



## RESOLUTION NUMBER 15-381

A RESOLUTION OF THE COUNCIL OF THE CITY OF DELTA, STATE OF UTAH, ELECTING A COUNCIL MEMBER TO SERVE AS MAYOR PRO TEMPORE FOR THE YEAR 2015.

WHEREAS, the City of Delta, Utah (hereinafter the "City") is governed under a six-member council form of government as defined by the Utah Code Annotated;

WHEREAS, Utah Code Annotated Section 10-3b-302, as amended, authorizes the City Council to elect a member of the Council to act as *mayor pro tempore* in a case where the Mayor of Delta City is absent or unable or refuses to act;

WHEREAS, the City Council, at a regularly held public meeting of the Delta City Council held on January 15, 2015, nominated and elected (insert name), a City Council Member, to serve as the *Mayor Pro Tempore* for the entirety of the year 2015;

WHEREAS, the City Council, at that same January 15th, 2015 meeting determined that such election should be formalized by a written Resolution of the Delta City Council;

NOW, THEREFORE, be it hereby RESOLVED by the Council of the City of Delta, State of Utah THAT:

**Section 1.** At a regularly scheduled public meeting of the Delta City Council held on January 15, 2015, (insert name) was nominated and elected by the Delta City Council to serve as Delta City's *Mayor Pro Tempore* for the entirety of the year of 2015.

**Section 2.** That nomination and election discussed above in Section 1 is hereby ratified and formalized by this Resolution of the Delta City Council.

**Section 3.** To the extent that any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of the Resolution shall be severable.

**Section 4.** This resolution shall take effect immediately, as authorized by section 10-3-719 of the Utah Code Annotated.

PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the 15<sup>th</sup> day of January, 2015 by the following Vote:

	Aye	Nay	Abstain	Absent
Robert W. Banks	_____	_____	_____	_____
Kiley J. Chase	_____	_____	_____	_____
John W. Niles	_____	_____	_____	_____
Steven R. Pratt	_____	_____	_____	_____
Betty J. Western	_____	_____	_____	_____




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GAYLE K. BUNKER  
MAYOR

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GREGORY JAY SCHAFER, MMC  
CITY RECORDER

## Chapter 4 Open and Public Meetings Act

### Part 1 General Provisions

#### **52-4-101 Title.**

This chapter is known as the "Open and Public Meetings Act."

Enacted by Chapter 14, 2006 General Session

#### **52-4-102 Declaration of public policy.**

- (1) The Legislature finds and declares that the state, its agencies and political subdivisions, exist to aid in the conduct of the people's business.
- (2) It is the intent of the Legislature that the state, its agencies, and its political subdivisions:
  - (a) take their actions openly; and
  - (b) conduct their deliberations openly.

Renumbered and Amended by Chapter 14, 2006 General Session

#### **52-4-103 Definitions.**

As used in this chapter:

- (1) "Anchor location" means the physical location from which:
  - (a) an electronic meeting originates; or
  - (b) the participants are connected.
- (2) "Capitol hill complex" means the grounds and buildings within the area bounded by 300 North Street, Columbus Street, 500 North Street, and East Capitol Boulevard in Salt Lake City.
- (3) "Convening" means the calling together of a public body by a person authorized to do so for the express purpose of discussing or acting upon a subject over which that public body has jurisdiction or advisory power.
- (4) "Electronic meeting" means a public meeting convened or conducted by means of a conference using electronic communications.
- (5) "Electronic message" means a communication transmitted electronically, including:
  - (a) electronic mail;
  - (b) instant messaging;
  - (c) electronic chat;
  - (d) text messaging as defined in Section 76-4-401; or
  - (e) any other method that conveys a message or facilitates communication electronically.
- (6)
  - (a) "Meeting" means the convening of a public body or a specified body, with a quorum present, including a workshop or an executive session, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body or specific body has jurisdiction or advisory power.
  - (b) "Meeting" does not mean:
    - (i) a chance gathering or social gathering; or

- (ii) a convening of the State Tax Commission to consider a confidential tax matter in accordance with Section 59-1-405.
- (c) "Meeting" does not mean the convening of a public body that has both legislative and executive responsibilities if:
  - (i) no public funds are appropriated for expenditure during the time the public body is convened; and
  - (ii) the public body is convened solely for the discussion or implementation of administrative or operational matters:
    - (A) for which no formal action by the public body is required; or
    - (B) that would not come before the public body for discussion or action.
- (7) "Monitor" means to hear or observe, live, by audio or video equipment, all of the public statements of each member of the public body who is participating in a meeting.
- (8) "Participate" means the ability to communicate with all of the members of a public body, either verbally or electronically, so that each member of the public body can hear or observe the communication.
- (9)
  - (a) "Public body" means any administrative, advisory, executive, or legislative body of the state or its political subdivisions that:
    - (i) is created by the Utah Constitution, statute, rule, ordinance, or resolution;
    - (ii) consists of two or more persons;
    - (iii) expends, disburses, or is supported in whole or in part by tax revenue; and
    - (iv) is vested with the authority to make decisions regarding the public's business.
  - (b) "Public body" does not include a:
    - (i) political party, political group, or political caucus;
    - (ii) conference committee, rules committee, or sifting committee of the Legislature; or
    - (iii) school community council established under Section 53A-1a-108.
- (10) "Public statement" means a statement made in the ordinary course of business of the public body with the intent that all other members of the public body receive it.
- (11)
  - (a) "Quorum" means a simple majority of the membership of a public body, unless otherwise defined by applicable law.
  - (b) "Quorum" does not include a meeting of two elected officials by themselves when no action, either formal or informal, is taken on a subject over which these elected officials have advisory power.
- (12) "Recording" means an audio, or an audio and video, record of the proceedings of a meeting that can be used to review the proceedings of the meeting.
- (13) "Specified body" means an administrative, advisory, executive, or legislative body that:
  - (a) is not a public body;
  - (b) consists of three or more members; and
  - (c) includes at least one member who is:
    - (i) a legislator; and
    - (ii) officially appointed to the body by the President of the Senate, Speaker of the House of Representatives, or governor.
- (14) "Transmit" means to send, convey, or communicate an electronic message by electronic means.

Amended by Chapter 434, 2014 General Session

**52-4-104 Training.**

The presiding officer of the public body shall ensure that the members of the public body are provided with annual training on the requirements of this chapter.

Enacted by Chapter 263, 2006 General Session

**Part 2  
Meetings**

**52-4-201 Meetings open to the public -- Exceptions.**

- (1) A meeting is open to the public unless closed under Sections 52-4-204, 52-4-205, and 52-4-206.
- (2)
  - (a) A meeting that is open to the public includes a workshop or an executive session of a public body in which a quorum is present, unless closed in accordance with this chapter.
  - (b) A workshop or an executive session of a public body in which a quorum is present that is held on the same day as a regularly scheduled public meeting of the public body may only be held at the location where the public body is holding the regularly scheduled public meeting unless:
    - (i) the workshop or executive session is held at the location where the public body holds its regularly scheduled public meetings but, for that day, the regularly scheduled public meeting is being held at different location;
    - (ii) any of the meetings held on the same day is a site visit or a traveling tour and, in accordance with this chapter, public notice is given;
    - (iii) the workshop or executive session is an electronic meeting conducted according to the requirements of Section 52-4-207; or
    - (iv) it is not practicable to conduct the workshop or executive session at the regular location of the public body's open meetings due to an emergency or extraordinary circumstances.

Renumbered and Amended by Chapter 14, 2006 General Session  
Amended by Chapter 263, 2006 General Session

**52-4-202 Public notice of meetings -- Emergency meetings.**

- (1)
  - (a)
    - (i) A public body shall give not less than 24 hours' public notice of each meeting.
    - (ii) A specified body shall give not less than 24 hours' public notice of each meeting that the specified body holds on the capitol hill complex.
  - (b) The public notice required under Subsection (1)(a) shall include the meeting:
    - (i) agenda;
    - (ii) date;
    - (iii) time; and
    - (iv) place.
- (2)
  - (a) In addition to the requirements under Subsection (1), a public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule as provided in this section.

- (b) The public notice under Subsection (2)(a) shall specify the date, time, and place of the scheduled meetings.
- (3)
  - (a) A public body or specified body satisfies a requirement for public notice by:
    - (i) posting written notice:
      - (A) at the principal office of the public body or specified body, or if no principal office exists, at the building where the meeting is to be held; and
      - (B) beginning October 1, 2008 and except as provided in Subsection (3)(b), on the Utah Public Notice Website created under Section 63F-1-701; and
    - (ii) providing notice to:
      - (A) at least one newspaper of general circulation within the geographic jurisdiction of the public body; or
      - (B) a local media correspondent.
  - (b) A public body of a municipality under Title 10, Utah Municipal Code, a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or a special service district under Title 17D, Chapter 1, Special Service District Act, is encouraged, but not required, to post written notice on the Utah Public Notice Website, if the municipality or district has a current annual budget of less than \$1 million.
  - (c) A public body or specified body is in compliance with the provisions of Subsection (3)(a)(ii) by providing notice to a newspaper or local media correspondent under the provisions of Subsection 63F-1-701(4)(d).
- (4) A public body and a specified body are encouraged to develop and use additional electronic means to provide notice of their meetings under Subsection (3).
- (5)
  - (a) The notice requirement of Subsection (1) may be disregarded if:
    - (i) because of unforeseen circumstances it is necessary for a public body or specified body to hold an emergency meeting to consider matters of an emergency or urgent nature; and
    - (ii) the public body or specified body gives the best notice practicable of:
      - (A) the time and place of the emergency meeting; and
      - (B) the topics to be considered at the emergency meeting.
  - (b) An emergency meeting of a public body may not be held unless:
    - (i) an attempt has been made to notify all the members of the public body; and
    - (ii) a majority of the members of the public body approve the meeting.
- (6)
  - (a) A public notice that is required to include an agenda under Subsection (1) shall provide reasonable specificity to notify the public as to the topics to be considered at the meeting. Each topic shall be listed under an agenda item on the meeting agenda.
  - (b) Subject to the provisions of Subsection (6)(c), and at the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting.
  - (c) Except as provided in Subsection (5), relating to emergency meetings, a public body may not take final action on a topic in an open meeting unless the topic is:
    - (i) listed under an agenda item as required by Subsection (6)(a); and
    - (ii) included with the advance public notice required by this section.

