



CITY COUNCIL MEETING

Thursday, March 18, 2021 at 6:30 PM

electronically through Zoom Meeting ID: 832 4080 0123 and Passcode: 839363

AGENDA

Public notice is hereby given of a Hyrum City Council Meeting to be held in the electronically through Zoom Meeting ID: 832 4080 0123 and Passcode: 839363 at 6:30 PM, March 18, 2021. The proposed agenda is as follows:

1. **ROLL CALL**
2. **CALL TO ORDER**
3. **WELCOME**
4. **INVOCATION**
5. **APPROVAL OF MINUTES**
6. **AGENDA ADOPTION**
7. **PUBLIC COMMENT**
8. **SCHEDULED DELEGATIONS**
9. **INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES**
 - A. [Ordinance 21-02 - An ordinance amending Section 6.04.010 of Title 6 \(Animals\) of the Hyrum City Municipal Code to redefine service animals.](#)
10. **OTHER BUSINESS**
 - A. [Consideration and adoption of amendments to the Youth Council Charter.](#)
 - B. Mayor and City Council Reports.
11. **ADJOURNMENT**
12. **ELECTRONIC MEETING INFORMATION:**

Hyrum City will be holding this meeting electronically in compliance with Utah Governor Gary Herbert's Executive Order to suspend the enforcement of provisions of Utah Code 52-4-207, and related State Agency Orders, Rules and Regulations, Due to Infectious Disease COVID-19 Novel Coronavirus.

Any member of the public may remotely observe the meeting or comment during the public hearing electronically through ZOOM Video Communications with the following link:

<https://us02web.zoom.us/j/83240800123?pwd=b2QzZVdiLzc1VXBEOXIHbkQwQVN3UT09>

The Meeting ID: 815 9922 9959 and Passcode: 621358 If you have any questions please contact the Hyrum City Recorder at 435-245-6033 before 5:00 p.m. on March 18, 2021.

Stephanie Fricke
City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Hyrum City at 435-245-6033 at least three working days before the meeting.

CERTIFICATE OF POSTING - The undersigned, duly appointed and acting City Recorder of Hyrum City, Utah, does hereby certify that a copy of the foregoing Notice was emailed to The Herald Journal, Logan, Utah, posted on the Utah Public Notice Website and Hyrum City's Website, provided to each member of the governing body, and posted at the City Offices, 60 West Main, Hyrum, Utah, this **15th day of March, 2021**. Stephanie Fricke, MMC, City Recorder.

ORDINANCE 21-02

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the Hyrum City Municipal Code, a recodification of municipal ordinances encompassing the Revised Ordinances of Hyrum City and ordinances adopted through July 15, 1993; and

WHEREAS, Title 6 of the Hyrum City Municipal Code sets forth those regulations and conditions governing the keeping and use of certain kinds of animals within the limits of Hyrum City; and

WHEREAS, Chapter Title 6 of the Hyrum City Municipal Code includes specific provisions and conditions regulating the harboring, keeping, and licensing of dogs within the limits of Hyrum City; and

WHEREAS, the Hyrum City Council has concluded, upon the recommendations of animal control personnel and court staff, there is a need to update Title 6 to reflect changes in state laws and city procedures.

NOW, THEREFORE, the City Council hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING SECTION 6.04.010 OF TITLE 6 (ANIMALS) OF THE HYRUM CITY MUNICIPAL CODE TO REDEFINE SERVICE ANIMALS.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 6.04.010 of Title 17 of the Hyrum City Municipal Code is hereby amended to read as follows:

6.04.010 Definitions.

As used in this title, unless the context otherwise indicates, the following terms mean:

- A. **Animal Control Officer:** The person or persons designated to enforce this title.
- B. **Animal Establishment:** Any pet shop, grooming shop, animal auction, performing animal exhibition, kennel/cattery or animal shelter, except this term shall not include veterinary medical facilities, licensed research facilities, facilities operated by

- government agencies, or licensed animal dealers.
- C. **Animal Shelter:** A facility designated or recognized by Hyrum City for the purpose of impounding and caring for domestic animals. A veterinarian facility may be designated as an animal shelter.
- D. **At Large:** A domestic animal shall be deemed to be at large when off the property of the owner and not under restraint.
- E. **Dangerous Animal:** An animal that without justification attacks a person or domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to one or more persons or domestic animals.
- F. **Domestic Animal:** Any animal commonly kept as a pet in family households in the United States, including, but not limited to, dogs, cats, guinea pigs, rabbits, and hamsters; and any animals commonly kept for companion or commercial purposes. Pigs including pot belly pigs are not allowed within Hyrum City limits.
- G. **Estray:** Any valuable animal, except dogs and cats, not wild, found running at large.
- H. **Feral Cat:** Any unowned cat.
- I. **Field Cat:** A cat kept primarily out of doors, not as a pet, but instead kept for the control of rodents.
- J. **Fixed Dog Run:** A fenced in and/or covered structure used to house or contain a dog(s) in a relatively limited area. Not meant to include merely keeping a dog attached to a line or keeping a dog in a fenced yard. A fixed dog run must be closer to the owner's residence than the adjoining neighbors' residence. Locations of fixed runs shall be located according to the following setbacks:
1. Front setback - thirty feet (30');
 2. Side setback - ten feet (10');
 3. Side setback adjoining street - twenty feet (20');
 4. Rear setback - ten feet (10'); and
 5. Setback from neighbors' residences (any residence on adjacent property) - thirty feet (30').
- K. **Foster Care Provider:** A person or persons designated by a "rescue agency" and approved by Hyrum City and the animal control officer to provide care for a maximum of two (2) impounded animals.
- L. **Humane Manner:** Care of a domestic animal including, but not limited to, adequate heat, ventilation, sanitary shelter, and wholesome food and water,

