3. Livestock shall be handled as per the current compendium of animal rabies control.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.05.070 Management Of Animals That Bite Humans](#)

1. An apparently healthy dog, cat or ferret that bites a person or another animal shall be quarantined and the following provisions shall apply:
 1. The animal shall be observed for a period of not less than ten days by the division and/or the Salt Lake Valley health department, and the owner of the animal shall be responsible for the cost of such quarantine.
 2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the division's director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite was inflicted.
 3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the division if the animal shows any signs of sickness or abnormal behavior, or if the animal escapes from quarantine.
 4. It is unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the division, the Salt Lake Valley health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine.
 5. If the quarantined animal dies within ten days from the date of the bite for which the animal was quarantined, the person having custody of such animal shall immediately notify the division of such fact and immediately deliver the animal to

their veterinarian or the division for the removal and delivery of the head of such animal to a laboratory specified by the Utah State Department of Health for examination for rabies.

6. At the end of the quarantine period, the director or designee shall examine the quarantined animal and if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in Section 8.07.050.
 7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested.
 8. Any stray or unwanted dog, cat or ferret that bites a person may be euthanized immediately and submitted for rabies examination, if an immediate examination is determined necessary by the Salt Lake Valley health department.
2. Animals other than dogs, cats or ferrets that might have exposed a person to rabies shall be reported immediately to the Salt Lake Valley health department. Case management will be a collaborative effort between the health department and the division.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[Chapter 8.06 ANIMAL BITES AND NUISANCES](#)

[8.06.010 Nuisance--Penalties For Allowing](#)

[8.06.020 Animal Nuisance Abatement](#)

[8.06.030 Animal Bites--Reporting Requirements](#)

[8.06.040 Dangerous Or Vicious Animals](#)

[8.06.050 Control And Fencing Of Livestock](#)

[8.06.010 Nuisance--Penalties For Allowing](#)

An owner or person having charge, care, custody or control of an animal or animals creating a nuisance or which constitute a "public nuisance animal" -as defined in this title shall be guilty of allowing a nuisance in violation of this title and subject to the penalties provided in this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.06.020 Animal Nuisance Abatement](#)

1. If the director has reasonable grounds to believe that an animal constitutes a "public nuisance animal," as defined in this title, and that such nuisance necessitates immediate abatement, he/she may issue an abatement order, by mail or posting, giving the animal owner or keeper seven days to abate the animal nuisance. If the animal nuisance is not abated within seven days after delivery of the abatement notice, the division may seize the animal(s) pending delivery of an order concerning the disposition of the animal(s) by a court of competent jurisdiction. Each day that an owner or keeper allows an animal nuisance to

persist beyond seven days following delivery of an abatement notice will constitute a separate violation of this title.

2. If the court determines that the animal in question is not a nuisance and/or need not be abated for the public health and safety, the division shall return the animal to the owner or handler forthwith, and shall assume the responsibility for the costs incurred while the animal is under the care and keeping of the division. If the court determines that the animal in question constitutes a public nuisance, the owner or handler shall be liable to the division for the cost incurred by the division for the animal's care and keeping while the matter is before the courts, and for the cost of destroying the animal.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.06.030 Animal Bites--Reporting Requirements

1. Persons who obtain knowledge that an animal has bitten another animal or a human shall report the fact(s) to the division within twenty-four hours of the bite, regardless of whether the biting animal is of a species subject to rabies.
2. A physician, or other medical personnel, who renders professional treatment to a person bitten by an animal shall report that fact to the division or the Salt Lake Valley health department within twenty-four hours of his/her first professional attendance. Such report shall include the name, sex and address of the person bitten as well as the type and location of the bite. If known, the person making the report shall give the name and address of the owner of the animal that inflicted the bite, and any other facts that may assist the division of animal control in ascertaining the immunization status of the animal.
3. A veterinarian or other person who treats an animal bitten, injured or mauled by another animal shall report that fact to the division. The report shall contain the name and address of the owner of the injured animal, the name and address of the owner, if known, of the animal which caused the injury, and a description of the animal, if known, which caused the injury, and the location of the incident.
4. Any person not conforming with the requirements of this section shall be in violation of this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.06.040 Dangerous Or Vicious Animals

It is a violation of this title for an owner or handler of a dangerous or vicious animal to allow or permit such animal to go or be off his/her premises unless such animal is under secure restraint and muzzled and/or confined so as to prevent it from injuring any person, property or other animal. The owner of any dangerous or vicious animal shall microchip the animal and register the microchip number with the division. Every animal so vicious and dangerous that it cannot be controlled by reasonable restraints, and every dangerous and vicious animal not effectively controlled by its owner or person having charge, care or control of such animal, so that it shall not

injure any person or property, is a hazard to public safety, and the director may take the same action in regards to such animal as is permitted in Section 8.06.020, or may seek a court order for destruction of or muzzling of the animal.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.06.050 Control And Fencing Of Livestock](#)

1. It is unlawful for an owner or handler of livestock to allow, either negligently or wilfully, 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 wilfully 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.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[Chapter 8.07 IMPOUNDMENT](#)

[8.07.010 Animal Shelter And Facilities](#)

[8.07.020 Impoundment Authorized--When](#)

[8.07.030 Impoundment--Recordkeeping Requirements](#)

[8.07.040 Redemption Of Animals--Restrictions](#)

[8.07.050 Term Of Impoundment--Destruction Or Other Disposition Of Animals](#)

[8.07.055 Impounded Animals Not Released For Research Or Medical Testing](#)

[8.07.060 Sterilization Of Adopted And Impounded Animals](#)

[8.07.010 Animal Shelter And Facilities](#)

1. Salt Lake County shall be responsible, within its legislative discretion, to provide suitable premises and facilities to be used as an animal shelter where impounded animals can be kept. The county, through the division, shall purchase and supply food and provide care for impounded animals.

