



**THE CITY OF WEST JORDAN
COMMITTEE OF THE WHOLE
MEETING
January 27, 2026**

VIEW THE MEETING



8000 S Redwood Road, 3rd Floor
West Jordan, UT 84088

Welcome to Committee of the Whole meeting!

While the Council encourages in-person attendance, you may attend virtually by using the links in the top right corner.

WEST JORDAN PUBLIC MEETING RULES

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WORK SESSION 4:00 pm

1. CALL TO ORDER

2. DISCUSSION TOPICS

- a. Discussion of Jones Southwest Quadrant - Rezone, Future Land Use Map Amendment, and Development Agreements Located at 7382 West New Bingham Highway
- b. Discussion of Proposed Rezone for the Barber Estates Development, Located at 7401 South 5490 West
- c. Discussion of West Jordan City Code – Title 4, Chapter 2, Article H – Massage
- d. Discussion of West Jordan City Code – Title 6, Chapter 6D, Section 11 – Sale of Animals
- e. Presentation and Discussion by Members of Salt Lake County Council

3. ADMINISTRATIVE ITEMS

Topics not included on the agenda, brought up for discussion to address matters of importance or items needing prompt attention. Final action on these topics will not be taken at this meeting.

4. ADJOURN

Please note at the conclusion of this meeting, the Council will convene for its Regular Council meeting.

UPCOMING MEETINGS

- Tuesday, February 10, 2026 – Committee of the Whole (4:00p) – Regular City Council (7:00p)

- Tuesday, February 24, 2026 – Committee of the Whole (4:00p) – Regular City Council (7:00p)

CERTIFICATE OF POSTING

I certify that the foregoing agenda was posted at the principal office of the public body, on the Utah Public Notice website <https://www.utah.gov/pmn/>, on West Jordan City's website <https://westjordan.primegov.com/public/portal>, and notification was sent to the Salt Lake Tribune, Deseret News, and West Jordan Journal.

Posted and dated January 23, 2026 Cindy M. Quick, MMC, Council Office Clerk



REQUEST FOR COUNCIL ACTION

Action: Request Feedback from Council

Meeting Date Requested : 01/27/2026

Presenter: Ivory Homes / Gardner Development

Deadline of item :

Applicant: Ivory Homes and Gardner Development

Department Sponsor: Community Development

Agenda Type: DISCUSSION TOPICS

Presentation Time: 15 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Discussion of Jones Southwest Quadrant - Rezone, Future Land Use Map Amendment, and Development Agreements Located at 7382 West New Bingham Highway

2. EXECUTIVE SUMMARY

On November 18, 2025 the Jones Southwest Quadrant Development Team (Ivory Homes and Gardner Development) received comments from the Committee of the Whole (COTW) on their proposed rezone (and MDA/MDP) to the Southwest Quadrant for the Jones Southwest Quadrant project.

The applicant has since revised their concept and wishes to get feedback from the City Council on the direction of their proposal before submitting to Staff for Review.

3. TIME SENSITIVITY / URGENCY

The application is motivated to move this project forward as soon as possible.

4. FISCAL NOTE

N/A

5. PLANNING COMMISSION RECOMMENDATION

N/A

6. ADMINISTRATIVE STAFF ANALYSIS

City staff has not reviewed this proposal as clear direction was provided to the staff by the Council in November, including no industrial west of Stokesley Drive, and the concept provided doesn't follow that feedback. The applicant wishes to present their revised concept and discuss with the council why they feel this proposal should be considered and offer mitigating reasons for their proposal which may have an impact on the council directions to staff.

Staff is awaiting confirmation of previous feedback, or new direction from the council as we look to move this proposal through the development process

7. MAYOR RECOMMENDATION

8. COUNCIL STAFF ANALYSIS

Timeline & Background Information

Council discussed this proposal in the [November 18, 2025 Committee of the Whole Meeting](#):

- Discussion Summary:
 - Staff noted concerns about excessive residential development and insufficient economic development, as well as industrial uses proposed in poor locations. Council members expressed strong opposition to industrial west of Stokesley Drive and emphasized the need for more commercial and industrial uses rather than housing.
 - There were concerns about proposed densities (5 units per acre across 900 acres, totaling 4,500 units) and whether utilities could support that level of development. Members discussed defining maximum densities per pod, setbacks, and driveway standards, and stressed the importance of an Adequate Public Facilities (APF) review. Water availability and long-term resource allocation were highlighted as critical issues.
 - The Council also discussed the need for trails, buffering between uses, and ensuring the highest and best use of remaining undeveloped land.
- Outcome: The Council did not support the proposal as presented and requested significant revisions.
 - A majority indicated that at least 60% of the project should remain commercial/industrial, and industrial acreage should not count toward residential calculations. They asked the applicant to provide a maximum unit count for each residential pod and more detailed plans before further consideration. The Council expressed openness to industrial as a buffer near New Bingham Highway and supported the idea of a research park-style development.
 - Council reiterated concerns about setbacks and utilities, requested photographic examples for proposed reduced setbacks, and emphasized that zoning decisions should prioritize economic development while allowing some residential flexibility. Overall, the Council signaled willingness to work with the applicant but required clearer details and alignment with City priorities before moving forward.

What You Need to Know – A Plain Language Summary

The applicants, Ivory Homes and Gardner Development, are requesting feedback on a revised concept for the Jones Southwest Quadrant project located at 7382 West New Bingham Highway. This proposal involves a rezone, Future Land Use Map amendment, and approval of a Master Development Plan (MDP) and Master Development Agreement (MDA).

The Council's role at this stage is discussion only—no formal vote is scheduled. The applicants seek guidance on whether their revised concept aligns with Council priorities before submitting for formal staff review. Notably, the revised concept does not fully reflect prior Council feedback (e.g., no industrial west of Stokesley Drive), and the applicants intend to explain why they believe their proposal merits consideration despite this.

Council may wish to consider:

- Whether the proposed changes align with the General Plan and previously stated Council direction.
- Potential impacts on surrounding neighborhoods and infrastructure.

- Whether similar approaches have been adopted in neighboring cities (e.g., South Jordan, Riverton) for large mixed-use developments.

Infrastructure & Utility Considerations

The project's scale may affect water supply and other utilities. According to the West Jordan Water Master Plan, the City's contracted supply from JVWCD is 20,000 acre-feet/year, with an option to purchase up to 20% additional (totaling 24,000 acre-feet/year). Council could consider:

- Does the proposed density and land use fit within current water allocation?
- If additional water is needed, would JVWCD's 20% allowance suffice, or would alternative sources be required?
- Are there implications for storm drainage, sanitary sewer, or transportation infrastructure? If so, how do these align with existing master plans?

Possible Scenarios & Key Tradeoffs

If the rezone and MDP/MDA are approved:

- Potential uses could include residential neighborhoods, commercial centers, and possibly mixed-use nodes. Higher density housing may be proposed near major roads.
- Tradeoffs: Increased housing supply and economic development vs. potential strain on infrastructure and deviation from prior Council guidance. Approval may set a precedent for similar proposals in the Southwest Quadrant.

Potential Discussion Points & Questions

1. How does the revised concept differ from the version presented in November, and what are the applicants' reasons for these changes?
2. Does the proposal align with the **General Plan**, or would it require significant amendments?
3. What are the anticipated impacts on **traffic and transportation systems**, and how will they be mitigated?
4. Can existing **water and sewer infrastructure** support the proposed development without major upgrades?
5. How does this proposal compare to similar developments in **neighboring cities** in terms of density, design, and amenities?

Applicable Guiding Principles from the General Plan

- **Land Use**
 - Land use decisions should protect existing neighborhoods and minimize impacts.
 - Developers bear the burden of proof for changes to the General Plan.
- **Housing**
 - Encourage a balanced variety of housing types for all life stages.
 - Place high-density projects near existing infrastructure.
- **Transportation**
 - Provide a safe and efficient multi-modal transportation system.
- **Water Use and Preservation**
 - Implement sustainable water use and landscaping principles.
- **Economic Development**
 - Attract and retain quality businesses that enhance quality of life.
 - Encourage planned commercial centers to reduce unnecessary vehicle trips.

