



CITY COUNCIL

MAY 19, 2026



# DOGS

Question - Should we allow kenneling more than two dogs and dog training within a residential zone?



# DOGS

**Ordinance** – “no more than 2 dogs . . . and 2 cats . . . shall be kept at any residence or commercial establishment at any time. This provision shall not apply to any licensed animal holding facility or animal shelter.”

- Dog Breeder Permit – up to 4 dogs in R1-15 and A-1 zones



# DOGS

How does Springville's ordinance compare?

- Provo, Spanish Fork, Orem, Payson - 2 dogs per lot
- Lehi - 3 dogs per lot
- Some cities have kennel ordinances that allow 2 additional dogs if a kennel permit is obtained
- Some cities allow more dogs based on military leave



# DOGS

## Proposal -

- Individual Dog Training
- Group Dog Training
- Short-term Residency training
- Overnight Care (Up to 10 dogs)
- Daytime Care
- Grooming

Only allowed if requirements are determined and implemented so that the residence does not cause problems for neighbors.



# PROPOSED REQUIREMENTS

- Specific Hours:
  - Training
  - Overnight Care - Drop Off and Pick Up
  - Daytime Care - Drop Off and Pick Up
  - Grooming - by appointment
- Training Space - video surveyance
- Housing Space
  - 10'X10' climate controlled, insulated, and soundproof room
  - Individual crates



# PROPOSED REQUIREMENTS

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  - Grooming - by appointment
- Training Space - video surveyance
- Housing Space
  - 10'X10' climate controlled, insulated, and soundproof room
  - Individual crates
  - Specific/limited outdoor times
- Business Owner Training - Must have valid training certification



# PROPOSED REQUIREMENTS

- Dogs Evaluated:
  - Sleep through the night
  - Comfortable around new people
  - Get along with other dogs and kids
  - Well-mannered
  - Other requirements as well
- Annual Property Inspection
  - Adequate space
  - Fencing
  - Clean and Safe Environment
- Business
  - Insurances
  - Current state and city license
  - License fee





# OPEN AND PUBLIC MEETINGS TRAINING

Why do we do this training each year?

- Required by State to do an annual training
- Springville wants to be open and transparent



## OPEN MEETINGS LAW

In a meeting, someone from the public asks the Council to have the city install an expensive length of sidewalk for the safety of the children. May the Council discuss the item?

Yes. At the discretion of the Mayor, “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.” The Mayor allows the discussion and the Council wants to see the sidewalk installed but there is no money budgeted for sidewalk. What needs to happen?

Any two Councilmembers or the Mayor may request that the item be placed on a future agenda for formal consideration. The Council may then vote on the item, which would need to have budget amendment.



## OPEN MEETINGS LAW

How long must a notice of a public meeting be given before the public meeting may be held?

24 hours

In the middle of the night, some teenagers start Spring Canyon on fire. State, County, and City fire personnel work to put the fire out into the next day. The outside agencies now want the City to sign agreements that need Council approval to keep the firefighting work moving forward. Do we have to wait 24 hours to get the Council's approval?

No. Emergency meetings are allowed.



## OPEN MEETINGS LAW

The entire meeting minutes for an item in Council meeting state, “8. A public hearing was held on a proposed sign ordinance. Allan Reed and Dick Bona responded are concerned about the moratorium on signs along the freeway. Cl. Knight made a motion with a second by Cl. Roundy. This motion passed unanimously.” Do these minutes meet today’s open meeting’s laws?

Probably Yes. Section 52-4-203 Meeting minutes must contain:

- . . .
- The substance of matters all proposed, discussed or decided by the public body which may include a summary of comments made by members of the public body;
- . . .
- Substance, in brief, of testimony or comments provided to the public body.
- The resident could simply request through GRAMA a recording of the meeting.



# PUBLIC NOTICES - 2023 STATE AUDITOR FINDINGS

“The Office of the State Auditor has noted widespread non-compliance with public notice requirements among local government entities.”