2. The division shall provide for the destruction of dogs, cats, ferrets and other animals for which destruction is authorized by this title or by the laws of the state of Utah. Destruction shall be accomplished in accordance with standards established by the American Veterinary Medical Association, or in accordance with any other nationally recognized standards established for the proper destruction of animals; or by any method which, in the discretion of the director, is proper under the circumstances existing in the county.
3. The division may furnish, at the discretion of division personnel, when necessary, medical treatment to animals impounded pursuant to this title. Prior consent for such treatment from the owners of such animals shall not be required.
4. The division shall be entitled to recover from the owner of any affected animal the cost of the care and keeping, medical treatment, and euthanasia provided or performed under the authority of this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.07.020 Impoundment Authorized--When](#)

1. An animal control officer may impound or leave an animal in the custody of its owner or handler, according to such officer's discretion, whenever such animal is found to be in circumstances which violate the requirements of this title. If left in the custody of the owner or handler, such owner or handler shall nevertheless be required to respond to a notice of violation issued by the animal control officer.
2. An animal found in the following circumstances may be impounded by an animal control officer without the filing of a criminal complaint or obtaining a prior order from a court of competent jurisdiction:
 1. The animal is running at large outside its owner's or handler's premises;
 2. The animal is outside its owner's or handler's premises and is not licensed as required by this title. An animal not wearing a license tag shall be presumed to be unlicensed for the purpose of this subsection;
 3. The animal is sick or injured and its owner cannot be immediately located;
 4. The animal's owner or handler requests the division to impound the animal and pays, in advance, a fee reasonably calculated to pay for the cost the division will reasonably incur during impoundment and possible destruction of the animal;
 5. The animal is abandoned;
 6. The animal is outside its owner's or handler's premises and is known by the animal control officer to be without the rabies vaccination(s) required by this title. An animal not wearing a rabies tag shall be presumed to be unvaccinated, for the purpose of this subsection;

7. The animal is known by the animal control officer to have been exposed to rabies or bitten by a rabid animal;
 8. The animal is to be otherwise held for quarantine;
 9. The animal is a vicious animal and not properly confined or restrained as required by Section 8.06.040 of this title; or
 10. The animal is not being kept or maintained as required by any other provision of this title, and as a result thereof, the animal poses an imminent threat to the health and safety of persons, other animals or itself.
3. The circumstances set forth in this section are not intended to be a complete list of those in which the division, and its animal control officers, may impound an animal without a prior order from a court of competent jurisdiction; and such officers are authorized to act as necessary to maintain the peace and safety of Salt Lake County under the requirements of this title and under the requirements of law.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.07.030 Impoundment--Recordkeeping Requirements

The impounding facility shall keep record of each animal impounded, which shall include the following information:

1. Complete description of the animal, including tag numbers;
2. The manner and date of impound;
3. The location of the pickup and name of the officer picking up the animal;
4. The manner and date of disposal;
5. The name and address of the person who redeems, purchases or adopts the animal;
6. The name and address of any person relinquishing an animal to the impound facility;
7. All fees received on behalf of the animal; and
8. All costs of impoundment allocable to the animal which accrue during its impoundment.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.07.040 Redemption Of Animals--Restrictions

1. The owner of any impounded animal or his/her authorized representative (a legally responsible adult of age eighteen or more) may redeem such animal before disposition, provided he/she pays:
 1. The impound fee;

2. The daily board charge;
 3. Veterinary costs incurred during the impound period, including rabies vaccination or rabies vaccination deposit;
 4. License fee, if required;
 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 control, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers. The director of animal services shall determine this fee at a level that 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;
 7. Any unpaid (past due) fees and fines incurred by the owner; and
 8. If any dog or cat is fertile, the owner shall also pay a sterilization deposit and comply with other requirements established by Utah Code 17-42, (1953) as amended, and implemented by the division. For the purposes of this subsection, the term "recipient" contained in the referenced Utah statute shall include an owner or his/her authorized representative who is redeeming his/her animal after impound.
 9. If an animal is impounded on two or more occasions without wearing identification or license tags, the owner may be required to purchase microchip identification in addition to impound fees.
2. The director, subject to the approval of Salt Lake County, shall set, and periodically revise when necessary, maximum impound fees and daily board charges for the impounding of animals. Such fees shall be published in Appendix A to the ordinance codified in this title. Such fees may take into account the type of animal impounded, the owner's compliance with animal licensure requirements, the number of confinements in the preceding year, and the duration of the confinement. No impound fees will be charged the reporting owners of suspected rabid animals if they comply with Chapter 8.05 of this title.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.07.050 Term Of Impoundment--Destruction Or Other Disposition Of Animals](#)

1. Animals shall be impounded for a minimum of three business days before further disposition unless the animal is wearing a license tag or other identification, in which case it shall be held a minimum of five calendar days. Reasonable efforts shall be made to notify the owner of any animal wearing a license or other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner. Any animal voluntarily relinquished to the animal control facility by the owner thereof for destruction or

other disposition need not be kept for the minimum holding period before release or other disposition.