9. POSSIBLE COUNCIL ACTION

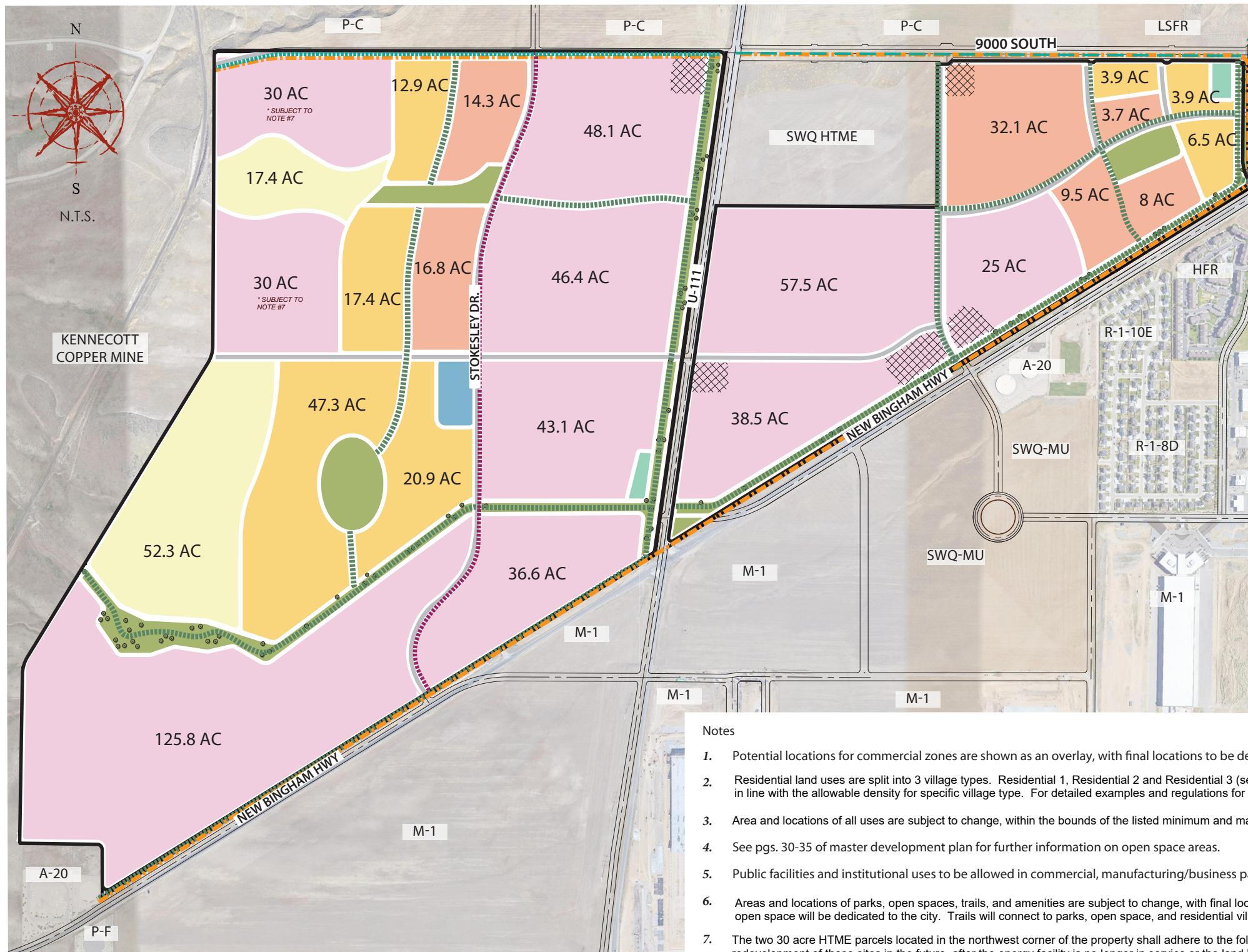
The Council may choose to:

1. Move the item forward to a future Council Meeting for consideration and possible final action;
2. Continue the item to a future Committee of the Whole meeting;
3. As applicable, refer the item to the Planning Commission, a Council Subcommittee, or an Ad Hoc Committee;
4. Table the item indefinitely;
5. Make requests of Council Staff, Administrative Staff, or the Mayor for information by way of four agreeing Council Members.

10. ATTACHMENTS

Attachment A: Proposed Bubble Plan

MASTER BUBBLE PLAN



Tabulations

TOTAL ACREAGE	± 849 ACRES
TOTAL RESIDENTIAL ACREAGE	290 ACRES
TOTAL RESIDENTIAL DENSITY	15.5 DU/AC
MAX. ALLOWABLE RESIDENTIAL UNITS	4,500 UNITS

LEGEND	ACREAGE
COMMERCIAL/OFFICE MIXED-USE OVERLAY (COMU)	10 AC (1%)
HI-TECH MANUFACTURING/BUSINESS PARKS (HTME) required 425 acres minimum	479 AC (56%)
COMMUNITY OPEN SPACE	20% of TOTAL RES. AREA
PUBLIC FACILITIES	10 AC
PONDS	—
RESIDENTIAL 1: (5 DU/AC MAX. DENSITY) low density; med. density -single-family and multi-family	70 AC (8%)
RESIDENTIAL 2: (15 DU/AC MAX. DENSITY) med. density; high density -single-family and multi-family	113 AC (13%)
RESIDENTIAL 3: (30 DU/AC MAX. DENSITY) high density; very high density -multi-family	84 AC (10%)

Trail Legend

- PROPOSED 12' TRAIL
- PROPOSED 10' TRAIL
- PROPOSED 8' TRAIL
- EXISTING 10' TRAIL
- BUFFERED BIKE LANE



REQUEST FOR COUNCIL ACTION

Action: Request feedback from Council

Meeting Date Requested : 01/27/2026

Presenter: Tayler Jensen

Deadline of item :

Applicant: Anderson Development

Department Sponsor: Community Development

Agenda Type: DISCUSSION TOPICS

Presentation Time: 15 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Discussion of proposed rezone for the Barber Estates development, located at 7401 South 5490 West.

2. EXECUTIVE SUMMARY

Review of a Rezone of approximately 8.3 acres from Rural Residential 1 Acre Lots (RR-1D) to Single-Family Residential 9,000 SF minimum lot size (R-1-9).

3. TIME SENSITIVITY / URGENCY

This item has been scheduled for a Public Hearing at Planning Commission on February 17th.

4. FISCAL NOTE

n/a

5. PLANNING COMMISSION RECOMMENDATION

The Planning Commission had this scheduled for a public hearing on January 6th 2026 but at the request of the Applicant and members of the City Council moved to continue the meeting to February 17th to allow it time to go to Committee of the Whole for Council Review. (This typically would not require a COTW, as it was not proposing any changes to the Future Land Use Map, unless requested by members of the Council. Having received that request we have scheduled this for COTW)

6. ADMINISTRATIVE STAFF ANALYSIS

This property is currently undeveloped. The Future Land Use Designation is *Very-Low Density Residential*. According to the General Plan the R-1-9 Zone is appropriate in this future land use designation, so long as the density range is under 3 dwelling units per acre. The Conceptual Map shows 21 lots for a density of roughly 2.53 DU/AC

The General Plan Defines *Very-Low Density Residential* as:

"Characteristics of land in this category range from large acreages of land still in agricultural production to fairly large single-family residential lots, some of which may allow horses and other farm animals to be kept.

Very low-density residential uses are appropriate as a buffer between higher density single-family development and dedicated open lands or on hillsides where sensitive slopes make higher density development inadvisable"

Rezone: The applicant is proposing to rezone approximately 8.3 Acres from *Rural Residential 1 Acre lots* (RR-1D) to *Single-Family Residential, 9,000 SF minimum lot size (R-1-9)*. The applicant is not proposing a subdivision at this time but has provided a concept plan, which shows Twenty-one 9,000 SF + Lots (Smallest shown lot is shown as 10,078 SF). If the rezone is approved, staff would expect this concept map to be revised to comply with standards for detention basins, but in general, the concept shows development can comply with the lot and bulk standards found in 13-5B-3. The current concept map shows all lots in excess of 10,000 SF, however, once the zoning is approved the applicant would be able to develop according to the standards of the R-1-9 Zone. Staff believes if the intent is for all lots to exceed 10,000 SF in size the proposed zoning should reflect what is being conceptually shown.

While the R-1-9 zone is allowed within the future land use map (FLUM) designation of *Very-Low Density Residential* and the conceptual plan shows 21 units with an overall density of ~2.53 DU/AC, under the R-1-9 designation it is possible to have up to 40 Dwelling units on 8.3 Acres ($43560 * 8.3 = 361,548$. $361,548/9,000 = 40.172$) While accounting for lot and bulk standards, road improvements, and storm basins a more realistic upper estimate of density is 26 Units (~3.2 DU/AC) which exceeds the density cap of the *Very-Low Density Residential* future land use designation. The development of this property would also require the improvement of 5490 West (for fire access and response) as well as off-site improvements to utilities to serve this project. While it is possible for the applicant to make these offsite improvements and explore pioneering agreements to recoup these costs, this development could be interpreted as leap-frog development not in the best interest of the City at this time.

It should be noted that the rezoning of property is a *legislative* land use decision; as such, the Planning Commission has latitude and flexibility in making a recommendation to the City Council (and the council has similar latitude in making a final decision) on what is in the best interest of the City. If the property is successfully rezoned, subdivisions are *administrative* actions, meaning applications that comply with minimum development standards must be approved.

I. GENERAL INFORMATION & ANALYSIS:

This property is located at approximately 7401 South 5490 West. 5490 West has been identified as a future minor collector road on the Transportation Master Plan. It should also be noted that 5490 West is not eligible to be constructed with Impact Fee dollars. The Property is vacant/undeveloped land. The future land use designation for the entire property is *Very-Low Density Residential*; the proposed rezone to R-1-9 is appropriate within this Future Land Use Designation.