Amended by Chapter 434, 2014 General Session

**52-4-203 Written minutes of open meetings -- Public records -- Recording of meetings.**

- (1) Except as provided under Subsection (7), written minutes and a recording shall be kept of all open meetings.
- (2) Written minutes of an open meeting shall include:
  - (a) the date, time, and place of the meeting;
  - (b) the names of members present and absent;
  - (c) the substance of all matters proposed, discussed, or decided by the public body which may include a summary of comments made by members of the public body;
  - (d) a record, by individual member, of each vote taken by the public body;
  - (e) the name of each person who:
    - (i) is not a member of the public body; and
    - (ii) after being recognized by the presiding member of the public body, provided testimony or comments to the public body;
  - (f) the substance, in brief, of the testimony or comments provided by the public under Subsection (2)(e); and
  - (g) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.
- (3) A recording of an open meeting shall:
  - (a) be a complete and unedited record of all open portions of the meeting from the commencement of the meeting through adjournment of the meeting; and
  - (b) be properly labeled or identified with the date, time, and place of the meeting.
- (4)
  - (a) As used in this Subsection (4):
    - (i) "Approved minutes" means written minutes:
      - (A) of an open meeting; and
      - (B) that have been approved by the public body that held the open meeting.
    - (ii) "Electronic information" means information presented or provided in an electronic format.
    - (iii) "Pending minutes" means written minutes:
      - (A) of an open meeting; and
      - (B) that have been prepared in draft form and are subject to change before being approved by the public body that held the open meeting.
    - (iv) "Specified local public body" means a legislative body of a county, city, or town.
    - (v) "State public body" means a public body that is an administrative, advisory, executive, or legislative body of the state.
    - (vi) "Website" means the Utah Public Notice Website created under Section 63F-1-701.
  - (b) Pending minutes, approved minutes, and a recording of a public meeting are public records under Title 63G, Chapter 2, Government Records Access and Management Act.
  - (c) Pending minutes shall contain a clear indication that the public body has not yet approved the minutes or that the minutes are subject to change until the public body approves them.
  - (d) A state public body and a specified local public body shall require an individual who, at an open meeting of the public body, publicly presents or provides electronic information, relating to an item on the public body's meeting agenda, to provide the public body, at the time of the meeting, an electronic or hard copy of the electronic information for inclusion in the public record.
  - (e) A state public body shall:
    - (i) make pending minutes available to the public within 30 days after holding the open meeting that is the subject of the pending minutes;

- (ii) within three business days after approving written minutes of an open meeting, post to the website and make available to the public at the public body's primary office a copy of the approved minutes and any public materials distributed at the meeting; and
  - (iii) within three business days after holding an open meeting, post on the website an audio recording of the open meeting, or a link to the recording.
- (f)
- (i) A specified local public body shall:
    - (A) make pending minutes available to the public within 30 days after holding the open meeting that is the subject of the pending minutes;
    - (B) subject to Subsection (4)(f)(ii), within three business days after approving written minutes of an open meeting, post to the website and make available to the public at the public body's primary office a copy of the approved minutes and any public materials distributed at the meeting; and
    - (C) within three business days after holding an open meeting, make an audio recording of the open meeting available to the public for listening.
  - (ii) A specified local public body of a city of the fifth class or town is encouraged to comply with Subsection (4)(f)(i)(B) but is not required to comply until January 1, 2015.
- (g) A public body that is not a state public body or a specified local public body shall:
- (i) make pending minutes available to the public within a reasonable time after holding the open meeting that is the subject of the pending minutes;
  - (ii) within three business days after approving written minutes, make the approved minutes available to the public; and
  - (iii) within three business days after holding an open meeting, make an audio recording of the open meeting available to the public for listening.
- (h) A public body shall establish and implement procedures for the public body's approval of the written minutes of each meeting.
- (i) Approved minutes of an open meeting are the official record of the meeting.
- (5) All or any part of an open meeting may be independently recorded by any person in attendance if the recording does not interfere with the conduct of the meeting.
- (6) The written minutes or recording of an open meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.
- (7) Notwithstanding Subsection (1), a recording is not required to be kept of:
- (a) an open meeting that is a site visit or a traveling tour, if no vote or action is taken by the public body; or
  - (b) an open meeting of a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, if the district's annual budgeted expenditures for all funds, excluding capital expenditures and debt service, are \$50,000 or less.

Amended by Chapter 83, 2014 General Session

**52-4-204 Closed meeting held upon vote of members -- Business -- Reasons for meeting recorded.**

- (1) A closed meeting may be held if:
- (a)
    - (i) a quorum is present;

- (ii) the meeting is an open meeting for which notice has been given under Section 52-4-202;  
and
- (iii)
  - (A) two-thirds of the members of the public body present at the open meeting vote to approve closing the meeting;
  - (B) for a meeting that is required to be closed under Section 52-4-205, if a majority of the members of the public body present at an open meeting vote to approve closing the meeting;
  - (C) for an ethics committee of the Legislature that is conducting an open meeting for the purpose of reviewing an ethics complaint, a majority of the members present vote to approve closing the meeting for the purpose of seeking or obtaining legal advice on legal, evidentiary, or procedural matters, or for conducting deliberations to reach a decision on the complaint; or
  - (D) for the Political Subdivisions Ethics Review Commission established in Section 11-49-201 that is conducting an open meeting for the purpose of reviewing an ethics complaint in accordance with Section 11-49-701, a majority of the members present vote to approve closing the meeting for the purpose of seeking or obtaining legal advice on legal, evidentiary, or procedural matters, or for conducting deliberations to reach a decision on the complaint; or
- (b)
  - (i) for the Independent Legislative Ethics Commission, the closed meeting is convened for the purpose of conducting business relating to the receipt or review of an ethics complaint, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to the receipt or review of ethics complaints";
  - (ii) for the Political Subdivisions Ethics Review Commission established in Section 11-49-201, the closed meeting is convened for the purpose of conducting business relating to the preliminary review of an ethics complaint in accordance with Section 11-49-602, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to the review of ethics complaints"; or
  - (iii) for the Independent Executive Branch Ethics Commission created in Section 63A-14-202, the closed meeting is convened for the purpose of conducting business relating to an ethics complaint, provided that public notice of the closed meeting is given under Section 52-4-202, with the agenda for the meeting stating that the meeting will be closed for the purpose of "conducting business relating to an ethics complaint."
- (2) A closed meeting is not allowed unless each matter discussed in the closed meeting is permitted under Section 52-4-205.
- (3) An ordinance, resolution, rule, regulation, contract, or appointment may not be approved at a closed meeting.
- (4) The following information shall be publicly announced and entered on the minutes of the open meeting at which the closed meeting was approved:
  - (a) the reason or reasons for holding the closed meeting;
  - (b) the location where the closed meeting will be held; and
  - (c) the vote by name, of each member of the public body, either for or against the motion to hold the closed meeting.
- (5) Except as provided in Subsection 52-4-205(2), nothing in this chapter shall be construed to require any meeting to be closed to the public.

Amended by Chapter 426, 2013 General Session

**52-4-205 Purposes of closed meetings -- Certain issues prohibited in closed meetings.**

- (1) A closed meeting described under Section 52-4-204 may only be held for:
- (a) except as provided in Subsection (3), discussion of the character, professional competence, or physical or mental health of an individual;
  - (b) strategy sessions to discuss collective bargaining;
  - (c) strategy sessions to discuss pending or reasonably imminent litigation;
  - (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would:
    - (i) disclose the appraisal or estimated value of the property under consideration; or
    - (ii) prevent the public body from completing the transaction on the best possible terms;
  - (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
    - (i) public discussion of the transaction would:
      - (A) disclose the appraisal or estimated value of the property under consideration; or
      - (B) prevent the public body from completing the transaction on the best possible terms;
    - (ii) the public body previously gave public notice that the property would be offered for sale; and
    - (iii) the terms of the sale are publicly disclosed before the public body approves the sale;
  - (f) discussion regarding deployment of security personnel, devices, or systems;
  - (g) investigative proceedings regarding allegations of criminal misconduct;
  - (h) as relates to the Independent Legislative Ethics Commission, conducting business relating to the receipt or review of ethics complaints;
  - (i) as relates to an ethics committee of the Legislature, a purpose permitted under Subsection 52-4-204(1)(a)(iii)(C);
  - (j) as relates to the Independent Executive Branch Ethics Commission created in Section 63A-14-202, conducting business relating to an ethics complaint;
  - (k) as relates to a county legislative body, discussing commercial information as defined in Section 59-1-404;
  - (l) as relates to the Utah Higher Education Assistance Authority and its appointed board of directors, discussing fiduciary or commercial information as defined in Section 53B-12-102;
  - (m) deliberations, not including any information gathering activities, of a public body acting in the capacity of:
    - (i) an evaluation committee under Title 63G, Chapter 6a, Utah Procurement Code, during the process of evaluating responses to a solicitation, as defined in Section 63G-6a-103;
    - (ii) a protest officer, defined in Section 63G-6a-103, during the process of making a decision on a protest under Title 63G, Chapter 6a, Part 16, Controversies and Protests; or
    - (iii) a procurement appeals panel under Title 63G, Chapter 6a, Utah Procurement Code, during the process of deciding an appeal under Title 63G, Chapter 6a, Part 17, Procurement Appeals Board;
  - (n) the purpose of considering information that is designated as a trade secret, as defined in Section 13-24-2, if the public body's consideration of the information is necessary in order to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;
  - (o) the purpose of discussing information provided to the public body during the procurement process under Title 63G, Chapter 6a, Utah Procurement Code, if, at the time of the meeting:
    - (i) the information may not, under Title 63G, Chapter 6a, Utah Procurement Code, be disclosed to a member of the public or to a participant in the procurement process; and

- (ii) the public body needs to review or discuss the information in order to properly fulfill its role and responsibilities in the procurement process; or
- (p) a purpose for which a meeting is required to be closed under Subsection (2).
- (2) The following meetings shall be closed:
  - (a) a meeting of the Health and Human Services Interim Committee to review a fatality review report described in Subsection 62A-16-301(1)(a), and the responses to the report described in Subsections 62A-16-301(2) and (4);
  - (b) a meeting of the Child Welfare Legislative Oversight Panel to:
    - (i) review a fatality review report described in Subsection 62A-16-301(1)(a), and the responses to the report described in Subsections 62A-16-301(2) and (4); or
    - (ii) review and discuss an individual case, as described in Subsection 62A-4a-207(5); and
  - (c) a meeting of a conservation district as defined in Section 17D-3-102 for the purpose of advising the Natural Resource Conservation Service of the United States Department of Agriculture on a farm improvement project if the discussed information is protected information under federal law.
- (3) In a closed meeting, a public body may not:
  - (a) interview a person applying to fill an elected position;
  - (b) discuss filling a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office; or
  - (c) discuss the character, professional competence, or physical or mental health of the person whose name was submitted for consideration to fill a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office.

Amended by Chapter 196, 2014 General Session

**52-4-206 Record of closed meetings.**

- (1) Except as provided under Subsection (6), if a public body closes a meeting under Subsection 52-4-205(1), the public body:
  - (a) shall make a recording of the closed portion of the meeting; and
  - (b) may keep detailed written minutes that disclose the content of the closed portion of the meeting.
- (2) A recording of a closed meeting shall be complete and unedited from the commencement of the closed meeting through adjournment of the closed meeting.
- (3) The recording and any minutes of a closed meeting shall include:
  - (a) the date, time, and place of the meeting;
  - (b) the names of members present and absent; and
  - (c) the names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.
- (4) Minutes or recordings of a closed meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.
- (5) Both a recording and written minutes of closed meetings are protected records under Title 63G, Chapter 2, Government Records Access and Management Act, except that the records may be disclosed under a court order only as provided under Section 52-4-304.
- (6) If a public body closes a meeting exclusively for the purposes described under Subsection 52-4-205(1)(a), (1)(f), or (2):

- (a) the person presiding shall sign a sworn statement affirming that the sole purpose for closing the meeting was to discuss the purposes described under Subsection 52-4-205(1)(a),(1)(f), or (2); and
- (b) the provisions of Subsection (1) of this section do not apply.

Amended by Chapter 239, 2010 General Session

**52-4-207 Electronic meetings -- Authorization -- Requirements.**

- (1) Except as otherwise provided for a charter school in Section 52-4-209, a public body may convene and conduct an electronic meeting in accordance with this section.
- (2)
  - (a) A public body may not hold an electronic meeting unless the public body has adopted a resolution, rule, or ordinance governing the use of electronic meetings.
  - (b) The resolution, rule, or ordinance may:
    - (i) prohibit or limit electronic meetings based on budget, public policy, or logistical considerations;
    - (ii) require a quorum of the public body to:
      - (A) be present at a single anchor location for the meeting; and
      - (B) vote to approve establishment of an electronic meeting in order to include other members of the public body through an electronic connection;
    - (iii) require a request for an electronic meeting to be made by a member of a public body up to three days prior to the meeting to allow for arrangements to be made for the electronic meeting;
    - (iv) restrict the number of separate connections for members of the public body that are allowed for an electronic meeting based on available equipment capability; or
    - (v) establish other procedures, limitations, or conditions governing electronic meetings not in conflict with this section.
- (3) A public body that convenes or conducts an electronic meeting shall:
  - (a) give public notice of the meeting:
    - (i) in accordance with Section 52-4-202; and
    - (ii) post written notice at the anchor location;
  - (b) in addition to giving public notice required by Subsection (3)(a), provide:
    - (i) notice of the electronic meeting to the members of the public body at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
    - (ii) a description of how the members will be connected to the electronic meeting;
  - (c) establish one or more anchor locations for the public meeting, at least one of which is in the building and political subdivision where the public body would normally meet if they were not holding an electronic meeting;
  - (d) provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the meeting; and
  - (e) if comments from the public will be accepted during the electronic meeting, provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
- (4) Compliance with the provisions of this section by a public body constitutes full and complete compliance by the public body with the corresponding provisions of Sections 52-4-201 and 52-4-202.

