

SOUTH JORDAN CITY  
CITY COUNCIL STUDY SESSION

September 15, 2015

**Present:** Mayor David Alvord, Councilman Steve Barnes, Councilman Chuck Newton, Councilman Chris Rogers, Councilman Mark Seethaler, Councilman Don Shelton, CM Gary Whatcott, City Attorney Ryan Loose, Community Development Director Brad Klavano, Administrative Services Director Dustin Lewis, IT Director Jon Day, City Council Secretary MaryAnn Dean

**Others:** Attachment A

**STUDY SESSION – 4:00 PM**

Mayor Alvord welcomed everyone present. Councilman Newton was not present at this time.

A. Invocation: *By Councilman Chuck Newton*

Councilman Rogers gave the invocation.

B. Presentation: Teen Suicide Prevention. *(By Greg Hudnall)*

Mayor Alvord recognized the principals of Herriman High and Bingham High, as well as members from the Jordan School District administration. He said he asked Mr. Hudnall to do a presentation on their Hope 4 Utah program.

Greg Hudnall, Hope 4 Utah, introduced Cathy Bledsoe from the Provo School District.

Mr. Hudnall reviewed his background and teen suicide statistics.

Councilman Newton arrived at this time.

Mr. Hudnall reviewed a presentation and webinar on teen suicide and their Hope 4 Utah program (Attachment B).

Mayor Alvord asked how a city would be involved in this program? Mr. Hudnall said they should look for ways to train every adult and bring key leaders in the community together. Mayor Alvord asked if business leaders are invited to offer financial support? Mr. Hudnall said they could be. He noted that they are a non-profit organization in 180 schools. He noted that they receive some CDBG funding that is used to support the families to receive counseling.

Mr. Hudnall said it takes 3-5 years to change the culture. He has done presentations to 33,000 people.

Mr. Hudnall discussed the hope squads. They are typically a student nominated group. They learn about warning signs and receive training. They sponsor a "hope week" every year and educate the community. They have found that through the education process, kids start to realize that it's okay to struggle and okay to get help. The hope squad are not counselors. They are trained to be another set of eyes and ears. They always refer concerns to an adult. It was noted that the Hope Squad started this year at Bingham.

Councilman Shelton asked if there is anything they do to target young adults? Mr. Hudnall said they are starting a hope squad at BYU. They are also working on starting a veterans hope squad.

Councilman Seethaler said it can be confusing to know where to turn. Mr. Hudnall said the task force is where different organizations (hospitals, police, etc.) communicate and work together to collaborate and make a difference.

Mayor Alvord recommended the city form a small committee to meet quarterly. Councilman Newton said that should be formalized with a Resolution and leveraged with CDBG funds.

The City Council took a brief dinner break.

C. Council Discussion: Rooster Ordinance. *(By Councilman Newton and City Attorney, Ryan Loose)*

City Attorney Loose said the decision whether or not to have roosters in the city can be made by the City Council. There are currently 3 zones that allow roosters; A-1, A-5, and R-1.8. He said roosters are listed in the farm animal regulation. He noted that the floating chicken ordinance does not apply to roosters. He said they can leave the Ordinance alone, ban roosters, or require de-crowing roosters. He said he would not encourage the option to de-crow the roosters at all, as there is a high mortality rate.

COS Cunningham said the owner of the rooster that the neighborhood has complained about was not able to attend. He sent a response to the city, and has a different point of view. The rooster owner appreciates the city recognizing his right to have a rooster.

City Attorney Loose said if they decide to restrict the roosters, the people who currently have roosters would be allowed to keep them as a pre-existing non conforming use. They can set an amortization for the use to be phased out. He said it is difficult to monetize the investment for roosters. They would have to figure out the value on an individualized basis.

Councilman Barnes asked if they can do a nuisance law rather than restricting the roosters all together? City Attorney Loose said there is a nuisance law. The residents would have to take it to civil court. In this case, there is a law that permits the rooster, so it is hard to bring a criminal case against it. He said roosters are handled differently than dogs. Dogs can be trained, or debarked.

Councilman Barnes said if a person is not taking care of the rooster, can they revoke their right to have the rooster? City Attorney Loose said that would be revoking a land use right. He said they would have to require a license for the rooster, and then revoke the license.

City Attorney Loose said roosters are regulated like other farm animals. He believes it would be difficult to regulate roosters. Councilman Newton said he believes they can have standards for roosters.

City Attorney Loose reiterated that the options are continue to allow the roosters, restrict the roosters and deal with the non conforming uses, or find a regulatory scheme.

Councilman Rogers said if they restrict roosters, they could write the code to say that when the rooster dies, they can't get a new one. Councilman Barnes asked if they want to penalize those that have roosters that aren't a problem? Councilman Newton asked why did they not allow roosters when they expanded the chicken ordinance. Councilman Seethaler said because they are a nuisance. City Attorney Loose said roosters are a farm use.

Councilman Rogers asked about allowing farm animals in an agricultural zone, and non farm animals in a residential zone. He said the big problem is allowing a farm animal in a residential zone. Councilman Newton said he likes that idea. He said they can still go to the nuisance regulation in the residential areas.

The animal control officer said there is not much they can do for roosters crowing in the R-1.8 zone.

City Attorney Loose said they need to determine what is the character and feel they want for the community and decide if it's time to stop any new roosters.

Councilman Rogers said they will continue to have less agricultural in the future. If they pass the ban on roosters, the roosters would phase out naturally.

City Attorney Loose reiterated that if a rooster is on a property legally, they can crow at 2 am. The only thing that can be done is a civil suit.

Councilman Barnes said he is not in a hurry to take something away, if it is really not a problem. The animal control officer estimated that they receive 1-2 calls a year for roosters, and all of the calls have been from the neighborhood that recently complained to the City Council.

City Attorney Loose said even if they ban roosters now, it may be years before that particular rooster is gone.

Councilman Newton said they could set up a noise ordinance.

It was noted that pigeons are controlled through the household pet ordinance. They are regulated differently.

Councilman Newton said they could change the code so roosters are controlled through animal right. City Attorney Loose said it would still be a pre existing non conforming use.

Mayor Alvord said the city doesn't have any options with this land owner. The residents may have to work out a deal with the landowner. He said going forward, if it is not a concern in the city except for this one rooster, should they change the law? He said he does not see a strong incentive for a person to have a rooster. It is a business. City Attorney Loose said he is not sure if the business is licensed.

Councilman Newton said maybe they should deal with the land use regulations now. Mayor Alvord said he could support a Resolution banning the roosters.

CM Whatcott said the concern is roosters on the R-1.8 properties.

Councilman Seethaler asked how other cities have dealt with this? City Attorney Loose said they have looked at a lot of other cities' regulations. They deal with it differently; some have outlawed roosters, some have not.

Mayor Alvord said it would be up to someone to bring forward a Resolution on this issue. The problem may solve itself.

## **ADJOURNMENT**

The City Council adjourned the study session at 6:02 p.m.

**This is a true and correct copy of the September 15, 2015 Council Meeting minutes, which were approved on October 6, 2015.**

*Auna M. West*  
**South Jordan City Recorder**

