

**TOWN COUNCIL OF DEWEY-HUMBOLDT
STUDY SESSION MEETING NOTICE**

Tuesday, January 12, 2016, 2:00 P.M.

**COUNCIL STUDY SESSION MEETING
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA**

AGENDA

The issues that come before the Town Council are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Council believes that the meeting be a safe place for people to speak. With this in mind, the Council asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. 38-431.03 (A) (3), which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. The Council meeting may be broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. Call To Order.

2. Roll Call. Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway; and Mayor Terry Nolan.

Page **3. Study Session.** No legal action to be taken.

3 **3.1. Proposed Animal Ordinances.** [follow up on the November 10, 2015 discussion]

23 **3.2. Code Enforcement Overview and Case Report.**

35 **3.3. Website redesign follow-up and possible direction to proceed with an agreement.**
 [Revize LLC follow-up from December 8th meeting]

43 **3.4. Town legal service solicitation material review and direction on next steps.**

45 **3.5. Process of future performance evaluation for Town Manager.**

51 **3.6. Discussion and consensus on setting a town policy on recognition of time in service for town employees and town committee volunteers.** [CAARF requested by CM Wright]

4. Special Session. Legal action can be taken.

53 **4.1. Whether to hold additional special session(s) this month.** This is an established agenda item for Council's discussion on whether to add an additional special study session and if so, to set the date.

5. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, January 19, 2016, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, February 4, 2016, at 6:00 p.m.

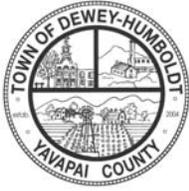
Next Town Council Work Session: Tuesday, February 9, 2016, at 2:00 p.m.

If you would like to receive Town Council agendas via email, please sign up and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2016, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt. By: _____, Town Clerk's Office.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL STUDY SESSION

January 12, 2016 2:00 p.m. Town Council Meeting Chambers

Agenda Item: # 3.1. animal ordinances

To: Mayor and Town Council Members

From: Steven Brown, Community Planner/Code Officer; Yvonne Kimball, Town Manager

Date submitted: January 6, 2016

Summary:

On November 10, 2015, the Council held a Work Session on proposed amendments to both Town Code Section 90 and Zoning Code Section 153, which both deal with the management of animals in the Town of Dewey-Humboldt. The Town Attorney, Town Magistrate, and YSCO Animal Control Division attended the discussion.

Council directed a few revisions to be made to the amendments to Section 90. Council directed to send the amendments to Chapter 153 to P&Z with focus on how to define and regulate "kennel". P&Z met on January 7 and discussed the options provided by staff but tabled this to the February 4th meeting. Staff is hopeful to report to Council at the February 16th meeting.

Staff believes that the revised amendments to Section 90 Animals are sufficient and asks Council to review it again and direct us possibly to:

1. Proceed with adoption
2. More revisions
3. Hold off adoption until Chapter 153's amendments are ready. These two sets of amendments do not have to be adopted at the same time. However, they are somewhat related to one another.

To recap the proposed amendments:

Town Code Section 90:

- The proposed amendments to Town Code Section 90.01 adds new definitions:
 - AT LARGE
 - CRUELLY MISTREAT
 - CRUELLY NEGLECT
 - DANGEROUS ANIMAL
 - DOG
 - ENFORCEMENT OFFICER

- FARM ANIMALS
- OWNER
- The proposed amendments to Section 90.02, provide for:
 - Any dog over the age of 3 months rather than 4 months to have a current identification number issued by Yavapai County besides wearing a collar or harness with a valid rabies tag affixed. There is some discussion about this provision requiring the physical wearing of a tag, however the County on the site where licenses are applied, requires a license be issued and worn by the animal. I think to be consistent with the County, we should keep the requirement for the tag to be worn.
 - The enforcement of a prohibition against excessive barking by dogs and howling by other animals or fowl.
 - A new section on ANIMAL CARE that addresses the issue of neglect and cruelty to animals, and provides for enforcement of the prohibition against such mistreatment.
- The proposed amendments to Section 90.03 combines certain exemptions for working dogs RUNNING AT LARGE and provides for the citation of the owner or other person exercising control over the animals.
- The proposed amendments to Section 90.04 provide clarified language regarding the control of DANGEROUS ANIMALS including the authority for any law enforcement officer to destroy any animal determined to be a dangerous animal.
- The proposed amendments provide a new section 90.50 that provides MAINTENANCE STANDARDS for the keeping of animals, which is enforced by the Town enforcement officer.
- The proposed amendments include a new Section 90.98 CITATION ISSUED TO OWNERS which stipulates the means of enforcement.

During the November discussion for Section 90, Sergeant Deb Dean from the Animal Control division of the Yavapai County Sheriff's Office advocated for licensing the dogs with the County and requiring dog tags be worn by all dogs following vaccination for rabies. The attached ordinance reflects the requirements of licensing and tag wearing. Sgt. Dean also stressed that farm animal complaints are handled by the state.

Zoning Code Section 153:

The proposed amendments to the Zoning Code Section 153 provides:

- In Section 153.005, definitions for:
 - EXOTIC WILDLIFE as: those not native to North America
 - KENNEL as: Any structure, land or combination thereof, used, designed, or arranged for the boarding or breeding of animals or fowl for a fee, or other commercial purpose.

Attachments: updated proposed changes to section 90 Nov. 2015; animals-proposed changes to section 153 Nov. 2015

The Council remanded the definition of KENNEL back to the Planning and Zoning Advisory Commission to review and make a recommendation for the definition. Although P&Z discussed this at the January 7, 2016, meeting they tabled until the February 4th P&Z meeting.

- The definition of FARM ANIMALS is proposed to not include such animals as would be deemed EXOTIC WILDLIFE.
- Modifies the definition of PETS (HOUSEHOLD) to include any non-EXOTIC ANIMALS under 100 pounds.
- Sections 153.042 (C1 Commercial) and 153.046 (M1-Industrial) are modified to include Kennels as permitted uses. Given the structure of the Town's Zoning Ordinance this also means that this use is permitted in the C-2 and C-3, as well as the M-2 districts.
- In Section 153.066 Accessory Uses and Structures, in subsection F, The regulation of EXOTIC WILDLIFE is stipulated to be a State responsibility.
- In Section 153.066 subsection G, the Allowable Animal Chart is modified to exclude EXOTIC ANIMALS.

There is a new section regarding kennels that provides for the continuation of those in existence for an as yet unspecified time. Other than those pre-existing uses, kennels would not be permitted except on properties in excess of 70,000 sq. ft.

ORDINANCE No. ____

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE TOWN OF DEWEY-HUMBOLDT, ARIZONA CODE OF ORDINANCES, TITLE IX GENERAL REGULATIONS, CHAPTER 90 ANIMALS, RELATED TO ANIMAL CONTROL, REGULATION OF DOGS, DANGEROUS AND BITING ANIMALS, LIVESTOCK, MAINTENANCE STANDARDS FOR ANIMALS AND ENFORCEMENT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR PENALTIES

Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section I. In General

The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title IX Administration, Chapter 90 Animals, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

ANIMAL CONTROL

§ 90.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AT LARGE. Being neither confined by an enclosure nor an electronic fence capable of restraining the animal, nor physically restrained on a leash.

CRUELLY MISTREAT. TO BEAT, CRUELLY ILL-TREAT, ABANDON, TORMENT, OVERLOAD, OVERWORK OR OTHERWISE ABUSE AN ANIMAL TORTURE OR OTHERWISE INFLICT UNNECESSARY SERIOUS PHYSICAL INJURY ON AN ANIMAL OR TO KILL AN ANIMAL IN A MANNER THAT CAUSES PROTRACTED SUFFERING TO THE ANIMAL.