Amended by Chapter 31, 2011 General Session

**52-4-208 Chance or social meetings.**

- (1) This chapter does not apply to any chance meeting or a social meeting.
- (2) A chance meeting or social meeting may not be used to circumvent the provisions of this chapter.

Enacted by Chapter 14, 2006 General Session

**52-4-209 Electronic meetings for charter school board.**

- (1) Notwithstanding the definitions provided in Section 52-4-103 for this chapter, as used in this section:
  - (a) "Anchor location" means a physical location where:
    - (i) the charter school board would normally meet if the charter school board were not holding an electronic meeting; and
    - (ii) space, a facility, and technology are provided to the public to monitor and, if public comment is allowed, to participate in an electronic meeting during regular business hours.
  - (b) "Charter school board" means the governing board of a school created under Title 53A, Chapter 1a, Part 5, The Utah Charter Schools Act.
  - (c) "Meeting" means the convening of a charter school board:
    - (i) with a quorum who:
      - (A) monitors a website at least once during the electronic meeting; and
      - (B) casts a vote on a website, if a vote is taken; and
    - (ii) for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the charter school board has jurisdiction or advisory power.
  - (d) "Monitor" means to:
    - (i) read all the content added to a website by the public or a charter school board member; and
    - (ii) view a vote cast by a charter school board member on a website.
  - (e) "Participate" means to add content to a website.
- (2)
  - (a) A charter school board may convene and conduct an electronic meeting in accordance with Section 52-4-207.
  - (b) A charter school board may convene and conduct an electronic meeting in accordance with this section that is in writing on a website if:
    - (i) the chair verifies that a quorum monitors the website;
    - (ii) the content of the website is available to the public;
    - (iii) the chair controls the times in which a charter school board member or the public participates; and
    - (iv) the chair requires a person to identify himself or herself if the person:
      - (A) participates; or
      - (B) casts a vote as a charter school board member.
- (3) A charter school that conducts an electronic meeting under this section shall:
  - (a) give public notice of the electronic meeting:
    - (i) in accordance with Section 52-4-202; and
    - (ii) by posting written notice at the anchor location as required under Section 52-4-207;
  - (b) in addition to giving public notice required by Subsection (3)(a), provide:

- (i) notice of the electronic meeting to the members of the charter school board at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present;
  - (ii) a description of how the members and the public may be connected to the electronic meeting;
  - (iii) a start and end time for the meeting, which shall be no longer than 5 days; and
  - (iv) a start and end time for when a vote will be taken in an electronic meeting, which shall be no longer than four hours; and
- (c) provide an anchor location.
- (4) The chair shall:
- (a) not allow anyone to participate from the time the notice described in Subsection (3)(b)(iv) is given until the end time for when a vote will be taken; and
  - (b) allow a charter school board member to change a vote until the end time for when a vote will be taken.
- (5) During the time in which a vote may be taken, a charter school board member may not communicate in any way with any person regarding an issue over which the charter school board has jurisdiction.
- (6) A charter school conducting an electronic meeting under this section may not close a meeting as otherwise allowed under this part.
- (7)
- (a) Written minutes shall be kept of an electronic meeting conducted as required in Section 52-4-203.
  - (b)
    - (i) Notwithstanding Section 52-4-203, a recording is not required of an electronic meeting described in Subsection (2)(b).
    - (ii) All of the content of the website shall be kept for an electronic meeting conducted under this section.
  - (c) Written minutes are the official record of action taken at an electronic meeting as required in Section 52-4-203.
- (8)
- (a) A charter school board shall ensure that the website used to conduct an electronic meeting:
    - (i) is secure; and
    - (ii) provides with reasonably certainty the identity of a charter school board member who logs on, adds content, or casts a vote on the website.
  - (b) A person is guilty of a class B misdemeanor if the person falsely identifies himself or herself as required by Subsection (2)(b)(iv).
- (9) Compliance with the provisions of this section by a charter school constitutes full and complete compliance by the public body with the corresponding provisions of Sections 52-4-201 and 52-4-202.

Amended by Chapter 363, 2014 General Session

**52-4-210 Electronic message transmissions.**

Nothing in this chapter shall be construed to restrict a member of a public body from transmitting an electronic message to other members of the public body at a time when the public body is not convened in an open meeting.

Enacted by Chapter 25, 2011 General Session

### Part 3 Enforcement

#### **52-4-301 Disruption of meetings.**

This chapter does not prohibit the removal of any person from a meeting, if the person willfully disrupts the meeting to the extent that orderly conduct is seriously compromised.

Enacted by Chapter 14, 2006 General Session

#### **52-4-302 Suit to void final action -- Limitation -- Exceptions.**

- (1)
  - (a) Any final action taken in violation of Section 52-4-201, 52-4-202, 52-4-207, or 52-4-209 is voidable by a court of competent jurisdiction.
  - (b) A court may not void a final action taken by a public body for failure to comply with the posting written notice requirements under Subsection 52-4-202(3)(a)(i)(B) if:
    - (i) the posting is made for a meeting that is held before April 1, 2009; or
    - (ii)
      - (A) the public body otherwise complies with the provisions of Section 52-4-202; and
      - (B) the failure was a result of unforeseen Internet hosting or communication technology failure.
- (2) Except as provided under Subsection (3), a suit to void final action shall be commenced within 90 days after the date of the action.
- (3) A suit to void final action concerning the issuance of bonds, notes, or other evidences of indebtedness shall be commenced within 30 days after the date of the action.

Amended by Chapter 403, 2012 General Session

#### **52-4-303 Enforcement of chapter -- Suit to compel compliance.**

- (1) The attorney general and county attorneys of the state shall enforce this chapter.
- (2) The attorney general shall, on at least a yearly basis, provide notice to all public bodies that are subject to this chapter of any material changes to the requirements for the conduct of meetings under this chapter.
- (3) A person denied any right under this chapter may commence suit in a court of competent jurisdiction to:
  - (a) compel compliance with or enjoin violations of this chapter; or
  - (b) determine the chapter's applicability to discussions or decisions of a public body.
- (4) The court may award reasonable attorney fees and court costs to a successful plaintiff.

Renumbered and Amended by Chapter 14, 2006 General Session

Amended by Chapter 263, 2006 General Session

#### **52-4-304 Action challenging closed meeting.**

- (1) Notwithstanding the procedure established under Subsection 63G-2-202(7), in any action brought under the authority of this chapter to challenge the legality of a closed meeting held by a public body, the court shall:

- (a) review the recording or written minutes of the closed meeting in camera; and
  - (b) decide the legality of the closed meeting.
- (2)
- (a) If the judge determines that the public body did not violate Section 52-4-204, 52-4-205, or 52-4-206 regarding closed meetings, the judge shall dismiss the case without disclosing or revealing any information from the recording or minutes of the closed meeting.
  - (b) If the judge determines that the public body violated Section 52-4-204, 52-4-205, or 52-4-206 regarding closed meetings, the judge shall publicly disclose or reveal from the recording or minutes of the closed meeting all information about the portion of the meeting that was illegally closed.

Amended by Chapter 382, 2008 General Session

**52-4-305 Criminal penalty for closed meeting violation.**

In addition to any other penalty under this chapter, a member of a public body who knowingly or intentionally violates or who knowingly or intentionally abets or advises a violation of any of the closed meeting provisions of this chapter is guilty of a class B misdemeanor.

Enacted by Chapter 263, 2006 General Session



# ORDINANCE

## NUMBER 15-264

AN ORDINANCE AMENDING SECTION 13-200 OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) AS AMENDED, ("DELTA CITY ORDINANCES") PERTAINING TO THE REGULATION OF ANIMALS AND ANIMAL CONTROL WITHIN DELTA CITY.

The City Council of the City of Delta, Utah (referred to herein as the "City Council"), recites the following as the basis for enacting this Ordinance:

- A. Utah Code Ann. § 10-8-65 and other sections of the Utah Code authorizes Delta City to regulate dogs and other animals within City limits;
- B. The City Council has determined it to be in the best interest of the residents of Delta City to better define what type of animals are allowed to be kept within City limits, the circumstance by which animals should be housed and maintained, and remedies that should be applied for violations of Delta City animal regulations; and
- C. The City Council finds this ordinance to be in the best interest of the public health, safety and welfare of Delta City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Delta, Utah:

Section 1. Adoption of Completely Amended 13-200. Title 13-200 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended in its entirety as shown in **Exhibit A** which is attached to and incorporated in this ordinance.

Section 2. Effective Date. This ordinance shall become effective upon publication.

Section 3. Publication. This ordinance, or a summary thereof, is ordered published in the Millard County Chronicle Progress, a newspaper having general circulation within the city of Delta, Utah.

Section 4. Severability. In the event that any provision of this ordinance less than the entire ordinance is held invalid by a court of competent jurisdiction, this ordinance shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this ordinance.

Section 5. Repeal of Conflicting Ordinances. To the extent that any ordinances, resolutions or policies of the City of Delta conflict with the provisions of this ordinance, it is hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the 15th day of January, 2015, by the following Vote:

	Aye	Nay	Abstain	Absent
Robert W. Banks	_____	_____	_____	_____
Kiley J. Chase	_____	_____	_____	_____
John W. Niles	_____	_____	_____	_____
Steven R. Pratt	_____	_____	_____	_____
Betty J. Western	_____	_____	_____	_____



\_\_\_\_\_  
 GAYLE K. BUNKER  
 MAYOR

\_\_\_\_\_  
 GREGORY JAY SCHAFER, MMC  
 CITY RECORDER

## Exhibit A

### **13-200. ANIMAL CONTROL.**

13-210. ANIMAL CONTROL OFFICER.

13-211. OFFICE OF ANIMAL CONTROL OFFICER CREATED. The position of Animal Control Officer is hereby created.

13-212. DUTIES OF ANIMAL CONTROL OFFICER. The Animal Control Officer shall perform the following duties:

- A. Carry out and enforce the provisions of this chapter.
- B. Take into his possession and impound all strays running at large and dispose of the same as hereinafter provided.
- C. Enforce the licensing and control of all dogs within Delta City as hereinafter provided.
- D. Issue citations against any person, firm or corporation failing to comply with the provisions of this chapter and obtain licenses when required thereunder.
- E. Capture and secure all animals found running at large contrary to the provisions of this chapter and impound such animals in a humane manner.
- F. Provide for a good and sufficient pound in which all animals duly committed to his charge or otherwise impounded by him shall be maintained.
- G. Enter a description thereof in records kept for that purpose stating the kind of animal, the circumstances under which it was received or impounded, and a description thereof sufficient to provide identification, the costs expended for the maintenance of the animal and amounts received arising out of maintenance or sale of animals.

13-213. INTERFERENCE WITH OFFICER PROHIBITED. It shall be unlawful for any person to interfere, molest, hinder or obstruct the Animal Control Officer or any of his authorized representatives in the discharge of their duties as herein prescribed.

13-214. FEES – SERVICES OF ANIMAL CONTROL OFFICER. The Animal Control Officer Shall charge, and the owners of animals taken into his possession for impound disposal or other services shall pay such fees and charges for services performed by the pound or Animal Control Officer as the City Council shall establish from time to time by resolution. All fees received by the Animal Control Officer shall be paid over to the municipal Treasurer.

13-220. CARE AND KEEPING. All pens or enclosures where animals, fowl or reptile are kept and maintained shall be kept free of filth at all times. All manure shall be cleaned regularly from pens and kept in a manure pile that shall be removed at least twice a week. Each pen or enclosure shall be sprayed with a suitable residual spray as often as is necessary to control flies, insects, rodents and noxious odors.