	Future Land Use	Zoning	Existing Conditions
North	Very-Low Density Residential	RR-1D	Single-Family Residential unit on 5+ Acres (Ranchette)
South	Very-Low Density Residential	RR-1D & R-1-12 F	Single-Family Residential unit on ~1.7 Acre Parcel and Bella Estates R-1-12 Subdivision
West	Very-Low Density Residential	A-1 and RR-1D	Vacant Land and "Utah Natural Meat" ranch

East	Low-Density Residential	RR-1E	Shadow Mountain West Subdivision
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II. FINDINGS OF FACT:

<u>Zoning</u>	<u>Map</u>	<u>Amendment</u>	
<u>Section</u>	<u>13-7D-6(A): Zoning</u>	<u>Map</u>	<u>Amendment:</u>
Amendments to the zoning map may be recommended for approval by the Planning Commission to the City Council only if affirmative determinations are made regarding each of the following criteria:			

Finding 1: The proposed amendment is consistent with the purposes, goals, objectives, and policies of the Adopted General Plan and future land use map;

Staff Analysis: The proposed amendment is consistent with the current vision of the General Plan and the Future Land Use Map, which designates this property as *Very-Low Density Residential*. The R-1-9 zone has been identified as appropriate within this land use designation, so long as the overall density remains under 3 DU/AC. While only conceptual, the map shows 21 single-family lots, with the smallest being over 10,000 SF in Size. The 2023 West Jordan General Plan incorporates "Guiding Principles" instead of goals, the following Guiding Principles have been identified as significant for this project:

Land Use – Land Use decisions should be guided by the General Plan to protect existing land uses and minimize impacts to existing neighborhoods

- On one hand, Residents of neighboring developments have been opposed to attempts to rezone this property to lower-density designations in the past, and staff has received correspondence objecting to this proposal. On the other hand the FLUM has designated this property as Very-Low Density Residential, which allows for the use of the R-1-9 Zone, and density up to 3 DU/AC which the applicants conceptual plan conforms with.

Transportation – Provide a safe and efficient multi-modal transportation system

- The improvement of 5490 West will improve safety for development along 5490 West and will help forward the City's Master Transportation Vision.

Housing – Encourage a balanced variety of housing types that meet the needs of all life stages with a mix of opportunities for today and into the future.

- This plan proposes lots that are smaller than adjacent developments (1 acre, and 12,000 SF minimums) but also larger than the standard R-1-8 or smaller lots which we are seeing more commonly in West Jordan.

Staff Opinion: It is the opinion of staff that the proposed rezone is consistent with some of the purposes, goals, objectives, and policies of the adopted General Plan and Future Land Use Map, while it is questionable if it is consistent with others. As a legislative decision, it is up to the Planning Commission and City Council to determine which of these factors should be weighed the heaviest in making a policy decision moving forward.

Finding 2: The proposed amendment will result in compatible land use relationships and does not adversely affect adjacent properties.

Staff Analysis: The conceptual development plan provided by the applicant shows a gradual increase in density from properties located to the south of *Barber Estates*, while providing $\frac{1}{4}$ to $\frac{1}{3}$ acre lots adjacent to $\frac{1}{2}$ and 1 acre lots on existing developments located to the North and East of the Proposal.

Staff Opinion: It is the opinion of staff that the conceptual plan represents a compatible plan to transition from larger lots to a future collector road in 5490 West, although this opinion may not be shared by homeowners in the area. Staff's larger concern remains that the conceptual plan shows lots far larger than the minimum lot standards required by the R-1-9 zone, with the inability to add "zoning conditions" to any approval it is possible if the rezone is successful that the actual development product we see being denser and less compatible than the concept plan being shown, it is the opinion of staff that the applicant should seek zoning designations that reflect the lots they plan to build in the concept plan, even if that means multiple zoning districts (R-1-10 and R-1-12 for example) rather than a blanket zoning designation of R-1-9.

Finding 3: The proposed amendment protects the public health, safety, and general welfare of the citizens of the city.

Staff Analysis: The proposed amendment and conceptual plan would improve public safety by providing a route for quicker emergency response to the area. Residents in the area have indicated a concern with potential conflict by introducing smaller lots into a primarily agricultural/large lot district of the City. Adjacent lots do have animal rights, and there are sounds and smells associated with agricultural users such as "Utah Natural Meats." it is not uncommon for smaller lot residential developments adjacent to these types of land uses to generate conflict and nuisance claims in terms of smells, sounds, and attraction of insects/pests that typical residential developments don't experience as commonly.

Staff Opinion: The proposed amendment furthers the public safety by improving roadways, which improve emergency response times; however, the potential for conflict between R-1-9 units and rural residential and agricultural use may generate conflicts that may not protect the general welfare of citizens of the city.

Finding 4: The proposed amendment will not unduly impact the adequacy of public services and facilities intended to serve the subject zoning area and property than would otherwise be needed without the proposed change, such as, but not limited to, police and fire protection, water, sewer and roadways.

Staff Analysis: The City ERC map currently shows 20 ERCs available for this property; the conceptual plan shows 21 units, which exceeds city plans by 1 ERC. If the applicant moves away from the conceptual plan and increases the density above the 21 shown units, the ERC deficit will only be increased.

Staff Opinion: The proposed amendment and conceptual plan slightly exceed the planned utility capacity for the property.

Finding 5: The proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards.

Staff Analysis: The proposed amendment is not subject to any applicable overlay zoning districts.

Staff Opinion: The proposed amendment is not subject to any applicable overlay zoning districts.

7. MAYOR RECOMMENDATION

8. COUNCIL STAFF ANALYSIS

What You Need to Know – A Plain Language Summary

The applicant, Anderson Development, is requesting a rezone of approximately 8.3 acres at 7401 South 5490 West from Rural Residential (RR-1D) to Single-Family Residential (R-1-9). This change would allow smaller lots (minimum 9,000 sq. ft.) compared to the current one-acre minimum. The conceptual plan shows 21 lots, averaging over 10,000 sq. ft., which aligns with the General Plan’s “Very-Low Density Residential” designation (under 3 dwelling units per acre). However, the R-1-9 zone could theoretically allow up to 26 lots, exceeding the density cap if fully utilized.

Council involvement is needed because rezoning is a legislative decision. If approved, future subdivision applications would be administrative and must comply with zoning standards. Council may wish to consider whether the proposed zoning reflects the applicant’s stated intent (larger lots) or if a different zoning designation (e.g., R-1-10 or R-1-12) would better match the concept plan.

Key considerations:

- Compliance: The proposal generally complies with the General Plan and Future Land Use Map, but potential density under R-1-9 could exceed the “Very-Low Density” threshold.
- Neighboring Cities: Similar communities often use transitional zoning between large-lot rural areas and collector roads. For example, South Jordan and Riverton have employed R-1-10 or R-1-12 zones for similar buffer areas.
- Stakeholders: Adjacent property owners have expressed concerns about smaller lots near agricultural uses, citing potential conflicts (noise, odors, pests). Emergency services and utility providers will also be impacted.

Infrastructure & Utility Considerations

- Water: The City’s contracted supply from JWWCD is 20,000 acre-ft/year, with an option for 20% additional purchase (up to 24,000 acre-ft/year). The conceptual plan adds 21 ERCs, slightly exceeding the 20 ERCs planned for this property. If density increases beyond 21 units, the ERC deficit will grow.
- Roads: 5490 West is identified as a future minor collector in the Transportation Master Plan but is not eligible for Impact Fee funding. The applicant would need to fund improvements for fire access and connectivity.
- Other Utilities: Off-site improvements for sewer and storm drainage may be required. The applicant could explore pioneering agreements to recover costs.

Possible Scenarios & Key Tradeoffs

- If approved: Development could range from the 21-lot concept plan to a denser layout (up to ~26 lots). This may improve emergency access but could increase conflicts with adjacent agricultural uses.
- If denied: The property remains RR-1D, preserving large-lot character but potentially delaying infrastructure improvements.
- Tradeoffs: Balancing housing diversity and growth against neighborhood compatibility and infrastructure costs.

Potential Discussion Points & Questions

1. Does the proposed R-1-9 zoning accurately reflect the applicant's intent for larger lots, or should Council consider a mixed zoning approach?
2. How will the City address the slight ERC deficit and potential future utility strain if density increases?
3. What measures can mitigate conflicts between new residential development and adjacent agricultural uses?
4. Should the City require road improvements as a condition of approval, and how will costs be managed?
5. How does this proposal align with similar rezones in neighboring cities?

Applicable Guiding Principles from the General Plan

- **Land Use:**
 - Land use decisions should protect existing neighborhoods and minimize impacts.
 - Designs must promote quality of life and good urban design.
- **Transportation:**
 - Provide a safe and efficient multi-modal transportation system.
- **Housing:**
 - Encourage a balanced variety of housing types for all life stages.
- **Water Use and Preservation:**
 - Implement sustainable water use and landscaping principles.
- **Environment:**
 - Designs should maximize water conservation and employ environmentally sound practices.

