

# ANIMAL CARE OF DAVIS COUNTY END OF YEAR UPDATE



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Animal Welfare  
Organization™



# ANIMAL CARE

## OUR MISSION



Animal Care of Davis County is committed to promoting responsible pet ownership and compassionate animal care by fulfilling three goals: **To serve and educate our community, to find homes for our homeless pets, and to support public safety.**



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# ANIMAL CARE

## HOURS OF BUSINESS



**Facility open for visitors:**

**Monday - Friday**

**10 am - 6 pm**

**Saturdays**

**12 pm - 4 pm**

**Animal Control Officers**

**available for assistance:**

**7 days a week: 7:00 am - 8 pm**

**+ On Call**



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# BY THE NUMBERS

## MEASUREMENTS OF SUCCESS

### 2022 Intake Statistics

- Dog intake: 951
- Cat intake: 2,432

### 2023 Intake Statistics

- Dog intake: 1,706
- Cat Intake: 2,297



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# BY THE NUMBERS

## MEASUREMENTS OF SUCCESS

### Live Release Rate

	2020	2021	2022	2023
Overall	97%	94.7%	95.1%	94%
Dogs	97%	96.6%	96.6%	95%
Cats	97%	93.2%	94%	93%

Total Animals: 4,206



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# BY THE NUMBERS

## MEASUREMENTS OF SUCCESS

### 2023

- Officer calls: 9,440
- Return to Owner: 993
- Adoptions: 1,808

	Total
<b>Total</b>	1,808
<b>BIRD</b>	23
<b>CAT</b>	1,140
<b>DOG</b>	589
<b>OTHER</b>	56



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[Bountiful](#) [Centerville](#) [Clearfield](#) [Clinton](#) [Farmington](#) [Fruit Heights](#) [Kaysville](#)  
[Layton](#) [North Salt Lake](#) [South Weber](#) [Sunset](#) [Syracuse](#) [West Bountiful](#)  
[West Point](#) [Woods Cross](#)

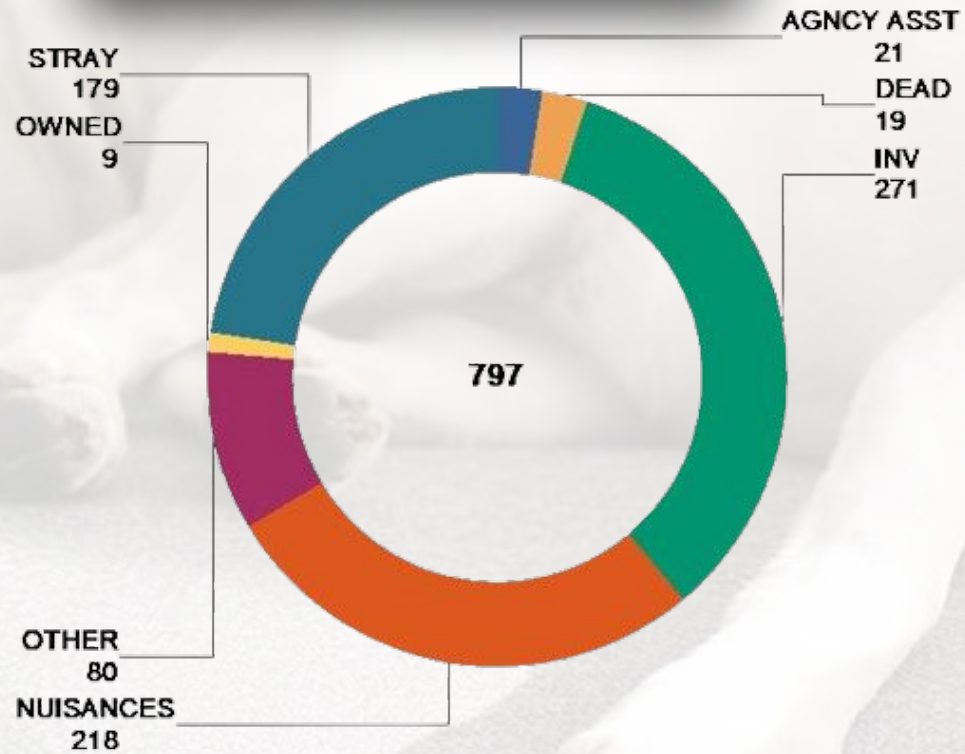




# BOUNTIFUL

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 7
- Dog bites: 42
- An vs An: 18
- Barking: 55



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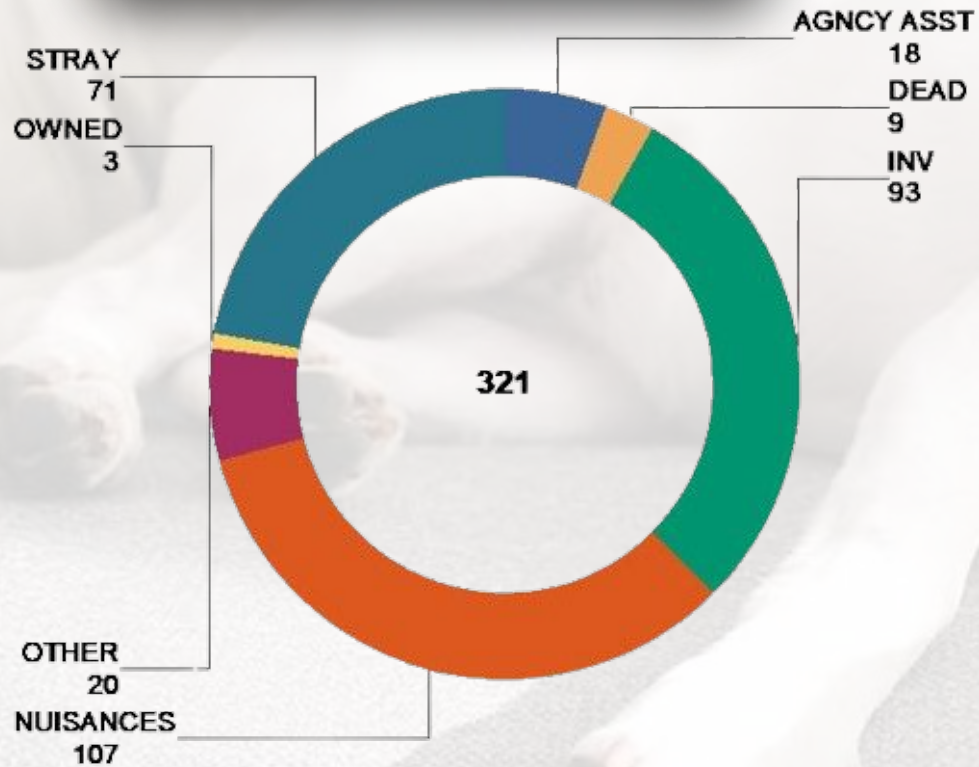




# CENTERVILLE

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 1
- Dog bites: 12
- An vs An: 10
- Barking: 11