- Areas of None Compliance:
  - *Failure to be properly listed on the Public Meeting Notice Website.*
  - *Must post pending and approved minutes of the public meeting within 30 days after the public meeting.*
  - *Must make an audio recordings of open meetings and make them available to the public within three business days of a meeting.*
  - *Must list names of all board members, absent or present, in the pending and approved minutes*



# ADMINISTRATIVE VS. LEGISLATIVE

Two types of actions.

- Legislative - ordinances and policies
  - May listen to and consider public comments - “public clamor”
  - Will hold up in Court if:
    - Properly enacted,
    - Not preempted by state or federal laws, and
    - Is reasonably debatable that the legislation follow LUDMA
- Administrative - apply ordinances/policies to an application
  - Must apply the legislation to the application
  - Court will:
    - Presume that the decision was valid, unless:
    - Arbitrary and capricious; or illegal.



## OPEN MEETINGS LAW

A director reaches out to ten residents to help her to brainstorm ideas for upcoming programs that she is over. Is this group considered a public body?

No. Boards, Commissions, Committees

**Meeting** “means a gathering of a **public body** . . . with a **quorum** present . . . that is **convened**: by an **individual, with authority** to convene the public body, and following the **process provided by law** for convening the public body or specified body, and for the express **purpose of acting as a public body** to: receive public comment about a relevant matter, deliberate about a relevant matter; or take action upon relevant matter.”

**Public Body** “means any administrative, advisory, executive, or legislative body . . . that (A) is created . . . by statute, rule, ordinance, or resolution; (B) consists of two or more people; (C) expends, disburses, or is supported in whole or in part by tax revenue; and (D) is vested with the authority to make decisions regarding the public’s business.”



## OPEN MEETINGS LAW

Three City Councilmembers and the Mayor are invited to a dinner with State Representative. All four show up to the dinner. Is this considered a meeting?

No - In the past, the Code stated that a “chance meeting or a social gathering” was allowed. Now the language is arguably more lenient because a meeting has to be officially convened by one having authority.

While at the dinner, the Mayor and two of the Councilmembers find an empty room to discuss City business. Is this a meeting?

No. The Mayor and two Councilmembers do not qualify as a quorum. If there were three Councilmembers, the Mayor would have authority to convene a meeting. But was the meeting convened in accordance with law?





## NEWER SECTION - 2024

Section 52-4-208. Predetermining public action prohibited.

- (1) Individuals constituting a quorum of a public body may not act together outside a meeting in a concerted and deliberate way to predetermine an action to be taken by the public body at a meeting on a relevant matter.
- (2) . . . (does not apply to City Council).



## OPEN MEETINGS LAW

During a deliberation in a City Council meeting regarding whether to pass a new zoning law, a City Council member texts her family that she will be home late, and they should eat dinner without her. Is the text message part of the meeting?

Probably not, but be careful in texting during meetings. GRAMA

During the same meeting, two Councilmembers start to whisper between each other. Are the whispers part of the meeting?

Yes. The whispering may even be clear on the recording. GRAMA



## OPEN MEETINGS LAW

A Councilmember sends a witty text to all the other Councilmembers on a group text. This reminds one of the other Councilmembers of something that happened to him last week, and he shares his experience. Everyone else responds with emoji's and GIFs because the comments are so funny. Is this a meeting?

More than likely not. But please think twice before doing it.

Section 52-4-210 “Nothing in this chapter shall be construed as to restrict a member of the 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.”



## OPEN MEETINGS LAW

Four Councilmembers and the Mayor decide to have breakfast with a state senator to talk about the upcoming legislative session. Any issues?



# OPEN MEETINGS LAW

When is a roll-call vote required?

Section 10-3-506 - Ordinances, resolutions, closed sessions, any action that would create liability against the City, and when it is called for by the Mayor.



# OPEN MEETINGS LAW

At a Council Meeting, a resident, who has served in several different capacities to help the City for over 40 years, shows up to argue against the approval of a subdivision that is before the Council for its consideration. The Council decides to listen to the resident and deny approval because the resident makes a great argument why the subdivision should not be approved. Any issues?