9. POSSIBLE COUNCIL ACTION

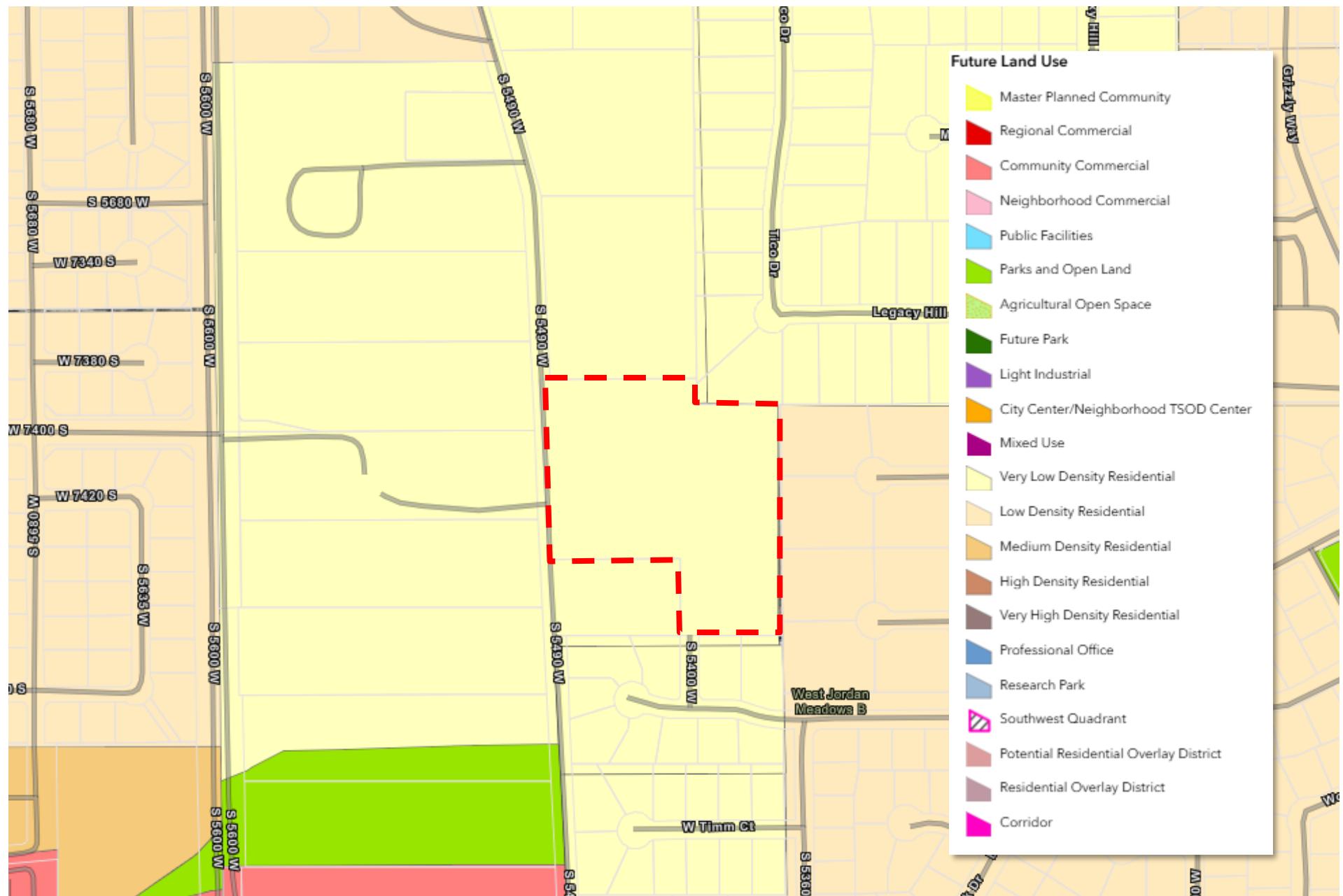
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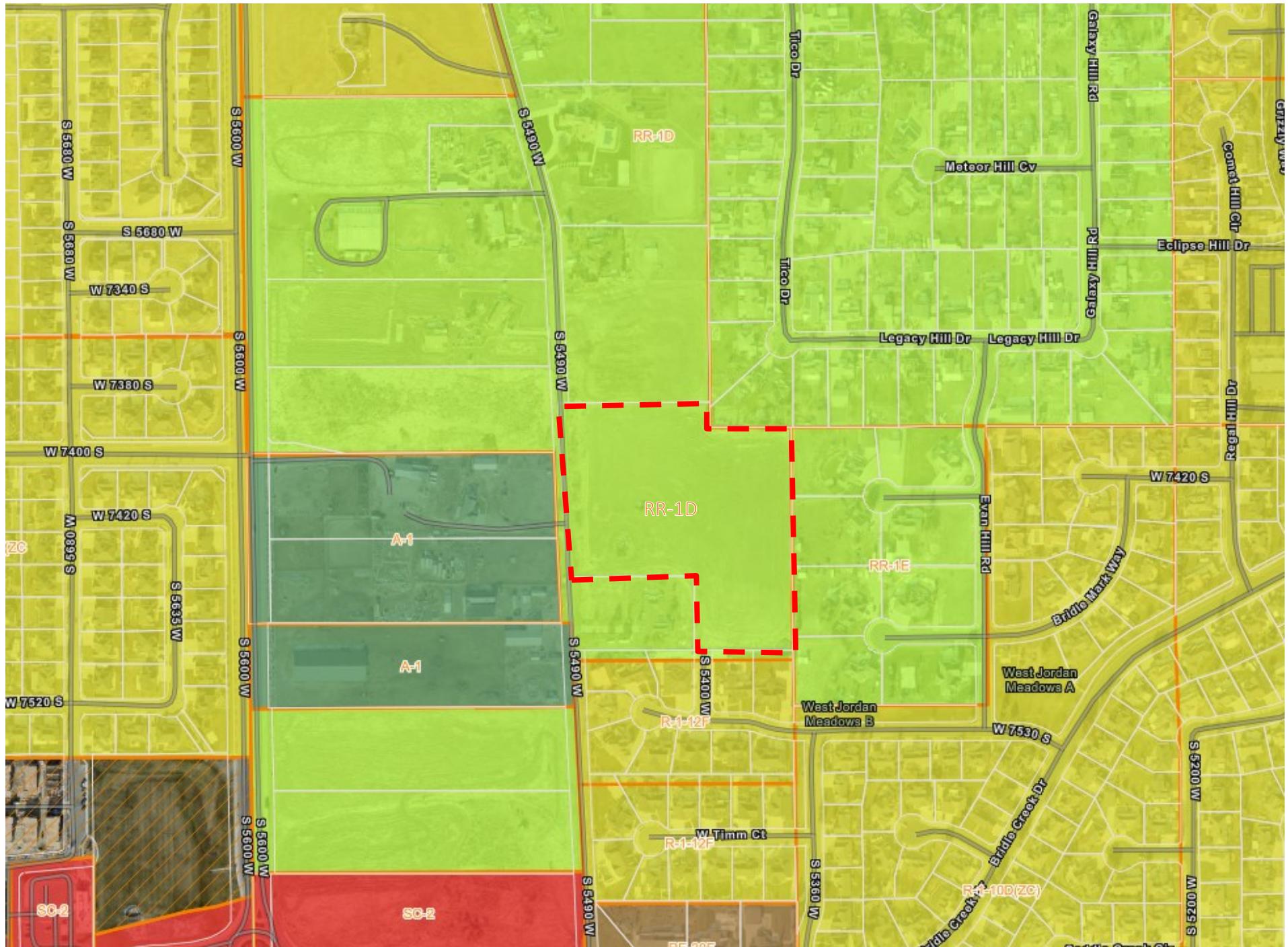
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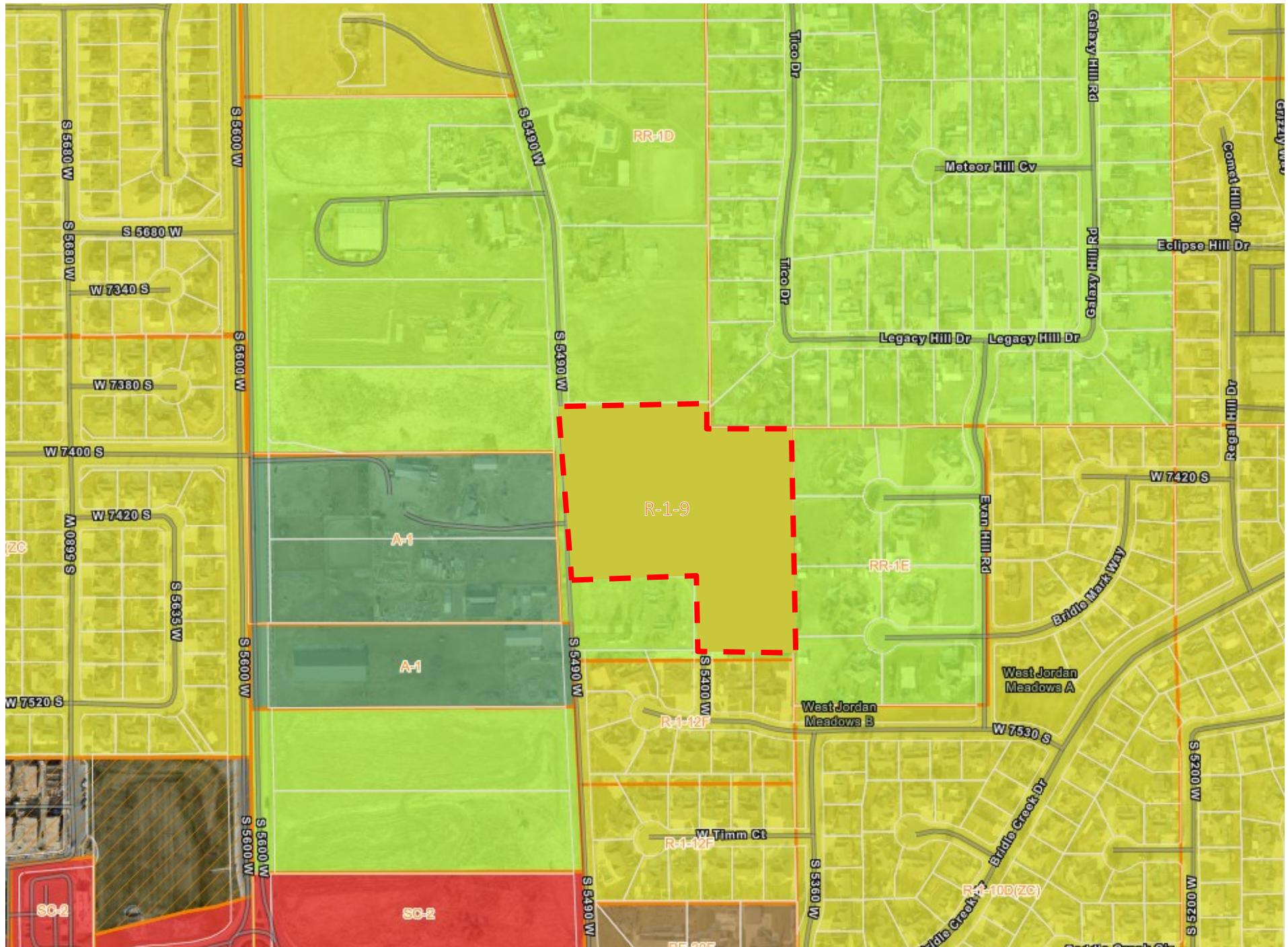
10. ATTACHMENTS