CRUELLY NEGLECT. TO FAIL TO PROVIDE AN ANIMAL WITH NECESSARY FOOD, WATER OR SHELTER.

DANGEROUS ANIMAL. ANY ANIMAL THAT BITES WITHOUT PROVOCATION, IS KNOWN TO HAVE A HISTORY, TENDENCY OR DISPOSITION TO BITE, OR KILLS OR CAUSES INJURY, INCLUDING INJURY TO DOMESTICATED ANIMALS.

DOG. A member of the canis lupis familiaris and domesticated wolves and offspring of dogs cross-bred with wild animals or domesticated wolves.

ENFORCEMENT OFFICER. Any person responsible for the enforcement of this subchapter and the regulations promulgated hereunder.

FARM ANIMALS. HORSES, CATTLE, BISON, SHEEP, GOATS, RABBITS, CHICKENS, TURKEYS, PHEASANTS, GEESE, DUCKS, PIGEONS, PEACOCKS,

OWNER. Any person owning, possessing, harboring or maintaining a dog OR FARM ANIMAL, or any persons acting for, or in the place of, the owner, or having charge of, or having taken charge of, a dog OR FARM ANIMAL.

§ 90.02 GENERAL PROVISIONS.

(A) No dog shall be at large except as provided herein. Dogs shall be confined within a suitable enclosure capable of restraining the animal or otherwise physically restrained to prevent entry of dogs on public or private property other than the owner's, or on a leash not to exceed six feet in length and of sufficient strength to control the dog.

(B) Any dog over the age of THREE (3) ~~four~~ months shall HAVE A CURRENT IDENTIFICATION NUMBER ISSUED BY YAVAPAI COUNTY AND, EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH, wear a collar or harness to which is attached a valid rabies tag. Dogs shall not be required to wear a collar or harness with a valid rabies tag attached while being used for control of FARM ANIMALS, while being used or trained for hunting, while being exhibited or trained at a kennel club event, while engaged in races approved by the Arizona Racing Commission or while being transported to and from such events, provided that they are properly vaccinated and controlled ON THE PROPERTY OF OWNER.

(C) It shall be unlawful for an owner or any other person or designated responsible person to maintain a dog ~~having a propensity to~~ THAT excessively barks, howls or otherwise disturbs the peace and quiet of any town resident.

(D) IT SHALL BE UNLAWFUL FOR THE OWNER OF FARM ANIMALS, TO PERMIT SUCH FARM ANIMALS TO RUN AT LARGE WITHIN THE CORPORATE LIMITS OF

THE TOWN. FARM ANIMALS ROAMING AT LARGE WITHIN THE CORPORATE LIMITS OF THE TOWN SHALL BE RETRIEVED BY THE OWNER WITHIN A REASONABLE PERIOD OF TIME AFTER NOTIFICATION.

(E) IT SHALL BE UNLAWFUL FOR THE OWNER OF AN ANIMAL OR FOWL TO PERMIT THE ANIMAL OR FOWL TO EMIT FREQUENT OR HABITUAL HOWLING, YELPING, BARKING, CROWING OR THE MAKING OF OTHER NOISES.

(F) ANIMAL CARE.

(1) NO OWNER SHALL FAIL TO PROVIDE HIS ANIMALS WITH SUFFICIENT WHOLESOME FOOD AND WATER, PROPER SHELTER AND PROTECTION FROM THE WEATHER, VETERINARY CARE WHEN NEEDED TO PREVENT SUFFERING, AND WITH HUMANE CARE AND TREATMENT.

(2) NO PERSON SHALL, CRUELLY MISTREAT OR NEGLECT, AN ANIMAL, OR CAUSE, INSTIGATE OR PERMIT ANY DOGFIGHT, COCKFIGHT, BULLFIGHT OR OTHER COMBAT BETWEEN ANIMALS OR BETWEEN ANIMALS AND HUMANS.

(3) THE ENFORCEMENT OFFICER, ON A REASONABLE BELIEF THAT VERY PROMPT ACTION IS REQUIRED TO PROTECT THE HEALTH OR SAFETY OF AN ANIMAL OR THE HEALTH OR SAFETY OF OTHER ANIMALS MAY IMMEDIATELY IMPOUND ANY ANIMAL THAT APPEARS TO BE CRUELLY NEGLECTED OR OTHERWISE CRUELLY MISTREATED AS DESCRIBED IN THIS SECTION. THE ENFORCEMENT OFFICER SHALL THEN REQUEST A HEARING PURSUANT TO THIS CHAPTER FOR THE DISPOSITION OF THE IMPOUNDED ANIMAL.

(4) NOTHING CONTAINED HEREIN SHALL PROHIBIT OR RESTRICT ANY ACTIVITY INVOLVING A DOG, WHETHER THE DOG IS RESTRAINED OR NOT, IF THE ACTIVITY IS DIRECTLY RELATED TO THE BUSINESS OF SHEPHERDING OR HERDING LIVESTOCK AND THE ACTIVITY IS NECESSARY FOR THE SAFETY OF A HUMAN, THE DOG OR LIVESTOCK OR IS PERMITTED BY OR PURSUANT TO TITLE 3 OF THE ARIZONA REVISED STATUTES.

~~90.03 ENFORCEMENT.~~

~~—(A) Any dog, which is running at large, may be apprehended and impounded by the town enforcement officer. The town enforcement officer shall have the right to enter upon private property in order to apprehend any dog that has been running at large, provided the enforcement officer is in reasonable pursuit of the dog.~~

~~—(B) Town enforcement officers may issue citations to the owner, any other person acting for the owner, or any person exercising control over a dog when a dog is at large. The procedure for the issuance of a notice to appear shall be as provided for peace officers in A.R.S. § 13-3903, except that the enforcement~~

~~officer shall not make an arrest before issuing the notice. The issuance of citations pursuant to this subchapter shall be subject to the provisions of A.R.S. § 13-3899.~~

~~—(C) Consistent with A.R.S. § 11-1015 and statutes applying to towns, it is unlawful for any person to interfere with the enforcement officer in the performance of his or her duties pursuant to this subchapter.~~

§ ~~90.04~~ 90.03 EXEMPTIONS – DOGS RUNNING AT LARGE.

(A) A dog may run at large while participating in field trials, obedience classes, kennel club events, organized school or park-sponsored shows, while assisting its owner or being trained in legal hunting or in herding livestock, while assisting a police officer engaged in law enforcement duties, or while assisting its blind or deaf master, so long as sufficient control is exercised and the control would permit immediate leashing of the dog upon any person's reasonable request.

(B) A dog is allowed to occupy vehicles, including truck beds, without restraint, but upon leaving a vehicle or truck bed, it is considered to be at large.

~~§ 90.05 BITING ANIMALS.~~

~~—(A) The procedures set forth in Arizona Revised Statutes shall be followed for biting animals.~~

~~—(B) Domesticated wolves and offspring of domestic animals bred with wild animals or domesticated wolves shall be considered wild animals consistent with the provisions of A.R.S. § 11-1014c.~~

90.04 ENFORCEMENT- RUNNING AT LARGE.

(A) ANY DOG OR FARM ANIMAL, WHICH IS RUNNING AT LARGE, MAY BE APPREHENDED AND IMPOUNDED BY THE ENFORCEMENT OFFICER. THE ENFORCEMENT OFFICER SHALL HAVE THE RIGHT TO ENTER UPON PRIVATE PROPERTY IN ORDER TO APPREHEND ANY DOG OR FARM ANIMAL THAT HAS BEEN RUNNING AT LARGE, PROVIDED THE ENFORCEMENT OFFICER IS IN REASONABLE PURSUIT OF THE DOG OR FARM ANIMAL.