13-221. ANIMALS AT LARGE. No cattle, horses, mules, sheep, goats or swine shall be allowed to run at large or to be herded, picketed or staked out upon any street, sidewalk or other public place within the limits of Delta City, and all such animals so found may be impounded. Nothing herein contained shall be so construed as to prevent any person from driving cows, horses, mules or other animals from outside

municipal limits to any enclosure within the municipal limits or from any enclosure in Delta City to a place outside Delta City or from one enclosure to another within limits of Delta City.

- 13-222. ABANDONMENT: It shall be unlawful for any person to abandon or turnout at large any sick, diseased, or disabled animal, but such animal shall when rendered useless by reason of sickness or other disability, be humanely killed by the owner thereof and its carcass disposed of in such manner as to create no nuisance or hazard to health.
- 13-223. TRESPASSING ANIMALS AND FOWL. It shall be unlawful for any owner or caretaker of any domestic fowl or animal to permit such fowl or animal to trespass upon the premises of another person. The owner of any animal so allowed to trespass shall be guilty of an infraction.
- 13-224. KILLIG OR POISONING PROHIBITED. It shall be unlawful for any person willfully to kill any domestic animal by administering poison to any such animal or to expose any poisonous substance with the intent that it shall be taken by any such animal.
- 13-225. DEAD ANIMALS. The owner of any animal or fowl that has died or been killed shall remove or bury the carcass of such animal within ten hours after its death, provided that no horse, cow, ox or other animal shall be buried within the closely-inhabited portions of Delta City. A violation of this section is a Class "C" misdemeanor.
- 13-226. DISEASED ANIMALS. It is a Class "C" misdemeanor for any person to bring into Delta City for sale or have in his possession with intent to sell or offer for sale, any animal which has a communicable disease or which has been exposed to or which is liable to carry infection from a communicable disease.
- 13-227. SALE OF DISEASED ANIMALS. It is a Class "C" misdemeanor for any person to bring into Delta City for sale or to sell, or offer for sale any cattle, sheep, swine, fish, game, fowl or poultry which are diseased, unsound and unwholesome or which are for any other reason unfit for human food.
- 13-228. REPORTING OF RABID ANIMALS. Anyone having knowledge of the whereabouts of an animal known to have or suspected of having rabies shall report the fact immediately to the municipal health officer or Delta City police. The health officer or police shall likewise be notified of any person or animal bitten by a rabid or suspected rabid animal.
- 13-229. BITING ANIMAL QUARANTINED FOR OBSERVATION. Any dog or other animal of a species subject to rabies which is known to have bitten or injured any person so as to cause an abrasion of the skin shall be placed in confinement under observation of a veterinary hospital or the municipal pound and shall not be killed or released until at least 14 days after the biting or injury has occurred in order to determine whether or not the animal has rabies. If the animal dies or has been killed, its head shall be removed and immediately taken to the state health laboratory to be examined for rabies.
- 13-230. RABIES CONTACTS QUARANTINED. Any animal or a species subject to rabies which has been bitted by a known rabid animal or has been in intimate contact with a rabid animal shall be isolated in a suitable place approved by the Animal Control Officer for a period of 120 days or destroyed.
- 13-231. UNLAWFUL ACTS. It shall be unlawful for any person to:
- A. Overdrive, overload, drive when overloaded, overwork, torture, cruelly beat, mutilate, carry or transport in any vehicle or other conveyance in a cruel and inhuman manner, any animal or cause any of these acts to be done.
  - B. Fail to provide any animal in his charge or custody with necessary sustenance, drink and protection from the elements or cause any of these acts to be done.

- C. Maintain any place where fowls or any animals are suffered to fight upon exhibition or for sport upon any wager.

13-240. PROVISIONS SPECIFICALLY APPLICABLE TO DOGS.

13-241. DEFINITIONS. As used in this ordinance, unless the context otherwise indicates, the following words shall mean:

- A. "Dog" shall mean any male or female dog of any age.
- B. "Unlicensed dog" is hereby defined and declared to mean a dog for which the license for the current year has not been paid, or to which the tag provided for in this part is not attached.
- C. "Owner," when applied to the proprietorship of a dog, shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.
- D. The term "at large" shall be intended to mean off the premises of the owner and not under the control of the owner, a member of his immediate family or his agent either by leash, cord, chain or otherwise.
- E. "Pound" shall mean an animal shelter, lot, premises or buildings maintained by or authorized or employed by Delta City for the confinement or care of dogs seized either under the provision of this chapter or otherwise.
- F. "Impounded" shall mean having been received into the custody of the municipal pound or into the custody of any authorized agent or representative of Delta City.
- G. "Vicious dog" shall be any dog that fits the definitions of 13-271.
- H. "Animal Control Officer" shall mean the custodian selected by the City Council to be responsible for the operation of the dog pound.

13-242. LICENSE AND REGISTRATION REQUIRED.

- A. It is unlawful for any person to keep, harbor or maintain any dog six (6) or more months old unless such dog has been registered and licensed in the manner herein provided.
- B. Application for registration and licensing shall be made to the Treasurer or such other person as the City Council may authorize to receive such applications.
- C. A dog license shall be issued by the Treasurer or such other person as the City Council may authorize.
- D. No dog license shall be issued by Delta City until the fee required herein is paid. All fees for dog or other animal licenses, including delinquency fees and due dates, shall be set out and assessed pursuant to the Delta City Consolidated Fee Schedule.
- F. Anyone owning, keeping, harboring or maintaining three or more dogs over the age of three months shall be considered operating a dog kennel and shall be required to pay an annual kennel license fee as set by resolution.
- G. The owner shall state at the time application is made for such license, his name and address and the sex, breed and color of each dog owned or kept by him. The license fee shall cover the

calendar year in which the license was issued, expiring on the 31<sup>st</sup> day of January following the year of issuance, regardless of the date when issued.

- H. The provisions of this section shall not be intended to apply to dogs whose owners are nonresidents temporarily brought within Delta City; nor to dogs brought to Delta City for the purpose of participating in any dog show, nor to commercial kennels.
- I. Dogs used as guides for blind persons and commonly known as Seeing Eye dogs shall be licensed and registered as other dogs hereinabove provided; except that the owner or keeper of such dog shall not be required to pay any fee therefor.

13-243. TAG AND COLLAR. Upon payment of the license fee, the Treasurer shall issue to the owner a payment receipt and a metallic tag for each dog so licensed. The tag shall be changed every year and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the receipt. Every dog owner, except those operating a kennel, shall provide each dog with a collar to which the license tag shall be affixed, and shall see that the collar and tag are worn constantly. In case a dog tag is lost or destroyed, a duplicate will be issued by the Treasurer upon presentation of a receipt showing the payment of the license fee for the current year and the payment set by resolution for such duplicate tag. Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving Delta City before expiration of the license period. It shall be unlawful to deprive a licensed dog of its collar and/or tag.

13-244. RUNNING AT LARGE PROHIBITED.

- A. It shall be an infraction for the owner or keeper of any dog to permit such dog to run at large.
- B. It shall be an infraction for an owner of a dog to permit such dog to go upon or be upon the private property of any person without the permission of the owner or person entitled to the possession of such private property.
- C. The owner or custodian of any dog running at large shall be deemed in violation of this section regardless of the precautions taken to prevent the escape of the dog and to prohibit it from running at large.
- D. Any dog running at large in violation of the provisions of this section is hereby declared to be a nuisance and a menace to the public health and safety, and the dog shall be taken up and impounded as provided herein.

13-244.B. ESTABLISHING RULES FOR ALLOWING DOGS IN THE DELTA CITY PARK ("CITY PARK") AND PROHIBITING DOGS IN THE CITY PARK ON THE FOURTH DAY OF JULY EACH YEAR OR ANY OTHER DAY ON WHICH THE FOURTH OF JULY HOLIDAY IS CELEBRATED.

Section 1. Regulation of Dogs in the City Park.

- a. It shall be an infraction for any person to bring, permit or allow any dog into the Delta City Park, except when under the control of the person and on a leash that does not exceed ten (10') feet in length.
- b. It shall be an infraction for any person to bring, permit or allow any dog into the Delta City Park unless such person shall immediately remove any excrement deposited by the dog from the park or dispose of it in an appropriate trash receptacle.

- c. It shall be an infraction for any person to bring, permit or allow a dog into the Delta City Park on the fourth (4<sup>th</sup>) day of July of each calendar year or any other day on which the Fourth of July holiday is celebrated.

- 13-245. FEMALE IN HEAT. The owner of a female dog in heat shall cause such dog to be penned or enclosed in such a manner as to preclude other dogs from attacking such female dog or being attracted to such female dog so as to create a public nuisance.
- 13-246. STRAYS. It shall be unlawful for any person to harbor or keep within Delta City any lost or strayed dog. Whenever any dog shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the City Recorder or Animal Control Officer who shall impound the dogs for running at large contrary to the terms of this part. If there shall be attached to such dog a license tag for the then current fiscal year, the Animal Control Officer shall notify the person to whom such licensed was issued, at the address given in the license.
- 13-247. RABIES. Every owner of any dog over the age of six months within Delta City shall have the dog vaccinated against rabies by a duly licensed veterinarian, shall secure from the veterinarian a certificate thereof, and shall attach to the collar or harness which such person is hereby required to place upon the dog, a tag showing that such vaccination has been done, provided that the City Council may, by resolution provide that the owners of any dog may themselves purchase serum and vaccinate their own dogs. The resolution shall also prescribe the conditions with which the owner must comply to obtain the tag hereinafter required.
- 13-248. DOGS REQUIRED TO HAVE RABIES SHOT. It shall be unlawful for the owner of any dog to suffer, allow or permit such dog to be or go upon any sidewalk, street, alley, public place or square within Delta City without first having had such dog vaccinated against rabies as above provided within the past two years, and without there being on such dog a collar or harness with a license tag thereon showing that such dog has been so vaccinated.
- 13-249. DOGS WHICH DISTURB NEIGHBORHOOD. No person, persons, firm or corporation will own, keep or harbor any dog which by loud, continued or frequent barking, howling, yelping or by noxious or offensive odors shall annoy, disturb or endanger the health and welfare of any person or neighborhood. A violation this section shall be a Class "C" misdemeanor and such is hereby declared to be a nuisance, and each day a violation is permitted to exist or continue shall constitute a separate offense. This section shall not apply to the municipal dog pound, veterinary hospitals or medical laboratories.
- 13-251. IMPOUND FACILITES. The City Council may contract with a veterinarian or some other humane person as Pound Master, or with the county for the purpose of providing suitable premises and facilities to be used by Delta City as the dog pound. It shall be maintained in some convenient location and shall be sanitary and so operated as to properly feed, water and protect the dogs from injury.
- 13-252. IMPOUNDING. It shall be the duty of every authorized law enforcement official or other designated official to apprehend any animal found running at large and to impound such animal in the pound or other suitable place. The Animal Control Officer or some other designated official, upon receiving any dog, shall make a complete registry, entering the breed, color and sex of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and number of the license.
- 13-253. RECORD OF IMPOUNDING ANIMALS. The Animal Control Officer shall keep a record of each animal impounded by him, the date of receipt of such animal, the date and manner of its disposal and if redeemed, reclaimed, or purchased, the address of such person, the amounts of all fees received or collected for or because of the impounding, reclaiming or purchasing thereof, together with the number of any tag and the date of any tag exhibited or issued upon the redemption or sale of such animal.

13-254. REDEMPTION OF IMPOUNDED ANIMALS. Any animal impounded as a licensed or unlicensed dog may be redeemed and taken from such pound by the owner or any authorized person, upon exhibiting to the supervisor or person having charge of said pound, a receipt as provided in section 13-252, showing that the license imposed by this part has been paid for such dog and upon payment the person in charge of the pound an impounding fee as set by resolution for each and every day such dog shall have been impounded or such other amounts as may be set by resolution of the City Council. All impounded animals which are not estrays and not redeemed within five days may be euthanized.