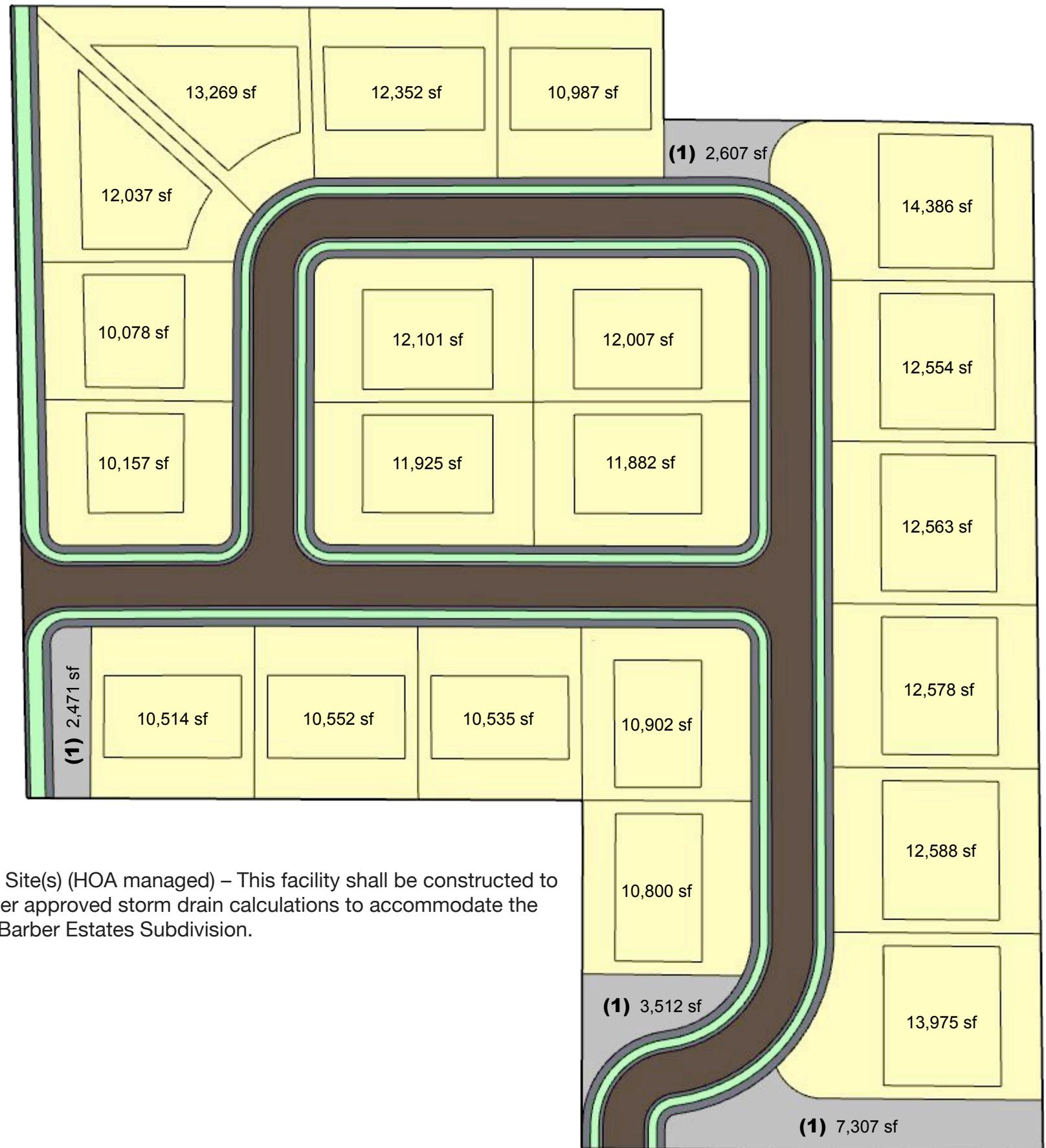
Attachment A: Current Future Land Use Map

Attachment B: Current Zoning Map
Attachment C: Proposed Zoning Map
Attachment D: Conceptual Plan
Attachment E: Applicant Narrative









Barber Estates Concept Site Plan & Rezone Request Narrative - West Jordan City Planning Commission and City Council

We greatly appreciate this opportunity to present our conceptual site plan and rezone request on behalf of the Barber family, who have been diligently working toward the development of their property for over 10 years. As our rezone request and concept site plan move forward to the Planning Commission and City Council, we aim to ensure that all city standards and staff concerns are addressed transparently and effectively.

Key Commitments:

- **Conforming Public Right-of-Way:** All interior public right-of-way within the subdivision do fully conform to West Jordan City's public right-of-way standards, although these dimensions aren't clearly demonstrated on our concept plan they do meet the cities specified requirements(50' R/W 2 Lane).
- **Construction of 5490 West and Financial Responsibility:** We will construct 5490 West to meet the city's collector road right-of-way standards along our developments west side frontage. We understand our financial responsibility for our proportionate impact on this road and anticipate entering into a pioneering or reimbursement agreement to ensure that financial responsibilities are equitably shared among all relevant parties as development continues along 5490 West.
- **Utility Systems:** All utility systems will be looped and engineered to city standards for reliability and compliance.
- **Consolidated Detention Pond:** We will consolidate the detention ponds into one large-scale pond to conform with city standards for stormwater management.

Rezoning Alignment & Density Approach:

This rezoning request is consistent with West Jordan City's current General Plan. Although we are pursuing an R-1-9 rezone, we are not aiming to maximize densities. Instead, we'll be maintaining a very low density, more congruent feel with adjoining subdivisions, ensuring a similar large style home product on a slightly smaller lot size for a smooth community transition. As noted in our application and facility assessments we're proposing 21 units in the R-1-9 zoning to allow for a more simplistic flow of traffic and flexibility in site layout.

In conclusion, Anderson Development is committed to meeting the city's expectations and providing these assurances on public record. We hope this narrative helps both City Staff and City Officials feel confident in recommending approval and allowing the Barber family to move forward towards a viable development after their long-standing efforts.



REQUEST FOR COUNCIL ACTION

Action: Need Council to take action

Meeting Date Requested : 01/27/2026

Presenter: Patrick S Boice, Senior Assistant City Attorney

Deadline of item :

Applicant: Scott Langford/Brock Hudson

Department Sponsor: Community Development

Agenda Type: DISCUSSION TOPICS

Presentation Time: 15 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Discussion of West Jordan City Code – Title 4, Chapter 2, Article H – Massage

2. EXECUTIVE SUMMARY

Council is being asked to discuss revisions to the special business licensing requirements for massage establishments.

