

NOTICE

Notice is hereby given that the Mayor and City Council will hold a Work Session on August 15, 2012 in the Council Chambers, 45 West 100 South, beginning at 6:00 pm.

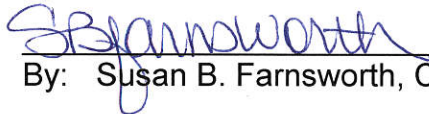
DISCUSSION ITEMS

1. Discussion with regard to Animal Rights
2. Discussion with regard to Economic Development and creation of a CDA Project Area
3. General Discussion

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City Office ten or more hours in advance and we will, within reason, provide what assistance may be required.

CERTIFICATE OF MAILING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Payson Chronicle, Payson, UT, 84651.



By: Susan B. Farnsworth, City Recorder

Posted:
City Offices
Post Office
Zions Bank

**MINUTES OF A COUNCIL WORK SESSION
HELD IN THE COUNCIL CHAMBER
AUGUST 15, 2012**

The meeting was called to order at 6:00 p.m. by Mayor James E. DeGraffenried. Council Members attending: Keith Broadhead, Matthew Carr, Kirk Hunsaker, James Linford, and Rick Steele.

Others attending: City Manager Ben Reeves, Staff Planner Greg Flint, Community Development Director Dennis Marker, Sgt. Rod Hurst, and Brent Norton.

DISCUSSION ITEMS

Mayor DeGraffenried read a "Thank You" sent to the Mayor, Council Members, and Staff for the working with them on the Parks Project. The Thank You reads as follows:

"BMA Construction and Development would like to take this opportunity to than Santaquin City for the work you have trusted us with on the Parks Improvements Project. We thank the City Council, City Administrators, Staff and J-U-B Engineering for making this a successful project. It is truly as a project team that we are able to accomplish so much. Sincerely, Brigham M. Ashton"

Discussion with regard to Animal Rights

Staffer Planner Flint reviewed the proposed Animal Rights Ordinance. (See attachment "A" for the presentation). After review of the presentation, there were no questions from the Mayor or Council Members. Police Sgt. Hurst asked to have the definition of a "pasture" and "corral" clearly defined.

Discussion with regard to Economic Development and creation of a CDA Project Area

Community Development Director presented two possible locations as Community Development Areas (CDAs). The first included lands between 400 East and I-15 from 200 North to Main Street, where a grocery store and supporting development can be built. The second area included lands near Highway 198 and Main Street, which are anticipated to have a hotel, retail, and professional office buildings. The Council asked if the areas could be expanded to include more properties. Mr. Marker responded affirmatively and added that making areas too large may cause perceptual problems with tax increment monies not directly benefiting the properties or businesses that generated the benefit. (See attachment "B" for map)

Mr. Marker discussed the process for establishing the CDAs and the role of the City Council acting as the Community Development Board.

It was reported the Assisted Living Center has received their final inspection and Business License. The owners have indicated they are ready to proceed with construction of Office Buildings.

Council Member Steele was told by Director Marker he has been in contact with a property owner at the South Interchange to discuss a possible business within that area. A CDA could be formed for that area also if the new business is constructed.

It was reported that RDA money was used to install 3 phase power to the current Stringham's Hardware Store.

More information will be shared as it is available.

General Discussion

City Manager Reeves reported he attended the Planning Commission Meeting when Conditional use permit for a proposed Haunted House was reviewed. The citizens were concerned the property was not large enough for the event. They voiced their concerns that the noise and traffic would have a negative impact on their animals.

City Manager Reeves recommended using the old fire station. Temporary housing could be found for the snow plow and the royalty float. It is possible to have a "per ticket" rental fee in order to offset the expense of the building use. They applicants would be required to supply their own insurance with the City as a rider.

Council Member Steele voiced his support of the project.

Mayor DeGraffenried has been contacted by Residents who didn't want it allowed in a residential area.

Council Member Broadhead is concerned with public safety. He suggests the Fire Chief review the proposed use and grant his approval.

City Manager Reeves will work with those proposing the project to overcome any hurdles so the event could move forward.