13-255. DISPOSITION OF UNCLAIMED AND INFECTED ANIMALS. All impounded animals which are not estrays and not redeemed within five days of the date of impounding may be destroyed or sold to the person first making written request for purchase at such price as may be deemed agreeable. In the case of animals severely injured or having contagious disease other than rabies and which in the Pound Master's judgment are suffering and for which recovery is doubtful, the Pound Master may destroy the dog without awaiting the five-day period.

13-256. INTERFERENCE WITH IMPOUNDING PROHIBITED. It shall be unlawful for any person to hinder, delay, interfere with or obstruct the Animal Control Officer or any of his assistants while engaging in capturing, securing or taking to the dog pound any dog or dogs required to be impounded, or to break open or in any manner directly or indirectly aid, counsel or advise the breaking open of any dog pound or vehicle used for the collecting or conveying of dogs to the dog pound.

13-260. ESTRAYS.

13-261. IMPOUNDING AND DISPOSAL OF ESTRAYS, GENERALLY. It is hereby made the duty of the Animal Control Officer to take into his possession and impound all animals running at large, and to dispose of the same as hereinafter provided. Whenever the word "estrays" appears in this part, it is defined to mean any valuable animal, except dogs or cats, not wild, found wandering from its owner.

13-262. NOTICE OF SALE OF ESTRAYS. Within seven days after an estray shall come into the possession of the Animal Control Officer, he shall advertise the same in a newspaper published in and having general circulation in the county by publishing a notice in at least one issue of the newspaper, and by posting notices for a period of ten days at three public places in the City of Delta, one of which places shall be at or near the post office. He shall immediately deliver a copy of such notice to the City C. The notice herein provided for shall contain a description of the animals, including all marks and brands, when taken, and the day, hour and place of sale, and may be substantially in the following form:

NOTICE

State of Utah, County of Millard, In the City of Delta,

I have in my possession the following described estray animals, which, if not claimed and taken away, will be sold at public auction to the highest cash bidder at the municipal pound in the City of Delta, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at the hour of \_\_\_\_\_:

(Description of animals)

The strays were taken up by me in the City of Delta on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Delta City Animal Control Officer

13-263. RETURN TO OWNER ON PAYMENT OF COSTS – SALE. If at any time before the sale of any estrays, such animals shall be claimed and proved to be the property of any person, the Animal Control Officer shall release them to the owner upon receiving from him the cost of impounding, keeping and

advertising the same. If the animals are not so claimed and taken away, he shall, at the time and place mentioned in the notice, proceed to sell the same, one at a time, to the highest cash bidder, and shall execute and deliver a bill of sale transferring said animals to the purchaser or purchasers thereof, which bill of sale shall be substantially in the following form:

I hereby certify that in pursuance of the law regulating the disposal of strays; I have this day sold to \_\_\_\_\_ for the sum of \$\_\_\_\_\_, he/she being the highest bidder, \_\_\_\_\_ head of \_\_\_\_\_ branded with the municipality stray brand and otherwise described as follows, to-wit:

(Description of Animals)

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Delta City Animal Control Officer, State of Utah

The Animal Control Officer shall immediately file a copy of such bill of sale with the City Clerk. Such bill of sale shall transfer and vest in such purchaser the full title to the animals thus sold.

13-264. RECORD OF ESTRAYS. The Animal Control Officer shall keep an accurate record of all strays received by him, their estimated age, color, sex, marks and brands, the time and place of taking and the expense of keeping and selling the same, all animals claimed and taken away, all animals sold and to whom sold and the amount paid, all moneys paid to owners after sale, all moneys paid into the treasury, and all other matters necessary to a compliance with the provisions of this part. The City Council shall provide the Animal Control Officer with a suitable book in which shall be entered the records required by law to be kept by the Animal Control Officer. Such records shall be open to the inspection of the public at all reasonable hours, and shall be deposited by the Animal Control Officer with his successor in office.

13-270. VICIOUS AND DANGEROUS ANIMALS.

13-271. DEFINITIONS. As used in this ordinance, unless the context otherwise indicates, the following words shall mean:

- A. "Confined on Premises" shall mean The condition in which an animal is securely and physically confined and restrained on and within the premises of the owner by means of walls, fences, rope, chain, leash or other devices of the strength and size as to physically prevent the animal from leaving the premises, and to physically prevent the animal from causing physical injury to persons or other animals which are off the premises on which the confined animal is located.
- B. "Dangerous Animal" An animal that, without provocation, has chased or approached in either a menacing fashion or in an apparent attitude of attack or has attempted to bite or otherwise endanger any person or other animal while the animal alleged to be dangerous is off the premises of the owner or while the animal is not physically restrained or confined on the premises. Dangerous Animal does not include a police dog while the police dog is being used to assist law enforcement officers in the performance of their duty.
- C. "Diseased Animal" An animal believed to be infected with a dangerous or communicable disease.
- D. "Menacing Fashion" An animal that would cause any person observing the animal to reasonably believe that the animal will cause physical injury to persons or other animals.
- E. "Vicious Animal"

1. An animal that, without provocation, has killed or caused physical injury to any person or has killed or caused physical injury to another animal.
  2. Vicious Animal does not include a police dog while the police dog is being used to assist law enforcement officers in the performance of their official duties and where any injury inflicted by the police dog was reasonably related to the duties being performed.
- F. "Without Provocation" An animal was not teased, tormented or abused and also means where the animal was not protecting its owner or owner's property from criminal activity by a perpetrator of a crime.

#### 13-272. VIOLATION

- A. It shall be unlawful for any person to own, possess or bring into Delta City a vicious, dangerous, or diseased animal within Delta City, except as may be permitted in this section. Violation of this sections is a Class "B" misdemeanor.
- B. Whenever a prosecution for this offense is commenced under this section, the animal so involved shall be impounded and may not be redeemed, pursuant to the provisions of this part, while awaiting final decision of the court as to the disposition to be made of such animal.
- C. Upon the trial of any offense under this part, the court may,
  1. upon the conviction and in addition to the usual judgment of conviction, order authorized personnel of Delta City to put the animal to death or may order such other disposition of the animal as will protect the inhabitants of Delta City.
  2. The court may also order restitution in favor of Delta City for all costs incurred by Delta City for impounding, caring for, and euthanizing the animal.

#### 13-280. WILD OR EXOTIC ANIMALS

13-281. DEFINITIONS. As used in this ordinance, unless the context otherwise indicates, the following words shall mean:

- A. "Wild or Exotic Animal" means any animal which is not commonly domesticated, or which is not native to North America, or which, irrespective of geographic origin, is of a wild or predatory nature, or any other animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life, health or property if not kept, maintained or confined in a safe and secure manner, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated effectively for rabies. Those animals, however domesticated, shall include, but are not limited to:
  1. Alligators and crocodiles;
  2. Bears (Ursidae): All bears, including grizzly bears, brown bears, and black bears;
  3. Cat Family (Felidae): All except the commonly accepted domesticated cats, and including cheetahs, cougars, leopards, lions, lynx, panthers, mountain lions, bobcats, tigers and wildcats;
  4. Dog Family (Canidae): All except domesticated dogs, and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo and part dingo;

5. Porcupines (Erethizontidae);
6. Primate (Hominidae): All subhuman primates;
7. Raccoon (Prosynnidae): All raccoons, including eastern raccoons, desert raccoons and ring-tailed cats;
8. Skunks;
9. Fish: Venomous, Oscar, and Parana;
10. Snakes or Lizards: Venomous snakes, Pythons, and lizards;
11. Weasels (Mustelidae): All, including weasels, martins, wolverines, ferrets, badgers, otters, ermine, mink and mongoose, except that the possession of such animals shall not be prohibited when raised commercially for their pelts. If such animal is being raised commercially for its pelt, then the animal shall be kept in a condition in which the animal is securely and physically confined and restrained on and within the premises of the owner by means of walls, fences, rope, chain, leash or other device of the strength and size as to physically prevent the animal from leaving the premises, and to physically prevent the animal from causing physical injury to persons or other animals which are off the premises on which the confined animal is located.

13-282. LIMITATION ON POSSESSION OF EXOTIC OR WILD ANIMALS.

- A. It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor, temporarily house or purchase any wild animal as defined in 13-281 of this chapter, or its successor; except, an animal shelter, a zoological park, veterinary hospital, humane society shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific purposes may keep such an animal if protective devices adequate to prevent such animal from escaping or injuring the public are provided and an appropriate permit is obtained.
- B. City residents who own a "wild or exotic" animals as described in 13-281 prior to the enactment of this chapter, may be permitted to keep the animal subject to the owner obtaining all necessary vaccinations, permits, and licenses, including any required license with the Utah Division of Wildlife Resources; taking the necessary precautions of owning such animal, such as keeping it contained upon the property; and obtaining prior approval from the Delta City Council. If the city resident's wild, exotic or dangerous animal is "grandfathered in" under this provision, the city resident, upon the death or termination of ownership of the resident's wild, exotic or dangerous animal is not allowed to obtain any subsequent wild or exotic animal pursuant to the exception placed upon the resident's "grandfathered" animal. Such exception to this chapter terminates at the time of death or termination of ownership of the "grandfathered" animal or owner of the "grandfathered" animal.

13-283 PUNISHMENT/ENFORCMENT.

- A. Violation of the provisions of this chapter shall constitute a Class "B" misdemeanor and shall be punishable as such. Every day that a party is in violation of this chapter shall constitute a separate violation. The time period for the violation begins when the person is cited for the violation.
- B. The Animal Control Officer or otherwise authorized official has the authority to seize an animal defined in 13-281, where the owner of such animal does not meet one of the

exceptions to 13-282. The animal control officer or otherwise authorized official shall then provide notice to the owner, as can be reasonably determined, that the owner must retrieve the animal within six days of the seizure of the animal. Upon retrieval of said animal, the owner must remove the animal outside of Delta City limits. Said animal must be removed from Delta City limits on the day of retrieval, and each successive day, thereafter, shall constitute a separate offense to this chapter and the person allowing or permitting the continuation of said violation may be punished for each separate offense. Removed animals must remain, at all times, outside of Delta City limits. If the owner does not claim the animal within the six-day time period, the animal may, at the discretion of the Animal Control Officer, may be destroyed or removed. In addition, the owner of such animal in violation of this chapter shall be responsible for all reasonable costs associated with seizing, housing, feeding, and destroying or removing such animal.

## Exhibit A

### 13-200. ANIMAL CONTROL.

13-210. ANIMAL CONTROL OFFICER.

13-211. OFFICE OF ANIMAL CONTROL OFFICER CREATED. The position of Animal Control Officer is hereby created.

13-212. DUTIES OF ANIMAL CONTROL OFFICER. The Animal Control Officer shall perform the following duties:

- A. Carry out and enforce the provisions of this chapter.
- B. Take into his possession and impound all strays running at large and dispose of the same as hereinafter provided.
- C. Enforce the licensing and control of all dogs within Delta City as hereinafter provided.
- D. Issue citations against any person, firm or corporation failing to comply with the provisions of this chapter and obtain licenses when required thereunder.
- E. Capture and secure all ~~dogs~~animals found running at large contrary to the provisions of this chapter and impound such ~~dogs~~animals in a humane manner.
- F. Provide for a good and sufficient pound in which all animals duly committed to his charge or otherwise impounded by him shall be maintained.
- G. Enter a description thereof in records kept for that purpose stating the kind of animal, the circumstances under which it was received or impounded, and a description thereof sufficient to provide identification, the costs expended for the maintenance of the animal and amounts received arising out of maintenance or sale of animals.

13-213. INTERFERENCE WITH OFFICER PROHIBITED. It shall be unlawful for any person to interfere, molest, hinder or obstruct the Animal Control Officer or any of his authorized representatives in the discharge of their duties as herein prescribed.

13-214. FEES – SERVICES OF ANIMAL CONTROL OFFICER. The Animal Control Officer Shall charge, and the owners of animals taken into his possession for impound disposal or other services shall pay such fees and charges for services performed by the pound or Animal Control Officer as the City Council shall establish from time to time by resolution. All fees received by the Animal Control Officer shall be paid over to the municipal Treasurer.

