

**MONTICELLO CITY COUNCIL MEETING AGENDA**  
**Tuesday • February 25, 2014 • 7:00 p.m.**  
**17 North 100 East**

- |  |             |
|--|-------------|
| 1. Call to Order                                     |             |
| 2. Invocation/Opening Remarks                        |             |
| 3. Minutes Review/Approval – Feb. , 2014 (1)         | ACTION      |
| 4. Public Comment – Monte Wells                      | INFORMATION |
| 5. Payment of Bills (2)                              | ACTION      |
| 6. Follow-Up Items                                   | DISCUSSION  |
| 7. Public Hearing for 1616 Clayhill Drive Annexation | HEARING     |
| 8. Consider 1616 Clayhill Drive Annexation (3)       | ACTION      |
| 9. Public Hearing for 2013-14 Budget Amendments      | HEARING     |
| 10. Consider 2013-14 Budget Amendments (4)           | ACTION      |
| 11. Consider Employee Compensation (5)               | ACTION      |
| 12. Dog Issues (6)                                   | DISCUSSION  |
| 13. Police Department Report                         | INFORMATION |
| 14. Consider Well Project                            | ACTION      |
| 15. Governing Body/Administrative Communications     | INFORMATION |
| 16. Upcoming Agenda Items                            | DISCUSSION  |
| 17. Meetings   | INFORMATION |
| 18. Adjournment                                      | ACTION      |

Mailing/Posting Date: 02/21/14 /s/Cindi Holyoak, Recorder, CMC

**THE PUBLIC IS INVITED TO ATTEND ALL CITY MEETINGS**

Monticello City Council holds meetings on the 2nd and 4th Tuesdays of each month, unless otherwise posted, at the Monticello City Office, 17 N 100 E, beginning promptly at 7:00 p.m. In accordance with the Americans with Disabilities Act, anyone needing special accommodations to attend a meeting may contact the City Office, 587-2271, at least three working days prior to the meeting. City Council may adjourn to closed session by majority vote, pursuant to Utah Code §§52-4-4 & 5.

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## MONTICELLO CITY COUNCIL MEETING MINUTES

Tuesday • February 11, 2014 • 7:00 p.m.

17 North 100 East, Monticello, UT

**1. Call to Order** - The regularly scheduled meeting of the Monticello City Council was called to Order by Tim Young at 7:02 p.m. The following persons were present for all, or portions of the meeting.

### City Officials

Mayor Tim Young

### City Council

Scott Frost

Scott Shakespeare

Steven Duke

George Rice

Rick Clark

**City Manager:** Greg Westfall

**Assistant City Manager:** Oliver Crane

**City Recorder:** Cindi Holyoak

**Public Works Superintendent:** Nate Langston

**Assistant City Manager:** Oliver Crane

### Visitors

Jessica Greenway, Jennifer Acox, Sarah English, Burton Black, Pat Bar, and Ryan Jolly.

**2. Invocation/Opening Remarks** - Mayor Young invited anyone in the audience or the governing body to offer a prayer or opening remarks. A prayer was given by Councilman Scott Frost.

**3. Minutes Review/Approval** - The minutes were mailed with the agendas.

**MOTION was made by Councilman Scott Shakespeare to approve the minutes of the January 28, 2014 City Council Meeting. The motion was seconded by Councilman Steve Duke and passed unanimously.**

### **4. Public Comment – Sarah English**

Sarah was representing the Monticello Swim Team. She asked the Council to open the swimming pool a little earlier. She provided a list of benefits for opening the pool earlier for the Council to review, which included ideas for promotion and partnerships with the San Juan County Senior Center and schools. She said the competitive teams from other towns are practicing now. She suggested opening the pool by the 1<sup>st</sup> day May but would like it as early as possible. Manager Westfall discussed the financing situation and the cost increase to opening the pool. He said it takes a month to get the pool and staff operational which add to the cost. The building is not heated so the

**Monticello City Council**  
**February 11, 2014**

pool can't be opened before the weather warms significantly. He said it would cost \$4-5000 per month to operate the pool. Janice Atwood asked if the City has looked into wellness grants. She said there may be grants available to help with the utility bills. The Silver Sneakers program is funded through Medicaid and may be a resource.

**5. Payment of Bills** - Questions and answers were directed to the following bills:  
The golf committee has recommended a 25 golf cart lease.

**MOTION was made by Councilman Scott Frost to approve the bills as paid. The motion was seconded by Councilman Rick Clark and passed unanimously.**

**6. Follow-Up Items**

Manager Westfall informed the Council the Schafer house is for sale at \$130,000. City Engineer Ryan Jolly, provided maps for the Council to review. Superintendent Langston discussed the property issues with storm water drainage onto the property in question which is located just east of Main Street in a future road corridor. The Public Works Department has struggled to alleviate problems with a ditch but this hasn't fixed the problem and has created a maintenance issue. Ryan Jolly said drainage has always been there and is necessary for the City's drainage system, however recently, there has been a more concentrated flow. He said outside of purchasing the property, there is no feasible solution. He said the area could be beautified which would also slow the water flow and minimize water damage.

A no parking sign has been ordered for the corner by Thatza Pizza. Cones have been placed for now to deter cars from parking in that area.

**7. Engineer Update for Water Wells & Community Center**

Two bids were presented to the Council for review. The well at the golf course is so deep, there are only a few companies who will be able to place a pump at that depth. The total cost for the well will be around \$500,000. The well is 1500 feet below the surface in the Navajo Sandstone aquifer and it is potable water without harmful levels of arsenic. The goal was 200 gallons of water per minute, the well will provide 100 gallons per minute so the engineers are contemplating how to gain an additional 100 gallons per minute. A Hydro-geologist is looking at options north of town but it would be costly, estimated at around \$1,000,000. Existing wells were discussed as options for improvement. In the past, the Jaramillo well has produced 75 gallons per minute which would supplement the secondary system. This well contained a high amount of iron but it was not cased far enough down and collapsed. It has been advised to re-drill the well. Mayor Allen asked if this well will qualify for the granted funds from the Community Impact Fund Board (CIB), since it would be used for secondary water. Jolly said it qualifies because it can still be used in the culinary system, if needed, and by supplementing the secondary, there is less demand on the culinary system. An additional well could be drilled at about 500 feet near one of the treatment ponds. Water from this well could easily be added to the system.