City Manager Reeves reported they are working on establishing a Quiet Zone with regard to the Rail Road Crossings. The process could take approximately 3 months. Additional information will be shared as it is available.

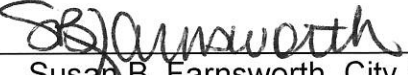
He also reported the Public Works Department tried to start the Center Street Well today. There were issues when they started the motor so a professional has been contacted. He will keep the Mayor and Council Members updated on the issue.

Director Marker reported he was contacted by an insurance company with regard to a claim submitted by the owner of Conoco. The claim has been submitted to the Main Street Project Contractor. Again, information will be shared as it is available.

Those reinstalling the stone on the Main Street planter boxes will be reinstalling rock on 2 of the boxes. Those boxes will be watched for a period of 2 weeks to determine if the product they used will be used to complete the restoring of the boxes.

Approved on September 5, 2012.


James E. DeGraffenried, Mayor


Susan B. Farnsworth, City Recorder

Santaquin City Animal Rights

City Council
August 15, 2012



One of the goals of the General Plan is, "to provide for residential areas in Santaquin that support and complement the unique rural quality and characteristics of the city" including "existing agricultural and animal rights".

Santaquin City Code states that **animal rights** are for the **"enjoyment of city residents while protecting the rights of adjoining property owners and ensuring the peaceful enjoyment of their property ownership."**

The intent of the animal rights ordinance is to allow for animals to be raised with the proper amount of space, while providing enough guidance to enforce nuisance issues and protect neighboring properties.

Existing Animal Rights

Animal Rights are found in Santaquin City Code
Definitions 10-2-2
Animal Rights 10-18
Animal Control 5-2

Animal rights permitted in all zones in Santaquin

Lots must be at least 12,500 square feet (±86 acres) or larger to have animal rights

Animal rights pertain to farm animals

The following animals are allowed as farm animals: large animals, e.g., horses and cattle; medium animals, e.g., sheep, goats, llamas; or small animals, e.g., rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks and pigeons.

The following animals are considered household pets: dog, cat, bird, rodent (including a rabbit), fish, or turtle.

There is currently no limit on the number of farm animals that can be placed on a property as long as the minimum square footage is met.

Can property lose animal rights?

12 Months

Existing nonconforming animal rights shall remain valid until such time as the **rights are abandoned for twelve (12) consecutive months**. If and when this occurs, **the rights associated with such properties are removed** and the property is again subject to the provisions of this chapter.

Penalty

A. Misdemeanor: Any person violating any provision of this overlay may be charged with a class B misdemeanor and upon conviction thereof shall be punished by a fine as stipulated in the Utah state code, by imprisonment as stipulated in the Utah state code, or by both such fine and imprisonment. Each day that said violation is not mitigated will be considered a separate violation.

B. Impounding: Duly authorized agents of the city may indefinitely impound animals which are nuisances or which have been treated cruelly. Owners shall be liable for any impounding and/or capture fees. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

C. **Loss Of Privilege:** Any and all of the rights conferred on the owners of property by this Chapter shall be **forfeited upon the third conviction** and/or violation of: 1) any provision of this chapter; or 2) any violation of title 5 of this code; within any **twelve (12) month period**. A forfeiture of right pursuant to this section **shall not run with the property**. (Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)



Nuisances

Any animal which does any of the following shall be deemed a nuisance:

- A. Causes damage to property.
- B. Causes unreasonable fouling of the air by odors.
- C. Is vicious or wild.
- D. Makes disturbing noises excessively.
- E. Molests, bites, or attacks other animals or people.
- F. Is sick due to neglect, abuse, or similar condition

In addition to any of the remedies and/or penalties provided in this code, a duly authorized agent of the city may take any of the following actions as deemed appropriate under existing conditions:

- A. Summarily abate such nuisance.
- B. Impound.
- C. Reduce or eliminate the nuisance as necessary.

Nuisances are handled by the Animal Control Officer in the Police Department

Changes to current ordinance

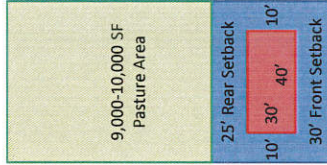
Legal Nonconforming Animal Rights

Lots that currently have legal animal rights (lots of 12,500 square feet or larger) or lots that have historically had animal rights that have been grandfathered will not lose those animal rights unless they are abandoned or discontinued

Lot size will go from a minimum of 12,500 square feet to 14,375 square feet or one-third (1/3) acre

Multi-family dwellings shall be prohibited from having farm animals or fowl on said property.