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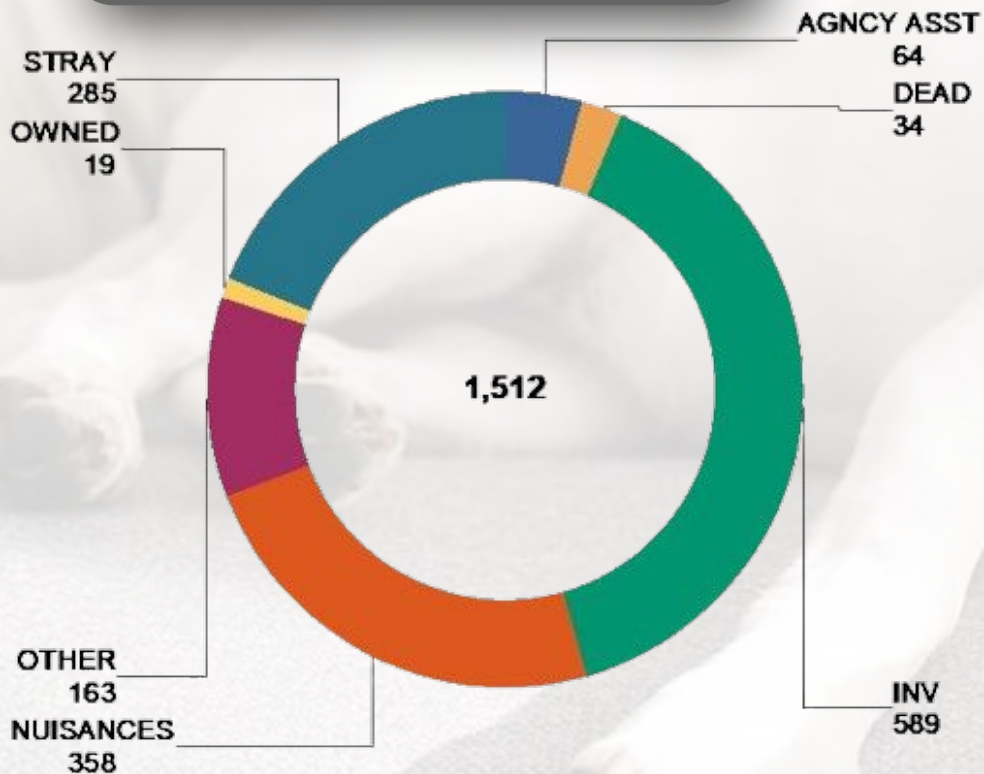




# CLEARFIELD

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 13
- Dog bites: 59
- An vs An: 32
- Barking: 60
  
- Vaccine Clinic: 1



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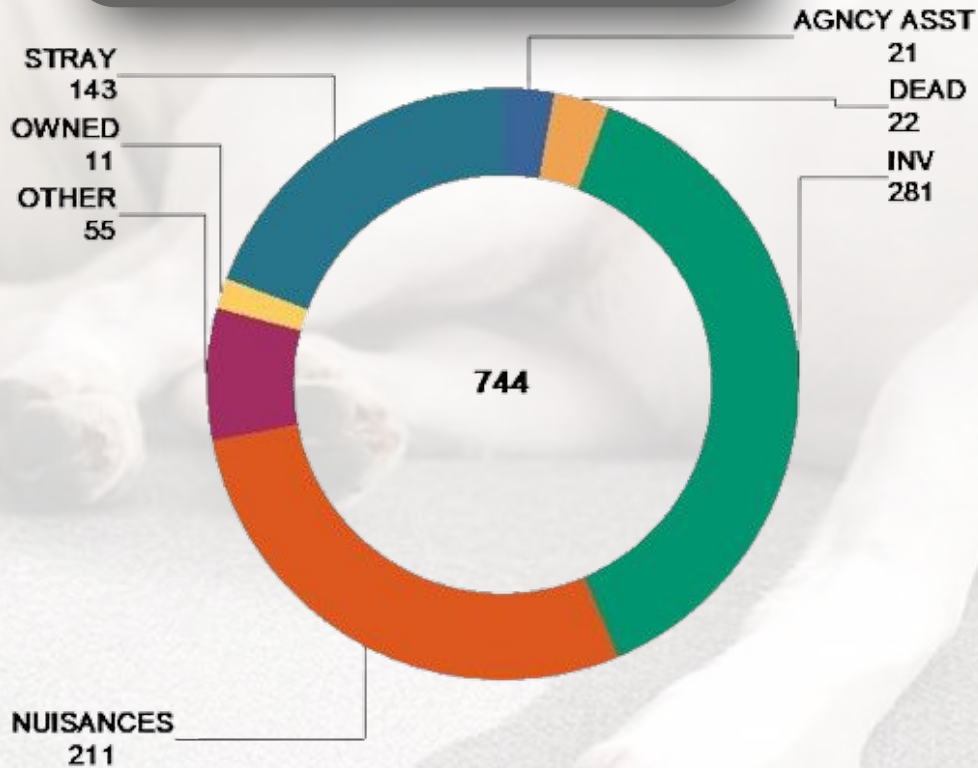




# CLINTON

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 2
- Dog bites: 32
- An vs An: 18
- Barking: 53



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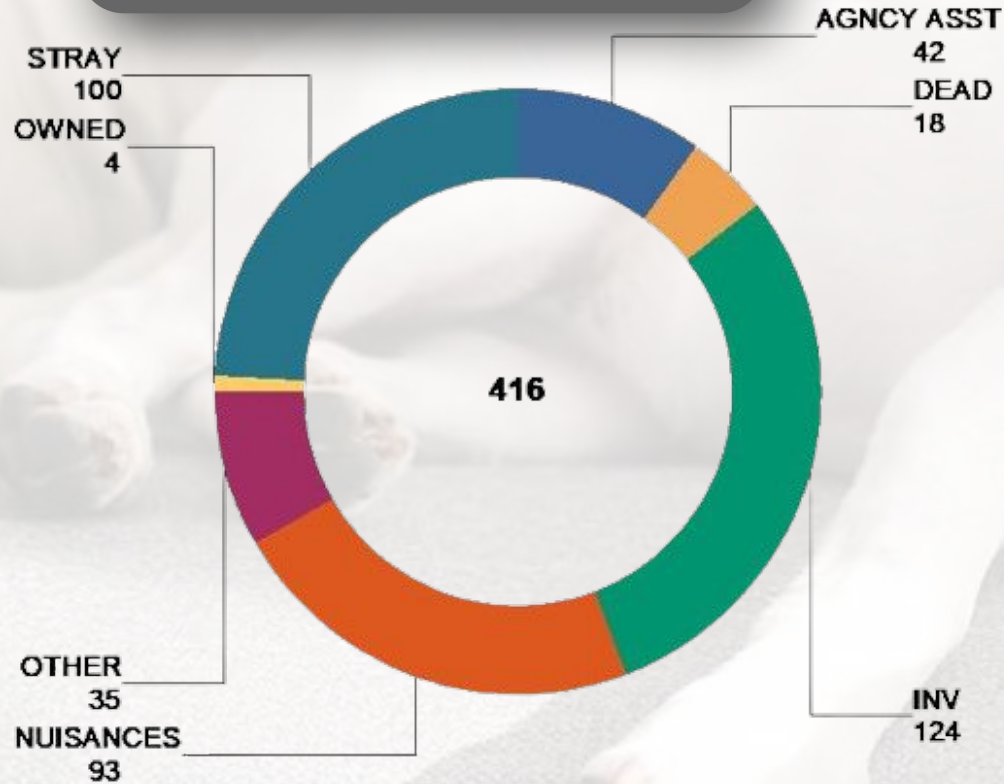