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Superintendent Langston said the well at the golf course will be one of the best wells in the area as far as construction, detail and data collected. There was also discussion concerning an additional storage pond. Jolly said more storage is redundant with the storage capacity of Loyds Lake. Councilman Frost asked if the granted CIB funding can be used to purchase water rights. Manager Westfall said it has been looked into but currently no one is interested in selling.

San Juan County is in favor of combining the community center with a senior center. This will help with funding. A floor plan will be presented on the 24<sup>th</sup> of February to the San Juan County Commission. The City will submit a supplemental request to the CIB in April. More information will be available at the next City Council meeting on February 25<sup>th</sup>.

### **8. Water Report – Superintendent Nate Langston**

Superintendent Langston explained the Council made a goal to save 25% in water usage for the summer of 2013, which was met. The golf course cut water usage by 30%. He provided the Council with charts displaying the usage and intake. 180 acre feet was used from Loyds Lake in 2013, and 900 acre feet remains. \$60,000 was spent to maintain water wells. Annual precipitation is 69% of average. Spring flow is bringing 200 gallons per minute and the collection ponds are almost full.

### **9. Consider Drafting a Night Sky Ordinance**

ACM Oliver Crane said the Planning Commission is interested in working on an ordinance to prevent light pollution which could potentially damage the ambiance and the ability to view stars. Burton Black said an ordinance was implemented in Moab. He said there can be some extremes with lumen restrictions which create safety issues. He said a shielded light ordinance may be effective without creating safety problems.

**MOTION was made by Councilman Scott Frost to direct the Planning Commission to draft an ordinance to protect the dark/night sky. The motion was seconded by Councilman Scott Shakespeare and opened for discussion.**

**Councilman Scott Shakespeare – Aye  
Councilman Steven Duke – Aye  
Councilman George Rice – Aye  
Councilman Scott Frost – Aye  
Councilman Rick Clark – Aye**

**The motion passed unanimously.**

### **10. Consider Appointment of City Treasurer & Recorder**

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**MOTION was made by Councilman Scott Shakespeare to appoint Greg Westfall to the position of Treasurer and Cindi Holyoak to the position of Recorder. The motion was seconded by Councilman George Rice and opened for discussion.**

**Councilman Steven Duke – Aye  
Councilman George Rice – Aye  
Councilman Scott Frost – Aye  
Councilman Rick Clark - Aye  
Councilman Scott Shakespeare – Aye**

**The motion passed unanimously.**

**11. Consider Alcohol License for Canyonlands Conoco**

**MOTION was made by Councilman Scott Shakespeare to approve the alcohol license for Canyonlands Conoco. The motion died for lack of a second.**

**MOTION was made by Councilman George Rice to approve the alcohol license for Canyonlands Conoco pending approval from the Chief of Police. The motion was seconded by Councilman Rick Clark and opened for discussion.**

**Councilman George Rice – Aye  
Councilman Scott Frost – Aye  
Councilman Rick Clark - Aye  
Councilman Scott Shakespeare – Nay  
Councilman Steven Duke – Aye**

**The motion passed unanimously**

**12. Budget Amendments**

Manager Westfall said new annexation tax revenue has been received and \$55,000 has not been budgeted into the 2013-14 budget. Councilman Shakespeare said he would like to spend \$5,000 to open the pool earlier and to purchase needed equipment and possibly more fireworks. One backstop at the ball field has collapsed which is a priority. Mayor Young said he would like to make sure some salaries are increased. The annual payment for the Community Center has been budgeted and will not be expended within this budget year. Councilman Frost would like the payment earmarked for the Community Center project. Mayor Young said he would like to see some of the funding put towards police car replacement. Councilman Shakespeare said the money should be saved for equipment. Councilman Rice said his priority is the repair of streets.

**13. Consider Wasatch Wind Building Permit**

The information was included in the packet for Council review. The information is preliminary and a staff recommendation has not been made. This is for the wind

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towers and a detailed plan will be coming to the City Council with exact coordinates and dimensions.

**No motion was made.**

**14. Governing Body/Administrative Communications**

**14.1** Manager Westfall discussed purchasing some equipment which has already been budgeted. He would like to spend around \$6,000. The consensus was to purchase the furniture.

**14.2** Departmental Reports will be scheduled.

**15. Upcoming Agenda Items**

**15.1** Public hearing for Scott Frost annexation

**15.2** Consider Scott Frost Annexation - action

**15.3** Public Hearing for Budget Amendments

**15.4** Consider Budget Amendments – action

**15.5** Follow-up items – discussion

**15.6** MBA Payments

**15.7** Police Department Report – Information

**15.8** Well Bids - Action

**16. Meetings:**

**17. Adjournment**

**MOTION was made by Scott Shakespeare to adjourn the meeting at 9:10 p.m. The motion was seconded by George Rice and passed unanimously.**

ATTEST: \_\_\_\_\_

Cindi Holyoak, Recorder

Minutes APPROVED by: \_\_\_\_\_

DATE: \_\_\_\_\_

Mayor Tim Young

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**Monticello City  
Check Register  
Checking Wells Fargo - 07/01/2013 to 02/19/2014**