- consistent with the normal requirements and feeding habits of the animal's size, species, and breed.
- M. **Kennel:** An establishment of three (3) or more dogs.
- N. **Licensing Authority:** The agency or department of Hyrum City or any designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under the provisions of this title.
- O. **Livestock Guarding Dogs:** Dogs kept for the primary purpose of protecting livestock from predatory attacks.
- P. **Neutered or Spayed:** To be rendered permanently incapable of reproduction.
- Q. **Nuisance:** A domestic animal which damages, soils, defiles, or defecates on property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive barking or other noise making; or chases vehicles, or molests, attacks, or interferes with persons or other domestic animals on property other than the owner's or on public property.
- R. **Owner:** A person having the right of property or custody of an animal or who keeps or harbors an animal or knowingly permits an animal to remain on or about any premises occupied by that person.
- S. **Person:** Any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.
- T. **Pet Shop:** An establishment engaged in the business of buying or selling, at retail, animals for profit making purposes.
- U. **Rescue Agency:** A nonprofit organization (such as Cache Humane Society) whose purpose is the rescue of homeless animals and require humane treatment and medical care including immunizations and prevention of reproduction. Rescue agencies select and approve "foster care providers" who care for homeless animals under their direction and supervision.
- V. **Restraint:** An animal which is within the real property limits of its owner or secured by a leash or lead.
- W. **Service Animal:** Includes any dog that:
1. Is trained, or is in training, to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental

- disability;
2. Performs works or tasks, or is in training to perform work or tasks, that are directly related to the individual's disability including:
 - a. Assisting an individual who is blind or has slow vision with navigation or other tasks;
 - b. Alerting an individual who is deaf or hard of hearing to the presence of people or sounds;
 - c. Providing non-violent protection or rescue work;
 - d. Pulling a wheelchair;
 - e. Assisting an individual to the presence of an allergan;
 - f. Alerting ad individual to the presence of an allergen;
 - g. Retrieving an item for the individual;
 - h. Providing physical support and assistance with balance and stability to an individual with a mobility disability; or
 - I. Helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors.
 3. Service animal does not include: ~~includes any dog that~~
 - a. An animal other than a dog, whether wild or domestic, trained or untrained; or
 - b. An animal used solely to provide:
 - (I) A crime deterrent;
 - (II) Emotional support;
 - (III) Well-being;
 - (IV) Comfort; or
 - (V) Companionship.

- X. **Wild Animal:** Any animal of a species that in natural life is wild. (Prior Code 18-03)

2. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent

Ordinance 21-02

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jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

8. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

9. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 18th day of March, 2021.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____

HYRUM CITY YOUTH COUNCIL CHARTER 2021

PURPOSES

1. To provide an opportunity for the youth of this community to acquire a greater knowledge of and appreciation for the American political system through active participation in that system.
2. To help the Hyrum City Mayor and Council solve the problems and accomplish the goals of this community by working directly with the representatives of the youth.
3. To serve the youth of the community by:
 - a. Informing the city government of the needs and wishes of the youth.
 - b. Planning and implementing social, educational, cultural, athletic and recreational activities for the youth.
 - c. Working with the Mayor, City Council, schools and Community Progress to provide opportunities for youth.

YOUTH CITY COUNCIL LEADERSHIP

The Hyrum City Youth Council Leadership shall consist of a Mayor, Mayor Pro-tem, Recorder, Historian, and, depending upon the amount of applications, between one and five additional Council Members selected by the Hyrum City Council Advisors.

RESPONSIBILITIES AND AUTHORITY OF THE HYRUM YOUTH COUNCIL

1. To meet monthly to conduct business.
2. To review yearly and adopt, by a four-fifths vote (80%), the Hyrum Youth Council Charter.
3. To modify this charter as needed by a four-fifths vote.
4. To present this charter to the Hyrum City Council and Mayor with all amendments for approval.
5. When the Youth Council Mayor is absent, Mayor pro-tem will act as the temporary Youth Council Mayor.
6. To pass motions and resolutions as necessary by a majority vote. A majority vote is defined as one vote more than one-half of the voting members who are present.

7. To carry out the purpose of the Hyrum City Youth Council as outlined in this document.
8. To plan recreational and other activities for the youth of this community and coordinating all such activities with the Hyrum City Council.