# FARMINGTON

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 3
- Dog bites: 16
- An vs An: 20
- Barking: 11



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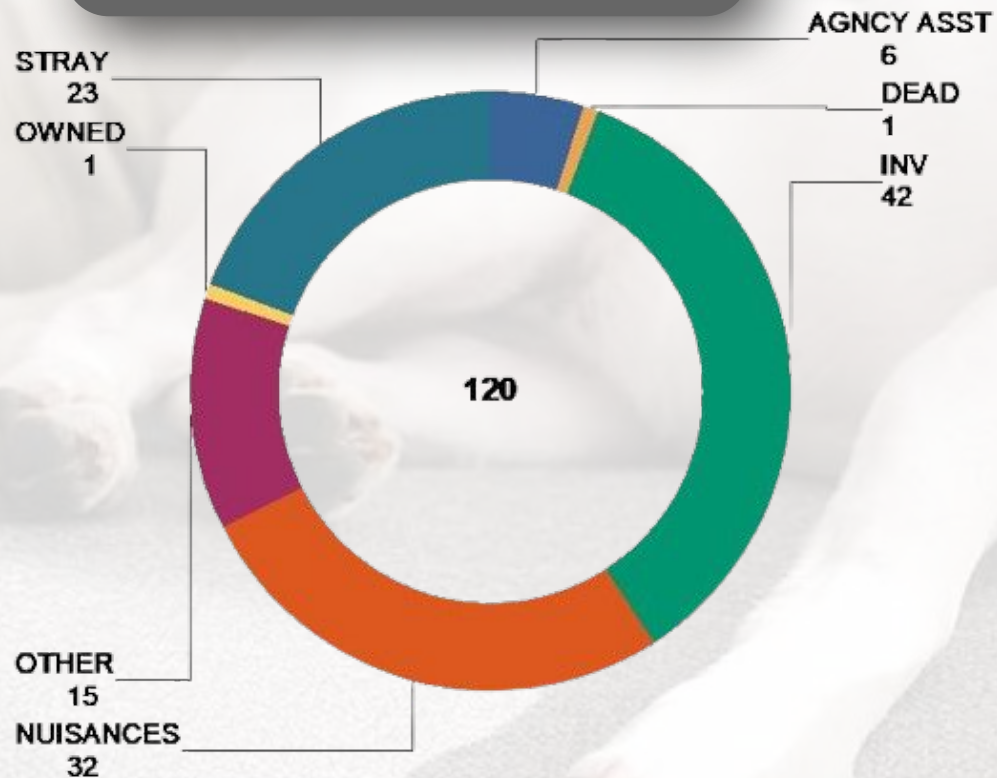




# FRUIT HEIGHTS

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 1
- Dog bites: 6
- An vs An: 7
- Barking: 3
  
- Vaccine Clinic: 3



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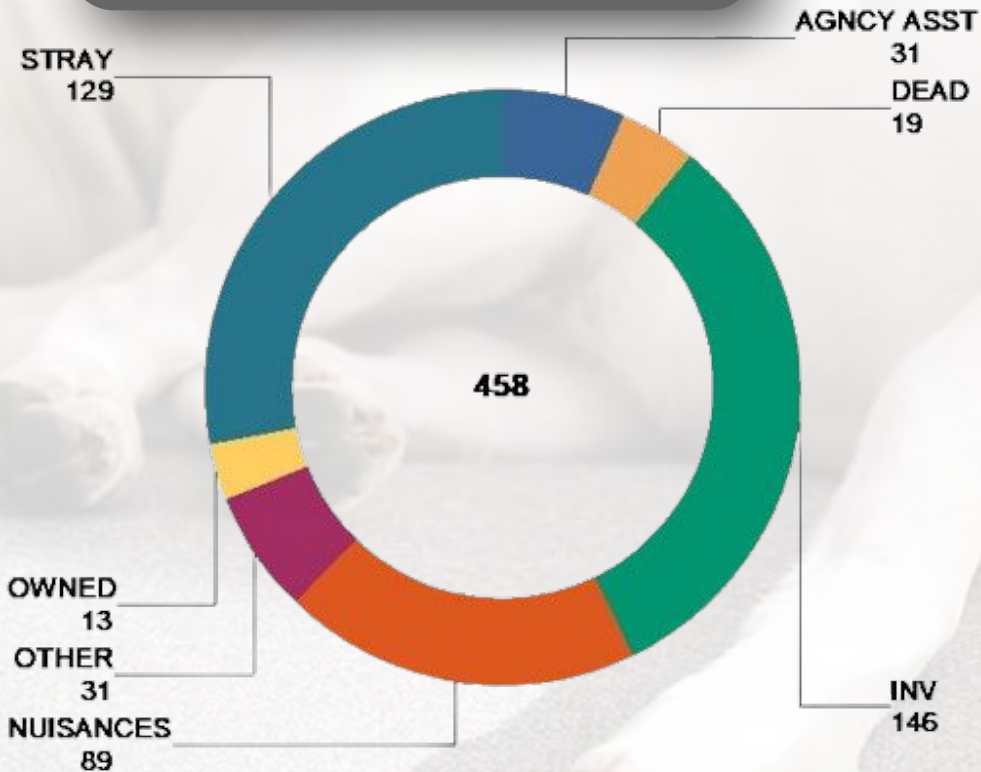




# KAYSVILLE

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 1
- Dog bites: 13
- An vs An: 25
- Barking: 24



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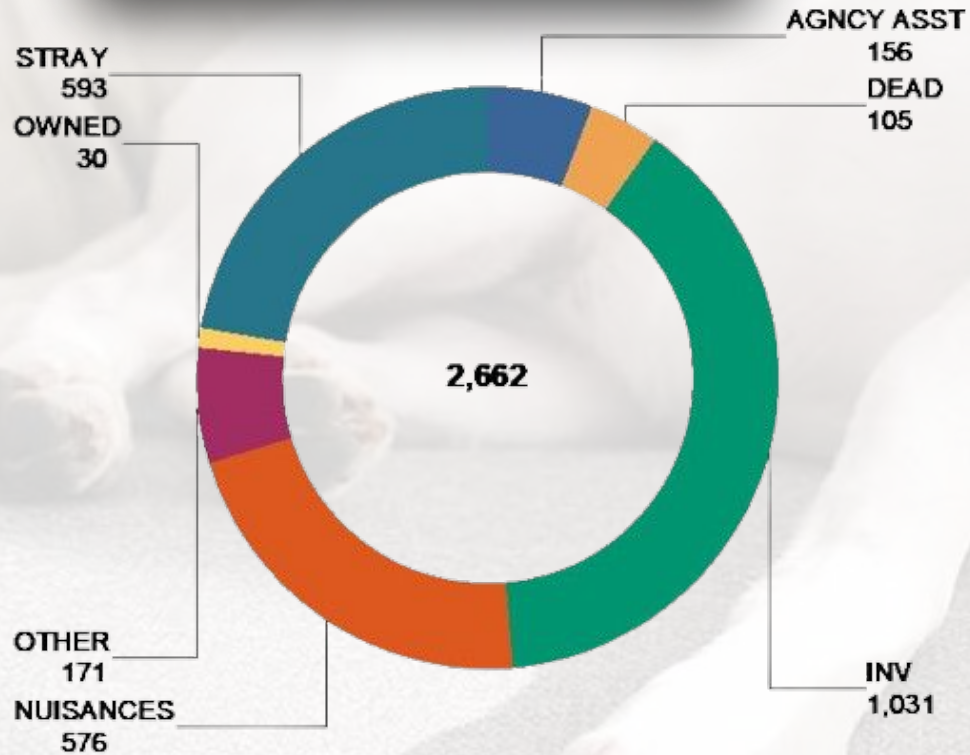