Payee Name	Reference Number	Invoice Number	Payment Date	Amount	Description	Ledger Account
UTAH STATE DIVISION OF FINANC	39729	20 - 1997 CIB Se	02/10/2014	5,000.00	Principal - 1997 CIB Sewer	522510.2 - 1997 CIB Sewer repaid
UTAH STATE DIVISION OF FINANC	39730	13 - 2000 Sewer	02/10/2014	9,632.00	Interest - 2000 Sewer Improvements	524752.820 - Sewer INTEREST E
UTAH STATE DIVISION OF FINANC	39730	13 - 2000 Sewer	02/10/2014	27,328.00	Principal - 2000 Sewer Improvements	522515.2 - 2000 Sewer Revenue r
				<u>\$36,960.00</u>		
UTAH STATE DIVISION OF FINANC	39731	5 - 2008 State R	02/10/2014	17,000.00	Principal - 2008 State Road Utilities Sewer	522520.2 - 2008 Sewer system rep
UTAH STATE DIVISION OF FINANC	39732	5 - 2008 State R	02/10/2014	16,000.00	Principal - 2008 State Road UtilitiesWater	512530.2 - 2008 Water system rep
EQUITABLE/EQUI-VEST	39739	PR020714-106	02/13/2014	219.05	Equitable EE amt	102223 - State Retirement Withhol
EQUITABLE/EQUI-VEST	39739	PR020714-106	02/13/2014	388.47	Equitable ER	102223 - State Retirement Withhol
				<u>\$607.52</u>		
ICMA RETIREMENT TRUST - 457	39740	PR020714-141	02/13/2014	493.54	ICMA Retirement ER	102223 - State Retirement Withhol
ICMA RETIREMENT TRUST - 457	39740	PR020714-141	02/13/2014	575.00	ICMA Retirement EE amt	102223 - State Retirement Withhol
				<u>\$1,068.54</u>		
LIBERTY NATIONAL	39741	PR020714-2153	02/13/2014	66.00	Liberty Nat Life Ins	102224 - Conseco & Liberty health
OR Dept. of Justice	39742	PR020714-2723	02/13/2014	135.69	Child Support OR	102231 - Advance & Other W/H
PEHP LTD Program Attn: LTD Paym	39743	PRDISA021414	02/13/2014	116.67	LONG TERM DISABILITY	101563 - Health Insurance clearing
BAIRD, CHRIS	39745	021314CB	02/13/2014	381.16	CRUMB RUBBER PICK UP	104410.483 - Streets CRUMB RU
CHEMTECH-FORD LABORATORIE	39746	1400935	02/19/2014	78.00	samples	514751.450 - Water WATER SAM
COUNTRY COMFORT, LLC	39747	3779	02/19/2014	36.50	PUMP PORTABLE TOILETS	104460.610 - Airport MISCELLAN
EMPIRE ELECTRIC	39748	1052 jan14	02/19/2014	57.97	Center and Main Memorial	104510.280 - Parks UTILITIES
FRONTIER	39749	3497feb14	02/19/2014	49.16	airport phone	104460.280 - Airport UTILITIES
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	4.74	Parks	104510.252 - Parks FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	18.88	mach jetter	524752.252 - Sewer FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	43.26	equ #3	104410.252 - Streets FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	149.65	chevy k2500	104410.252 - Streets FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	188.43	equipment #2	104410.252 - Streets FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	192.73	Chevy K1500	524752.252 - Sewer FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	203.71	Charger 8687	104210.252 - Police FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	283.88	Charger 4860	104210.252 - Police FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	435.20	Dodge Durango	104210.252 - Police FUEL
KELLERSTRASS ENT INC.	39750	NP40301408	02/19/2014	1,731.78	sterling condor	534753.252 - Sanitation FUEL
				<u>\$3,252.26</u>		
Larry H. Miller Chrysler Jeep Dodge	39751	2538381	02/19/2014	773.00	tipm kit	104210.250 - Police SUPP & MAI
Larry H. Miller Chrysler Jeep Dodge	39751	2540087	02/19/2014	-125.00	credit for Core Return	104210.250 - Police SUPP & MAI
				<u>\$648.00</u>		
Max Technology LLC	39752	3669	02/19/2014	46.14	monthly	104150.552 - Non Dept PROFESS
Max Technology LLC	39752	3683	02/19/2014	39.75	data back up	104150.552 - Non Dept PROFESS
				<u>\$85.89</u>		
MONTICELLO HOME & AUTO SUP	39753	361536	02/19/2014	2.98	victor easy set	104565.610 - Golf MISCELLANEO
MONTICELLO HOME & AUTO SUP	39753	361536	02/19/2014	19.98	dryer trans duct	104565.249 - Golf CART FLEET M