2. All animals, except those quarantined or confined by court order, or those subject to Utah Code § 4-25-4, (1953) as amended, 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 shall direct. Any healthy pet may be adopted to any qualifying person desiring to adopt such animal, for a price as published in Appendix A to the ordinance codified in this title. The director shall require the sterilization of any healthy dog, cat, ferret or rabbit sold or released under this chapter and shall also comply with the requirements of Utah Code 17-42, (1953) as amended.
3. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention may, in the discretion of the director, be released to the care of a veterinarian with the consent of the owner.
4. When, in the judgment of the director, it is determined that an animal should be destroyed 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 limitations otherwise established in this title, and without court order.
5. The director may destroy an animal upon the request of an 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 performed by the division.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.07.055 Impounded Animals Not Released For Research Or Medical Testing](#)

Pursuant to the provisions of Utah Code § 26-26-3(1), the county council hereby directs that no animal may be released from impoundment or the facility for research or medical testing purposes. The director (or designee) may deny an adoption or rescue request if the director (or designee) reasonably believes that the animals may be used for research or medical testing purposes.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.07.060 Sterilization Of Adopted And Impounded Animals](#)

1. A dog, cat, ferret or rabbit adopted from the division's animal shelter shall be sterilized.
2. The division may allow the conditional adoption of an unsterilized dog, cat, ferret or rabbit, because of the age of the animal, or as otherwise deemed necessary by the division. Such conditional adoption shall become final upon proof to the division that the animal has been sterilized. Failure to sterilize results in forfeiture of the animal to the division.
3. A dog or cat owner reclaiming an impounded pet shall comply with the "County Animal Shelter Pet Sterilization Act," Utah Code 17-42, (1953) as amended; and comply with the procedures adopted by the division to conform with such law.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

Chapter 8.08 CRUELTY TO ANIMALS

[8.08.010 Care And Maintenance Responsibility](#)

[8.08.020 Keeping Of Diseased Or Painfully Crippled Animals](#)

[8.08.030 Abandonment Of Animals](#)

[8.08.040 Hobbling Animals](#)

[8.08.050 Animals In Vehicles](#)

[8.08.060 Physical Abuse Of Animals](#)

[8.08.070 Injury To Animals By Motorists--Duty To Stop And Assist](#)

[8.08.080 Poisoning Animals](#)

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[8.08.100 Mistreatment Of Animals](#)

[8.08.110 Baby Rabbits And Fowl--Restrictions](#)

[8.08.120 Selling Certain Turtles Prohibited](#)

[8.08.130 Tethering Of Dogs--Restrictions](#)

[8.08.140 Tethering Of Dogs--Exemptions](#)

8.08.010 Care And Maintenance Responsibility

It is unlawful for an owner or handler of an animal to withhold food, drink, care, adequate space and shelter from such animal, which is reasonably necessary to maintain such animal in good health, comfort and safe from potential hazards.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.08.020 Keeping Of Diseased Or Painfully Crippled Animals

1. It is unlawful for any person to abandon or turn out at large any sick, diseased or disabled animal.
2. It is unlawful for the owner or handler of an animal rendered worthless to such owner or handler by reason of disease or disability, to allow such animal to continue to live in a diseased or disabled state. Such owner or handler shall dispose of such animal by killing the same in a humane manner, or by contacting the division. Upon such contact, the division shall assume responsibility for disposition of the animal provided that the owner or handler shall pay a fee, in advance, to the division to pay for the division's cost in disposing of the animal. If the owner or handler fails to pay such fee, and fails to dispose of the diseased or disabled animal as required above, such person shall be in violation of this title.
3. It is unlawful for an owner or handler of an animal which is infected with a disease, or is in a painfully crippled condition, to have, keep or harbor such animal without placing the animal under veterinary care and/or to dispose of such animal as required in subsection B of this section.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.08.030 Abandonment Of Animals](#)

It is unlawful for any person to abandon any animal within the geographical boundaries of Salt Lake County.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.08.040 Hobbling Animals](#)

It is unlawful for any person to hobble livestock or other animals by any means that may cause injury or damage to any animal.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.08.050 Animals In Vehicles](#)

It is unlawful for any person to carry or confine 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 or for an unusual length of time. Persons transporting an animal in the open bed of a vehicle must physically restrain the animal in such a manner as to prevent the animal from jumping or falling out of the vehicle.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.08.060 Physical Abuse Of Animals](#)

It is unlawful for any person to kill without legal justification, maim, disfigure, torture, beat, whip, mutilate, burn or scald, over-drive or in any manner treat any animal in a cruel or malicious manner. Each instance of such treatment shall constitute a separate offense.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.08.070 Injury To Animals By Motorists--Duty To Stop And Assist](#)

1. The operator of a motor vehicle or other self-propelled vehicle being operated upon the streets of Salt Lake County (within the area of authority of this title) shall, in the event such vehicle should strike and injure or kill any domesticated animal, give reasonable aid and assistance and/or protection to such animal, without placing himself or herself at unreasonable risk, and call and report the facts pertaining to the incident to either of the following authorities:
 1. The county sheriff;
 2. Other police agency having jurisdiction in the area where the animal is struck; or

3. The division.
2. After making the report required above, the operator shall comply with the instructions given by the agency contacted and shall, if instructed, remain at the scene until appropriate police or animal control authority arrives. After arrival of appropriate authority, the operator shall cooperate with such authority in the investigation and reporting of the incident.
3. As an alternative to complying with the requirements set forth above, the motor vehicle operator may transport the animal which has been struck to the division's animal facility, or, in the case of an animal which is injured and not dead, to a veterinarian for treatment of the animal's injuries. If the operator chooses the latter course of action, he/she shall be responsible for the cost of treatment if required by the veterinarian. The division shall not be responsible for the cost of treatment unless it has accepted responsibility after the operator's compliance with any of the requirements of this section.
4. This section shall not apply to operators of emergency vehicles if such vehicles are being operated in response to a bona-fide emergency situation at the time the animal is struck. Emergency vehicle operators who strike an animal during a response to a bona-fide emergency situation shall notify the division of the incident as soon as is practicable thereafter.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.08.080 Poisoning Animals](#)

Except as provided in this section, it is unlawful for any person by any means to knowingly and recklessly make accessible to any animal, with intent to cause harm or death, any substance which has in any manner been treated or prepared with any harmful or poisonous substance. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin in furtherance of the public health, when applied in such a manner as to reasonably prohibit access to other animals.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.08.090 Steel-Jaw Traps](#)