(B) ENFORCEMENT OFFICERS MAY ISSUE CITATIONS TO THE OWNER, ANY OTHER PERSON ACTING FOR THE OWNER, OR ANY PERSON EXERCISING CONTROL OVER A DOG OR FARM ANIMAL WHEN A DOG OR FARM ANIMAL IS AT LARGE. THE PROCEDURE FOR THE ISSUANCE OF A NOTICE TO APPEAR SHALL BE AS PROVIDED FOR PEACE OFFICERS IN A.R.S. § 13-3903, EXCEPT THAT THE ENFORCEMENT OFFICER SHALL NOT MAKE AN ARREST BEFORE ISSUING THE NOTICE. THE ISSUANCE OF CITATIONS PURSUANT TO THIS SUBCHAPTER SHALL BE SUBJECT TO THE PROVISIONS OF A.R.S. § 13-3899.

(C) IF FARM ANIMALS ARE RUNNING AT LARGE, THE COSTS OF ENFORCEMENT SHALL BE BORNE BY THE OWNER OF THE FARM ANIMALS.

~~§ 90.06~~ 90.05 RELEASE OF IMPOUNDED DOG OR FARM ANIMAL.

(A) ANY PERSON REQUESTING THE RELEASE OF AN IMPOUNDED DOG SHALL PROVIDE PROOF OF ANTI-RABIES VACCINATIONS, OR SHALL OBTAIN ANY APPLICABLE VACCINATION AND SHALL PAY FOR THE COSTS OF IMPOUNDMENT. PROOF OF OWNERSHIP OF THE DOG MAY BE REQUIRED PRIOR TO RELEASE.

(B) ANY IMPOUNDED DOG OR FARM ANIMAL WHICH IS NOT CLAIMED WITHIN 72 HOURS SHALL BE DEEMED ABANDONED. ENFORCEMENT OFFICERS MAY TAKE POSSESSION OF ABANDONED DOGS OR FARM ANIMALS AND MAY PLACE THE DOG OR FARM ANIMAL FOR SALE OR MAY DISPOSE OF THE DOG OR FARM ANIMAL IN A HUMANE MANNER. ANY PERSON PURCHASING AN ABANDONED DOG SHALL OBTAIN APPLICABLE ANTI-RABIES VACCINATIONS AND PAY THE APPLICABLE AND IMPOUNDMENT FEES.

~~VICIOUS DANGEROUS AND BITING ANIMALS~~

~~§ 90.15 DEFINITIONS.~~

~~For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.~~

~~**DANGEROUS or VICIOUS ANIMAL.** Any animal that bites without provocation, is known to have a propensity HISTORY, tendency or disposition to bite, or kills or causes injury, including injury to domesticated animals.~~

§ 90.16 DETERMINATION OF TOWN MAGISTRATE.

(A) IF THE ENFORCEMENT OFFICER HAS REASON TO BELIEVE AN ANIMAL IS A DANGEROUS ANIMAL, HE MAY FILE A PETITION WITH THE TOWN'S MAGISTRATE COURT FOR A DETERMINATION THAT THE ANIMAL IS DANGEROUS AS DEFINED IN SECTION 90.01.

(B) THE TOWN'S MAGISTRATE SHALL NOTIFY THE OWNER OF THE ANIMAL OF THE DATE, TIME AND PLACE OF A HEARING FOR A DETERMINATION OF A DANGEROUS ANIMAL.

(C) Following a hearing, the Town Magistrate may declare an animal to be dangerous or vicious if the animal is found to have exhibited a pattern of aggressive behavior which threatens the safety or well-being of persons or

~~domesticated animals, or has caused injury, reasonable apprehension of such injury, or intimidation to any person AS DEFINED IN SECTION 90.01.~~

§ 90.17 CONTROL OF DANGEROUS ANIMALS.

No person having charge, care, custody or control of an animal determined to be a vicious or dangerous animal shall permit the animal off his or her premises unless the animal is securely restrained.

§ 90.18 KILLING OF DANGEROUS ANIMALS.

Any law enforcement officer is hereby authorized to destroy any animal determined to be a dangerous ~~or vicious~~ animal when immediately necessary to protect any person or property.

§ 90.19 BITING ANIMALS.

The procedures set forth in Arizona Revised Statutes shall be followed for biting animals.

LIVESTOCK

~~§ 90.30 DEFINITIONS.~~

~~—For the purpose of this subchapter the following definition shall apply unless the context clearly indicates or requires a different meaning.~~

~~—**LIVESTOCK.** Cattle, horses, pigs, sheep, goats, or other similar animals, other than dogs or domestic house cats.~~

~~§ 90.31 LIVESTOCK ROAMING AT LARGE.~~

~~—It shall be unlawful for the owner of livestock, a person acting for the owner of livestock or a person exercising control over livestock to permit such livestock to roam at large within the corporate limits of the town. Livestock roaming at large within the corporate limits of the town shall be retrieved by the owner, the person acting for the owner or the person exercising control over such livestock within a reasonable period of time after notification.~~

~~§ 90.32 INVESTIGATION AND ENFORCEMENT.~~

~~—Enforcement will only occur upon signed complaint and a preliminary investigation to verify that a violation has in fact occurred. Enforcement of § 90.31 shall be the same as contained in § 90.03 of this chapter. Costs of enforcement shall be borne by the owner of such livestock. Any livestock~~

~~roaming at large may be impounded by the Enforcement Officer so designated by the town.~~

~~§ 90.33 PAYMENT OF CITATION IN LIEU OF PENALTIES.~~

~~—(A) *Fines.* The fines for violating the provisions of § 90.31 90.05 shall be adopted from time to time by resolution of the Council. Unless the Council determines otherwise, the fines shall be those applicable under § 90.99 of this chapter. Any citation must be paid as stated therein.~~

~~—(B) *Appearance if fine not paid.* Any person charged with a violation of this CHAPTER WHO DOES NOT PAY THE FINE AS PROVIDED IN § 90.31 § 90.33 shall appear in the Magistrate's Court at a date and time set by the Court for disposition in accordance with § 90.99, unless all fines imposed have been paid at least 24 hours in advance of the scheduled court appearance.~~

MAINTENANCE; NUISANCE

90.50 MAINTENANCE STANDARDS

PREMISES ON WHICH ANIMALS OR FOWL ARE KEPT SHALL BE MAINTAINED IN A MANNER NOT TO UNREASONABLY INTERFERE WITH THE USE AND ENJOYMENT OF THE PROPERTIES OF OTHERS, INCLUDING BUT NOT LIMITED TO COMPLIANCE WITH THE FOLLOWING MAINTENANCE STANDARDS:

(A) ALL ANIMALS AND FOWL AND THE PENS, STALLS, STABLES, YARDS, SHELTERS, CAGES, AREAS, PLACES AND PREMISES WHERE THEY ARE HELD OR KEPT, SHALL BE SO MAINTAINED THAT FLIES, INSECTS, VERMIN, RODENT HARBORAGE, ODORS, PONDED WATER, THE ACCUMULATION OF MANURE, GARBAGE, REFUSE OR OTHER NOXIOUS MATERIAL DO NOT BECOME A PUBLIC HEALTH NUISANCE.