# LAYTON

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 28
- Dog bites: 149
- An vs An: 78
- Barking: 86
  
- Vaccine Clinic: 1



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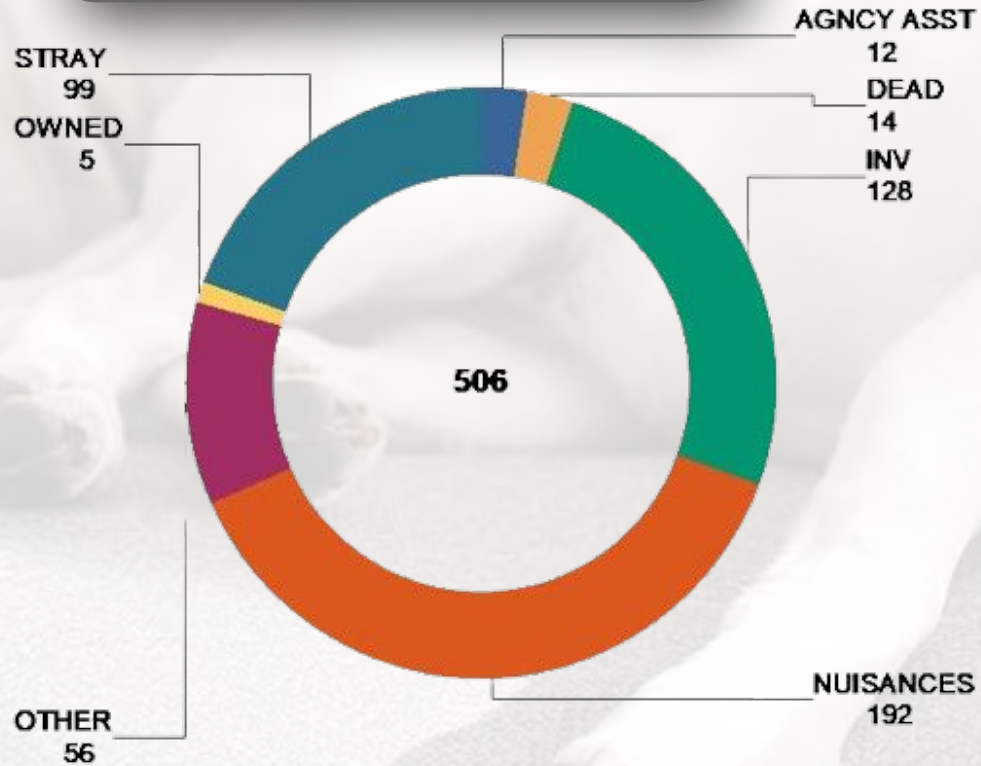




# NORTH SALT LAKE

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 2
- Dog bites: 23
- An vs An: 21
- Barking: 28
  
- Vaccine Clinic: 2



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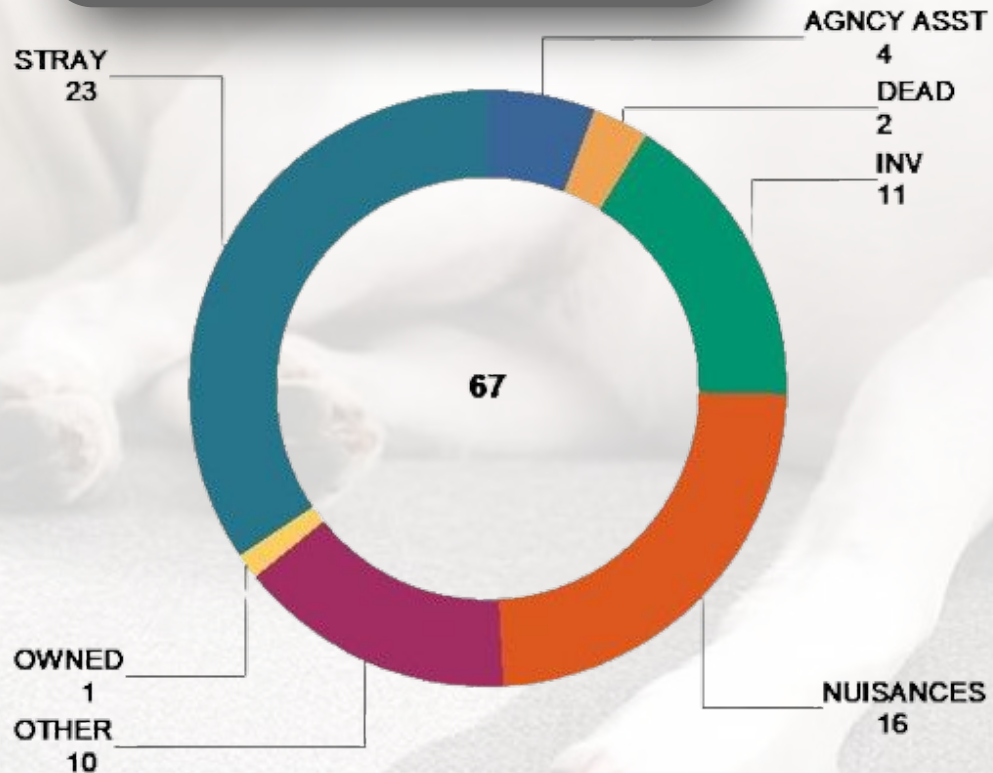




# SOUTH WEBER

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 0
- Dog bites: 2
- An vs An: 0
- Barking: 5
  