It is unlawful for any person to use steel-jaw traps to trap animals, unless authorized by the director.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.08.100 Mistreatment Of Animals](#)

It is unlawful for any person to provoke any animal, which is being kept, housed or confined in compliance with this code.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.08.110 Baby Rabbits And Fowl--Restrictions

1. It is unlawful for any person to sell, to offer for sale, offer to give as a prize, premium or advertising device, or display in any store, shop, carnival or other public place, any baby rabbits or fowl under eight weeks of age in any quantity less than six.
2. It is unlawful for any person to sell, offer for sale, barter or give away any baby rabbits or fowl under eight weeks of age during the two week period preceding Easter in any quantity less than twenty-five.
3. It is unlawful to artificially dye or color any animal under six months of age.
4. Nothing in this provision shall be construed to prohibit the purchase and raising of such rabbits and fowl by a private individual for his/her personal use and consumption; provided, that he/she shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his/her possession.
5. It is unlawful to offer as an advertising device or to display any animal without keeping adequate food and water available for them at all times.
6. Each day an offense occurs or continues shall be a separate offense.
7. It is unlawful for any person to offer as a premium, prize, award, novelty or incentive to purchase merchandise, any live animal. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.08.120 Selling Certain Turtles Prohibited

It is unlawful to own or sell, barter or trade any Chrysemys scripta-elegans, Red-Eared Sliders, that are four inches in length or smaller, or P. troostii, family Testudinidae, "pet turtles."

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.08.130 Tethering Of Dogs--Restrictions

1. It is unlawful for an owner or handler of a dog to tether a dog in any manner that would cause injury or damage to the dog, or when restriction of freedom of movement would endanger a dog. A tether must be of sufficient length to provide the dog with adequate space. Each dog tethered in violation of this section shall constitute a separate offense.
2. It is unlawful for an owner or handler of a dog to tether a dog for longer than ten hours within a twenty-four-hour period. Each dog tethered in violation of this section shall constitute a separate offense.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.08.140 Tethering Of Dogs--Exemptions

The provisions of Section 8.08.130.B. will not apply in the following circumstances:

1. The owner or handler has been mandated by animal services to keep the dog properly restrained at all times by the use of a tether or other means of containment.
2. The owner or handler has a dog that is registered as a dangerous animal under Section 8.03.130 of these ordinances.
3. The owner or handler of a dog has made application with animal services for an extension to the maximum tethered hours in 8.08.130.B. The application has passed review and inspection. Written notice has been given to the owner or handler of the approved extension.
4. The owner or handler has attached the dog to a running line, pulley or trolley system. The dog shall not be tethered to the running line, pulley or trolley system by means of a choke collar, choke chain or pinch collar.
5. The owner or handler has tethered the dog pursuant to the requirements of a park, camping or recreational area.
6. The owner or handler has tethered the dog while actively engaged in the business of shepherding or herding cattle, sheep or other livestock or conduct that is directly related to the business of cultivating agriculture products if the restraint is reasonably necessary for the safety of the dog.
7. The owner or handler is actively engaged in a lawful licensed hunting activity.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

Chapter 8.09 WILD, DANGEROUS AND EXOTIC ANIMALS

8.09.010 Prohibitions Relating To Wild, Dangerous And Exotic Animals--Exceptions

8.09.010 Prohibitions Relating To Wild, Dangerous And Exotic Animals--Exceptions

1. It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor or purchase any wild, dangerous or exotic animal, as defined in Title 50 of the Code of Federal Regulations, Utah law or regulation, or Sections 8.01.150, 8.01.220 and 8.01.430 of this title; or which is otherwise a vicious animal or a nuisance as defined in this title.
2. The prohibitions of subsection A of this section shall not apply to a person, animal shelter, zoological park, veterinary hospital, 501(c)(3) animal welfare shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific research if such organizations are otherwise licensed or permitted as provided in this title, and such animals are restrained or confined in such a manner as to prevent their escape and/or injury to the public.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

Chapter 8.10 ENFORCEMENT AND PENALTIES

[8.10.010 Violation Of Title--Penalties](#)

[8.10.020 Issuance Of Criminal Citations--Notice Of Violations And Stipulation](#)

[8.10.030 Violation--Procedure For Court Orders](#)

[8.10.040 Pick Up Orders](#)

[8.10.010 Violation Of Title--Penalties](#)

1. Any person who violates any mandate or prohibition contained in this title or Section 19.04.305 of the Salt Lake County Code of Ordinances shall be penalized according to the provisions of this title or the provisions of Section 1.12.010 of the Salt Lake County Code of Ordinances.
- ~~2. Any notice of violation issued pursuant to this title shall subject the person to person who violates any provision of this title shall be subject to civil penalties and fees as adopted by the City, a processing fee as set forth in Appendix A to the ordinance codified in this title.~~
- ~~3. In addition to criminal penalties, civil fines, and fees, the City may seek other relief to prevent threats to public safety or public nuisance including, but not limited to, permanently enjoining the housing of an animal at a property, requiring the installation of means of confinement to prevent an animal from escaping the property at the owner's expense, seizing an animal, destroying an animal, or seeking other measures to prevent threats to public safety and public nuisance, including muzzling, tethering, or confining an animal consistent with the requirements of this title.~~
- ~~2-4. To obtain an injunction, the City need only establish a violation of this title by a preponderance of the evidence.~~

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.10.020 Issuance Of Criminal Citations--Notice Of Violations And Stipulation](#)