This item has previously come before the Council on July 8, 2025 and August 19, 2025. The State of Utah addressed revisions to the licensing of massage establishments and had its new legislation go into effect on October 2, 2025.

Proposed changes to the City licensing requirements have been made consistent with direction given in prior committee of the whole meetings.

Changes to City code include bringing definitions in line with new State code, incorporating updates to state licensing requirements, cleaning up language, and streamlining application requirements. The provisions of proposed section 4-2H-5 have been specifically amended to bring the City more in line with the restrictions listed in Utah Code section 58-47b-401.1(1).

3. TIME SENSITIVITY / URGENCY

None

4. FISCAL NOTE

None

5. MAYOR RECOMMENDATION

6. COUNCIL STAFF ANALYSIS

Timeline & Background Information

As noted above in the Executive Summary, this item has been discussed twice prior with Council.

- July 8, 2025 COTW Meeting

- Earlier in the year, the Council expressed interest in reviewing and updating provisions of Title 4 related to special licensing for certain businesses. At the annual retreat, Senior Assistant City Attorney Patrick Boice recommended addressing these updates in phases, starting with Article D (Home Occupations) and Article H (Massage). Discussion on home occupations centered on whether all home-based

businesses should require a license, even when state law does not mandate it. Council members debated fees, fairness, and administrative processes, with general support for eliminating or reducing fees for businesses not required by state law to obtain a license.

- Regarding massage establishments, Mr. Boice highlighted concerns about illegal activity and human trafficking, noting that proposed changes would align City code with State House Bill 278 and strengthen enforcement tools for law enforcement. While some Council members questioned whether stricter rules would deter illicit practices, others supported measures that allow quicker intervention. Suggestions included enabling immediate license suspension for violations and requiring ongoing employee list updates.
- **Outcome** - The discussion concluded without consensus, with plans for further staff work and potential amendments before returning to Council for review.

- **August 19, 2025 COTW Meeting**
 - The Council discussed aligning West Jordan City Code with recent changes in Utah State law under House Bill 278, which addresses trafficking and sex crimes. Senior Assistant City Attorney Patrick Boice asked for direction on updating definitions and licensing regulations to match State Code and whether the Council wanted to add enhanced regulations such as limits on hours, signage, window coverings, and restrictions on businesses reopening after license revocation. Most Council members supported aligning with State Code but expressed mixed views on additional measures.
 - Several emphasized avoiding over-regulation that could harm legitimate businesses and suggested involving industry representatives in drafting enhancements. Angela Alan and Adalyn, local massage business owners, were invited to provide input, noting that some proposed changes—such as prohibiting window coverings—would not pose problems, while strict limits on operating hours could negatively impact clients.
 - Council members debated enforcement versus regulation, with some favoring targeted enforcement strategies and others supporting stronger preventive measures. There was general agreement on prohibiting window coverings and allowing appeals to the Administrative Law Judge for businesses affected by revocation restrictions, though opinions varied on applying these rules broadly beyond massage establishments. Proposals for limiting hours and requiring floor plans lacked majority support.
 - **Outcome** - The discussion highlighted the challenge of balancing efforts to curb illegal activity without stigmatizing legitimate businesses, and the Council ultimately agreed to mirror State Code while continuing to explore enforcement-focused solutions and stakeholder collaboration.

What You Need to Know – A Plain Language Summary

The Council is being asked to review and discuss proposed updates to West Jordan City Code Title 4, Chapter 2, Article H, which governs licensing requirements for massage establishments. These changes aim to:

- Align City code with recent State of Utah legislation (effective October 2, 2025) regarding massage establishment licensing.
- Update definitions, streamline application requirements, and incorporate state licensing standards.

- Amend Section 4-2H-5 to reflect restrictions outlined in Utah Code §58-47b-401.1(1).

Council may wish to consider whether these revisions adequately address compliance with state law, maintain public safety, and reduce administrative burdens for businesses.

Neighboring cities such as Sandy and South Jordan have adopted similar updates following the state's legislative changes. Council could consider whether West Jordan's approach is consistent with regional practices.

Possible Scenarios & Key Tradeoffs

If approved:

- Massage establishments will operate under updated licensing requirements that align with state law.
- Streamlined processes may reduce administrative time for both businesses and City staff.
- Tradeoff: While updates may ease compliance for legitimate businesses, Council may wish to consider whether enforcement mechanisms remain strong enough to prevent illicit activity.

If not approved:

- City code would remain inconsistent with state law, potentially creating confusion for business owners and enforcement staff.

Potential Discussion Points & Questions

1. How do the proposed changes compare to similar ordinances in neighboring cities?
2. Will these revisions improve enforcement against unlicensed or illegal operations?
3. Are there any anticipated impacts on small businesses or new applicants?
4. Should the City consider additional public education or outreach regarding the updated requirements?
5. Does the proposed language fully align with Utah Code §58-47b-401.1(1), or are there areas where clarification may be needed?

Applicable Guiding Principles from the General Plan

- **Economic Development:**
 - Attract, recruit, and retain quality businesses that benefit and enhance the quality of life in West Jordan.
 - Diversify and strengthen the employment and tax base in the City of West Jordan.
- **Urban Design:**
 - Support neighborhoods and developments of character.
- **Land Use:**
 - Land use decisions should be guided by the General Plan to protect existing land uses and minimize impacts to existing neighborhoods.

7. POSSIBLE COUNCIL ACTION

The Council may choose to:

1. Move the item forward to a future Council Meeting for consideration and possible final action;
2. Continue the item to a future Committee of the Whole meeting;
3. As applicable, refer the item to the Planning Commission, a Council Subcommittee, or an Ad Hoc Committee;

4. Table the item indefinitely;
5. Make requests of Council Staff, Administrative Staff, or the Mayor for information by way of four agreeing Council Members.

8. ATTACHMENTS

Text Amendment Legislative

Text Amendment Clean

1 ARTICLE H. MASSAGE

2

3 SECTION:

4 [4-2H-1: Definitions](#)

5 [4-2H-2](#)~~4~~: License Required

6 [4-2H-3](#)~~2~~: Prohibited Acts

7 [4-2H-4: Massage Establishment Requirements](#)

8 [4-2H-5: Limitations on Site of Prior Revocation](#)

9

10

11 4-2H-1: ~~LICENSE REQUIRED~~[DEFINITIONS](#):

12 [All definitions used herein shall have the same meaning as those found in Utah Code](#)
[section 58-47b-102, or successor provision.](#)

14

15 [4-2H-2: LICENSE REQUIRED:](#)

16 [A. It is unlawful for any person, or business, to engage in, carry on, or conduct the](#)
[business of massage in the city without first obtaining a general city business](#)
[license and a specialty massage license.](#)

19 [B. The following massage service providers are exempt from the specialty massage](#)
[license requirement in subsection A:](#)

21 [a. Physicians, surgeons, chiropractors, osteopaths, nurses, or any physical](#)
[therapists, who are duly licensed to practice their respective professions in](#)
[the State of Utah and persons working directly under the supervision of or at](#)
[the direction of such licensed persons, working at the same location as the](#)
[licensed person, and administering massage services subject to review or](#)
[oversight by the licensed person;](#)

27 [b. Barbers and cosmetologists who are duly licensed under the laws of the](#)
[State of Utah, while engaging in practices within the scope of their licenses,](#)
[and limited to the massaging of the neck, face, scalp, hands, or feet of the](#)
[clients;](#)

30

31 c. Employees of hospitals, nursing homes, mental health facilities, or any other
32 health facilities duly licensed by the State of Utah, while acting within the
33 scope of their employment;
34 d. Massage performed as part of a home occupation.

35 ~~It is unlawful for any person to engage in, carry on or conduct the business of massage in~~
36 ~~the city without first obtaining a city business license.~~ (Ord. 12-13, 6-13-2012; amd. Ord.

37 19-47, 12-04-2019, Effective at 12 noon on January 6, 2020)

38

39 4-2H-~~23~~: PROHIBITED ACTS:

40 A. It is unlawful for any person to practice or engage in or attempt to practice or engage in
41 massage, without first being licensed by the state as a massage technician or massage
42 apprentice.

43 B. It is unlawful to serve, store, allow to be served, or allow to be consumed any
44 alcoholic beverage on the licensed premises of a massage establishment.