- Owner Surrender: 1
- Stray OTC: 29



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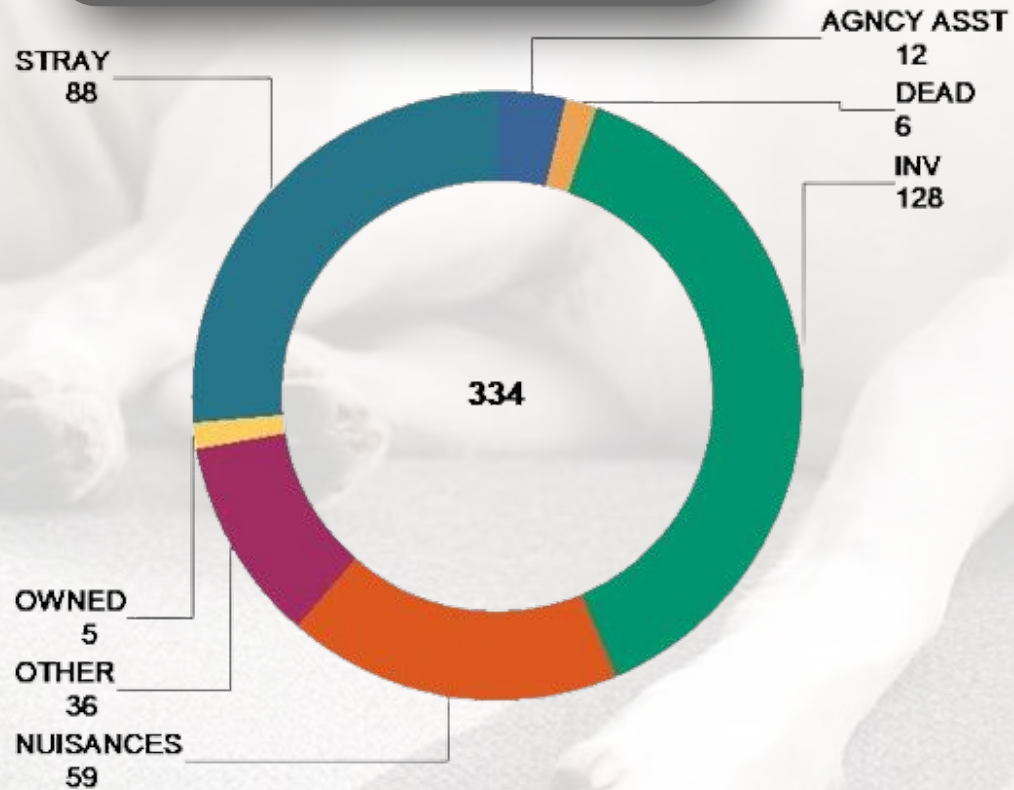




# SUNSET

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 5
- Dog bites: 10
- An vs An: 14
- Barking: 2



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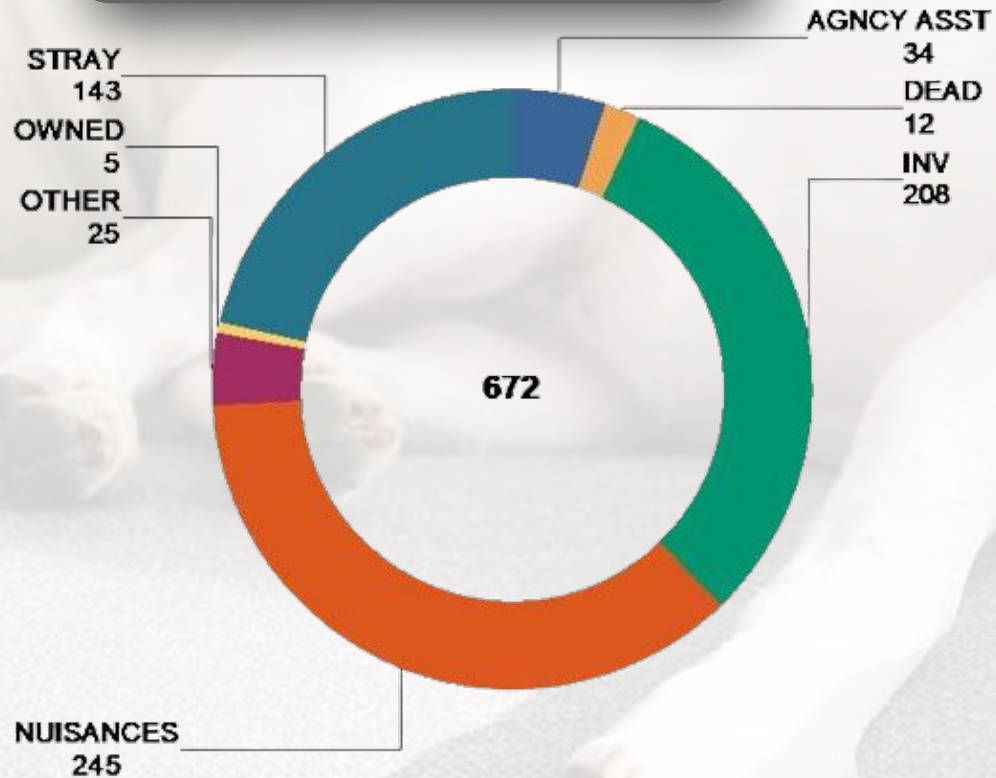




# SYRACUSE

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 4
- Dog bites: 33
- An vs An: 24
- Barking: 62



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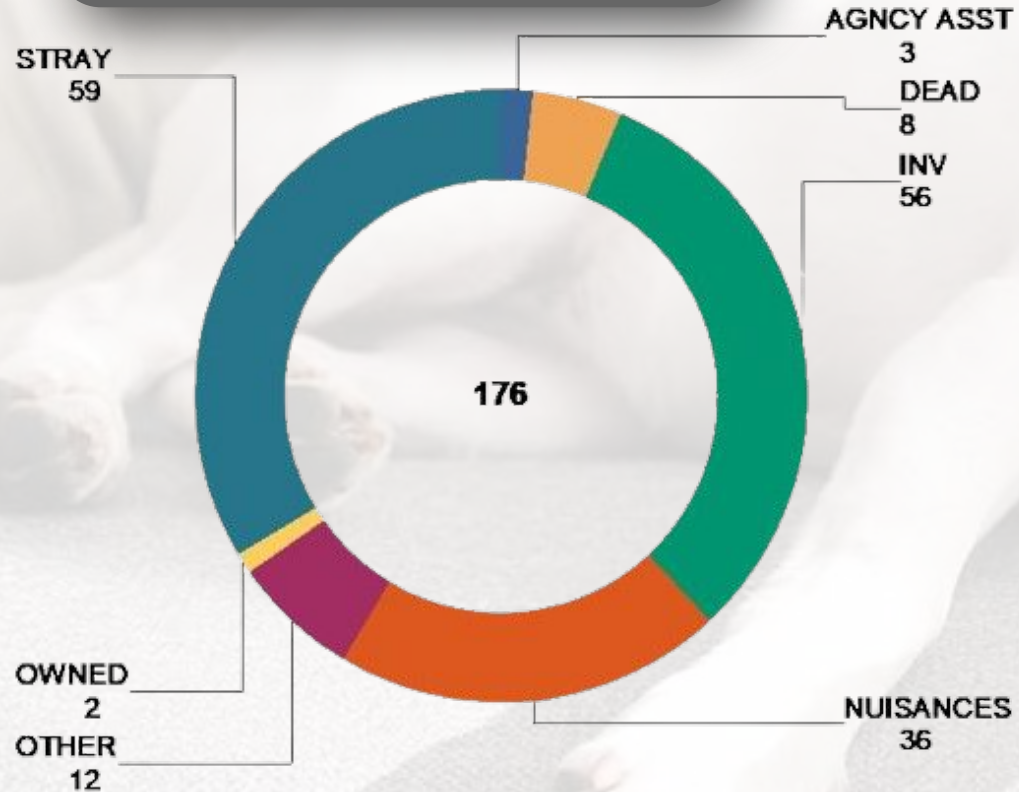




# WEST BOUNTIFUL

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 1
- Dog bites: 5
- An vs An: 7
- Barking: 5