**Monticello City  
Check Register  
Checking Wells Fargo - 07/01/2013 to 02/19/2014**

Payee Name	Reference Number	Invoice Number	Payment Date	Amount	Description	Ledger Account
MONTICELLO HOME & AUTO SUP	39753	361536	02/19/2014	25.30	washer fl	104410.250 - Streets SUPP & MAI
MONTICELLO HOME & AUTO SUP	39753	361536	02/19/2014	71.66	fleet oil	104565.253 - Golf OIL & LUBRICA
MONTICELLO HOME & AUTO SUP	39753	361883	02/19/2014	5.09	floor dry	104565.250 - Golf EQUIPMENT R
MONTICELLO HOME & AUTO SUP	39753	361883	02/19/2014	9.53	wiper blade spray	104565.253 - Golf OIL & LUBRICA
MONTICELLO HOME & AUTO SUP	39753	362193	02/19/2014	30.38	spark plug	104565.249 - Golf CART FLEET M
MONTICELLO HOME & AUTO SUP	39753	362193	02/19/2014	77.78	grease	104565.253 - Golf OIL & LUBRICA
MONTICELLO HOME & AUTO SUP	39753	362273	02/19/2014	20.19	switch	104565.249 - Golf CART FLEET M
MONTICELLO HOME & AUTO SUP	39753	362273	02/19/2014	56.28	hyd fld	104565.253 - Golf OIL & LUBRICA
				<u>\$319.17</u>		
MONTICELLO MERCANTILE CO	39754	A175727	02/19/2014	43.44	misc hardware	104565.249 - Golf CART FLEET M
MONTICELLO MERCANTILE CO	39754	A175770	02/19/2014	35.96	sw bulbs	104565.249 - Golf CART FLEET M
				<u>\$79.40</u>		
PLAYER, KATHRYN & KIRK	39755	2/11/14	02/19/2014	50.00	restitiوني case 131200017	103510 - Court Fines/Forfeit
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	5.30	17 W 600 S	104565.280 - Golf UTILITIES
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	5.30	349 W Central	524752.280 - Sewer UTILITIES
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	154.84	797 S Golf Course Ln	104565.280 - Golf UTILITIES
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	307.21	232 S Main	104150.554 - Non Dept VISITOR
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	322.38	133 S 100 w	514751.280 - Water UTILITIES
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	322.38	133 S 100 w	524752.280 - Sewer UTILITIES
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	337.28	17 N 100 e	104140.280 - Admin UTILITIES
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	337.28	17 N 100 e	104410.280 - Streets UTILITIES
QUESTAR GAS COMPANY	39756	1/4/14-2/5/14	02/19/2014	708.18	832 W Abajo Dr	514751.280 - Water UTILITIES
				<u>\$2,500.15</u>		
R & R PRODUCTS, INC	39757	CD1756367	02/19/2014	424.48	sprinkler misc	104565.275 - Golf IRRIGATION R
SAN JUAN COUNTY HOSPITAL	39758	Della Lawley 1/2	02/19/2014	151.07	della lawley	214610 - Care Contributions
SAN JUAN COUNTY HOSPITAL	39758	Eula Beeson 1/2	02/19/2014	483.52	Eula Beeson	214610 - Care Contributions
SAN JUAN COUNTY HOSPITAL	39758	Kathy Smith 1/28	02/19/2014	200.00	Kathy Smith	214610 - Care Contributions
SAN JUAN COUNTY HOSPITAL	39758	Spencer Frost 01	02/19/2014	122.72	Spencer Frost	214610 - Care Contributions
SAN JUAN COUNTY HOSPITAL	39758	Spencer Frost 1/	02/19/2014	1,725.38	Spencer Frost	214610 - Care Contributions
SAN JUAN COUNTY HOSPITAL	39758	Suzette Glazner	02/19/2014	38.14	Suzette Glazner	214610 - Care Contributions
				<u>\$2,720.83</u>		
SAN JUAN RECORD	39759	144143	02/19/2014	31.50	Public notice 214 meeting schedule	104140.220 - Admin PUBLIC NOTI
SMUIN, RICH & MARSING	39760	28256	02/19/2014	2,975.00	audit Field work	104150.552 - Non Dept PROFESS
ST LUKES CLINIC	39761	Sandra Bacon	02/19/2014	60.00	Sandra Bacon	214610 - Care Contributions
UTAH HIGHWAY PATROL VEHICLE	39762	2/2014	02/19/2014	7.50	INSPECTION STICKERS FOR CITY TRUCKS	104410.610 - Streets MISCELLAN
UTAH STATE TREASURER	39763	00578jan14	02/19/2014	3,670.37	Jan 2014	103510 - Court Fines/Forfeit
				<u>\$94,381.76</u>		

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## NOTICE OF PUBLIC HEARING

### MONTICELLO CITY COUNCIL

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Notice is hereby given that the Monticello City Council will hold a public hearing on February 25, 2014 at 7:00 p.m., at the Monticello City Office, 17 N. 100 East, Monticello, Utah.

The purpose of the hearing will be to receive comments from the public regarding the proposed annexation of properties located at 1616 Clayhill Drive.

Copies of the annexation petition may be obtained from the office of the Recorder, Monticello City Office. Written comments may be submitted to Oliver Crane, Assistant City Manager, City of Monticello, P.O. Box 457, Monticello, Utah, 84535, prior to the scheduled hearing.

In accordance with the Americans With Disabilities Act, anyone needing special accommodations to attend this hearing should contact the Monticello City Office, 435-587-2271, at least three days prior to the hearing.

Cindi Holyoak,  
Recorder, CMC

Published in the San Juan Record: February 12, 19, 2014  
Posted: February 12, 2014

APPLICATION FOR BUILDING PERMIT AND/OR CERTIFICATE OF OCCUPANCY (ORIGINAL)  
 BUILDING DEPARTMENT - SAN JUAN COUNTY, UTAH

Applicant to fill in Completely

Building Address: 1016 Clayhill Drive  
 Locality: Monticello, UT  
 Nearest Cross St.: Clayhill Drive

Name: Scott Frost  
 Mail Address: Box 1124  
 City: Monticello UT Tel. No. 435 459 1095

Name: AAA Engineering  
 Address: 5911 Renaissance Place  
 City: Toledo, Ohio 43623  
 State License No. Tel. No.

Name: Coast to Coast  
 Address: 22525 Interstate 40  
 City: Knoxville AR 72845  
 State License No. 6399382-5551 Tel. No.

Subdivision:  
 Assessors Parcel #: 38524E324802  
 Lot No. Blk.