Dwelling Area: 5,000 Square Feet (.11 acres)
 Pasture Area: 9,000-10,000 Square Feet (.22 acres)
 Total lot requirement: 14,000-15,000 Square Feet (.32-.34 acres)



Household Pets

Household Pets. Small animals and fowl may be kept as household pets in all zones subject to the following conditions:

Animals or fowl must be kept in pens, or otherwise secured, unless housed within the dwelling unit.

No more than **three cats and two dogs** per Animal Control. Provisions of the same species shall be kept, **excluding dependent young under 6 months of age.**

In no case shall there be more than **four small animals or fowl kept as household pets.**

All pens, coops, and structures shall be kept clean and free from objectionable odor.

Animals or fowl allowed shall be those species normally stocked and available at a State licensed pet store.



Farm Animals and Fowl

a. Each property is allowed 100 points for farm animals and another 100 points for fowl per acre. Points for farm animals and fowl are given on prorated basis starting at 1/3 acre. (e.g. 1/2 acre (50 points), 2/3 acre (66 points), 1 Acre (100 points) + 1/2 acre (50 points, etc.)

b. Any combination of large, medium and small animals shall be permitted on any lot 1/3 acre or larger as long as the point total is not greater than allotted for that lot size.

c. Animals shall be considered "pastured" if no humanly constructed animal shelter is provided or supplementary feed provided during the growing season.

d. One large farm animal may be kept per pastured acre with no more than 1 large farm animal per 1/3 acre if stabled.

e. Three medium farm animals may be kept per 1/3 acre.

f. Small farm animals shall be considered household pets unless their numbers exceed more than 4 of any one type of animal. Any animal which is larger than a chicken may be allowed based on the prorated size of the lot and the points allotted for small farm animals over 1/3 acre.

g. Large and medium fowl are only permitted on lots 1/3 acre or larger and on a prorated amount based on lot size and points allotted for each fowl type.

h. Chickens will not be considered as household pets or farm animals. Chickens will be allowed on any residential lot based on the prorated size of the lot and the points allotted for chickens. 1 acre is allotted 100 points.

i. Small fowl or birds will not be considered as household pets or farm animals. Small birds will be allowed on any residential lot based on the prorated size of the lot and the points allotted for small fowl.

j. A minimum of 2 acres is required for each pig and any associated pens or enclosures must be located at least an additional 20 feet further than required setbacks from neighboring dwellings and properties. Pigs, roosters, cows and mink are only allowed in agriculture zones of the City and based on the allotted points for each animal.

Farm Animals and Fowl

Farm animals would be allowed based on a prorated amount based on lot size

Farm Animals	Points	Fowl	Points
Large: Pastured	100	Large: Ostrich, Emu, Turkey	10
Large: Stabled	30	Medium: Ducks, Geese	5
Medium: Sheep, Goat, Llama	10	Household Fowl Permitted in all zones	
Small: Chickens, Rabbits	2.5	Small: Pigeons, Phalaropes, Finches, Doves	2

Large Animals: Horses



Lot Size	Stallions (Pastured)	Stallions (Stabled)
1/4 Acre	None	None
1/3 Acre	None	None
1/2 Acre	None	1
2/3 Acre	None	1
3/4 Acre	None	2
1 acre	None	2
2 acres	1	3
3 acres	2	6
4 acres	3	10
5 acres	4	13
10 acres	5	16
	10	33

Medium size Animals: Goats, Sheep, Llamas



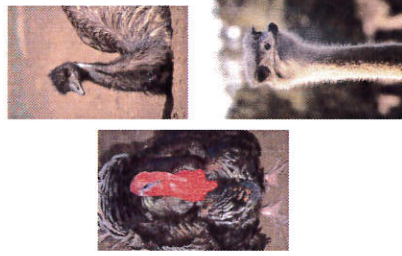
Lot Size	Medium Animals Goats, Sheep, Llamas 10 points each
1/4 Acre	25 pts.
1/3 Acre	33 pts.
1/2 Acre	66 pts.
1 acre	100 pts.
2 acres	200 pts.
3 acres	300 pts.
4 acres	400 pts.
5 acres	500 pts.
10 acres	1000 pts.