(B) ANIMAL MANURE AND DROPPINGS SHALL BE REMOVED FROM PENS, STABLES, YARDS, CAGES, AND OTHER ENCLOSURES AT LEAST TWICE WEEKLY AND HANDLED OR DISPOSED OF IN AN APPROVED MANNER FREE OF HEALTH HAZARD OR PUBLIC HEALTH NUISANCE. NOTHING IN THIS SUBSECTION SHALL BE DEEMED TO PROHIBIT THE USE OF ANIMAL MANURE OR DROPPINGS ON ANY FARM, GARDEN, LAWN OR RANCH IN SUCH A MANNER AND FOR SUCH PURPOSES AS ARE COMPATIBLE WITH CUSTOMARY METHODS OF GOOD HORTICULTURE.

(C) WATERING TROUGHS OR TANKS SHALL BE PROVIDED, WHICH SHALL BE EQUIPPED WITH ADEQUATE FACILITIES FOR DRAINING THE OVERFLOW, SO AS

TO PREVENT THE PONDING OF WATER, THE BREEDING OF FLIES, MOSQUITOES OR OTHER INSECTS, OR A HEALTH HAZARD.

(D) NO PUTRESCIBLE MATERIAL SHALL BE ALLOWED TO ACCUMULATE ON ANY PREMISES, AND ALL SUCH MATERIAL USED AS FEED WHICH IS UNCONSUMED SHALL BE REMOVED DAILY AND DISPOSED OF BY BURIAL OR OTHER APPROVED MEANS

90.51 NUISANCE PROHIBITED

VIOLATION OF SECTION 90.50 SHALL CONSTITUTE A NUISANCE AND A VIOLATION OF THIS CHAPTER.

ENFORCEMENT

§ 90.98 CITATION ISSUED TO OWNERS

(A) FOR PURPOSES OF THIS SECTION AND § 90.50, THE ENFORCEMENT OFFICER SHALL BE THE TOWN CODE ENFORCEMENT OFFICER OR DESIGNEE OR THE COUNTY ANIMAL CONTROL OFFICER.

(B) IT IS UNLAWFUL FOR ANY PERSON TO INTERFERE WITH THE ENFORCEMENT OFFICER IN THE PERFORMANCE OF HIS DUTIES PURSUANT TO THIS CHAPTER.

(C) ENFORCEMENT WILL ONLY OCCUR UPON SIGNED COMPLAINT AND A PRELIMINARY INVESTIGATION TO VERIFY THAT A VIOLATION HAS IN FACT OCCURRED.

(D) IF THE ENFORCEMENT OFFICER DETERMINES THERE IS PROBABLE CAUSE TO BELIEVE THAT A VIOLATION OF THIS CHAPTER HAS OCCURRED, HE MAY FILE A COMPLAINT IN THE MAGISTRATE COURT AND CAUSE THE COMPLAINT TO BE SERVED ON THE PERSON ALLEGED TO BE VIOLATING THIS CHAPTER. THE CITATION SHALL SET FORTH THE SPECIFIC VIOLATION WITH WHICH THE PERSON IS CHARGED AND THE TIME AND PLACE OF SUCH VIOLATION.

(E) EACH DAY A VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE.

(F) FINES FOR VIOLATING THE PROVISIONS OF THIS CHAPTER SHALL BE ADOPTED FROM TIME TO TIME BY RESOLUTION OF THE COUNCIL. ANY PERSON CHARGED WITH A VIOLATION OF THIS CHAPTER WHO DOES NOT PAY THE FINE SHALL APPEAR IN THE MAGISTRATE'S COURT AT A DATE AND TIME SET BY THE

COURT FOR DISPOSITION IN ACCORDANCE WITH § 90.99, UNLESS ALL FINES IMPOSED HAVE BEEN PAID AT LEAST 24 HOURS IN ADVANCE OF THE SCHEDULED COURT APPEARANCE.

§ 90.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no penalty is provided shall be subject to the terms of § 10.99.

(B) A person who is convicted of a violation of §§ ~~90.01~~ 90.02 through ~~90.06~~ 90.04 is guilty of a Class 2 misdemeanor. As a minimum penalty, a person convicted hereunder shall pay a fine of not less than \$50, which shall not be suspended unless, at the discretion of the court, that person is ordered to perform and complete a minimum of eight hours of community service.

(C) Any person violating the conditions of §§ ~~90.15~~ 90.17 through ~~90.18~~ or is in charge of a dangerous animal as defined herein, may be fined in the amount OF \$250 and be liable for reimbursement of any costs incurred by law enforcement officials in the exercising of their duties.

(D) A person convicted of violating § ~~90.31~~ 90.02(D) shall be found responsible for a civil code infraction and shall be subject to the civil sanctions on the first offense as set forth in § 10.99 of this code. Thereafter, a violation of § ~~90.31~~ 90.02(D) shall be a CLASS 2 misdemeanor subject to the penalty provisions set forth in § 10.99 of this code. The court may order any person who violates § 90.31 to pay all expenses related to the impounding of the livestock, including shelter, food, handling, transport and veterinarian care. The court may also order any person who violated this chapter to pay all related court fees or costs or penalties.

Section II. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance as amended is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section III. Repeal of Conflicting Ordinance

All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this ____ day of _____, 2015, by the following vote:

AYES: _____

NAYES: _____ ABSENT: _____

EXCUSED: _____ ABSTAINED: _____

APPROVED this ____ day of _____, 2015.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
Town Attorneys
By Susan D. Goodwin

I, JUDY MORGAN, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE ____ DAY OF _____, 2015, WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____, 2015.

Judy Morgan, Town Clerk

"Proposed Chapter 153 Ordinance"

ORDINANCE No. ____

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE TOWN OF DEWEY-HUMBOLDT, ARIZONA LAND USE CODE, TITLE XV LAND USE REGULATIONS, CHAPTER 153 ZONING REGULATIONS, SECTIONS 153.05 DEFINITIONS, 153.035 R1L DISTRICT (RESIDENTIAL; SINGLE FAMILY LIMITED), 153.037 RMM DISTRICT (RESIDENTIAL; MULTI-SECTIONAL MANUFACTURED HOUSE), 153.038 R1 DISTRICT (RESIDENTIAL; SINGLE-FAMILY), 153.039 RCU DISTRICT (RESIDENTIAL; RURAL), AND 153.040 R2 DISTRICT (RESIDENTIAL; MULTI-FAMILY) AS THOSE DISTRICTS INCORPORATE THE PERMITTED USES IN RIL DISTRICTS, AMENDING SECTIONS 153.042 C1 DISTRICT (COMMERCIAL; NEIGHBORHOOD SALES AND SERVICES), PARAGRAPH (B), 153.043 C2 DISTRICT (COMMERCIAL; GENERAL SALES AND SERVICES) AND 153.044 C3 DISTRICT (COMMERCIAL AND MINOR INDUSTRIAL) AS THOSE DISTRICTS INCORPORATE THE PERMITTED USES IN C1 DISTRICTS, 153.046 M1 DISTRICT (INDUSTRIAL; GENERAL LIMITED), PARAGRAPH (B)(3), AND 153.066 ACCESSORY USES AND STRUCTURES RELATED TO ANIMAL USES IN RIL DISTRICTS (RESIDENTIAL; SINGLE FAMILY LIMITED), R1 DISTRICT (RESIDENTIAL; SINGLE-FAMILY), C1 DISTRICT (COMMERCIAL; NEIGHBORHOOD SALES AND SERVICES), C2 DISTRICT (COMMERCIAL; GENERAL SALES AND SERVICES) AND C3 DISTRICT (COMMERCIAL AND MINOR INDUSTRIAL), DISTRICT (RESIDENTIAL; SINGLE-FAMILY),; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING PENALTIES

Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section I. In General

The Town of Dewey-Humboldt, Arizona Land Use Code, Title XV Land Use Regulations, Chapter 153 Zoning Regulations, Sections 153.05 Definitions, 153.036 R1L District (Residential; Single Family Limited), Paragraph (b)(12), 153.037 RMM District (Residential; Multi-Sectional Manufactured House), 153.038 R1 District (Residential; Single-Family) 153.039 RCU District (Residential; Rural), and 153.040 (R2 District (Residential; Multi-Family) as those districts incorporate the permitted uses in R1L Districts; Sections 153.042 C1 District (Commercial; Neighborhood Sales and Services, Paragraph (B), 153.043 C2 District (Commercial; General Sales and Services) and 153.044 C3 District (Commercial and Minor Industrial) as those districts

incorporate the permitted uses in C1 Districts; Section 153.046 M1 District (Industrial; General Limited) Paragraph (B)(3), and 153.066 Accessory Uses and Structures Paragraph (F) are hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

§ 153.005 DEFINITIONS.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given on the following pages. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The word "person" includes individuals, partnerships, corporations, clubs and associations. The following words or terms when applied to this chapter shall carry full force when used interchangeably: lot, plot, parcel or premises; used, arranged, occupied or maintained; sold or dispensed; construct, reconstruct, erect, place or alter (structurally or otherwise).

* * *

EXOTIC WILDLIFE. ANIMALS, FOWL AND OTHER CREATURES REGULATED AS EXOTIC WILDLIFE PURSUANT TO ARIZONA RULES AND REGULATIONS R-12-4-401 THROUGH R-12-4-430.

* * *

FARM ANIMALS. ~~Animals other than household pets that shall, where permitted, be permitted to be kept and maintained for commercial production and sale and/or family food production, education or recreation.~~ **FARM ANIMALS** are identified as being, e.g., Horses, cattle, BISON, KANGAROOS, WALLABYS, sheep, goats, rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, pigeons, PEACOCKS, OSTRICHES, EMUS, llamas and alpacas. See also § 153.066(E) and (F).

* * *

KENNEL. ~~Any place where seven or more dogs are owned, kept, boarded, bred and/or offered for sale.~~ ANY STRUCTURE, LAND, OR COMBINATION THEREOF USED, DESIGNED, OR ARRANGED FOR THE BOARDING, BREEDING, OR CARE OF ANIMALS OR FOWL FOR A FEE, OR OTHER COMMERCIAL PURPOSE.

* * *

PETS (HOUSEHOLD). Dogs, cats, rabbits, birds, pot-belly pigs, FISH and the like. "PETS" ALSO INCLUDES ~~(and other small animals under 100 pounds),~~ for family use only ~~(noncommercial) with cages, pens and the like.~~

* * *

§ 153.036 R1L DISTRICT (RESIDENTIAL; SINGLE FAMILY LIMITED)

Permitted uses for the R1L District (Residential; Single Family Limited to site built structures only) are as follows in this section.

* * *

(B)(12) KENNELS THAT WERE IN EXISTENCE PRIOR TO _____. WITHIN NINETY (90) DAYS FOLLOWING THE EFFECTIVE DATE OF THIS ORDINANCE, A PERSON WHO CLAIMS THAT HIS KENNEL WAS IN EXISTENCE PRIOR TO _____ SHALL PRESENT TO THE ENFORCEMENT OFFICER EVIDENCE THAT THE USE WAS IN EXISTENCE PRIOR TO _____. THE ENFORCEMENT OFFICER SHALL MAINTAIN A COPY OF SUCH EVIDENCE. EXCEPT FOR KENNELS IN EXISTENCE PRIOR TO _____, KENNELS ARE NOT PERMITTED IN THE R1L DISTRICT EXCEPT ON LOTS OF NO LESS THAN 70,000 SQUARE FEET.

* * *

§ 153.042 C1 DISTRICT (COMMERCIAL; NEIGHBORHOOD SALES AND SERVICES).

Permitted uses for the C1 District (Commercial; Neighborhood Sales and Services) are as follows in this section.

* * *

(B)(17) KENNELS

* * *

§ 153.046 M1 DISTRICT (INDUSTRIAL; GENERAL LIMITED).

Permitted uses for the M1 District (Industrial; General Limited) are as follows in this section.

* * *

(B (3) Manufacturing, machining, tooling, assembly, fabrication, welding, milling, molding, equipping, decorating, glazing, repairing, servicing, cleaning, winding, printing, publishing, pickling, brewing, distilling, salvage (but not wrecking), equipment, material and dead storage yards, plating and polishing, meat packing (no slaughtering except rabbits and poultry), animal treating, ~~boarding, breeding and sales~~ KENNELS, warehousing (including elevators), freight yards, circuses and carnivals, race tracks and stadiums; and

* * *

§ 153.066 ACCESSORY USES AND STRUCTURES.

* * *

(F) EXOTIC WILDLIFE. A PERSON WHO MAINTAINS EXOTIC WILDLIFE ON HIS PROPERTY SHALL COMPLY WITH ALL APPLICABLE STATE REGULATIONS RELATED TO EXOTIC WILDLIFE, IN ADDITION TO THE REQUIREMENTS OF THIS CHAPTER.

(FG) Allowed animal chart.

<i>Allowed Animal AND FOWL Chart</i>	
Type	Animals Allowed
Category A - Dairy cow CATTLE, bison, KANGAROOS, WALLABYS steer/heifer , horse or other similar size/weight	2 per acre*
Category B - Ostrich, miniature horse, llama, alpaca, sheep, goat, emu or other of similar size/weight	5 per acre*
Category C - Turkeys, peacocks, geese, pheasants, ducks, pigeons, chinchillas, rabbits, chickens or other similar size/weight toward the total. After one year of age, animal off-spring count as adult animals	8 per acre*
*And proportionately greater for larger properties	

Section II. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance as amended is for any reason held to be invalid or unconstitutional by the decision of any court

of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

Section III. Repeal of Conflicting Ordinance

All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

Section IV. Penalties

Any person found responsible for violating any provision of this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Section 10.99 of the Dewey-Humboldt Code of Ordinances

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this ____ day of _____, 2015, by the following vote:

AYES: _____

NAYES: _____ ABSENT: _____

EXCUSED: _____ ABSTAINED: _____

APPROVED this ____ day of _____, 2015.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

APPROVED AS TO FORM:

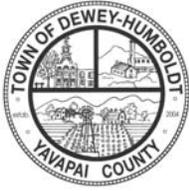
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
Town Attorneys
By Susan D. Goodwin

I, JUDY MORGAN, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-

HUMBOLDT, ARIZONA ON THE ____ DAY OF _____, 2015, WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____, 2015.

Judy Morgan, Town Clerk

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL STUDY SESSION

January 12, 2016 2:00 p.m. Town Council Meeting Chambers

Agenda Item: # 3.2. Code Enforcement Overview and Case Report

To: Mayor and Town Council Members

From: Steven Brown, Community Planner/Code Officer; Yvonne Kimball, Town Manager

Date submitted: January 6, 2016

Summary:

In this presentation, Staff would like to brief the Council on:

1. The general process we take for code enforcement – the form we use, the log we prepare, the monitoring efforts we employ, the philosophy we embrace;
2. Typical cases we encounter;
3. Some success stories;
4. The challenges we face and possible solutions.