1. A peace officer and/or animal control officer is authorized to issue a criminal citation to any person upon a charge of violating any provisions of this title and to any person upon a charge of violating Section 19.04.305 of the Salt Lake County Code of Ordinances. The form of the citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of the Utah Code of Criminal Procedure, including, but not necessarily limited to, Utah Code §§ 77-7-18 through 77-7-22, (1953) as amended.
- ~~2. Where violations of Title 8 of this Code of Ordinances or of zoning ordinance Section 19.04.305 are observed, an animal control officer may, in lieu of issuance of the criminal citation and, with the consent of the person charged with a violation, issue a notice of violation to any person. The notice of violation shall state, with reference to the pertinent~~

sections of this title, the ~~action necessary to abate the violation which must be remedied by the person charged, and shall set forth at the~~ compliance date by which the violator must comply, ~~any fines or fees which may accrue, and how the notice may be appealed with the remedial requirements. It shall also set forth a waiver provision; providing that the person to whom the notice of violation is issued waives all rights to contest the charge made against him/her in the notice of violation and further waives the rights to a trial or hearing upon the charges. The notice of violation shall also include the amount of any escalating violation fees and a processing fee to be paid to the division by the person charged in the notice of violation if stipulations are not met or violation fees are not paid. Refusal to execute the waivers defined herein, refusal and/or nonpayment of the violation fees and processing fee; or failure to comply with the notice of violation and stipulation by the deadline set as the compliance date may result in the issuance of a criminal citation to or filing criminal charges against the person charged.~~

3. ~~With approval of the Mayor, animal control officers may enter into stipulations and settlements with owners to resolve violations.~~

~~2.~~

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.10.030 Violation--Procedure For Court Orders

~~Unless modified by the court, c~~Court orders ~~or administrative hearing orders~~ pursuant to this title shall be obtained according to ~~the following minimum notice and procedure:~~

- ~~1. The director or his/her authorized representative shall petition the court for the desired action;~~
- ~~2. The petition for the action, together with supporting affidavits, shall be served on the party against whom the action is taken at least five days prior to the hearing.~~

~~HISTORY: the procedures set forth in title 12 of this code.~~

~~Adopted by Ord. [17-02-03](#) on 2/2/2017~~

8.10.040 Pick Up Orders

The director or his authorized representative may petition the court ~~or hearing officer~~ for a "pick up order" for an animal within the premises of and/or under the control of a person who is in violation of this title or in violation of Section 19.04.305 of the Salt Lake County Code of Ordinances. This section may be used for, but is not limited to, picking up of animals pursued but not captured by an animal control officer, nuisance animals or for any other violation of this title.

8.10.050 Notice of Violation Administrative Procedures

~~A Notice of Violation may be appealed consistent with the administrative procedures set forth in Title 12 of this code.~~

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8.10.060 Enforcement

Violations of this title may be enforced administratively consistent with the procedures set forth in title 12 or by filing criminal or civil actions in the District Court as provided by law. The City has sole discretion to decide whether to file a civil or criminal case for a violation. They City may file both, or one or the other. The possibility of an administrative remedy pursuant to title 12 shall in no way interfere with the City's right to prosecute violation of this title as criminal or civil offenses, including any requirement to exhaust administrative remedies. The City may use any of the remedies available under the law in both civil and criminal prosecution. If the City chooses to file both civil and criminal charges for the same violation, no civil penalties may be assessed, but all other remedies are available.

8.10.070 Separate Offenses

Every violation of any provision of this title is a separate and distinct offense. Each day of violation of this title is a separate and distinct offense.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

Chapter 8.11 NOTICE OF VIOLATION AND STIPULATION PROCEDURES

8.11.010 Purpose And Authority

8.11.020 Definition

8.11.030 Administrative Procedure

8.11.040 (Reserved)

8.11.010 Purpose And Authority

The use by Salt Lake County division of animal services of a notice of violation and stipulation in lieu of issuance of a criminal citation is intended to provide an equitable and uniform method for administering and resolving disputes between Salt Lake County division of animal services and parties alleged to have violated one or more of the sections of Title 8 or of Section 19.04.305 of the zoning code.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.11.020 Definition

"Notice of violation and stipulation" means a division determination, with the consent of the person charged, to forgo the criminal citation and enter into a contractual stipulation to resolve the issue.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.11.030 Administrative Procedure

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- ~~1.—In lieu of issuing a criminal citation, and in an attempt to resolve disputes at the lowest level, the division may convene a conference with the person charged and attempt to enter into a contractual settlement to resolve the issue.~~
- ~~2.—When good cause appears, the division may permit a deviation from these procedures if it finds compliance to be impractical or unnecessary or that such deviation furthers justice or purpose of the division.~~
- ~~3.—These procedures will be liberally construed to secure a just, speedy and economical determination of all issues presented to the division.~~
- ~~4.—Actions commenced in court, whether criminal or civil, are not subject to review under these procedures.~~
- ~~5.1._____ There is no appeal from the notice of violation and stipulation procedure. Failure by the person charged to comply with the provisions of the notice of violation and stipulation settlement agreement will result in the issuance of a criminal citation or charges or at the option of the director of the division, or the director's designee, the settlement agreement may be enforced in court as provided in Section 8.10.030.~~

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.11.040 \(Reserved\)](#)

[Chapter 8.12 DOMESTIC FOWL](#)

[8.12.010 Purpose](#)

[8.12.020 General Conditions, Restrictions And Limitations](#)

[8.12.030 Non-Commercial Use Only--Slaughtering](#)

[8.12.040 Permit Required](#)

[8.12.050 Number And Location Of Domestic Fowl And Related Structures](#)

[8.12.060 Enclosures And Coops](#)

[8.12.070 Health And Sanitation](#)

[8.12.080 Enforcement](#)

[8.12.090 Nuisance And Trespass](#)

[8.12.100 Penalties](#)

[8.12.110 Compliance--Pre-Existing Structures](#)

[8.12.010 Purpose](#)

This Chapter provides standards for keeping domestic fowl in residential neighborhoods on single-family residential lots and duplexes. It allows residents to keep a limited number of domestic fowl for non-commercial purposes, while establishing standards to limit adverse impacts on neighboring properties and ensure the health of persons and domestic fowl and the sanitation of domestic fowl-related structures.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.12.020 General Conditions, Restrictions And Limitations