Small Animals: Chinchillas, Rabbits



Lot Size	Small Animals chinchillas, rabbits 2.5 pts.
1/4 Acre	4
1/3 Acre	13
1/2 Acre	26
2/3 Acre	40
1 acre	66
2 acres	100
3 acres	133
4 acres	166
5 acres	200
10 acres	400

Large Fowl: Ostrich, Emu, Turkey



Lot Size	Large Fowl (Ostrich, Emu, Turkey) 10 pts.
1/4 Acre	25 pts.
1/3 Acre	33 pts.
1/2 Acre	66 pts.
1 acre	100 pts.
2 acres	200 pts.
3 acres	300 pts.
4 acres	400 pts.
5 acres	500 pts.
10 acres	1000 pts.

Medium Fowl: Ducks, Geese



Lot Size	Pks.	Large Fowl (Ostrich, Emu, Turkey) 20 pks.
1/4 Acre	25 pks.	None
1/3 Acre	33 pks.	3
1/2 Acre	66 pks.	6
2/3 Acre	100 pks.	10
1 acre	200 pks.	20
2 acres	300 pks.	30
3 acres	400 pks.	40
4 acres	500 pks.	50
5 acres	600 pks.	60
10 acres	1000 pks.	100

Chickens and Roosters



Roosters are only permitted in Agricultural Zones in the city

Lot Size	Number Permitted	Lot Size	Number Permitted
5,000 sq. ft.	2	1/4 Acre (10,890 sq. ft.)	None
6,000 sq. ft.	2	1/4 Acre (14,375 sq. ft.)	1
7,000 sq. ft.	3	1/2 Acre (21,780 sq. ft.)	2
8,000 sq. ft.	3	1/2 Acre (28,750 sq. ft.)	3
9,000 sq. ft.	4	3/4 Acre (43,560 sq. ft.)	3
1/4 Acre (10,890 sq. ft.)	5	1 acre (43,560 sq. ft.)	5
1/3 Acre (14,375 sq. ft.)	6	2 acres	10
1/2 Acre (21,780 sq. ft.)	10	3 acres	15
2/3 Acre (28,750 sq. ft.)	13	4 acres	20
3/4 Acre (43,560 sq. ft.)	15	5 acres	25
1 acre (43,560 sq. ft.)	20	10 acres	50
2 acres	40		
3 acres	60		
4 acres	80		
5 acres	100		
10 acres	200		

Small Fowl: Pigeons, Finches, Doves



Lot Size	Number Permitted
5,000 sq. ft.	5
6,000 sq. ft.	7
7,000 sq. ft.	8
8,000 sq. ft.	9
9,000 sq. ft.	10
1/4 Acre (10,890 sq. ft.)	12
1/3 Acre (14,375 sq. ft.)	16
1/2 Acre (21,780 sq. ft.)	25
2/3 Acre (28,750 sq. ft.)	33
1 acre (43,560 sq. ft.)	50
2 acres	50
3 acres	50
4 acres	50
5 acres	50
10 acres	50

Animals Permitted in Agricultural Zones only

Pigs, mink and cows are only permitted in Agricultural Zones in the city



Lot Size	Number Permitted	Lot Size	Number Permitted
1/4 Acre (10,890 sq. ft.)	None	1/4 Acre (10,890 sq. ft.)	None
1/3 Acre (14,375 sq. ft.)	None	1/2 Acre (21,780 sq. ft.)	10
1/2 Acre (21,780 sq. ft.)	1	2/3 Acre (28,750 sq. ft.)	13
2/3 Acre (28,750 sq. ft.)	1	3/4 Acre (43,560 sq. ft.)	15
1 acre (43,560 sq. ft.)	2	1 acre (43,560 sq. ft.)	20
2 acres	4	2 acres	40
3 acres	6	3 acres	60
4 acres	8	4 acres	80
5 acres	10	5 acres	100
10 acres	20	10 acres	200