Code Enforcement is Often Just Playing Referee Between Neighbors



The Character of Code Enforcement in Dewey-Humboldt

- **Low Volume**
- **Time Consuming**
- **Often Confrontational**

Sample Complaint and Investigation Request



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8643 - Fax 928-632-7365

Complaint and Investigation Request

Office Use	Intake Initials: _____
Date Received: _____	Case Number: _____
Intake: <input type="radio"/> Fax <input type="radio"/> Mail <input type="radio"/> In Person <input type="radio"/> Email/Internet	

Name of Person Making Complaint: _____
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Work Phone: _____ Home Phone: _____
 Email Address: _____

Address of Complaint/Violation: _____
 Parcel of Complaint/Violation: _____
 Owner Name: _____
 Occupant Name: _____
 Nature of the Complaint/Reason for Investigation: _____

I CERTIFY (OR DECLARE) THAT THE FOREGOING IS TRUE AND CORRECT.

Complainant: _____ Date: _____
Signature
 Name: _____
Phone

Every attempt is made to keep complaints confidential but cannot be guaranteed.

The Approach of Code Enforcement in Dewey-Humboldt

- Complaint Driven Unless There is a Health or Safety Concern
- Involve Property Owner in Developing Abatement Strategy Which Includes Measurable Milestones
- The Objective is Always Voluntary Compliance

Example of Enforcement Action Log

<u>August Code Enforcement Inspection Log</u>				
<u>Month-Year</u>	<u>Case Number</u>	<u>Nature of Complaint</u>	<u>Complaint/Action Taken</u>	<u>Status</u>
Aug-15	CDEF-2015-11	Rubbish/garbage	They are in process of cleaning up	on-going
Aug-15	CDEF-2015-12	Firewood, junk,	Granted until 10/20/15 to comply	on-going
Aug-15	CDEF-2015-17	Building without permits	2nd Notice of Violation Sent	on-going
Aug-15	CDEF-2015-13	MFH in R1-L zoning	Hearing Scheduled for 9/24/15	on-going
Aug-15	CDEF-2015-16	Trash, Inoperable Vehicles, Living in RV	Notice of Complaint sent 6/16/15	Need to revisit when Bill of Rights is completed.
Aug-15	CDEF-2015-4	Rubbish, Junk, Inoperable Vehicles	Notice of Complaint sent 3/19/15	Site Visit being made 8/25/15
Aug-15	CDEF-2015-5	Chickens	Hearing Scheduled for 9/10/15	on-going
Aug-15	CDEF-2015-24	Multiple travel trailers	Notice of Complaint sent 8/25/15	on-going
Aug-15	X-015615	Business in a Residential	Initial Site Inspection Made 8/25/15	Investigating

Before

Case Study #1 –Wood Business and Associated Clutter, Inoperable/unlicensed Vehicles,



After

Case Study #1 – Wood Business and Associated Clutter, Inoperable/unlicensed Vehicles,



Before

Case Study #2 – Building Without a Permit (Attached Accessory Shed, and Patio Cover)



After

Case Study #2 –Building Without a Permit (Attached Accessory Shed, and Patio Cover)



Before

Case Study #3 – Multiple Travel Trailers Being Illegally Occupied



After

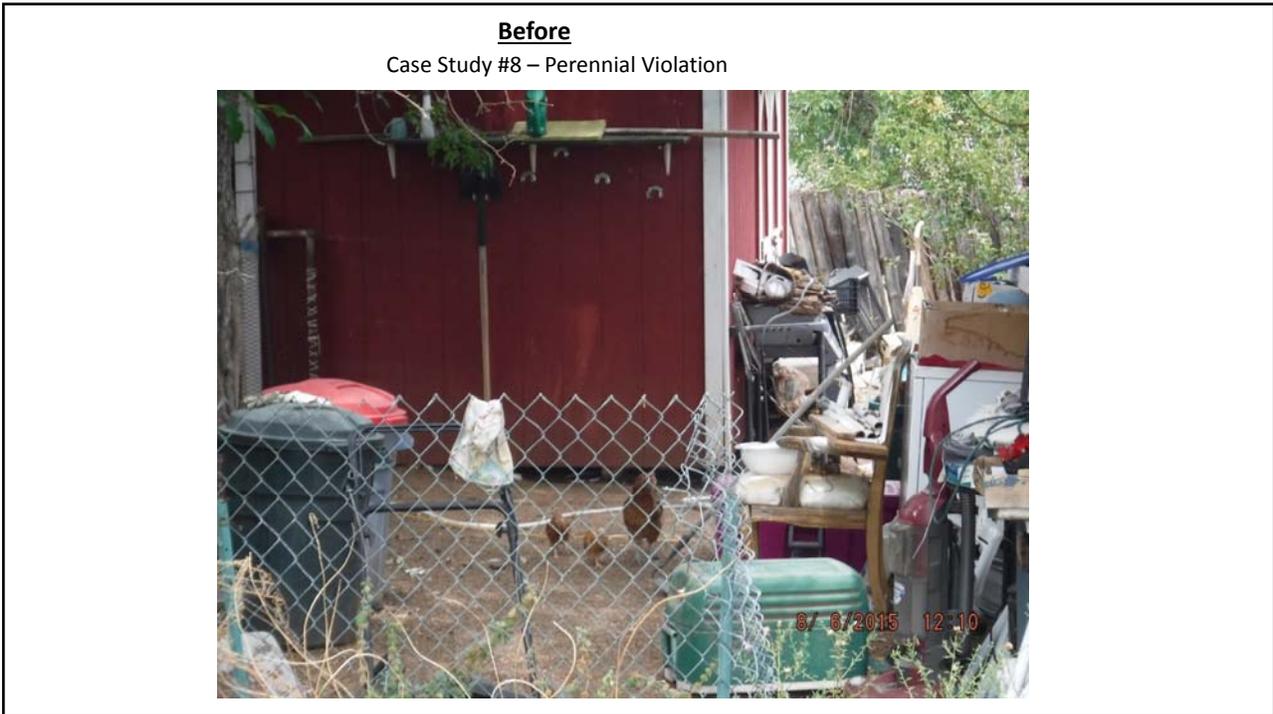
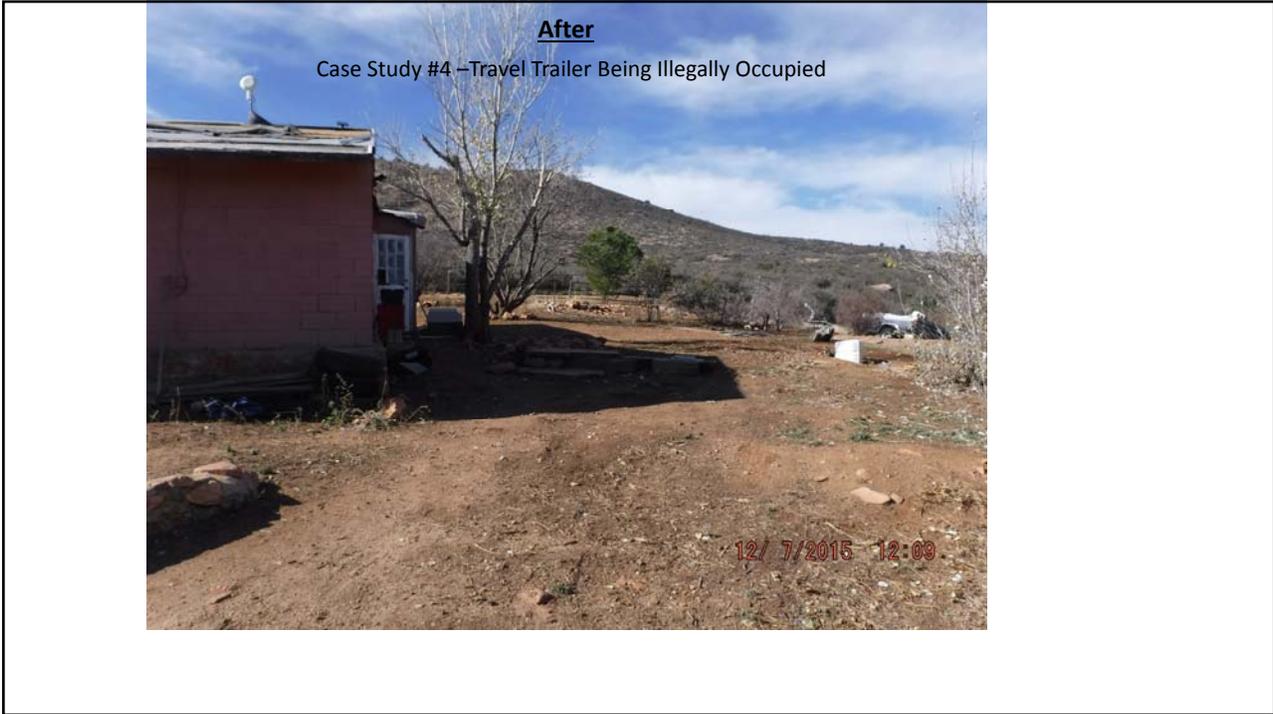
Case Study #3 – Multiple Travel Trailers Being Illegally Occupied