1. Persons may keep domestic fowl on single-family residential or duplex lots in accordance with the terms and provisions of this ordinance. Persons in rental properties may keep domestic fowl only with the written permission of the property owner.
2. Existing Salt Lake County planning and zoning regulations and ordinances that prohibit the keeping of fowl on residential property shall be superseded by any specific contradictory provisions of this ordinance.
3. It is unlawful for any person who is the owner, keeper or temporary custodian of any domestic fowl to allow the fowl to be at large, off the premises or outside the enclosure owned by the owner, keeper or temporary custodian; provided, however, fowl may be permitted outside the enclosure in a fenced yard during daylight hours.
4. It is unlawful for any person to keep or maintain in an unclean or unsanitary state or condition any coop, enclosure or other structure or area in which any domestic fowl is kept.
5. It is unlawful for the owner, keeper or custodian of any domestic fowl to allow the animal(s) to be a nuisance to any neighbor(s), including but not limited to creating noxious odors from the animals, their waste, coop, or related structure or generating noise of a loud and persistent nature. An officer of Animal Services or the Salt Lake Valley Health Department will determine whether a nuisance exists on a case-by-case basis.
6. All places where any domestic fowl is kept shall at reasonable times and upon reasonable notice be subject to inspection for cleanliness, health and sanitation purposes by an Animal Services officer or representative of the Salt Lake Valley Health Department.
7.
 1. For the purposes of this chapter, only ducks, adult female chickens and baby chicks of either gender are considered "domestic fowl" and may be kept under this chapter. No geese, turkeys, peafowl, or crowing hens or adult male chickens may be kept. Except as set out in Subsection 2, below, no other bird species shall be kept.
 2. The keeping of pigeons, birds normally and generally considered household or indoor pets, birds of prey, or exotic or unusual bird species are not addressed by this chapter and are regulated by other separate federal, state or county laws, ordinances, or regulations.
8. The total area of all accessory buildings on a lot, including coops, may not exceed twenty-five percent of the rear yard's area.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.12.030 Non-Commercial Use Only--Slaughtering

1. Domestic fowl shall be kept for personal use only. The selling of eggs or fertilizer or the breeding of domestic fowl for commercial purposes is prohibited.
2. The slaughtering of domestic fowl on the premises is allowed in areas not visible to the public and must be accomplished in a humane and sanitary fashion. All entrails and by-products of the slaughtering process shall be discarded in accordance with Health Department regulations.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.12.040 Permit Required

1. A permit issued by animal services is required before a person may keep domestic fowl. An annual domestic fowl permit fee shall be established in accordance with Section 3.42.040 of these ordinances.
2. Prior to issuance of any domestic fowl permit, applicants shall submit a completed written application which complies with the requirements of this chapter and is signed and certified as true and accurate by the applicant. All requirements, attachments and fees set forth on the application shall be satisfied and submitted to Animal Services, before the application shall be deemed completed. The following information shall be provided:
 1. A completed and signed application.
 2. The appropriate fee shall be paid.
 3. As part of the initial application process, the applicant shall consent in writing to an on-site inspection of coop, enclosure and surroundings, by county representatives. Any on-site inspection shall be conducted at reasonable hours and with reasonable notice.
 4. Permits must be renewed and the fee paid annually.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.12.050 Number And Location Of Domestic Fowl And Related Structures

1. Except in areas in which the keeping of animals and fowl for family food production is allowed under Title 19 of this Code, a person shall have no more domestic fowl than the following:
 1. Three adult fowl and three baby chicks in R-1-4 or R-1-6 or in any duplex.
 2. Five adult fowl and five baby chicks in R-1-7 or R-1-8.
 3. Eight adult fowl and eight baby chicks in R-1-10 or R-1-15.
2. Any domestic fowl, enclosure or coop shall be located only in a side or rear yard. No coop, enclosure or domestic fowl shall be allowed in any front yard.

3. No domestic fowl structure shall be located within twenty-five feet of the nearest entrance to the dwelling, measured from the edge of the coop to the nearest edge of the dwelling entrance. The coop must be at least forty feet from any human dwelling, school or church located on an abutting property not owned by the keeper of the fowl, measured from the edge of the coop to the nearest edge of any human dwelling, school or church unless the written consent for a shorter distance is obtained from the abutting property owner.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.12.060 Enclosures And Coops

1. Feeding and watering of domestic fowl shall take place only in a predator proof, bird proof area within the coop. The area must be completely enclosed with roof and doors; it shall be free from cracks and holes; it shall be kept in good repair at all times; it should be well-ventilated; windows or ventilation holes shall be covered with one-half-inch hardware cloth; and access doors for persons or fowl shall close tightly and be closed during nighttime hours. All stored feed must be kept in a rodent- and predator-proof container.
2. The coop shall provide a minimum of two square feet per fowl and be of sufficient size to permit free movement of domestic fowl. No coop shall be taller than eight feet. The coop shall be easily accessible for cleaning and maintenance.
3. Domestic fowl and related structures and areas must be maintained in a manner that will not disturb the use and enjoyment of neighboring lots due to noise, odor or other adverse impact.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.12.070 Health And Sanitation

Any domestic fowl enclosure, coop and surroundings shall be kept and maintained in a clean and sanitary condition. All droppings within the coop and the enclosure shall be cleaned out at least once every two weeks. Coops must be thoroughly cleaned with a standard disinfectant at least once per calendar quarter.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.12.080 Enforcement

1. Animal Services may conduct an onsite inspection, at reasonable times and upon reasonable notice, to determine if violations exist, and leave written notice to take corrective action with the owner, keeper or custodian of any domestic fowl or related structures. The owner, keeper or custodian shall take corrective action and comply with the notice within ten days. If the violations are not corrected in the allotted time, Animal Services may issue a citation. Written notice may be issued to any domestic fowl owner, keeper or custodian either personally or by mail, if a violation of the code has occurred.