Temporary Animal Care

- Temporary Animal Care
1. Parcels for single family dwelling uses, where persons are engaged in projects involving temporary animal care through state recognized schools or clubs (e.g. 4H, FFA) are temporarily exempt from the minimum parcel size requirement during such pursuits. Site and number of animals allowed shall be in accordance with paragraph D3A. All other standards pertaining to maximum number of animals allowed, enclosure locations and nuisance regulations shall still apply.
 2. If an education sponsored project includes a large farm animal (e.g. hogs, horses, cows, llamas, etc. being kept on a parcel intended for or occupied by a single family dwelling, the person raising such animals must notify all occupied households within 200 feet of the project property prior to commencing project. Such notice must include:
 - a. description of the project duration and animals involved,
 - b. the location of the project and the project site,
 - c. contact information for the education club or program advisor, and,
 - d. contact information for the project participant and their responsible parent or guardian where applicable
 3. Applicant must first contact Community Development prior to commencing project with applicable information. Temporary animal care will be considered 12 months at one parcel and is not renewable or eligible for extension regardless of animal type or number. Temporary animal care for education sponsored projects may not exceed 10 months. The animal must be removed at the end of the school year. The permit may be renewed annually. A maximum of 2 animals from table D3 per permit.

Structures and setbacks

Animal stables shall have a minimum of 150 square feet of floor area per large farm animal. Other structures, including barns, pens, stables, coops, feeding areas, and corrals, shall be constructed adequately and of sufficient nature to accommodate the total number of animals to be located on the property. All such construction shall be properly inspected and approved by the city building official in accordance to this code. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)



No barns, pens, stables, coops, or corrals shall be constructed closer than **forty feet (40')** from any existing dwelling.

No barns, pens, stables, coops, or corrals shall be constructed closer than **thirty feet (30')** from any public street.

Structures shall not be constructed closer than **thirty feet (30')** to any open waterway that drains into a natural stream.



All coops or hutches must be in the rear yard of the primary residence and **five feet (5')** from any property line.

Fencing and drainage

Any fencing utilized for the corralling, penning, or holding of animals, including household pets, shall be of sufficient durability, strength, and design so as to prevent any encroachment or damage by such contained animals upon adjacent properties. Animal fencing which consists of electrical barriers or barbed strands may not be used except where customary for agricultural animal retention.



Animal waste runoff from paddocks, stables, pasture, or other enclosures must be contained by the animal owner so not to contaminate residential water resources, public right of ways, adjacent property, nor drain into a waterway, including irrigation ditches, that drain into a natural stream, onto roads, or to adjoining property.



Calculating points

Lot Size	Acre	percentage	Points allotted	Points per animal (Per table)	Number of Animals allowed
5,000 sq. ft.	43,560 sq. ft.	.11	11	2	5
6,000 sq. ft.	43,560 sq. ft.	.13	13	2	7
7,000 sq. ft.	43,560 sq. ft.	.16	16	2	8
8,000 sq. ft.	43,560 sq. ft.	.18	18	2	9
9,000 sq. ft.	43,560 sq. ft.	.20	20	2	10
1/4 Acre (10,890 sq. ft.)	43,560 sq. ft.	.25	25	2	13
1/2 Acre (21,780 sq. ft.)	43,560 sq. ft.	.33	33	2	17
3/4 Acre (32,670 sq. ft.)	43,560 sq. ft.	.5	50	2	25
1 acre (43,560 sq. ft.)	43,560 sq. ft.	.66	66	2	33
2 acres	43,560 sq. ft.	.75	75	2	38
3 acres	43,560 sq. ft.	1.00	100	2	50
4 acres	43,560 sq. ft.	2.00	200	2	100
5 acres	43,560 sq. ft.	3.00	300	2	150
10 acres	43,560 sq. ft.	4.00	400	2	200
		5.00	500	2	250
		10.00	1000	2	1000

Lot Size in square feet

Divide by 43,560 sq. ft.

= percentage

X 100 = points

Get points per animal (from table) and divide

Number of Animals permitted (rounded up)