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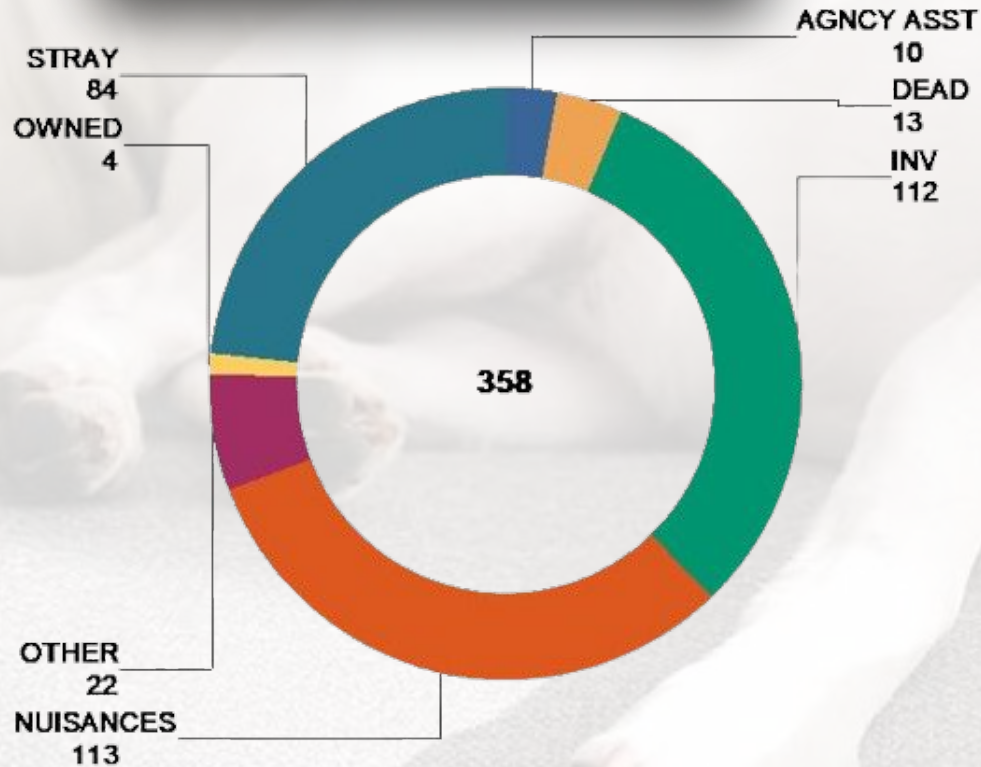




# WEST POINT

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 0
- Dog bites: 14
- An vs An: 8
- Barking: 18



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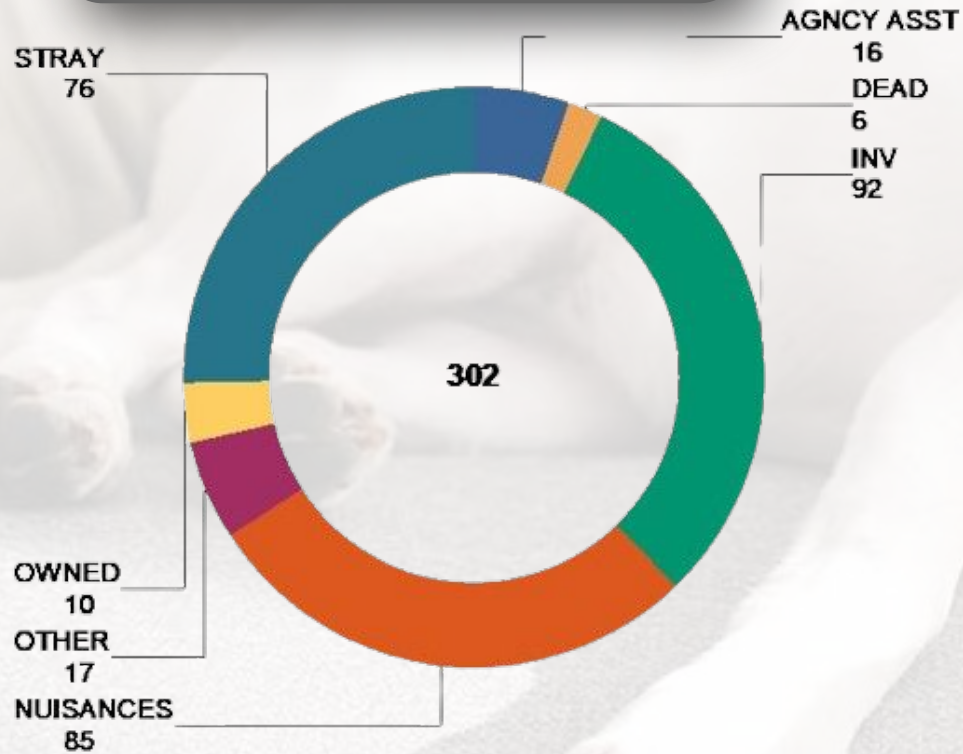




# WOODS CROSS

## MUNICIPAL FOCUS

### RECEIVED CALLS



### STATS

- Cat bites: 2
- Dog bites: 10
- An vs An: 18
- Barking: 18



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# PUBLIC SERVICES

## VACCINATION CLINICS

	January	February	March	April	May	September	October
Total animals served	93	149	116	151*	96	101	115
Rabies vaccines	49	84	67	*	81	82	71
Microchips	27	35	40	*	48	61	68



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# SPAY/NEUTER

## IN-HOUSE PROCEDURES!

Number of pets sterilized: 2,005

Procedures done in-house: 91

- In-house procedures average 60% cheaper than off-site

2 contracted Veterinarians provide wellness examinations, rabies vaccinations, and limited spay/neuter for shelter animals



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# FACILITY

## NEW BUILDING/FEASIBILITY STUDY

- RFPs to be submitted soon for architecture firms and construction companies
- Most likely location for new facility is on same land as current facility
- Current facility would remain in operation throughout construction
- 57 of 79 Feasibility Study recommendations implemented within the last year



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**Animal Care**




**Davis County**



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# SOUTH WEBER CITY COUNCIL TRAINING

Open & Public Meeting Act  
Land Use – Ethics





# Utah Open and Public Meetings Act

Utah Code Ann. § 52-4-101, *et. seq*

**“conducts its deliberations openly.”**



# *All meetings are open unless lawfully closed*

## **Meetings**

Utah Code Ann. § 52-4-201

- All meetings open to the public unless closed
- Includes “work meetings” and “executive sessions”

## **Quorum**

Utah Code Ann. § 52-4-103(11)

- Quorum in South Weber = 3
- Members present in person or by electronic telecommunications



# *A public meeting requires:*

## **Public Notice**

Utah Code Ann. § 52-4-202

- 24 hours notice: agenda; date; time & place
  - Exception: emergencies
- Agenda: “reasonable specificity of topics”
- Topic raised by the public – discretion of chair
- Notice: post at principal office; Utah Public Notice Website; and to newspaper or local media correspondent. Other electronic means encouraged.
- Annual notice of scheduled meetings

## **Orderly Conduct**

Utah Code Ann. § 52-4-301

- Disruption of meeting: may remove person if “orderly conduct is seriously compromised”



# ***Electronic Meetings Allowed***

## **Electronic Meeting**

Utah Code Ann. § 52-4-207

- Prior formal authorization of the City is required
- Public notice required
- Anchor location
- Facilities so all can attend, monitor, participate