13.73 Acres

CLASS OF WORK

New	X	Demolish
Alteration		Repair
Addition		Move

Use of Building: R.V. Storage  
 Size of Building: 20x30 Height: 12'  
 No. of Rooms: 1 No. of Families: 1  
 No. of Floors: 1 Size of Lot: 13.73  
 No. of Bldg. Now on Lot: 2 Use of Bldg. Now on Lot: Home Shop

SPECIFICATIONS

	Material	Size
Foundation		
Ext. Walls		
Partitions		
Grids		
Joist-1st Floor	See Attached	
Joist-2nd Floor		
Joist-Ceiling		
Rafters		
Roof		

COVERING

Exterior Walls	Roof
Interior Walls	Re-roofing

FLUES

Fireplace	FL Furnace
Kitchen	Water Heater
Furnace	Gas Oil

CULINARY WATER

Well: \_\_\_\_\_  
 Utility: N/A  
 SEWAGE  
 Septic Tank: N/A Other: \_\_\_\_\_  
 Sewer: \_\_\_\_\_

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all County Ordinances and State Laws regulating building construction, zoning and sanitation.

Date: 10/24/2013  
 Signature of Permittee: Scott Frost  
 by: \_\_\_\_\_

FOR DEPT. USE ONLY

Date Issued: \_\_\_\_\_  
 Building Permit Number: SJC11113031

VALUATION: \$ 14,580

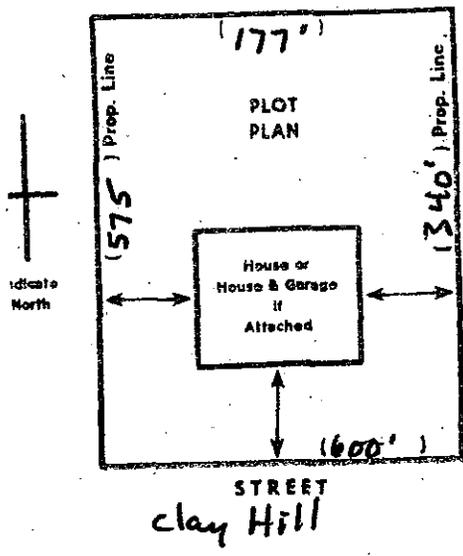
Bldg. Fee	\$ 276.45
Electrical	90.00
Plumbing Fee	
Plan Check Fee	
Total	\$ 366.45

1. Type of Construction: I, II, III, IV, V, VI  
 2. Occupancy Group: A B C D E F G H I  
 Division: 1 2 3 4  
 3. Use Zone: A B C D E F G H I J K L A N O P Q R S T U V W X Y Z  
 1 2 3 4 5 6 7 8 9  
 4. Fire Zone: 1 2 3 4

REQUIRED INSPECTIONS (2)

BUILDING	PLUMBING	ELECTRIC
Foundation	Rough	Rough ✓
Frame ✓	Septic Tank	Finish ✓
Plaster	Sewer	Fixtures ✓
Flues & Runs	Gas	Motors
Final ✓	Finish	Final ✓

Coast to Coast Shed



4

The City has roughly \$50,000 of funds that were not budgeted in this current budget year. This budget will end by the end of June. The City has some current equipment needs that might be a good use for some of this money. Attached is a list of equipment by department prioritized by lettering.

We would like to recommend that the following be purchased.

Golf Course sprayer	\$10,000
Ball Fields fencing	\$15,000
Administrative Vehicle	\$10,000
Savings	\$15,000

In May we will approve a new budget for the next year to start in July 2014, with these extra funds we would like to recommend the following.

Employee Raises	\$15,000
For Equipment or savings	\$35,000

## Monticello Equipment Priority List

Department  
Golf

Priority	Item	Cost
A1	Sprayer	\$ 9,000
A	Greens Mower	\$ 13,000
A	Top Dresser	\$ 9,000
B	Rough Mower	\$ 20,000
B	Gator	\$ 4,500
B	Greens Mower	\$ 13,000
B	Greens Roller	\$ 10,000
B	Greens aerifier	\$ 15,000
C	Kubota Tractor	\$ 10,000
C	Material hauler	\$ 12,000
C	Compact Pickup	\$ 10,000
C	Trim Mower	\$ 15,000
C	Fairway Mower	\$ 15,000

Recreation

A	Fencing	\$ 15,000
B	Lights	\$ 80,000
B	Mower	\$ 10,000
B	Golf Cart	
B	Sand pro	\$ 8,000
B	Fences	\$ 40,000
B	Picnic tables	\$ 10,000

Administration

A	Admin Vehicle	\$ 10,000
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Police

B	Police Vehicle	\$ 25,000
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Note: I spoke with Nate concerning his needs and he would like to see the money go to the fencing at the ball fields.

5



# Monticello Police Department

Kent Adair, Chief

Mayor Young and City Council Members,

2/20/14

I am proposing that Officer Cole Young be promoted to the rank of Sergeant in the Police Department. I would like to increase his annual salary from \$38,000 to \$42,000. With the promotion Sergeant Young would be responsible for. (1) The joint drug and major crimes task force. (2) Coordinate, schedule, train and supervise the part time officers. (3) Animal control issues to include helping to update the animal ordinances. These would be in addition to his other duties as a command officer in the Department.

I feel Officer Young is an excellent candidate for promotion; he has been with the Monticello Police Department for 26 months. He is a dedicated and responsible officer, with a total of 11 years experience. Officer Young is a valuable member of the Department and Community I would appreciate your consideration in this matter. Thank you.

Kent Adair

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## 5-2-1: DEFINITIONS:

As used in this Chapter, unless the context otherwise indicates, the following words shall mean:

**ANIMAL CONTROL OFFICER:** The custodian selected by the City Council to be responsible for the operation of the dog pound.

**AT LARGE:** Off the premises of the owner and not under the control of the owner or a member of his immediate family either by leash, cord, chain or otherwise.

**DOG:** Any canis familiaris over four (4) months of age. Any canis familiaris under four (4) months of age is a puppy.

**ESTRAY:** Any valuable animal, except dogs or cats, not wild, found wandering from its owner.

**IMPOUNDED:** Having been received into the custody of the City pound or into the custody of any authorized agent or representative of the City.

**KENNEL:** An establishment having four (4) or more dogs for the purpose of keeping as pets, boarding, breeding, buying, letting for hire, training for fee, or selling. Allowed only in appropriate zone.