2. In health emergencies declared by the director of the Health Department, including but not limited to an outbreak of Avian Flu, West Nile virus and the like, immediate corrective action may be required, in accordance with applicable Health Department regulations and procedures.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.12.090 Nuisance And Trespass](#)

It is unlawful for the owner, keeper or custodian of any domestic fowl to permit the animal(s) to trespass on the premises of another or to permit or maintain a nuisance consisting of noise, odor, or other condition, in violation of this ordinance.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.12.100 Penalties](#)

If violations of this ordinance exist or corrective action has not been taken in a timely manner following notice, a citation may be issued by Animal Services or by the sheriff. No person convicted of three or more violation citations in a twelve-month period may keep domestic fowl.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.12.110 Compliance--Pre-Existing Structures](#)

Any person maintaining a pre-existing domestic fowl coop, enclosure, or other structure or facility shall come into compliance with the provisions of this ordinance within ninety days of the effective date of this ordinance and must be in compliance with the restrictions, construction requirements, minimum distance requirements, and all other provisions of this chapter.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[Chapter 8.13 FERAL CATS](#)

[8.13.010 Feral Cats--Impoundment And Disposition](#)

[8.13.010 Feral Cats--Impoundment And Disposition](#)

1. Impounded cats identified as feral pursuant to this code of ordinances shall be held by Animal Services for the mandatory period set out in Section 8.07.050.A.
2. At the end of the mandatory holding period, the feral cat shall be released within a reasonable proximity to where it was trapped or picked up.
 1. Each cat shall be sterilized, identified by "ear- tipping" and vaccinated (including rabies vaccination) prior to release.

2. The release of a feral cat under the provisions of this section shall not be considered "abandonment" under the provisions of section 8.01.010.

3. The director (or designee) has discretion to refuse release of a feral cat.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[Chapter 8.14 DOG BREEDERS](#)

[8.14.010 License](#)

[8.14.015 License--Responsible Breeder--Five-Year License](#)

[8.14.020 Inspections](#)

[8.14.030 Standards](#)

[8.14.040 Records](#)

[8.14.050 Enforcement And Penalties](#)

[8.14.010 License](#)

1. Dog breeders shall obtain a license issued by the division, in addition to any current general kennel or fancier's permit required by ordinances.
2. An applicant for a license shall submit an application on a form prescribed by the division, together with an annual, non-refundable license fee in an amount determined by the council.
 1. A dog breeder may apply for a refund of the breeder license fee upon showing that the female dog was sterilized within 60 days after the litter was born.
3. The division, through its inspector, may conduct an inspection for the license requested by the applicant to determine whether the applicant qualifies to hold a license pursuant to this section. The division shall issue the license upon receipt of the application and annual license fee and upon satisfactory completion of any required or qualifying inspection and compliance with all requirements of these ordinances.
4. A license will not be issued to an applicant who has pled no contest or has been found to have violated any federal, state or local laws or regulations pertaining to animal cruelty within five years of the date of application.
5. An applicant who does not receive a license shall be afforded the opportunity for a hearing before a hearing officer of the division to present evidence that the applicant is qualified to hold a license.
6. This section shall not apply to:
 1. Any person licensed or subject to inspection by the United States Department of Agriculture pursuant to the deferral Animal Welfare Act (Title 7 U.S.C. Sec. 2131 et seq.) and its regulations (Title 9, C.F.R.).

2. Any evacuation or management activity associated with any emergency or disaster declared by local, state or federal government.
7. A license to operate as a dog breeder shall be renewed by filing with the division annually a renewal application and license fee.
8. License registration should be made prior to any litter being delivered. Failure to timely register under this ordinance may result in additional penalties, including a late fee as established by the council.
9. A license is not transferable to another person or location.
10. A licensee may be put on probation requiring him or her to comply with the conditions set out in an order of probation issued by the division, may be ordered to pay a civil penalty or may have his or her license suspended after:
 1. The division determines the licensee has not complied with the provisions of this section or with division regulations;
 2. The licensee is given written notice to comply and written notice of the right to a hearing to show cause why the license should not be revoked; and
 3. The division finds that issuing an order revoking the license is appropriate based on the hearing record or on available information if the hearing is waived in writing by the licensee or the licensee does not appear at a scheduled hearing after the licensee has received notice of the hearing.
11. The facility or operation of any licensee whose license has been suspended shall close and remain closed and all operations cease until the license has been reinstated and a new license is issued. Any facility or operation for which the license is revoked shall not be eligible to apply for a new license until one year after the date of the order revoking the license or, if the revocation is appealed, one year from the date of the order sustaining the revocation.
12. The division may terminate proceedings undertaken pursuant to this section at any time if the reasons for instituting the proceedings no longer exist. A license which has been suspended may be reinstated, a person with a revoked license may be issued a new license, or a licensee may no longer be subject to an order of probation if the division determines the conditions which prompted the suspension, revocation, or probation have been remedied or no longer exist.
13. A licensee shall have the right to appeal adverse decisions to the division director or designee.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

[8.14.015 License--Responsible Breeder--Five-Year License](#)