45 C. It is unlawful for a massage practitioner, or any employee of a massage
46 establishment, to engage in unlawful conduct or unprofessional conduct on business
47 premises, including locations designated by the client through an outcall massage
48 service. ~~The following acts are prohibited:~~

49 ~~A. State License Required: It is unlawful for any person to practice or engage in or~~
50 ~~attempt to practice or engage in massage, without first being licensed by the state as a~~
51 ~~massage technician or massage apprentice.~~

52 ~~B. Alcohol: It is unlawful to serve, store, allow to be served, or allow to be consumed any~~
53 ~~alcoholic beverage on the licensed premises of a massage establishment.~~

54 ~~C. Massaging Specified Anatomical Areas: It is unlawful for a massage technician,~~
55 ~~massage apprentice, or any employee of a massage establishment to touch or offer to~~
56 ~~touch or massage the specified anatomical areas of customers.~~

57 ~~D. Sexual Activity: It is unlawful for the massage technician, massage apprentice, or any~~
58 ~~customer or employee of the massage establishment, to display to any other person any~~
59 ~~"specified anatomical area" or to engage in any "specified sexual activity", while on the~~
60 ~~premises of the massage establishment.~~ (Ord. 12-13, 6-13-2012)

61

62 4-2H-4: MASSAGE ESTABLISHMENT REQUIREMENTS:

63 All massage establishments shall comply with the following requirements:

- 64 A. Provide verification of registry with the State of Utah pursuant to Section 58-47b-
65 301.1 of the State Code or successor provision.
- 66 B. Business hours are restricted to between 6:00 AM and 10:00 PM.
- 67 C. State licenses for each masseuse must be displayed in the front lobby. The legal
68 name of each practitioner as well as the Department of Professional Licensing
69 (DOPL) number must be visible.
- 70 D. The full name, address, and phone number of all the massage establishment's
71 employees, independent contractors, and any other persons who are performing
72 massage and a copy of their valid Utah license and valid government issued photo
73 identification must be provided with an application for a license. Updated
74 information must also be provided to the City within 30 days of any changes in staff.
- 75 E. It is unlawful to employ anyone under the age of 18 at a massage establishment.
- 76 F. Security cameras are only permitted in the lobby area of a massage establishment.
- 77 G. Windows into the lobby area of the business must remain unobstructed and
78 transparent to outside viewers. Opaque window coverings or graphics are
79 prohibited.
- 80 H. No license shall be issued under this Article until an on-site inspection has been
81 completed by the Business License Official or their designee.

82

83 4-2H-5: LIMITATIONS ON SITE OF PRIOR REVOCATION:

84 The Business License Official may not license a massage establishment at a location for a
85 period of two years where a previous massage establishment was located and had its
86 license revoked, denied, or suspended.

1 ARTICLE H. MASSAGE

2

3 SECTION:

4 4-2H-1: Definitions

5 4-2H-2: License Required

6 4-2H-3: Prohibited Acts

7 4-2H-4: Massage Establishment Requirements

8 4-2H-5: Limitations on Site of Prior Revocation

9

10 4-2H-1: DEFINITIONS:

11 All definitions used herein shall have the same meaning as those found in Utah Code
12 section 58-47b-102, or successor provision.

13

14 4-2H-2: LICENSE REQUIRED:

15 A. It is unlawful for any person, or business, to engage in, carry on, or conduct the
16 business of massage in the city without first obtaining a general city business
17 license and a specialty massage license.

18 B. The following massage service providers are exempt from the specialty massage
19 license requirement in subsection A:

20 a. Physicians, surgeons, chiropractors, osteopaths, nurses, or any physical
21 therapists, who are duly licensed to practice their respective professions in
22 the State of Utah and persons working directly under the supervision of or at
23 the direction of such licensed persons, working at the same location as the
24 licensed person, and administering massage services subject to review or
25 oversight by the licensed person;

26 b. Barbers and cosmetologists who are duly licensed under the laws of the
27 State of Utah, while engaging in practices within the scope of their licenses,
28 and limited to the massaging of the neck, face, scalp, hands, or feet of the
29 clients;

30 c. Employees of hospitals, nursing homes, mental health facilities, or any other
31 health facilities duly licensed by the State of Utah, while acting within the
32 scope of their employment;

33 d. Massage performed as part of a home occupation.

34 (Ord. 12-13, 6-13-2012; amd. Ord. 19-47, 12-04-2019, Effective at 12 noon on January 6,
35 2020)

36

37 4-2H-3: PROHIBITED ACTS:

38 A. It is unlawful for any person to practice or engage in or attempt to practice or engage in
39 massage, without first being licensed by the state as a massage technician or massage
40 apprentice.

41 B. It is unlawful to serve, store, allow to be served, or allow to be consumed any
42 alcoholic beverage on the licensed premises of a massage establishment.

43 C. It is unlawful for a massage practitioner, or any employee of a massage
44 establishment, to engage in unlawful conduct or unprofessional conduct on business
45 premises, including locations designated by the client through an outcall massage
46 service.(Ord. 12-13, 6-13-2012)

47

48 4-2H-4: MASSAGE ESTABLISHMENT REQUIREMENTS:

49 All massage establishments shall comply with the following requirements:

- 50 A. Provide verification of registry with the State of Utah pursuant to Section 58-47b-
51 301.1 of the State Code or successor provision.
- 52 B. Business hours are restricted to between 6:00 AM and 10:00 PM.
- 53 C. State licenses for each masseuse must be displayed in the front lobby. The legal
54 name of each practitioner as well as the Department of Professional Licensing
55 (DOPL) number must be visible.
- 56 D. The full name, address, and phone number of all the massage establishment's
57 employees, independent contractors, and any other persons who are performing
58 massage and a copy of their valid Utah license and valid government issued photo
59 identification must be provided with an application for a license. Updated
60 information must also be provided to the City within 30 days of any changes in staff.
- 61 E. It is unlawful to employ anyone under the age of 18 at a massage establishment.
- 62 F. Security cameras are only permitted in the lobby area of a massage establishment.
- 63 G. Windows into the lobby area of the business must remain unobstructed and
64 transparent to outside viewers. Opaque window coverings or graphics are
65 prohibited.

66 H. No license shall be issued under this Article until an on-site inspection has been
67 completed by the Business License Official or their designee.

68

69 4-2H-5: LIMITATIONS ON SITE OF PRIOR REVOCATION:

70 The Business License Official may not license a massage establishment at a location for a
71 period of two years where a previous massage establishment was located and had its
72 license revoked, denied, or suspended.



REQUEST FOR COUNCIL ACTION

Action: Request Feedback from Council

Meeting Date Requested : 01/27/2026

Presenter: Patrick S Boice, Senior Assistant City Attorney

Deadline of item :

Applicant: City Council

Department Sponsor: Council Office

Agenda Type: DISCUSSION TOPICS

Presentation Time: 20 Minutes

(Council may elect to provide more or less time)

1. AGENDA SUBJECT

Discussion of West Jordan City Code – Title 6, Chapter 6D, Section 11 – Sale of Animals

2. EXECUTIVE SUMMARY

The question of increased regulation on pet sales has come before the Council on two separate occasions. In the most recent meeting the City Council asked that legislative code be drafted for discussion purposes.

Included in the packet are two distinct approaches to increased regulations on the sale of animals. Option 1, is similar to what has been adopted in Sandy City and is a total prohibition on certain animal sales. Option 2, allows for more sales and increased regulatory requirements.

Staff is requesting direction from the Council based on the two options presented.

3. TIME SENSITIVITY / URGENCY

None

4. FISCAL NOTE

Uncertain. Increased regulation of any kind may have some impact.

5. MAYOR RECOMMENDATION

6. COUNCIL STAFF ANALYSIS

Timeline & Background Information

Council last discussed this item in the [October 14, 2025 COTW meeting](#).

- Council Member Bloom proposed regulations on retail pet sales to improve transparency and protect animal welfare and consumers, emphasizing that the intent was not to target any specific store but to close gaps between breeder licensing and resale practices. She noted that similar ordinances in Sandy and Salt Lake City address loopholes in state law. Some members, including Vice Chair Bedore and Council Member Shelton, expressed concern that strict regulations could create a monopoly for the city's only pet store, while others questioned whether consumer demand and existing laws should resolve the issue. Bloom argued that municipalities have authority to regulate health, safety, and welfare, and that requiring certificates of source would promote ethical practices.
- The discussion revealed mixed views on fairness and effectiveness. Council Member Green opposed additional regulations, citing state preemption and concerns about overregulation,

while others compared the proposal to health and safety standards in other industries. Animal welfare advocate Amy Motta noted that USDA licensing alone does not prevent poor conditions, suggesting stronger measures may be needed.

- **Outcome** - Ultimately, a majority of the Council supported drafting language similar to Sandy City's ordinance for further review, with Chair Whitelock requesting staff collaborate with Bloom and Bedore to bring back proposed language to the Committee of the Whole.

What You Need to Know – A Plain Language Summary

The Council is being asked to provide feedback on potential changes to West Jordan City Code – Title 6, Chapter 6D, Section 11, which governs the sale of animals. Two options are presented for discussion:

- Option 1: A full prohibition on certain animal sales, similar to Sandy City's approach.
- Option 2: Allows animal sales but introduces stricter regulatory requirements.

The Council's role at this stage is discussion and direction—no final vote is scheduled. Members may wish to consider whether the City should align with neighboring cities like Sandy, which have adopted prohibitions, or pursue a regulatory approach that balances animal welfare concerns with business interests. Compliance with Utah state code appears intact under both options, but Council may want to confirm any preemption issues.