## OPEN MEETINGS LAW

The Mayor and three other Council members are in a meeting. Two of the three Council members vote to approve a resolution. Does the resolution pass?

No.

The Mayor and four Council members are in a meeting. Two out of the four Council members vote to approve a resolution. Does the resolution pass?

It depends on how the Mayor votes.



## PUBLIC MEETINGS LAW

A Council member's brother-in-law has a financial relationship with a developer who is seeking to amend the zoning ordinance. Does the Councilmember need to recuse themselves?

Not Necessarily.

The Council member declares a conflict of interest on the issue and recuses herself. Should the Councilmember do anything more?





# ETHICS ACT

The City receives a confidential letter regarding the location of a popular, destination box store moving into Springville in an area with cheap land prices. A councilmember reads the letter in his position and then has his cousin purchase all the property around where the new store will be located. Any issues?

Included in the Municipal Officers' and Employees' Ethics Act is the obligation of elected and appointed officials to:

Not disclose or improperly use private, controlled, or protected information acquired by them by:

reason of their position or

in the course of their duties in order to further substantially

their personal economic interest or

to secure special privileges or exemptions for the elected or appointed official or others;

and avoid the use of their office for personal benefit.



# ETHICS ACT

A councilmember is going on an outdoor vacation. A RV dealership within the City knows about the vacation and offers the councilmember to use a RV free of charge as long as the councilmember gives a good testimonial. Any issues?

Shall not use or attempt to use their position to further substantially their

personal economic interest or

secure special privileges for the elected or appointed official or for others.

Not knowingly receive, accept, take, seek, or solicit, directly or indirectly, for the elected or appointed official or for another,

a gift of substantial value or

a substantial economic benefit tantamount to a gift that:

Would tend improperly to influence a reasonable person in the elected or appointed official's position to depart from the faithful and impartial discharge of the person's public duty; or

The elected or appointed official knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the elected or appointed official for official action taken.



# ETHICS ACT

## Public Disclosures and Filings:

Where an elected or appointed official receives or agrees to receive compensation for assisting any person or business entity in any transaction involving the City:

Written Disclosure to Mayor, and

Disclose in Open Meeting Immediately Before the Discussion.

Where an elected or appointed official is an officer, director, agent, or employee or the owner of a substantial interest in any business entity which is subject to regulation by the City:

Sworn Statement to Mayor, and

Mayor Discloses to Public Body.



# ETHICS ACT

## Public Disclosures and Filings:

Where the elected or appointed official is an officer, director, agent, employee, or owner of a substantial interest in any business entity which does or anticipates doing business with the City:

Disclose to Public Body Prior to Discussion, and  
Entered into Minutes.

Where an elected or appointed official has a personal interest or investment which creates a conflict between the elected or appointed official's personal interests and the elected or appointed official's public duties.

Disclose in Open Meeting.



# PUBLIC NOTICES AND MINUTES



# ETHICS ACT VIOLATIONS

- Investigation - State Ethics Committee
- Criminal - Degree of Charges based on amount of value



## OPEN MEETINGS LAW

At the beginning of a Council meeting, a Council member makes a motion to adjourn the meeting at no later than 9:00 pm, a second was given, and all voted to in favor of the motion. When 9:00 pm arrives, there are still two items on the agenda to cover. Should the two remaining items be discussed?

No.



# OPEN MEETINGS LAW

What issues may be discussed in a closed meeting?

- **Character**, professional competence or physical or mental health of an individual
- Strategy session to discuss **pending or reasonably imminent litigation**
- Strategy session to discuss the **purchase, exchange, or lease of real property**, including any water rights or water shares, if public discussion of the transaction would disclose appraisal values or prevent the public body from completing the transaction on the best possible terms
- Strategy session to **discuss the sale of real property, including any form of a water right or water shares**, if public discussion of the transaction would disclose the appraised value or prevent the public body from completing the transaction on the best possible terms.