1. Licensees belonging to recognized organizations which require and enforce adherence to a code of ethics and standards specific to their breed may obtain a five-year license, at no charge.
2. Recognized organizations:
 1. Local, regional or national dog club or organization recognized by the American Kennel Club which have a written code of ethics that members are held accountable to in order to remain member in good status standing, or
 2. If the breed is not recognized by the American Kennel Club then a local, regional or national dog club or an organization recognized by the United Kennel Club which has a written code of ethics that members are held accountable to in order to remain member in good status standing, or,
 3. If the breed is not recognized by the American Kennel Club or the United Kennel Club the organization may be recognized by providing the following information to the Division:
 1. Articles of organization and bylaws (or equivalent);
 2. Copy of the organization's code of ethics; and
 3. Statement regarding member's requirement to abide by code of ethics to maintain membership.
3. Application for five year license must include the following:
 1. Proof that the applicant is a member in good standing with a recognized organization, and
 2. A copy of the recognized organization's code of ethics (or equivalent) that members are held accountable to in order to maintain member-in-good-standing status. The code of ethics must include at a minimum:
 1. Expectations for following guidelines and recommendations for breed specific health and medical testing;
 2. Prohibits selling, trading or bartering of a puppy/adult that is sick, or ship or deliver to the buyer a puppy less than eight weeks of age; and
 3. Requirements to take back or make rescue or placement arrangements for any dog produced that has been displaced or abandoned at any time during its life.
4. A five year license may be revoked if the licensee is found to have lost member-in-good-standing status or if the licensee is found to be in violation of any section of this chapter.
5. Organizations found to not be enforcing their member's adherence to the organization's standards and code of ethics may be suspended from participating in the five-year license

program for two years During the two-year period of the organization's suspension, no five-year licenses will be issued or renewed to members of the suspended organization.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.14.020 Inspections

1. The division may inspect any dog breeders licensed under these ordinances to determine compliance. The division may conduct additional inspections upon receipt of a complaint or on its own motion to insure compliance with these ordinances. When an inspection produces evidence of a violation of these ordinances or division regulations, a copy of an inspector's written report of the inspection, including alleged violations, shall be provided to the applicant or licensee, together with written notice to comply within the time limit established by the division.
2. The inspector, for purposes of inspection, may with an appointment enter the premises of any applicant or licensee during normal business hours and in a reasonable manner, including all premises in or upon which dogs are housed, sold, exchanged, or leased or are reasonably suspected of being housed, sold, exchanged or leased. An applicant or licensee shall, upon request of the inspector, provide assistance in making any inspection authorized under this section and its regulations.
3. The private residence of any applicant or licensee shall be available for purposes of inspection only if dogs are housed within the residence, including a room in such residence, and only the portion of the residence used as an enclosure shall be open to an inspection pursuant to this section.
4. The division shall have authority to investigate reported violations of these ordinances and division regulations, including failure to obtain a license as a dog breeder, as required under this chapter.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.14.030 Standards

1. Licensees shall ensure that appropriate preventative and therapeutic veterinary care is provided.
2. Each licensee must have a plan for disaster response and recovery, including but not limited to, structural damage, electrical outages and other critical system failures.
3. All dogs over four months old must be properly licensed.
4. All dogs must be provided necessary and appropriate veterinary care, including, at a minimum, an examination at least annually by a licensed veterinarian, prompt treatment of any illness or injury by a licensed veterinarian, and, where justified, humane euthanasia by an appropriate agency using lawful techniques determined acceptable by the division.

5. All dogs shall be provided sufficient housing, including protection from the elements, constant and unfettered access to an indoor enclosure that has a solid floor (a wire-mesh or similar floor is not permitted), no stacking of one animal's enclosure above or below another animal's enclosure, and waste removal at least once a day while the dog is outside the enclosure.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.14.040 Records

1. A licensee shall maintain accurate records for each dog within the licensee's care for at least five years including:
 1. The date the dog enters the kennel facility;
 2. The person from whom each dog was purchased or obtained, including the name, address and phone number of the person, and license or registration number if applicable;
 3. A description of each dog, including the color, breed, sex, date of birth (if not known, the approximate age) and weight;
 4. A description of any tattoo, microchip, or other identification number carried by or appearing on the dog;
 5. For breeding females:
 1. Breeding dates;
 2. Whelping dates;
 3. Number of puppies per litter; and
 4. Sire for each litter.
 6. All preventative and therapeutic veterinary care provided for each dog; and
 7. The disposition of each dog and the date.
2. A copy of the dog's record, as required by this section, shall be provided at the time of transfer of ownership. Registration of any tattoo, microchip, or other identification number shall also be transferred.
3. Licensees shall provide copies of records listed in this section to the inspector, as requested, to enforce the provisions of this section or its regulations.

HISTORY

Adopted by Ord. [17-02-03](#) on 2/2/2017

8.14.050 Enforcement And Penalties

1. In enforcing this section, the division may:

1. Issue an order or probation;
 2. Issue a cease and desist order;
 3. Suspend or revoke a license; or
 4. Seek other injunctive relief as may be necessary to enforce this section and its regulations, including impounding and seizing dogs where the division determines there is significant threat to the health or safety of the dogs harbored or owned by the licensee. Costs incurred for the care of animals impounded or seized under this section shall be recoverable from the owner of the animal who is found to have violated provisions of the section.
2. Each act committed against an individual animal in violation of these ordinances or division regulations, and each day during which a violation continues, shall constitute a separate offense for purposes of this section.
 3. A failure to comply with these ordinances shall constitute a class B misdemeanor. The attorney's office may bring an action to collect unpaid license fees and/or unpaid civil penalties.
 4. It shall be a violation of this section for any person to:
 1. Deny access to any inspector or offer any resistance to, thwart, or hinder an inspector by misrepresentation or concealment;
 2. Interfere with, threaten, verbally or physically abuse, or harass any inspector in the course of carrying out inspection duties;
 3. Fail to disclose all dog housing locations owned or controlled by a licensee; or
 4. Violate an injunction order or order of compliance issued pursuant to this section.
 5. Proceedings undertaken under this section shall not preclude the division from seeking other civil or criminal actions. This section does not prohibit the division from assisting a law enforcement agency in a criminal investigation. Nothing in this Section shall be construed to prohibit prosecution under state statute or county ordinance.

HISTORY