13-220. CARE AND KEEPING. All pens or enclosures where animals, fowl or reptile are kept and maintained shall be kept free of filth at all times. All manure shall be cleaned regularly from pens and kept in a manure pile that shall be removed at least twice a week. Each pen or enclosure shall be sprayed with a suitable residual spray as often as is necessary to control flies, insects, rodents and noxious odors.

13-221. ANIMALS AT LARGE. No cattle, horses, mules, sheep, goats or swine shall be allowed to run at large or to be herded, picketed or staked out upon any street, sidewalk or other public place within the limits of Delta City, and all such animals so found may be impounded. Nothing herein contained shall be so construed as to prevent any person from driving cows, horses, mules or other animals from outside municipal limits to any enclosure within the municipal limits or from any enclosure in Delta City to a place outside Delta City or from one enclosure to another within limits of Delta City.

- 13-222. ABANDONMENT: It shall be unlawful for any person to abandon or turnout at large any sick, diseased, or disabled animal, but such animal shall when rendered useless by reason of sickness or other disability, be humanely killed by the owner thereof and its carcass disposed of in such manner as to create no nuisance or hazard to health.
- 13-223. TRESPASSING ANIMALS AND FOWL. It shall be unlawful for any owner or caretaker of any domestic fowl or animal to permit such fowl or animal to trespass upon the premises of another person. The owner of any animal so allowed to trespass shall be guilty of an infraction.
- 13-224. KILLIG OR POISONING PROHIBITED. It shall be unlawful for any person willfully to kill any domestic animal by administering poison to any such animal or to expose any poisonous substance with the intent that it shall be taken by any such animal.
- 13-225. DEAD ANIMALS. The owner of any animal or fowl that has died or been killed shall remove or bury the carcass of such animal within ten hours after its death, provided that no horse, cow, ox or other animal shall be buried within the closely-inhabited portions of Delta City. A violation of this section is a Class "C" misdemeanor.
- 13-226. DISEASED ANIMALS. It is a Class "C" misdemeanor for any person to bring into Delta City for sale or have in his possession with intent to sell or offer for sale, any animal which has a communicable disease or which has been exposed to or which is liable to carry infection from a communicable disease.
- 13-227. SALE OF DISEASED ANIMALS. It is a Class "C" misdemeanor for any person to bring into Delta City for sale or to sell, or offer for sale any cattle, sheep, swine, fish, game, fowl or poultry which are diseased, unsound and unwholesome or which are for any other reason unfit for human food.
- 13-228. REPORTING OF RABID ANIMALS. Anyone having knowledge of the whereabouts of an animal known to have or suspected of having rabies shall report the fact immediately to the municipal health officer or Delta City police. The health officer or police shall likewise be notified of any person or animal bitten by a rabid or suspected rabid animal.
- 13-229. BITING ANIMAL QUARANTINED FOR OBSERVATION. Any dog or other animal of a species subject to rabies which is known to have bitten or injured any person so as to cause an abrasion of the skin shall be placed in confinement under observation of a veterinary hospital or the municipal pound and shall not be killed or released until at least 14 days after the biting or injury has occurred in order to determine whether or not the animal has rabies. If the animal dies or has been killed, its head shall be removed and immediately taken to the state health laboratory to be examined for rabies.
- 13-230. RABIES CONTACTS QUARANTINED. Any animal or a species subject to rabies which has been bitten by a known rabid animal or has been in intimate contact with a rabid animal shall be isolated in a suitable place approved by the Animal Control Officer for a period of 120 days or destroyed.
- 13-231. UNLAWFUL ACTS. It shall be unlawful for any person to:
- A. Overdrive, overload, drive when overloaded, overwork, torture, cruelly beat, mutilate, carry or transport in any vehicle or other conveyance in a cruel and inhuman manner, any animal or cause any of these acts to be done.
  - B. Fail to provide any animal in his charge or custody with necessary sustenance, drink and protection from the elements or cause any of these acts to be done.
  - C. Maintain any place where fowls or any animals are suffered to fight upon exhibition or for sport upon any wager.

13-240. PROVISIONS SPECIFICALLY APPLICABLE TO DOGS.

13-241. DEFINITIONS. As used in this ordinance, unless the context otherwise indicates, the following words shall mean:

- A. "Dog" shall mean any male or female dog of any age.
- B. "Unlicensed dog" is hereby defined and declared to mean a dog for which the license for the current year has not been paid, or to which the tag provided for in this part is not attached.
- C. "Owner," when applied to the proprietorship of a dog, shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.
- D. The term "at large" shall be intended to mean off the premises of the owner and not under the control of the owner, a member of his immediate family or his agent either by leash, cord, chain or otherwise.
- E. "Pound" shall mean an animal shelter, lot, premises or buildings maintained by or authorized or employed by Delta City for the confinement or care of dogs seized either under the provision of this chapter or otherwise.
- F. "Impounded" shall mean having been received into the custody of the municipal pound or into the custody of any authorized agent or representative of Delta City.
- G. "Vicious dog" shall be ~~any dog that fits the definitions of 13-271.~~ ~~means a dog that has bitten a person without provocation or a dog that has a known propensity to attack or bite human beings.~~
- H. "Animal Control Officer" shall mean the custodian selected by the City Council to be responsible for the operation of the dog pound.

13-242. LICENSE AND REGISTRATION REQUIRED.

- A. It is unlawful for any person to keep, harbor or maintain any dog six (6) or more months old unless such dog has been registered and licensed in the manner herein provided.
- B. Application for registration and licensing shall be made to the Treasurer or such other person as the City Council may authorize to receive such applications.
- C. A dog license shall be issued by the Treasurer or such other person as the City Council may authorize.
- D. No dog license shall be issued by Delta City until the fee required herein is paid. Until otherwise changed by resolution of the City Council, the following fee shall be charged:
  - 1. Each spayed female \$5.00
  - 2. Each neutered male \$5.00
  - 3. Each non-spayed female \$10.00
  - 4. Each non-neutered male \$10.00

- E. The fee due and payable shall be due February 1 and shall be delinquent after March 1 of each year. A penalty of 25 percent shall be added to delinquent payments.
- F. Anyone owning, keeping, harboring or maintaining three or more dogs over the age of three months shall be considered operating a dog kennel and shall be required to pay an annual kennel license fee as set by resolution.
- G. The owner shall state at the time application is made for such license, his name and address and the sex, breed and color of each dog owned or kept by him. The license fee shall cover the calendar year in which the license was issued, expiring on the 31<sup>st</sup> day of January following the year of issuance, regardless of the date when issued.
- H. The provisions of this section shall not be intended to apply to dogs whose owners are nonresidents temporarily brought within Delta City; nor to dogs brought to Delta City for the purpose of participating in any dog show, nor to commercial kennels.
- I. Dogs used as guides for blind persons and commonly known as Seeing Eye dogs shall be licensed and registered as other dogs hereinabove provided; except that the owner or keeper of such dog shall not be required to pay any fee therefor.

13-243. TAG AND COLLAR. Upon payment of the license fee, the Treasurer shall issue to the owner a payment receipt and a metallic tag for each dog so licensed. The tag shall be changed every year and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the receipt. Every dog owner, except those operating a kennel, shall provide each dog with a collar to which the license tag shall be affixed, and shall see that the collar and tag are worn constantly. In case a dog tag is lost or destroyed, a duplicate will be issued by the Treasurer upon presentation of a receipt showing the payment of the license fee for the current year and the payment set by resolution for such duplicate tag. Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving Delta City before expiration of the license period. It shall be unlawful to deprive a licensed dog of its collar and/or tag.

13-244. RUNNING AT LARGE PROHIBITED.

- A. It shall be an infraction for the owner or keeper of any dog to permit such dog to run at large.
- B. It shall be an infraction for an owner of a dog to permit such dog to go upon or be upon the private property of any person without the permission of the owner or person entitled to the possession of such private property.
- C. The owner or custodian of any dog running at large shall be deemed in violation of this section regardless of the precautions taken to prevent the escape of the dog and to prohibit it from running at large.
- D. Any dog running at large in violation of the provisions of this section is hereby declared to be a nuisance and a menace to the public health and safety, and the dog shall be taken up and impounded as provided herein.

13-244.B. ESTABLISHING RULES FOR ALLOWING DOGS IN THE DELTA CITY PARK ("CITY PARK") AND PROHIBITING DOGS IN THE CITY PARK ON THE FOURTH DAY OF JULY EACH YEAR OR ANY OTHER DAY ON WHICH THE FOURTH OF JULY HOLIDAY IS CELEBRATED.

Section 1. Regulation of Dogs in the City Park.

- a. It shall be an infraction for any person to bring, permit or allow any dog into the Delta City Park, except when under the control of the person and on a leash that does not exceed ten (10') feet in length.
- b. It shall be an infraction for any person to bring, permit or allow any dog into the Delta City Park unless such person shall immediately remove any excrement deposited by the dog from the park or dispose of it in an appropriate trash receptacle.
- c. It shall be an infraction for any person to bring, permit or allow a dog into the Delta City Park on the fourth (4<sup>th</sup>) day of July of each calendar year or any other day on which the Fourth of July holiday is celebrated.

13-245. FEMALE IN HEAT. The owner of a female dog in heat shall cause such dog to be penned or enclosed in such a manner as to preclude other dogs from attacking such female dog or being attracted to such female dog so as to create a public nuisance.

13-246. STRAYS. It shall be unlawful for any person to harbor or keep within Delta City any lost or strayed dog. Whenever any dog shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the City Recorder or Animal Control Officer who shall impound the dogs for running at large contrary to the terms of this part. If there shall be attached to such dog a license tag for the then current fiscal year, the Animal Control Officer shall notify the person to whom such licensed was issued, at the address given in the license.

13-247. RABIES. Every owner of any dog over the age of six months within Delta City shall have the dog vaccinated against rabies by a duly licensed veterinarian, shall secure from the veterinarian a certificate thereof, and shall attach to the collar or harness which such person is hereby required to place upon the dog, a tag showing that such vaccination has been done, provided that the City Council may, by resolution provide that the owners of any dog may themselves purchase serum and vaccinate their own dogs. The resolution shall also prescribe the conditions with which the owner must comply to obtain the tag hereinafter required.

13-248. DOGS REQUIRED TO HAVE RABIES SHOT. It shall be unlawful for the owner of any dog to suffer, allow or permit such dog to be or go upon any sidewalk, street, alley, public place or square within Delta City without first having had such dog vaccinated against rabies as above provided within the past two years, and without there being on such dog a collar or harness with a license tag thereon showing that such dog has been so vaccinated.

13-249. DOGS WHICH DISTURB NEIGHBORHOOD. No person, persons, firm or corporation will own, keep or harbor any dog which by loud, continued or frequent barking, howling, yelping or by noxious or offensive odors shall annoy, disturb or endanger the health and welfare of any person or neighborhood. A violation this section shall be a Class "C" misdemeanor and such is hereby declared to be a nuisance, and each day a violation is permitted to exist or continue shall constitute a separate offense. This section shall not apply to the municipal dog pound, veterinary hospitals or medical laboratories.