Key stakeholders include:

- Local pet retailers and breeders (potential economic impact)
- Animal welfare advocates
- Residents concerned about animal health and consumer protection

This discussion may also touch on broader policy goals, such as public health, consumer transparency, and regional consistency.

Possible Scenarios & Key Tradeoffs

If the Council supports Option 1 (prohibition):

- Pet stores may shift to selling supplies only, reducing live animal availability locally.
- Could align West Jordan with Sandy City and other municipalities that have adopted similar bans.
- May reduce risks of puppy mills and poor breeding practices but could impact small businesses.

If the Council supports Option 2 (regulated sales):

- Allows continued animal sales under stricter conditions (e.g., licensing, health certifications).
- May require additional enforcement resources and administrative oversight.
- Could strike a balance between animal welfare and economic considerations.

Tradeoffs include:

- Animal welfare vs. business flexibility
- Regional consistency vs. local autonomy
- Administrative cost vs. regulatory benefit

Potential Discussion Points & Questions

1. How do the proposed options compare to Sandy City's ordinance and other nearby cities?

2. What enforcement mechanisms would be needed under Option 2, and what would they cost?
3. Are there any legal risks or state-level preemption concerns with either option?
4. How might these changes affect existing pet businesses in West Jordan?
5. Could the City consider a phased approach or grandfathering for current operators?

Applicable Guiding Principles from the General Plan

- **Urban Design:** Support neighborhoods and developments of character.
- **Land Use:** Decisions should protect existing land uses and minimize impacts to neighborhoods.
- **Economic Development:** Attract and retain quality businesses while balancing community values.
- **Environment:** Encourage practices that promote animal welfare and sustainability.

7. POSSIBLE COUNCIL ACTION

The Council may choose to:

1. Move the item forward to a future Council Meeting for consideration and possible final action;
2. Continue the item to a future Committee of the Whole meeting;
3. As applicable, refer the item to the Planning Commission, a Council Subcommittee, or an Ad Hoc Committee;
4. Table the item indefinitely;
5. Make requests of Council Staff, Administrative Staff, or the Mayor for information by way of four agreeing Council Members.

8. ATTACHMENTS

Option 1

Option 2

1 **6-3D-11: SALE OF ANIMALS:**

2 ~~A. Rabbits Or Fowl : It shall be unlawful for any person to sell, offer for sale, barter or
3 give away any baby rabbits or fowl under two (2) months of age in any quantity less than
4 six (6). Such animals shall not be artificially dyed or colored. Nothing in this provision shall
5 be construed to prohibit the raising of such rabbits and fowl by a private individual for his
6 personal use and other facilities for the care and containment of such animals while they
7 are in his/her possession.~~

8 A. It is unlawful for any person to display, offer for sale, deliver, barter, auction, give
9 away, transfer, rent, lease, or sell any live dog, cat, or rabbit in any pet shop, retail
10 business, or other commercial establishment located in the city, unless the dog, cat, or
11 rabbit was obtained from a city or county animal shelter or animal control agency, a
12 humane society, or a nonprofit animal rescue organization.

13 B. All pet shops, retail businesses, or other commercial establishments selling, or
14 boarding for the purpose of eventual sale, dogs, cats, or rabbits shall maintain a
15 certificate of source for each of the animals and make it available upon request to
16 Animal Control Officers, law enforcement, code compliance officials, or any other city
17 employee charged with enforcing the provisions of this section.

18 1. For purposes of this section, a nonprofit animal rescue organization is defined as
19 any nonprofit corporation that is exempt from taxation under Internal Revenue
20 Code Section 501(c)(3), whose mission and practice is, in whole or in significant
21 part, the rescue and placement of dogs, cats, or rabbits without providing
22 payment or other compensation to a breeder or broker; or any nonprofit
23 organization that is not exempt from taxation under Internal Revenue Code
24 Section 501(c)(3) but is currently an active rescue partner with a city or county
25 shelter or humane society, whose mission is, in whole or in significant part, the
26 rescue and placement of dogs, cats, or rabbits.

27 2. For purposes of this section, a certificate of source is defined as any document
28 from the source city or county animal shelter or animal control agency, humane
29 society, or nonprofit animal rescue organization declaring the source of the dog,
30 cat, or rabbit on the premises of the pet shop, retail business, or other commercial
31 establishment.

32 C. This section shall not apply to the display, offer for sale, delivery, bartering, auction,
33 giving away, transfer, or sale of dogs, cats, or rabbits from the premises on which they
34 were bred and reared.

35 D. Nothing in this section shall prevent the owner, operator, or employees of a pet shop,
36 retail business, or other commercial establishment located in the city from providing
37 space and appropriate care for animals owned by a city or county animal shelter or
38 animal control agency, humane society, or nonprofit animal rescue organization and
39 maintaining those animals at the pet shop, retail business, or other commercial
40 establishment for the purpose of public adoption.

41 E. Fowl. It shall be unlawful for any person to sell, offer for sale, barter or give away any
42 fowl under two months of age in any quantity less than six. Such animals shall not be
43 artificially dyed or colored. Nothing in this provision shall be construed to prohibit the
44 raising of such fowl by a private individual as otherwise provided for by this code.

45 F. Premiums and novelties. It shall be unlawful for any person to offer any live animal as
46 a premium, prize, award, novelty, or incentive to purchasing merchandise or services.

47 G. Pet turtles. It shall be unlawful for any pet shop or other business or person to raise or
48 sell any turtle, tortoise or terrapin under four inches front to back carapace length.

49 H. A violation of this section may be prosecuted as a Class C misdemeanor or as a civil
50 citation. Each dog, cat, rabbit, fowl or turtle sold or offered for sale in violation of this
51 section shall constitute a separate offense.

52

53 (2001 Code § 14-4-111; amd. Ord. 19-03, 1-23-2019)

54

1 **6-3D-11: SALE OF ANIMALS:**

2 ~~A. Rabbits Or Fowl : It shall be unlawful for any person to sell, offer for sale, barter or
3 give away any baby rabbits or fowl under two (2) months of age in any quantity less than
4 six (6). Such animals shall not be artificially dyed or colored. Nothing in this provision shall
5 be construed to prohibit the raising of such rabbits and fowl by a private individual for his
6 personal use and other facilities for the care and containment of such animals while they
7 are in his/her possession.~~

8

9 **A. Definitions:** For purposes of this section:

- 10 1. Retail Pet Store means a for-profit establishment open to the public that sells dogs
11 or cats at retail.
- 12 2. Licensed Breeder or Dealer means a person or entity holding a valid license under
13 the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.) and in good standing at the
14 time of sale.
- 15 3. Animal Care Facility means a municipal or county animal shelter, humane society, or
16 nonprofit animal rescue.
- 17 4. Direct Violation means a direct noncompliance cited on a USDA inspection report
18 concerning humane care, housing, sanitation, feeding, watering, veterinary care, or
19 handling.

20 **B. Authorized Sources**

- 21 1. A Retail Pet Store may sell or offer for sale a dog or cat only if the animal is obtained
22 from one of the following:
 - 23 a. A Licensed Breeder or Dealer; or
 - 24 b. An Animal Care Facility.

25 **C. Consumer Disclosure Requirements**

- 26 1. For each dog or cat offered for sale, the Retail Pet Store shall display, in a
27 conspicuous location on or adjacent to the animal's enclosure, and make available
28 upon request, the following information:
 - 29 a. The name, city, and state of the source;
 - 30 b. The source's USDA license number;
 - 31 c. The animal's date of birth, if known, and date it entered the store; and
 - 32 d. A summary of the animal's health certificate or veterinary examination, along
33 with any health guarantees provided at sale.

35 2. The Retail Pet Store shall maintain source, transport, and veterinary records for
36 each animal for at least two years and shall make such records available to the city
37 upon request during business hours.

38 D. Prohibited Acts: It is unlawful for a Retail Pet Store to:

39 1. Knowingly obtain a dog or cat from a source that lacks a current license where one
40 is required;

41 2. Knowingly obtain a dog or cat from a Licensed Breeder or Dealer that has a Direct
42 Violation on either of the two most recent inspection reports preceding the date of
43 acquisition;

44 3. Misrepresent the source or health history of any dog or cat offered for sale.

45 E. Enforcement and Penalties

46 1. The Animal Control Division may conduct records inspections to confirm
47 compliance with this section.

48 2. Violations of this section may be prosecuted as a class C misdemeanor or as a civil
49 citation. Violations of this section may also be used as grounds for a business
50 license revocation.

51 F. Adoption Events

52 Nothing in this section prohibits a Retail Pet Store from hosting adoption events with an
53 Animal Care Facility, provided that the animals are owned by the facility and the store does
54 not receive compensation other than reimbursement of reasonable costs.

55 G. Non-retail Sales and Exemptions

56 This section does not regulate the sale of dogs or cats by a breeder on the premises where
57 the animals were bred and reared.

58 (2001 Code § 14-4-111; amd. Ord. 19-03, 1-23-2019)

59