# *Minutes and Recording Required of All Meetings*

## **Recording**

Utah Code Ann. § 52-4-203(3)

- **“COMPLETE UNEDITED RECORD”** of all open portions – from beginning to end
- Properly labeled: date, time & place
- Available within 3 business days of meeting
- **PERMANENTLY RETAINED**

# ***Minutes and Recording Required of All Meetings***

## **Written Minutes Required**

Utah Code Ann. § 52-4-203(1)

## **Written Minutes Include:**

Utah Code Ann. § 52-4-203(2)

- Written minutes and a recording shall be kept of every meeting
  
- Date, Time and Place
- Names of members present and absent
- The “substance” of all matters proposed, discussed or decided
- Record (by person) of votes – Roll Call vote for Ordinances, Resolutions, and matters where liability is incurred.
- Name of each person providing comments & the substance of comments received
- Any other information from meeting that a member requests be included
- Pending minutes – reasonable time
- Approved minutes – 3 business days after approval → official record
- Permanently retained



# Notice & Hearing

No ordinance or resolution may be adopted by a municipality except in an open and public meeting held pursuant to the Utah Open and Public Meetings Act.

# Notice & Hearing

- Most ordinances and resolutions do not require a public hearing prior to their adoption.
- Notable Exceptions:
  - *Salary schedules for elected officers and officials;*
  - *Tax levies;*
  - *Budgets;*
  - *Land use regulations;*
  - *Impact fees; and*
  - *Disposition of real property*



# ***Closed Meetings: Purposes and Record***

## **Closed Meeting**

Utah Code Ann. § 52-4-204

- Quorum + 2/3 vote
- Must meet subject matter requirements §205
- Publicly announced and record: the reason for closed meeting; location; and each member's vote for or against the closed meeting

## **Closed Meeting**

### **– Purpose**

Utah Code Ann. § 52-4-205

- Discuss individual's character, professional competence, or physical or mental health
- Strategy session – litigation
- Strategy session – real property (value, best possible terms); Sale = prior notice; terms disclosed before final
- Deployment security measures
- Investigative proceedings – criminal misconduct
- Deliberations; procurement evaluation committee; protest; appeals
- Procurement: trade secrets; misc.

# ***Closed Meetings: Purposes and Record***

## **Prohibitions**

Utah Code Ann. § 52-4-205(3)

- Interview – elected position; discuss filling interim or temporary vacancy

## **Closed Meeting – Record**

Utah Code Ann. § 52-4-206

- Recording required: beginning to end; date, time, place; names present and absent & names of others who attend
- Minute allowed (if taken, details above)
- Permanently retained

Exceptions: Recording/minutes not required: character, competence, health; security measures. Presiding officer - affidavit



# *Emergency Meeting*

## **Emergency Meeting**

Utah Code Ann. § 52-4-202(5)

- “Emergency” is not defined
- Attempt to notify all members
- Best notice practicable
- Majority members approve of the meeting

## *Other issues . . .*

### **Chance Meeting – Social Gathering**

§ 52-4-208

- Act does not apply
- Don't conduct any City business

### **Criminal Penalty for Violation**

- Class B misdemeanor: 6 months jail; \$1,000 fine

### **Electronic Messaging?**

Utah Code Ann. § 52-4-210

- Text messages? Emails?
- Purposes of act
- Not restricted when meeting not convened
- Interplay with the Government Records Access and Management Act



# Land Use Development & Management Act (“LUDMA”)

## Authorizes

- The City may adopt its own land use standards so long as they are consistent with federal and state law.

## Mandates

- Creation of a Planning Commission
- Establishment of a Land Use & Appeal Authorities
- Adoption of a General Plan & a process for considering land use applications

# LUDMA – General Themes

- Respect for private property rights
- Cities may regulate private property
- Once written and duly established, land use regulations are binding
- Land use ordinances must be plainly written to be enforceable
- Process matters
- Tie goes to the applicant/property owner



# LUDMA – Roles & Responsibilities

LEGISLATIVE  
BODY

LAND USE  
AUTHORITY

APPEAL  
AUTHORITY

# Municipal Land Use Actions

	LEGISLATIVE	ADMINISTRATIVE	QUASI-JUDICIAL
<b>CHARACTERISTICS</b>	<ul style="list-style-type: none"> <li>- Promulgation of laws of general applicability</li> <li>- Based on the weighing of broad, competing policy considerations</li> <li>- Subject to voter referendum</li> </ul>	<ul style="list-style-type: none"> <li>- Applying the law to particular individuals or groups based on individual facts and circumstances</li> <li>- Decision is bound by the law and cannot be based on public opinion</li> </ul>	<ul style="list-style-type: none"> <li>- Defers to established law and Legislative/Land Use Authority</li> <li>- Review limited to error, illegality, or abuse of authority</li> </ul>
<b>RESPONSIBLE BODY</b>	<b>City Council or General Electorate</b>	<b>City Council, Planning Commission, or Staff</b>	<b>Appeal Authority or Court</b>
<b>EXAMPLES</b>	<ul style="list-style-type: none"> <li>- Zoning Ordinances (including a site-specific zoning ordinance)</li> <li>- General Plan</li> <li>- Rezones</li> <li>- Annexation</li> </ul>	<ul style="list-style-type: none"> <li>- Conditional Uses</li> <li>- Site Plans</li> <li>- Development Agreements</li> <li>- Subdivisions</li> <li>- <b>Code Enforcement</b></li> </ul>	<ul style="list-style-type: none"> <li>- Variance</li> <li>- Appeal</li> <li>- Judicial Review</li> </ul>



# Ordinances can be challenged by lawsuit or referenda

## lawsuit

- Procedural
- Constitutional
- Federal Law
- State Law

## referenda

- Any citizen may seek to overturn a newly adopted ordinance by filing a petition, gathering signatures, and putting the ordinance to a public vote

# Procedural challenges

- Municipalities must follow the procedural requirements contained in their own ordinances.
- Challenges to state-required procedure usually involve the notice and hearing process and the use or nonuse of the planning commission.



# Types of Constitutional challenges

- **Due process:** the right to be heard and to be represented by counsel before a right is taken away. This can apply in many circumstances, but most often arises when a license, permit, or property right is taken away.
- **Equal Protection:** prohibits laws that are not equally applied to one group or person relative to another.
- **Takings:** the prohibition against taking a person's property without "just compensation." It always relates to real property, but can come up indirectly or regulatorily in the context of land use laws, or impact fees and other "exactions."

# Levels of constitutional review

- Strict Scrutiny
- Intermediate Scrutiny
- Rational Basis



# Strict Scrutiny

- Applied whenever “equal protection” or a “fundamental right” is at issue. Requires the municipality to establish a compelling governmental interest behind the ordinance, and that the ordinance is narrowly tailored to achieve its result.
- Example: Time, place, and manner restrictions for sign ordinances.

# Intermediate Scrutiny

- Used in equal protection challenges to gender classifications, as well as in some First Amendment cases.
- To pass intermediate scrutiny, a municipality must show that the ordinance serves
  - *an important government objective, and*
  - *is substantially related to achieving the objective.*



# Rational Basis

- This is the lowest level of constitutional scrutiny, rational basis is applied to land use decisions where an ordinance is alleged to be arbitrary, capricious, or unreasonable.
- The burden is on the person challenging the ordinance.
- Courts defer to the municipality unless the plaintiff demonstrates that the government has no legitimate interest in the law or policy, or that there is no reasonable, rational link between that interest and the challenged law.