LIMITATIONS OF YOUTH COUNCIL AUTHORITY

1. The Youth Council Leadership must have a quorum (a quorum is a majority of its members) in order to conduct business.
2. The charter and all amendments to the charter are to be approved by the Hyrum City Council.
3. The agendas of all city youth council meetings shall be prepared at least two days in advance of each meeting. Agendas will be prepared by the Youth Mayor, Youth Council Advisor, and/or City Council Member.
4. All activities are to be coordinated with the Hyrum City Council.

RESPONSIBILITY AND AUTHORITY OF THE YOUTH MAYOR

1. To plan and conduct all youth council meetings.
2. To carry out the decisions of the youth council.
3. To periodically meet with a Hyrum City Council Member to provide for proper planning and coordination between the Hyrum City Council and the Hyrum City youth, and the Hyrum City Youth Council.
4. To propose to the youth council projects and plans designed to assist in the fulfillment of the Hyrum City Youth Council charter.
5. To vote only in case of a tie.
6. To assign youth council members responsibilities.

RECORDER

The responsibility and authority of the Recorder shall include attending all Youth Council meetings, taking and maintaining minutes of such meetings. They are also to carry out assignments of the youth council.

HISTORIAN

The responsibility and authority of the Historian shall include attending Youth Council meetings and carrying out assignments of the Youth Council. The Historian will keep the scrapbook, take pictures, collect press releases, and collect pertinent information and keep a history of the accomplishments and activities of the Hyrum City Youth Council.

RESPONSIBILITY AND AUTHORITY OF CITY YOUTH COUNCIL LEADERSHIP MEMBERS

1. To attend youth council meetings.
2. To carry out assignments of the Hyrum Youth Mayor, Mayor Pro-Tem and advisors.
3. Contact the Youth Council Members assigned to your committee with any reminders of meetings and all activities.
4. To recommend to the Youth Council ways in which the youth of the community could assist to make the city a better place to live.
5. To plan, with the help of a committee, youth service projects for the community.

YOUTH COUNCIL

Those applicants for the Hyrum City Youth Council that are interviewed and selected to serve on the Youth Council. They will serve for one year in assisting the Hyrum City Youth Council in carrying out their plans, goals and in projects to serve the youth and the community. They each will be assigned to participate in different functions within the city, then report monthly at council meetings.

ROLE OF YOUTH CITY COUNCIL ADVISORS

The Hyrum Youth Council shall have two or more advisors. These advisors will attend Youth Council meetings and generally become involved in the advisory role, in all council projects. They will be appointed to the position by the Hyrum City Mayor and Council for an undetermined time.

REQUIREMENTS TO SERVE ON THE HYRUM CITY YOUTH COUNCIL

1. Must be a resident of Hyrum City, or the directly outlying county who are unincorporated.
2. Must be at least in the ninth grade, or equivalent in homeschooling, and not yet a senior in high school.
3. Must be willing to serve a one year term.

REQUIREMENTS TO REMAIN ON THE HYRUM CITY YOUTH COUNCIL

1. Remain a resident of Hyrum City or directly outlying county.
2. Attend at least 75 percent of all City Youth Council meetings and activities. Excused absences will not be counted. Youth Leadership is to attend 90% of all meetings and activities. If attendance for Youth Leadership falls below 90%, they will

be asked to step down from their leadership position. Extenuating circumstances will be taken into consideration, so long as the Youth Council Advisors are notified.

- 3. Fulfill the responsibilities of the office held.
- 4. As a representative of Hyrum City, members shall set a proper example for the youth of the community at all times.

*A member of the City Youth Council or the Youth Council Leadership may be removed from office upon a violation of one or more of the above criteria and by 100 percent vote of the Youth Council Advisors. A probation may or may not take place before removal, depending upon the severity of the violation.

VACANCIES

Any vacancy on the Youth City Council Leadership, either by removal, or by resignation, shall be filled by a member of the Hyrum City Youth Council, selected by the City Council Member and Youth Advisors.

BECOMING A YOUTH COUNCIL MEMBER CANDIDATE

Each youth seeking to become a member of the Hyrum Youth Council will be required to fill out an application. The applicant must have the signature of the applicant’s parent or legal guardian.

All candidates must meet requirements to serve on the Hyrum Youth Council. All applicants will be reviewed by the City Council Member and the Youth Council Advisor(s). Incumbent office holders are eligible to reapply.

INTERVIEWING PROCESS

The interview will take place after November 1st at the Hyrum City Council Chambers. Interviews will be conducted by the Hyrum City Youth Council Advisors and the Hyrum City Council Member if they are available.

SWEARING IN

Swearing in of the newly selected officers of the Youth Council shall take place in the city council room, in the Hyrum City office building, or outside at the Hyrum City Square Pavillion should health circumstances dictate, and shall be performed by the Hyrum City Justice of the Peace, or City Recorder. The swearing in shall be held on a designated day in the first quarter of the year. The term of office shall be for one year, January 1-December 31, with new selections being made yearly.