~~13-250. VICIOUS ANIMALS — SPECIAL PROVISIONS.~~

~~A. — It shall be unlawful for any person to own and possess a vicious dog within Delta City.— Whenever a prosecution for this offense is commenced under this section, the dog so involved shall be impounded and may not be redeemed, pursuant to the provisions of this part, while awaiting final decision of the court as to the disposition to be made of such dog.~~

~~1. — B. — Upon the trial of any offense under this part, the court may, upon the conviction and in addition to — the usual judgment of conviction, order authorized—~~

~~personnel of Delta City to put the dog to death \_\_\_\_\_ or may order such other disposition of the dog as will protect the inhabitants of Delta City.~~

- 13-251. ~~DOG IMPOUND FACILITIES. POUND.~~—The City Council may contract with a veterinarian or some other humane person as ~~\_\_\_\_\_~~ Pound Master, or with the county for the purpose of providing suitable premises and facilities to be used by Delta City as the dog pound. It shall be maintained in some convenient location and shall be sanitary and so operated as to properly feed, water and protect the dogs from injury.
- 13-252. IMPOUNDING. It shall be the duty of every authorized law enforcement official or other designated official to apprehend any ~~dog animal~~ found running at large, ~~not wearing a tag or which is in violation of this part~~ and to impound such ~~dog animal~~ in the pound or other suitable place. The Animal Control Officer or some other designated official, upon receiving any dog, shall make a complete registry, entering the breed, color and sex of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and number of the license.
- 13-253. RECORD OF IMPOUNDING ANIMALS. The Animal Control Officer shall keep a record of each animal ~~—~~impounded by him, the date of receipt of such animal, the date and manner of its disposal and if redeemed, reclaimed, or purchased, the address of such person, the amounts of all fees received or collected for or because of the impounding, reclaiming or purchasing thereof, together with the number of any tag and the date of any tag exhibited or issued upon the redemption or sale of such animal.
- 13-254. REDEMPTION OF IMPOUNDED ~~ANIMALS~~DOGS. Any ~~dog animal~~ impounded as a licensed or unlicensed dog may be ~~\_\_\_\_\_~~ redeemed and taken from such pound by the owner or any authorized person, upon exhibiting to the ~~\_\_\_\_\_~~ supervisor or person having charge of said pound, a receipt as provided in section 13-252, showing that the ~~\_\_\_\_\_~~ license imposed by this part has been paid for such dog and upon payment the person in charge of the ~~\_\_\_\_\_~~ pound an impounding fee as set by resolution for each and every day such dog shall have been impounded ~~\_\_\_\_\_~~ or such other amounts as may be set by resolution of the City Council. All impounded ~~dogs animals which are not estrays and~~ not redeemed within five days shall may be euthanized.
- 13-255. DISPOSITION OF UNCLAIMED AND INFECTED ~~DOGS~~ANIMALS. All impounded ~~dogs animals which are not estrays and~~ not redeemed within five days of the date of impounding may be destroyed or sold to the person first making written request for purchase at such price as may be deemed agreeable. In the case of ~~dogs animals~~ severely injured or having contagious disease other than rabies and which in the ~~p~~Pound ~~m~~Master's judgment are suffering and for which recovery is doubtful, the ~~p~~Pound ~~m~~Master may destroy the dog without awaiting the five-day period.
- 13-256. INTERFERENCE WITH IMPOUNDING PROHIBITED. It shall be unlawful for any person to hinder, delay, interfere with or obstruct the Animal Control Officer or any of his assistants while engaging in capturing, securing or taking to the dog pound any dog or dogs required to be impounded, or to break open or in any manner directly or indirectly aid, counsel or advise the breaking open of any dog pound or vehicle used for the collecting or conveying of dogs to the dog pound.
- 13-260. ESTRAYS.
- 13-261. IMPOUNDING AND DISPOSAL OF ESTRAYS, GENERALLY. It is hereby made the duty of the Animal Control Officer to take into his possession and impound all ~~animals~~strays running at large, and to dispose of the same as hereinafter provided. Whenever the word "estray" appears in this part, it is defined to mean any valuable animal, except dogs or cats, not wild, found wandering from its owner.
- 13-262. NOTICE OF SALE OF ESTRAYS. Within seven days after an estray shall come into the possession of the Animal Control Officer, he shall advertise the same in a newspaper published in and having general - circulation in the county by publishing a notice in at least one issue of the newspaper, and by posting

notices for a period of ten days at three public places in the City of Delta, one of which places shall be at or near the post office. He shall immediately deliver a copy of such notice to the ~~county City Clerk or mail the same to him/her by first class mail.~~ The notices so filed with the clerk should be available during reasonable hours for inspection by the public free of charge. The notice herein provided for shall contain a description of the animals, including all marks and brands, when taken, and the day, hour and place of sale, and may be substantially in the following form:

NOTICE

State of Utah, County of Millard, In the City of Delta,

I have in my possession the following described estray animals, which, if not claimed and taken away, will be sold at public auction to the highest cash bidder at the municipal pound in the City of Delta, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at the hour of \_\_\_\_\_:

(Description of animals)

The strays were taken up by me in the City of Delta on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Delta City Animal Control Officer

13-263. RETURN TO OWNER ON PAYMENT OF COSTS – SALE. If at any time before the sale of any estrays, such animals shall be claimed and proved to be the property of any person, the Animal Control Officer shall release them to the owner upon receiving from him the cost of impounding, keeping and advertising the same. If the animals are not so claimed and taken away, he shall, at the time and place mentioned in the notice, proceed to sell the same, one at a time, to the highest cash bidder, and shall execute and deliver a bill of sale transferring said animals to the purchaser or purchasers thereof, which bill of sale shall be substantially in the following form:

I hereby certify that in pursuance of the law regulating the disposal of strays; I have this day sold to \_\_\_\_\_ for the sum of \$\_\_\_\_\_, he/she being the highest bidder, \_\_\_\_\_ head of \_\_\_\_\_ branded with the municipality estray brand and otherwise described as follows, to-wit:

(Description of Animals)

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Delta City Animal Control Officer, State of Utah

The Animal Control Officer shall immediately file a copy of such bill of sale with the ~~county City Clerk or forward the same to him by registered mail.~~ Such bill of sale shall transfer and vest in such purchaser the full title to the animals thus sold.

13-264. RECORD OF ESTRAYS. The Animal Control Officer shall keep an accurate record of all strays received by him, their estimated age, color, sex, marks and brands, the time and place of taking and the expense of keeping and selling the same, all animals claimed and taken away, all animals sold and to whom sold and the amount paid, all moneys paid to owners after sale, all moneys paid into the treasury, and all other matters necessary to a compliance with the provisions of this part. The City Council shall provide the Animal Control Officer with a suitable book in which shall be entered the records required by law to be kept by the Animal Control Officer. Such records shall be open to the inspection of the public at all reasonable hours, and shall be deposited by the Animal Control Officer with his successor in office.

13-270. VICIOUS AND DANGEROUS ANIMALS.

13-271. DEFINITIONS. As used in this ordinance, unless the context otherwise indicates, the following words shall mean:

- A. “Confined on Premises” shall mean The condition in which an animal is securely and physically confined and restrained on and within the premises of the owner by means of walls, fences, rope, chain, leash or other devices of the strength and size as to physically prevent the animal from leaving the premises, and to physically prevent the animal from causing physical injury to persons or other animals which are off the premises on which the confined animal is located.
- B. “Dangerous Animal” An animal that, without provocation, has chased or approached in either a menacing fashion or in an apparent attitude of attack or has attempted to bite or otherwise endanger any person or other animal while the animal alleged to be dangerous is off the premises of the owner or while the animal is not physically restrained or confined on the premises. Dangerous Animal does not include a police dog while the police dog is being used to assist law enforcement officers in the performance of their duty.
- C. “Diseased Animal” An animal believed to be infected with a dangerous or communicable disease.
- D. “Menacing Fashion” An animal that would cause any person observing the animal to reasonably believe that the animal will cause physical injury to persons or other animals.
- E. “Vicious Animal”
1. An animal that, without provocation, has killed or caused physical injury to any person or has killed or caused physical injury to another animal.
  2. Vicious Animal does not include a police dog while the police dog is being used to assist law enforcement officers in the performance of their official duties and where any injury inflicted by the police dog was reasonably related to the duties being performed.
- F. “Without Provocation” An animal was not teased, tormented or abused and also means where the animal was not protecting its owner or owner's property from criminal activity by a perpetrator of a crime.

13-272. VIOLATION

- A. It shall be unlawful for any person to own, possess or bring into Delta City a vicious, dangerous, or diseased animal within Delta City, except as may be permitted in this section. Violation of this sections is a Class “B” misdemeanor.
- B. Whenever a prosecution for this offense is commenced under this section, the animal so involved shall be impounded and may not be redeemed, pursuant to the provisions of this part, while awaiting final decision of the court as to the disposition to be made of such animal.
- C. Upon the trial of any offense under this part, the court may,
1. upon the conviction and in addition to the usual judgment of conviction, order authorized personnel of Delta City to put the animal to death or may order such other disposition of the animal as will protect the inhabitants of Delta City.
  2. The court may also order restitution in favor of Delta City for all costs incurred by Delta City for impounding, caring for, and euthanizing the animal.

13-280. WILD OR EXOTIC ANIMALS

13-281. DEFINITIONS. As used in this ordinance, unless the context otherwise indicates, the following words shall mean:

A. "Wild or Exotic Animal" means any animal which is not commonly domesticated, or which is not native to North America, or which, irrespective of geographic origin, is of a wild or predatory nature, or any other animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life, health or property if not kept, maintained or confined in a safe and secure manner, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated effectively for rabies. Those animals, however domesticated, shall include, but are not limited to:

1. Alligators and crocodiles;
2. Bears (Ursidae): All bears, including grizzly bears, brown bears, and black bears;
3. Cat Family (Felidae): All except the commonly accepted domesticated cats, and including cheetahs, cougars, leopards, lions, lynx, panthers, mountain lions, bobcats, tigers and wildcats;
4. Dog Family (Canidae): All except domesticated dogs, and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo and part dingo;
5. Porcupines (Erethizontidae);
6. Primate (Hominidae): All subhuman primates;
7. Raccoon (Prosynnidae): All raccoons, including eastern raccoons, desert raccoons and ring-tailed cats;
8. Skunks;
9. Fish: Venomous, Oscar, and Parana;
10. Snakes or Lizards: Venomous snakes, Pythons, and lizards;
11. Weasels (Mustelidae): All, including weasels, martins, wolverines, ferrets, badgers, otters, ermine, mink and mongoose, except that the possession of such animals shall not be prohibited when raised commercially for their pelts. ~~shall mean~~ If such animal is being raised commercially for its pelt, then ~~the~~ animal shall be kept in a condition in which ~~the~~ animal is securely and physically confined and restrained on and within the premises of the owner by means of walls, fences, rope, chain, leash or other device of the strength and size as to physically prevent the animal from leaving the premises, and to physically prevent the animal from causing physical injury to persons or other animals which are off the premises on which the confined animal is located.

123-282.LIMITATION ON POSSESSION OF EXOTIC OR WILD ANIMALS.

A. It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor, temporarily house or purchase any wild animal as defined in 123-281 of this chapter, or its successor; except, ~~the~~an animal shelter, a zoological park, veterinary hospital, humane society shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific

purposes may keep such an animal if protective devices adequate to prevent such animal from escaping or injuring the public are provided and an appropriate permit is obtained.

- B. City residents who own a "wild or exotic" animals as described in 123-281 prior to the enactment of this chapter, may be permitted to keep the animal subject to the owner obtaining all necessary vaccinations, permits, and licenses, including any required license with the Utah Division of Wildlife Resources; taking the necessary precautions of owning such animal, such as keeping it contained upon the property; and obtaining prior approval from the American Fork Delta City Council. If the city resident's wild, exotic or dangerous dog animal is "grandfathered in" under this provision, the city resident, upon the death or termination of ownership of the resident's wild, exotic or dangerous dog animal is not allowed to obtain any subsequent wild or exotic animal pursuant to the exception placed upon the resident's "grandfathered" animal. Such exception to this chapter terminates at the time of death or termination of ownership of the "grandfathered" dog animal or owner of the "grandfathered" dog animal.

123-283 PUNISHMENT/ENFORCMENT.