**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.

**POUND:** An animal shelter, lot, premises, or buildings maintained by or authorized or employed by the City for the confinement or care of dogs seized either under the provision of this Chapter or otherwise.

**STRAY:** Any animal "at large", as defined herein.

**UNLICENSED DOG:** A dog for which the license for the current year has not been paid, or to which the tag provided for in this Chapter is not attached.

**VICIOUS DOG:** A dog that has bitten a person without provocation or a dog that has a known propensity to attack or bite human beings. (1978 Code §§ 13-241, 13-261; 1996 Code)

## 5-2-2: ANIMAL CONTROL OFFICER:

A. Appointment: Until such time as an Animal Control Officer is appointed, the Chief of Police, or his designee, shall be the acting Animal Control Officer. (1978 Code § 13-211; 1996 Code)

B. Duties: The Animal Control Officer shall perform the following duties:

1. Carry out and enforce the provisions of this Chapter.

2. Take into his possession and impound all strays running at large and dispose of the same as hereinafter provided.
3. Enforce the licensing of and control all dogs within the City as hereinafter provided.
4. File complaints in the courts against any person failing to comply with the provisions of this Chapter and obtain licenses when required thereunder.
5. Capture and secure all dogs found running at large contrary to the provisions of this Chapter and impound such dogs in a humane manner.
6. Provide for a good and sufficient pound in which all animals duly committed to his charge or otherwise impounded by him shall be maintained.
7. Enter a description thereof in records kept for that purpose stating the kind of animal, the circumstance under which 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. (1978 Code § 13-212)

C. Shall Charge Fees For Services: 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 City. (1978 Code § 13-214; 1996 Code)

D. Interference With Animal Control 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. (1978 Code § 13-213)

### 5-2-3: DOG POUND:

The Governing Body may contract with an adjoining municipality or with the County for the purpose of providing suitable premises and facilities to be used by the 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. (1978 Code § 13-251; 1996 Code)

### 5-2-4: LICENSING REQUIREMENTS:

A. Licensure And Registration: It is unlawful for any person to keep, harbor, or maintain any dog over the age of four (4) months unless such dog has been registered and licensed in the manner herein provided.

1. Application:

- a. Application for registration and licensing shall be made to the City. The owner shall state at the time of application his name and address, and the name, sex, breed, and color of each dog owned or kept by him. The owner shall provide proof of the animal's current rabies vaccination and of its reproductive status at time of application.
  - b. The owner of any newly acquired dog over four (4) months of age shall make an application for registration and license within thirty (30) days after such acquisition, or when the dog attains the above-stated age.
2. Annual Renewal: Licenses are to be renewed annually on or before June 1. Exception: New licenses which are purchased after March 1 of any year will expire on June 1 of the following year.
  3. Issuance Of Tag: Upon payment of the license fee, the City shall issue to the owner a license receipt and a numbered metallic tag for each dog so licensed. The tag shall be issued on a one-time basis and the number recorded for purposes of animal identification. The owner shall provide each dog with a collar to which the license tag shall be affixed and shall assure that the collar and tag are constantly worn. It shall be unlawful to deprive a registered dog of its collar and/or tag.
  4. Duplicate Tag: In the event a dog tag is lost or destroyed, a duplicate tag will be issued by the City upon presentation of a receipt, showing the payment of the license fee for the current year, and payment of the replacement fee.
  5. Tag Not Transferable: Dog tags shall not be transferable from one dog to another.

B. Kennel Regulations: Anyone owning, keeping, harboring or maintaining four (4) or more dogs over the age of four (4) months, for whatever purpose, shall be considered operating a dog kennel, and the following regulations will apply:

1. Kennels shall be permitted only in Agricultural (A-1) Zone.
2. Each dog kept in the kennel shall have a seventy two (72) square foot area dog run.
3. No dogs are to be housed together.
4. Each dog run must have a shelter to protect the animal from the elements.
5. The kennel shall be at least ten feet (10') from the property line.
6. Inspection and approval by the Animal Control Officer shall be required before a kennel license will be issued.

C. License Fees:

1. Fees: All fees for dog licensure are payable to the City prior to issuance of a license. Fees shall be based on the reproductive status of the animal.

2. **Kennel Fees:** Anyone operating a dog kennel shall be required to pay an annual kennel license fee, which shall be in addition to fees established for licensing of dogs.
3. **Established:** All fees shall be established by resolution of the City Council.
4. **Refunds:** Refunds shall not be made on any dog license fee because of the death of the animal, or because the owner is leaving the City before expiration of the license period.

**D. Licensing Exemptions:**

1. **Temporary Residents:** The provisions of this Section shall not be intended to apply to dogs whose owners are non-residents temporarily within the City, nor to dogs brought to the City for the purpose of participating in any dog show or to board in any kennel.
2. **Guide Dogs:** Dogs used as guides for blind persons, 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. (1996 Code)

**5-2-5: CRUELTY TO ANIMALS PROHIBITED:**  

It shall be unlawful for any person to:

- A. **Treat In Cruel And Inhumane Manner:** Wilfully or maliciously kill, main, disfigure, burn or scald, overdrive, overload, overwork, torture, cruelly beat, mutilate, or 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. (1978 Code § 13-231A; 1996 Code)
- B. **Abandon:** Abandon or turn out at large any animal, but such animal shall, when rendered useless by reason of sickness or other disability, be killed by the owner thereof and its carcass disposed of in such manner as to create no nuisance or hazard to health. (1978 Code § 13-222; 1996 Code)
- C. **Poison:** To administer poison to any animal or to expose any poisonous substance with the intent that it shall be taken by any such animal to cause harm or death. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin when applied in such a manner as to reasonably prohibit access to other animals. (1978 Code § 13-224; 1996 Code)
- D. **Fail To Provide Care:** 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. (1978 Code § 13-231B)