# Challenges to Legislative & Administrative Actions

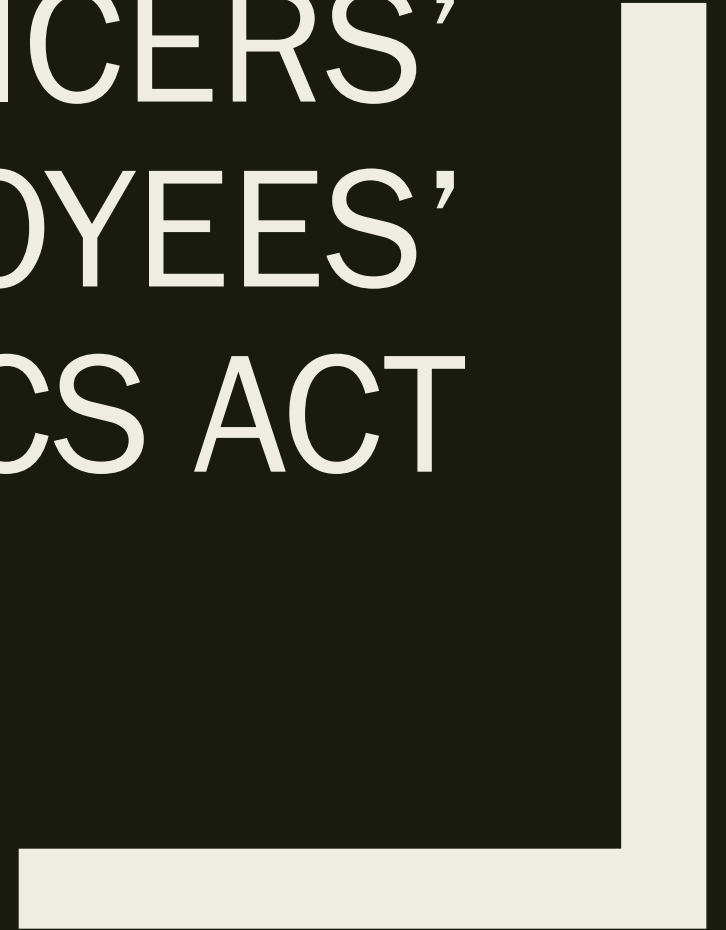
## **Legislative: reasonably debatable**

When the court is limited to the reasonably debatable standard it must uphold the municipality's decision if the decision either promotes the general welfare or if it is reasonably debatable that the decision is in the interest of the general welfare of the community.

## **Administrative: substantial evidence**

The substantial evidence standard requires the municipality to show that it had evidence to support the decision. The evidence must be more than a scintilla and such that a reasonable mind would accept as adequate to support the conclusion reached.

MUNICIPAL OFFICERS'  
AND EMPLOYEES'  
ETHICS ACT





“ . . . to establish standards of conduct for municipal officers and employees and to require these persons to disclose actual or potential conflicts of interest between their public duties and their personal interests.”



# Municipal Officers & Employees Ethics Act

- Establishes the MINIMUM standards
- Sets up a disclosure system for conflicts of interest
- Describes crimes you can now commit as a public officer or employee

# ● Improper Conduct

- **INFORMATION**: Disclose or improperly use private, controlled, or protected information
- **PRIVILEGES**: Use or attempt to use office for economic gain or to secure special privileges
- **GIFTS**: Knowingly receive, accept, take, seek, or solicit a gift of substantial value or a substantial economic benefit tantamount to a gift.
- **ACCESS/ADVICE**: Be paid to help someone w/ City business (w/o disclosure)





# When is disclosure required?

## Written

- Regulated Business
- Doing Business w/ City
- Personal Interest or Investment
- Assist/Advise on City Transaction\*

## Oral

- Any of items on left
- Open Meeting
- BEFORE Discussion on Topic

\*Disclosure must occur 10 days before agreement w/ City or 10 days before receipt of compensation (whichever is earlier)

# Exceptions to the rule against gifts

- Occasional non-pecuniary gift < \$50
- Award presented for public service
- Bona fide loan - ordinary course
- Political campaign contribution

## UTA trustee calls for review of \$10,000 campaign contribution to board vice chair

By Lisa Riley Roche [@dnewspolitics](#)

Published: July 31, 2017 6:40 pm

Updated: July 31, 2017 6:42 p.m.

[Twitter](#) [Facebook](#) [Email](#) [Comments](#) 8



# Point of caution

Appearances matter – there may be consequences even if you adhere to the law.

Lt. Gov. Spencer Cox and Supreme Court Justice Thomas Lee say they broke no ethics rules by using Utah Jazz owner's front-row seats





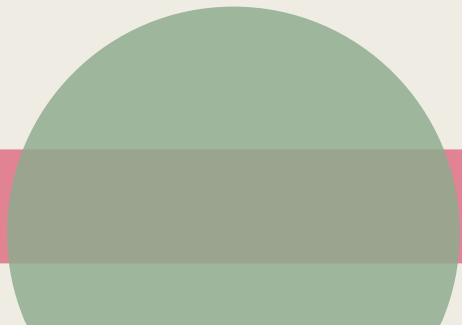
# Penalties

- Criminal penalties based on the \$ value of the compensation, conflict or assistance;
- “Shall be” dismissed from employment or removed from office;
- Transaction rescinded

# DISCUSSION

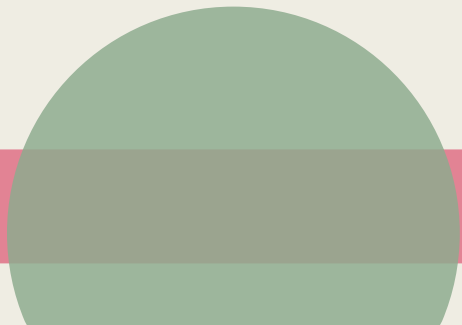


Your spouse owns a real estate development company. That company has a re-zone application pending before the City Council. What do you do?

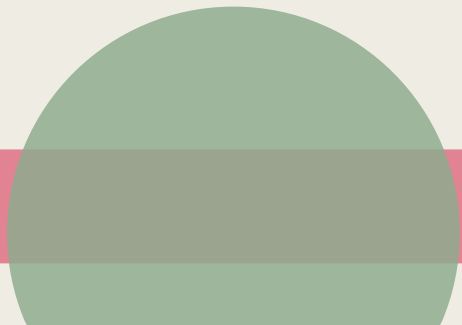




You attend church with a longtime friend who is developing his family's property. He stops by your home for a friendly visit the evening before the City Council is to act on his application to rezone his property. What do you do?



A developer has applied to re-zone property in the City. You are unfamiliar with the property or the surrounding neighborhood. The developer invites to visit the property for a tour with other members of the City Council. What do you do?





# DISCUSSION

Jayne Blakesley  
HAYES GODFREY BELL, PC  
[jblakesley@hgblaw.net](mailto:jblakesley@hgblaw.net)