- A. Violation of the provisions of this chapter shall constitute a Class "B" misdemeanor and shall be punishable as such. Every day that a party is in violation of this chapter shall constitute a separate violation. The time period for the violation begins when the person is cited for the violation.
- B. The Animal Control Officer or otherwise authorized official has the authority to seize an animal defined in 123-281, where the owner of such animal does not meet one of the exceptions to 123-282. The animal control officer or otherwise authorized official shall then provide notice to the owner, as can be reasonably determined, that the owner must retrieve the animal within six days of the seizure of the animal. Upon retrieval of said animal, the owner must remove the animal outside of Delta City limits. Said animal must be removed from Delta City limits on the day of retrieval, and each successive day, thereafter, shall constitute a separate offense to this chapter and the person allowing or permitting the continuation of said violation may be punished for each separate offense. Removed animals must remain, at all times, outside of Delta City limits. If the owner does not claim the animal within the six-day time period, the animal may, at the discretion of the Animal Control Officer, may be destroyed or removed. In addition, the owner of such animal in violation of this chapter shall be responsible for all reasonable costs associated with seizing, housing, feeding, and destroying or removing such animal.

~~13-265. TRESPASSING ANIMALS—DAMAGING—IMPOUNDING. If any cattle, horses, asses, mules, sheep, goats or swine shall trespass or do damage upon the premises of any person, the party aggrieved, whether he be the owner or the occupant of such premises, may recover damages by an action at law against the owner of the trespassing animals or by distraining and impounding the animals in the manner provided.~~

~~13-266. APPRAISEMENT OF DAMAGES. The owner or occupant of any property may distrain any or all of said animals trespassing or doing damage thereon. He shall, within 24 hours thereafter, deliver said animals to the Animal Control Officer. Together with a certificate of the appraisement of the damage done by such animals. It must state the amount of the damage, the time when committed, the name of the person damaged, the name of the owner of the animals, if known, and if not known, it must state that fact together with a description of the animals, including all visible marks and brands. If the animals appear to be owned by different parties, a separate appraisement and a separate certificate thereof shall be made of the damage done by the lot or group of animals which appear to belong to each of the different owners. In such cases, the owners shall be notified separately, and each lot or group of animals shall be advertised and sold separately in the same manner as though the damage had been done by different animals at different times.~~

~~13-267. OWNER TO BE NOTIFIED.~~ The person distraining the animals must, if the owner of the same is known to him and immediately deliver to such owner, or leave at his place of residence if he cannot be found, or mail a copy of such certificate of appraisement.

~~13-268. FAILURE TO NOTIFY WAIVES DAMAGES.~~ If the party distraining any animals shall fail to deliver them or the certificate of appraisement is filed with him as herein provided and such certificate states that the owner is unknown, the Animal Control Officer shall immediately examine all brand books or brand sheets in his possession. If the owner be ascertained thereby or if the owner lives within ten miles, immediately deliver a copy of such certificate of appraisement to such owner, or leave the same at his residence if he cannot be found. If the owner lives more than ten miles away, the Animal Control Officer may at his option deliver such copy personally to the owner, or deposit the same in the nearest post office in a registered letter addressed to such owner. He shall, however, serve a copy in one of the ways provided herein; provided that whenever personal service of a copy of any paper is required by this chapter, service by agent shall be deemed sufficient.

~~13-270. NOTICE OF SALE OF DISTRAINED ANIMALS.~~ As soon as any such animals are delivered to the Animal Control Officer, he shall immediately proceed to advertise the same as hereinafter provided except when the owner is known and has been notified in which case he shall hold said animals 48 hours before advertising the same. He shall advertise in a newspaper published in and having general circulation in the county, by publishing a notice in at least one issue of said paper, by posting notices in three public places in Delta City, one of which shall be at or near the post office, and he/she shall deliver a copy of the same to the county clerk or send the same by deputy or by registered mail. The notice therein provided for shall state the time when the damage was done and the amount thereof, the name of the party damaged, a description of the animals, including all visible marks and brands, and the day, hour and place at which such animals will be sold, which shall be not less than ten nor more than 20 days from the time of posting such notice. The notices shall be substantially in the following form:

~~SALE OF ANIMALS FOR DAMAGE~~

~~State of Utah, County of Millard, In the City of Delta,~~

~~I have in possession the following described animals, which, if not claimed and taken away, will be sold at public auction to the highest cash bidder at the municipal pound in the City of Delta, on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at the hour of \_\_\_\_\_:~~

~~(Description of Animals)~~

~~The above described animals are held by me to secure the payment of \$\_\_\_\_\_ damages done by those animals on the premises of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.~~

~~\_\_\_\_\_  
\_\_\_\_\_  
Delta City Animal Control Officer, State of Utah~~

~~13-271. OWNER MAY PAY AND TAKE ANIMALS—DISPUTED APPRAISAL.~~ The owner of any trespassing animals taken up under the provisions of this part may at any time before the sale thereof claim and take such animals away upon paying the amount of damages set forth in the certificate of appraisement and the accrued costs, and if such animals are included in a lot or group of animals belonging to other parties against which the damages and costs are assessed as a whole, he shall pay his proportion of the total amount of damages and costs assessed against such animals, according to the number of animals he owns when compared with the number of the entire lot or group. If he deems the appraisal too high, he may choose another appraiser having the qualifications herein provided who with the first appraiser shall make a

new appraisal, and if then cannot agree, they shall choose a third appraiser, and the three shall proceed to make another appraisal, and the decision of the majority shall be final.

13-272. SALE—BILL OF SALE. If such animals are not claimed and taken away by the owner, the Animal Control Officer shall, at the time and place set forth in the notice of sale, proceed to sell such animals, one at a time, to the highest cash bidder. If the owner of any lot of animals to be sold is known, the Animal Control Officer shall sell only enough of said animals to pay the damages and costs, the remainder may be turned over to the owner at any time thereafter, but if the owner be unknown, the Animal Control Officer shall proceed to sell all of said animals so advertised for sale. He shall execute and deliver a bill of sale therefor, and file a copy with the county clerk as hereinbefore provided.

13-273. REDEMPTION WITHIN NINETY DAYS. The owner of any trespassing animals sold under the provisions of this part may, at any time within 90 days of the date of such sale, redeem such animals from the purchaser or assignee having the same in his possession, upon paying to such purchaser or assignee the sum for which such animals were originally sold, together with an additional ten percent and reasonable compensation for the care and keeping of the same. If such purchaser or assignee refuses to give up such animals upon the owner proving his title to the same and on his tendering the amount due as herein provided, such owner may maintain an action at law to recover the same, provided that the purchaser or any assignee who had disposed of such animals shall not be liable to such owner in any amount. If redemption of such animals is not made within 90 days after the date of such sale, such sale shall be absolute and shall vest the title to such animals to the purchaser or assignee. Any person selling or disposing of any such animal within 90 days of their sale under the provisions of this part shall notify the purchaser of the same of the date of the original sale and the amount paid for such animal at that time, and if he fails to do so, he shall be liable for any loss that may accrue to such purchaser by reason of such animal being redeemed for an amount less than he paid therefor.

13-274. OWNER ENTITLED TO RESIDUE OF PROCEEDS. If any estrays or trespassing animal sold under the provisions of this part shall, within a period of six months following the date of sale, be claimed and proved to be the property of any person, it shall be the duty of the Treasurer at the expiration of such time to pay the money received for such animals to the owner thereof, less the amount of damages and the expense of taking, keeping and selling the same. In the event such animals are not claimed as aforesaid, such money shall become the property of Delta City, provided that in case there is a contest between two or more persons claiming to be the owners of any such animals, the Treasurer shall pay the residue to the party who shall establish by legal action his right to the same.

13-275. RECORD OF TRESPASSING ANIMALS. The Animal Control Officer shall keep an accurate record of all trespassing animals received by him, which record shall contain all the items required by this part together with the names of the injured party and the owner of the animals, the amount of the damages claimed, and all other matters necessary to a complete account of the transaction. Such record shall be open for inspection at all reasonable hours without charge.

13-276. RETAKING ANIMAL UNLAWFULLY. It shall be unlawful for anyone to take any animal out of the possession of anyone lawfully holding the same under the provisions of this part, either by stealth, force, fraud or to intercept or hinder any person lawfully taking up or attempting to take up such animals.

13-277. PROHIBITING PIT BULL DOGS AND HYBRID DOGS FROM THE INCORPORATED AREA OF THE CITY OF DELTA, UTAH.

Section 1. Definition of Pit Bull Dog. The term "pit bull dog" used within this part shall refer to any dog which has any or all of (a) pit bull breeding; (b) characteristics resembling a pit bull and/or (c) exhibits those distinguishing characteristics which:

(1) Substantially conform to the standards established by the American Kennel Club for American Staffordshire Terriers or Staffordshire Bull Terriers, or

~~(2) Substantially conform to the standards established by the United Kennel Club for American Pit Bull Terriers.~~

~~(3) Technical deficiencies in the dogs conformance to the standards described in subsection one and two shall not be construed to indicate that the subject dog is not a Pit Bull Dog under this ordinance.~~

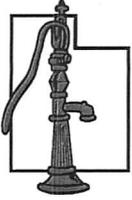
~~(4) Copies of the American Kennel Club for American Staffordshire Terrier and for Staffordshire Bull Terrier breed standards and United Kennel Club for American Pit Bull Terrier breed standards are attached hereto as Exhibit "A," "B" and "C" respectively and are incorporated herein by reference.~~

~~Section 2. Definition of Hybrid Dog. A "hybrid dog" shall be defined as any first generation animal produced by the mating of a domestic dog with a wild animal.~~

~~Section 3. Pit Bull Dogs and Hybrid Dogs Prohibited.~~

~~a. It shall be unlawful to keep any Pit Bull Dog as defined in this ordinance within the incorporated area of the City of Delta, Utah.~~

~~b. All first generation hybrid dogs are hereby declared vicious dogs and shall not be licensed nor kept within the Delta City limits.~~



# RURAL WATER ASSOCIATION OF UTAH

76 Red Pine Drive • Alpine, UT 84004 • Phone: 801-756-5123 • Fax: 801-756-5036

**To:** Mayor Gayle Bunker  
**From:** Dale Pierson, Executive Director  
**Subject:** Water University Utility Management Certification  
**Date:** December 19, 2014

The Rural Water Association of Utah is pleased to inform you that **Dent Kirkland** with **Delta City** has completed training and certification in the field of Water and Wastewater Utility Management. The completion of this course shows that **Dent** continues to excel as a member of **his** profession – a profession which is vital to Utah and our nation.

Enclosed you will find a plaque recognizing **Dent's** accomplishment. Please present this to in a manner which you find fitting and pass along the congratulations of the Rural Water Association of Utah. The Association will be honoring **Dent**, along with this year's other graduates, at our Fall Conference, held August 25, 2015 at the Davis Conference Center in Layton, Utah.

As the service of drinking water delivery and wastewater reclamation becomes more complex it is essential that those providing the service maintain a high level of training and expertise. We thank you and your water system for your membership in our Association so that we may all work together to achieve those goals.

Sincerely,

Dale Pierson/RWAU Executive Director



# Millard County

## Office of the Sheriff

Robert A Dekker  
Sheriff

January 6, 2015

Dear Mayor and Council Members,

As you know, an emergency or disaster situation can occur at any time within the boundaries of your community or adjacent to your community in unincorporated portions of Millard County. An emergency may be of natural origin, such as; flooding, earthquake, landslides or severe weather, or may be of manmade origin such as; hazardous material, power failure, mass casualty accidents, etc. One of the responsibilities of your elected position, under existing Federal and State law, is to manage these types of incidents to conclusion if the incident is in or involves your community.

To educate and assist you in your role in emergency management as an elected official, the Sheriff's Office is sponsoring a FEMA 402 class on February 24, 2015 at 6:30 pm. The training session will be presented at the Commission Chambers at 50 South Main Street in Fillmore. The training session will take approximately two to three hours. This training session is designed to give you an overview of roles, responsibilities, and processes in emergency management, based on your elected position. The session will also be an opportunity to network with representatives for other communities within Millard County, County Commissioners, and representatives from State emergency management agencies.

If you can attend and participate in this training session, please RSVP to Captain Forrest Roper at 435-743-5302 or [froper@co.millard.ut.us](mailto:froper@co.millard.ut.us).

Sincerely,

A handwritten signature in black ink that reads "Robert A. Dekker".

Robert A. Dekker

Millard County Sheriff