E. Intentionally Exhibit: Intentionally exhibit any stud, horse or bull or other animal indecently, or let any male animal to any female animal for the purpose of providing entertainment or viewing to any person. (1978 Code § 13-231D)

F. Maintain Place Of Exhibition: Maintain any place where fowls or any animals are suffered to fight upon exhibition or for sport upon any wager. (1978 Code § 13-231C)

## 5-2-6: DANGEROUS OR VICIOUS ANIMALS:

### A. Dogs Attacking Persons And Animals:

1. Allowing Dog To Attack: It shall be unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog to attack, chase or worry any person, any domestic animal having a commercial value, or any species of hoofed protected wildlife, or to attack domestic fowl. "Worry", as used in this Section, shall mean to harass by tearing, biting or shaking with the teeth.
2. Owner Liability: The owner in violation of subsection A1 above shall be strictly liable for violation of this Section. The owner of such dog shall also be liable for damages to any person injured or to the owner of any animal injured or destroyed thereby.
3. Defenses: The following shall be considered in mitigating the penalties or damages or in dismissing the charge:
  - a. That the dog was properly confined on the premises.
  - b. That the dog was deliberately or maliciously provoked.
4. Dogs May Be Killed: Any person may kill a dog while it is committing any of the acts specified in subsection A1 above or while such dog is being pursued thereafter.

B. Fierce, Dangerous Or Vicious Animals: It shall be unlawful for any person to own any fierce, dangerous or vicious animal. (1996 Code)

## 5-2-7: CONTROL OF RABIES AND RABID ANIMALS:

A. Rabies Vaccination Required: 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 the City without first having had such dog vaccinated every three (3) years against rabies as provided in subsection 5-2-7B below within the past three (3) 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. Exception: Puppy vaccinations for rabies are good for only one year. (1978 Code § 13-248; 1996 Code)

B. Vaccination By Licensed Veterinarian; Exception: Every owner of any dog over the age of six (6) months within the 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 herein required. (1978 Code § 13-247)

C. 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 Animal Control Officer. (1978 Code § 13-228; 1996 Code)

D. Biting Animal Quarantined: 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 City pound and shall not be killed or released until at least fourteen (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. (1978 Code § 13-229)

E. Bitten Animal Quarantined: Any animal of 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 one hundred twenty (120) days or destroyed. (1978 Code § 13-230)

F. Knowledge Of Bite: Any person having knowledge of any individual or animal having been bitten by an animal of a species subject to rabies shall report the incident immediately to the Animal Control Officer. (1996 Code)

### **5-2-8: ANIMALS AT LARGE:**

No cattle, horses, mules, sheep, goats, llamas, or swine shall be allowed to run at large or to be picketed or staked out upon any street, sidewalk, or other public place within the limits of the City, and all such animals so found may be impounded. (1978 Code § 13-221; 1996 Code)

### **5-2-9: DOGS AT LARGE; PENALTY FOR VIOLATION:**

A. Unlawful Acts: It shall be unlawful:

1. For the owner or keeper of any dog to permit such dog to run at large.
  2. 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.
- B. Violation Regardless Of Precautions: The owner 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.
- C. Declared Nuisance: 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 in this Chapter. (1978 Code § 13-244)
- D. Guilty Of Infraction: Any person violating this Section shall be guilty of an infraction, and subject to penalty as provided on Section 1-4-6 of this Code. (Ord. 84-1, 1-4-1984; 1996 Code)
- E. Retrieval Of Dog: Prior to retrieving the dog, the owner will also be required to furnish evidence that the dog is licensed and is current on rabies immunizations, in accordance with Sections 5-2-4 and 5-2-7 of this Chapter. If the dog does not have a license, or is not properly immunized, a citation will be issued. The owner will then have up to fourteen (14) days to obtain a license and/or have the dog immunized. If the deadline is met, the citation will be dismissed. All impound charges will remain applicable. (Res. 94-3, 7-6-1994)

## **5-2-10: PROHIBITED ACTS AND CONDITIONS:**

- A. Disposition Of Dead Animals; Violation: The owner of any animal that has died or been killed shall remove or bury the carcass of such animal within ten (10) hours after its death. No horse, cow, or other hoofed animal shall be buried within the City. A violation of this section is a Class C misdemeanor and subject to penalty as provided in Section 1-4-6 of this Code. (1978 Code § 13-225; 1996 Code)
- B. Diseased Animals: It is a Class C misdemeanor and subject to penalty as provided in Section 1-4-6 of this Code for any person to bring into the 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. (1978 Code § 13-226; 1996 Code)

- C. **Diseased Animals For Human Consumption:** It is a Class C misdemeanor and subject to penalty as provided in Section 1-4-6 of this Code for any person to bring into the City for sale or to sell, or offer for sale any cattle, sheep, swine, fish, game, fowl, or poultry which is diseased, unsound, and unwholesome or which for any other reason is unfit for human food. (1978 Code § 13-227; 1996 Code)
- D. **Female Dogs 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. (1978 Code § 13-245)
- E. **Unlawful To Harbor Stray Dogs:** It shall be unlawful for any person to harbor or keep within the City any lost or stray dog. Whenever any dog shall be found which appears to be lost or stray, it shall be the duty of the finder to notify the Animal Control Officer, who shall impound for running at large contrary to the terms of this Chapter. If there shall be attached to such dog a license tag, the Animal Control Officer shall notify the person to whom such license was issued, at the address given on the license. (1978 Code § 13-246; 1996 Code)
- F. **Loud Or Offensive Animals; Penalty:** No person shall 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 of this subsection shall be a Class C misdemeanor, subject to penalty as provided in Section 1-4-6 of this Code, 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 subsection shall not apply to the City dog pound, veterinary hospitals, or medical laboratories. (1978 Code § 13-249; 1996 Code)
- G. **Trespassing Animals:** 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. (1978 Code § 13-223)

### 5-2-11: IMPOUNDING:

- A. **Duty Of Official To Impound:** It shall be the duty of every police officer or other designated official to apprehend any dog found running at large, not wearing his tag, or which is in violation of this Chapter and to impound such dog 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 mix of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and number of the license. (1978 Code § 13-252)
- B. **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 liable 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 other vehicle used for the collecting or conveying of dogs to the dog pound. (1978 Code § 13-256; 1996 Code)

- C. Records Maintained By Animal Control Officer: 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 sold, the name of the person by whom 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. (1978 Code § 13-253)
- D. Redemption Of Impounded Dogs: Any dog impounded as a licensed or unlicensed dog may be redeemed and taken from the pound by the owner or any authorized person, upon exhibiting to the Animal Control Officer or person having charge of said pound, a receipt showing that the license imposed by this Chapter has been paid for such dog and upon paying the person in charge of the pound the impounding fee, in addition to a fee for each and every day such dog shall have been impounded; provided, however, that the dog shall remain impounded until the charge against the owner of said dog for violation of Section 5-2-9 has been disposed of and the fine, if any, has been paid. If a dog that has been running at large has no apparent owner or has not been claimed within five (5) days of its impoundment, it may be destroyed in a humane manner. (Ord. 84-1, 1-4-1984; 1996 Code)
- E. Disposition Of Unclaimed Or Infected Dogs: All impounded dogs not redeemed within five (5) 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 severely injured or having contagious disease other than rabies and which in the Animal Control Officer's judgment are suffering and recovery is doubtful, the Animal Control Officer may destroy the dog without awaiting the five (5) day period. (1978 Code § 13-255)

## 5-2-12: ESTRAYS:

- A. Duty Of Animal Control Officer: It is hereby made the duty of the Animal Control Officer to take into his possession and impound all estrays running at large, and to dispose of the same as hereinafter provided. (1978 Code § 13-261)
- B. Notice Of Sale: Within three (3) 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 (10) days in three (3) public places in the City, one of which places shall be at or near the post office. He shall immediately deliver a copy of such notice to

the County Clerk or mail the same to him by registered letter. The notice so filed with the County 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, which shall be not less than ten (10) days or more than twenty (20) days from the time of posting such notice. Such notice form is on file in the office of the Court Clerk. (1978 Code § 13-262; 1996 Code)

C. Return To Owner Upon Payment: 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.

D. Unclaimed Animals:

1. Sold To Highest Bidder: If the animals are not so claimed and taken away, the Animal Control Officer 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. The bill of sale shall be such form as is on file in the office of the Court Clerk.
2. Bill Of Sale Filed With County Clerk: The Animal Control Officer shall immediately file a copy of such bill of sale with the County 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. (1978 Code § 13-263; 1996 Code)

E. Records Maintained By Animal Control Officer: The Animal Control Officer shall keep an accurate record of all estrays received by him, their 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 monies paid to owners after sale, all monies paid into the treasury, and all other matters necessary for compliance with the provisions of this Section. 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. (1978 Code § 13-264; 1996 Code)

F. Regulations For Trespassing Estrays Causing Damage:

1. Recovery Of Damages: 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. (1978 Code § 13-265)

2. Appraisal Of Damages: The owner or occupant of any property may detain any or all of said animals trespassing or doing damage thereon. He shall, within forty eight (48) hours thereafter, deliver said animals to the Animal Control Officer together with a certificate of the appraisal of the damage done by such animals. Such appraisal must be made by some disinterested person. 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 appraisal 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. (1978 Code § 13-266; 1996 Code)
3. Owner Notified: The person detaining the animals must, if the owner of the same be known to him and if he resides within ten (10) miles of the place of the trespass, immediately deliver to such owner, or leave at his place of residence if he cannot be found, a copy of such certificate of appraisal; but if the owner does not live within ten (10) miles of the place of trespass, the party detaining the animals may at his option deliver a copy of such certificate to the owner in person, or deposit the same in the nearest post office in a registered letter addressed to said owner. He shall be entitled to charge thirty cents (\$0.30) a mile for the miles necessarily traveled in delivering such certificate, to be taxed as costs against the animals. (1978 Code § 13-267; 1996 Code)
4. Failure To Notify Owner Waives Damages: If the party detaining any animals shall fail to deliver them or the certificate of appraisal to the Animal Control Officer within forty eight (48) hours, or shall fail to deliver to the owners of the animals, if known, a copy of the certificate of appraisal within forty eight (48) hours after he receives the same or to deposit the same in a post office as herein provided, he shall not be entitled to recover damages under the provisions of this Section. (1978 Code § 13-268; 1996 Code)
5. Duty Of Animal Control Officer If Owner Unknown: Whenever any animals are delivered to the Animal Control Officer and the certificate of appraisal 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 available. If the owner be ascertained thereby or if the owner be already known to the Animal Control Officer, he shall, if the owner lives within ten (10) miles, immediately deliver a copy of such certificate of appraisal to such owner, or leave the same at his residence if he cannot be found. If the owner lives more than ten (10) 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. (1978 Code § 13-269; 1996 Code)
6. Owner Entitled To Residue Of Proceeds: If any strays or trespassing animals sold under the provisions of this Section shall, within a period of six (6) 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 the City; provided, that in case there is a contest between two (2) 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 action his right to the same. (1978 Code § 13-274)

7. Records Maintained By Animal Control Officer: 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 Chapter 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 maintain a complete account of the transaction. Such record shall be open for inspection at all reasonable hours without charge. (1978 Code § 13-275; 1996 Code)

G. 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 Section, either by stealth, force, fraud, or to intercept or hinder any person lawfully taking up or attempting to take up such animals. (1978 Code § 13-276)