Before

Case Study #4 –Travel Trailer Being Illegally Occupied





After

Case Study #8 – Perennial Violation



The following slides also represent the types of violations we work on. However, due to complications by variables, such as the lack of abatement provisions in the town code, the time needed to complete the process, no conclusions have been reached yet.

Before

Case Study #5 – Multi-Sectional Mfg. Home on R1L-70 lot Without Permit - Hearing



Before

Case Study #6 – Nuisance Abatement/Dilapidated Structure



Before

Case Study #7 – Expansion of Pre-Existing Non-Conforming Use



Before

Case Study #9 – Unsustained Claim

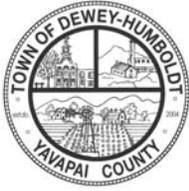


Abatement:

There are times when all our effort at voluntary compliance meet with total resistance.

We've taken the civil prosecution to its conclusion and obtained a judgement from the Hearing Officer, but the violation persists, and the Town determines to attempt abatement.

We are working on a set of procedures for the Council to consider adopting into the Town Code, that would provide the Town the ability to abate the violation and assess the property owner to recoup our costs.



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL STUDY SESSION

January 12, 2016, 2:00 p.m. Town Council Meeting Chambers

Agenda Item: # 3.3. Website redesign follow-up and possible direction to proceed with an agreement. (Revize LLC follow-up from December 8, 2015 Work Session)

To: Mayor and Town Council Members

From: Judy Morgan, Town Clerk

Date submitted: January 5, 2016

Recommendation: Direct to proceed with signing the sales agreement with Revize LLC. at next meeting

Summary: At the December 8, 2015 Work Session, Council reviewed the process followed and recommendation made by Staff for new website development of the Town's site. Council agreed with staff and was in favor of choosing Revize for the website redesign. At that time Council had a few questions and requests for Revize:

1. Search function – how functional/is it user friendly?
2. Clarify cost for migration of data.
3. Clarify website delivery timeframe.
4. Be provided links to active sites using "Ready to Use" design(s).

Here are those answers:

1. Site utilizes "Google Search" to search every page of the website.
2. As part of the process (and quote) Revize will migrate up to 100 pages and documents from the old site into the new.
3. Approximate go-live time is 4-6 weeks from the date of the design kick-off meeting.
4. Here is a list of active websites using one of the four different pre-built template options ("Ready to Use" designs):

<http://www.townofwilliamston.com/>

<http://www.fmhousing.com/>

<http://www.dunellen-nj.gov/>

<http://cityoforchardlake.com/>

<http://www.springfieldmich.com/>

<http://www.villageofchesaning.org/>

Upon reviewing the above designs/templates, if Council has a preference of the above designs for our next website, please advise us.

Attachment: sales agreement.

Sales Agreement

This Sales Agreement is between The Town of Dewey-Humboldt, Arizona ("CLIENT") and Revize LLC, aka Revize Software Systems, ("Revize"). Federal Tax ID# 20-5000179 Date: 12-10-15

CLIENT INFORMATION:		REVIZE LLC:
Company Name:	<u>Town of Dewey-Humboldt</u>	Revize Software Systems
Company Address:	<u>2735 S. Hwy 69</u>	1890 Crooks, Suite 340
	_____	Troy, MI 48084
Company City/State/Zip:	<u>Humboldt, AZ 86329</u>	
Contact Name	<u>Judy Morgan judymorgan@dhaz.gov 928-632-7365</u>	
Billing Dept. Contact	_____	

The CLIENT agrees to purchase the following products and services provided by REVIZE:

<u>Quantity</u>	<u>Description</u>	<u>Price</u>
1	WEBGEN Website Design and Development Fee - one time charge	\$ 2,800.00
	<ul style="list-style-type: none"> Revize Polling Survey/Web Form creator Revize Web Calendar, and Document Center and other modules on page 2 & 3 Training – Revize Content Editing, Administrative training up to 3 hours for up to 5 people Content Migration up to 100 pages docs 	
1	Special New Client Discount!	(\$ 1,200.00)
1	Revize Annual Tech Support, Software Subscription, and Web Hosting Service, pre-paid:	\$ 1,800.00
	<ul style="list-style-type: none"> Revize Web Content Management Software Services Unlimited Non-Technical Content Editors, and administrative users Technical Support/ CMS Software Upgrades/Website Hosting Optional annual renewal with no increase in cost 	

Grand Total: **\$ 3,400.00**
 Revize requires a check for \$3,400.00 to start this Initiative. The software subscription and website hosting starts the day of the Kick Off project meeting. Credit cards accepted (3% handling fee).

Terms:

1. Revize v4.3 Features List describes the functional capabilities of Revize v4.3. www.revize.com
2. CLIENT can purchase additional webSpaces, Training days and Consulting Services days at any time at the then current price.
3. All Invoices are due upon Receipt. Work begins upon receiving initial payment.
4. This Sales Agreement is the only legal document governing this sale.
5. Both parties must agree in writing to any changes or additions to this Sales Agreement.
6. This Sales Agreement is subject to the laws of the State of Arizona.
7. Pricing expires in 30 days.

AGREED TO BY:

Signature of Authorized Person:

Name of Authorized Person:

Title of Authorized Person

Date:

CLIENT

REVIZE

Thomas Jean

Account Manager

Following Applications & Features will be integrated into Your Website Project

Revize provides applications and features specifically designed for municipalities. The applications and features are categorized into:

- ▶ **Citizen's Communication Center Apps**
- ▶ **Citizen's Engagement Center Apps**
- ▶ **Staff Productivity Apps**
- ▶ **Site Administration and Security Features**
- ▶ **Mobile Device and Accessibility Features**

CITIZEN'S COMMUNICATION CENTER APPS:

- ✓ Alert Center
- ✓ Document Center
- ✓ FAQs
- ✓ Form tools
- ✓ News Center
- ✓ Online Forms
- ✓ Photo gallery
- ✓ Quick Link Buttons
- ✓ Revize Web Calendar

CITIZEN'S ENGAGEMENT CENTER APPS:

- ✓ Online Bill Pay

STAFF PRODUCTIVITY APPS:

- ✓ Image Manager
- ✓ Link Checker
- ✓ Menu Manager
- ✓ Online Form Builder
- ✓ Website Content Archiving
- ✓ Website Content Scheduling

SITE ADMIN & SECURITY APPS:

- ✓ Audit Trail
- ✓ History Log
- ✓ Roles and Permission-based Security Mode
- ✓ Secure Site Gateway
- ✓ Unique Login/Password for each Content Editor

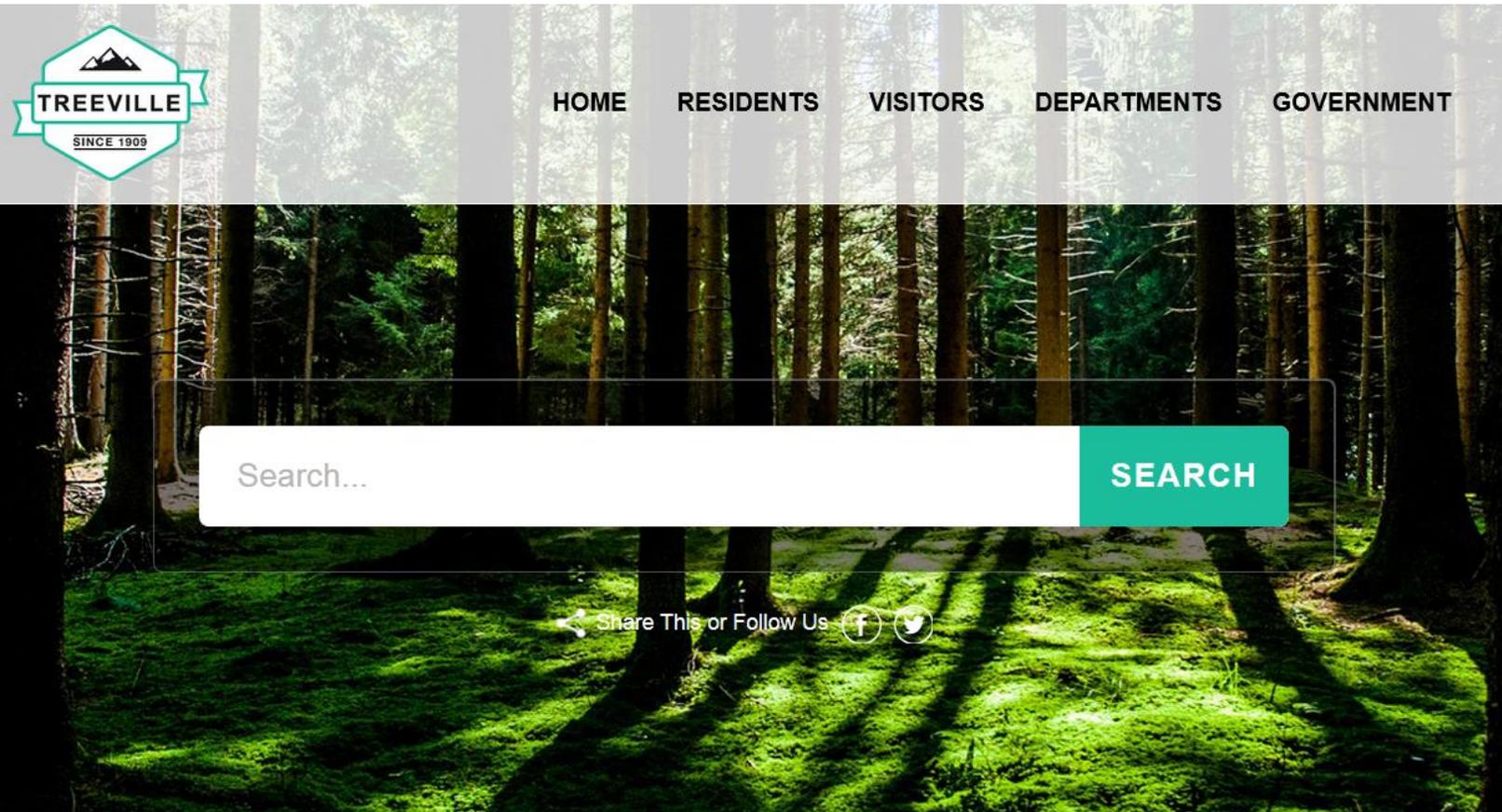
MOBILE DEVICE and ACCESSIBILITY FEATURES

- ✓ Alt-Tags
- ✓ Responsive Website Design (RWD) –Latest Government Design Trend for 2014 to accommodate better viewing of text and graphics for any size screen, i.e SMART phones, PC Tablets, iPads, iPhones, Windows and Android devices

Revize WEBGEN “Ready-to-Use” Website

Designs:

Treeville Design



Nov
12th

Nov
13th

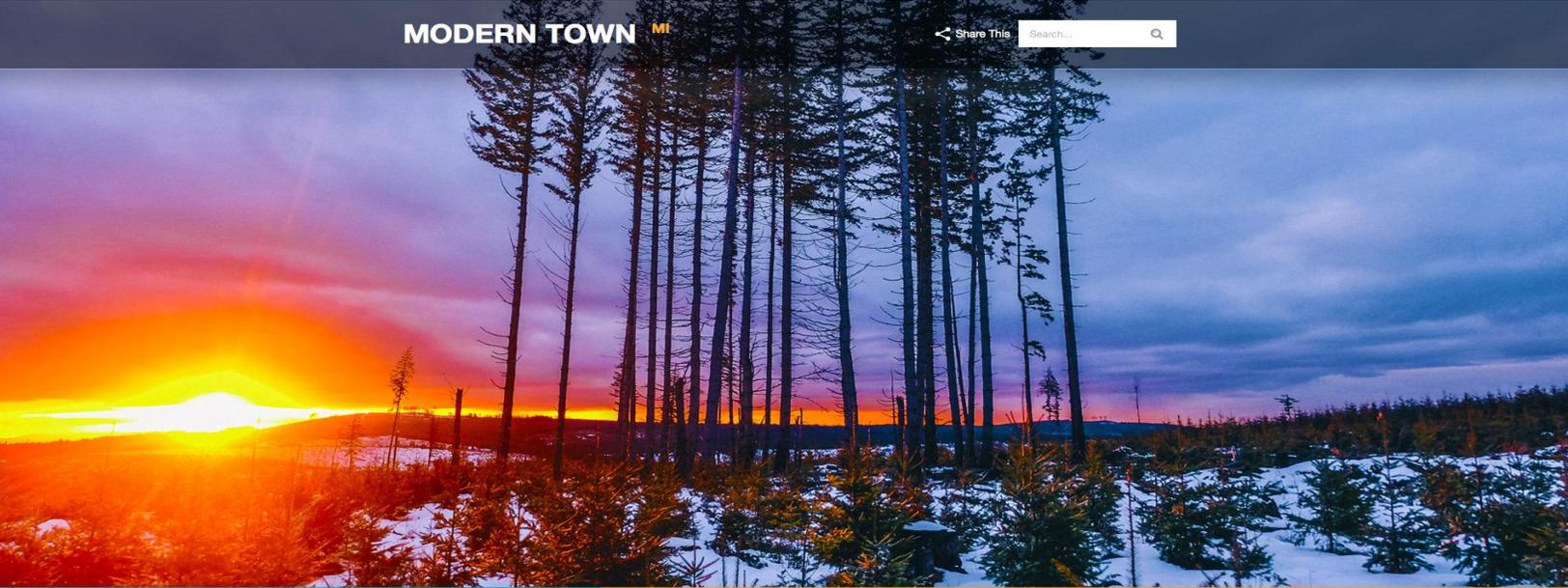
Nov
22nd

Modern Town Design

HOME RESIDENTS VISITORS DEPARTMENTS GOVERNMENT BUSINESSES

MODERN TOWN MI

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WELCOME TO MODERN TOWN

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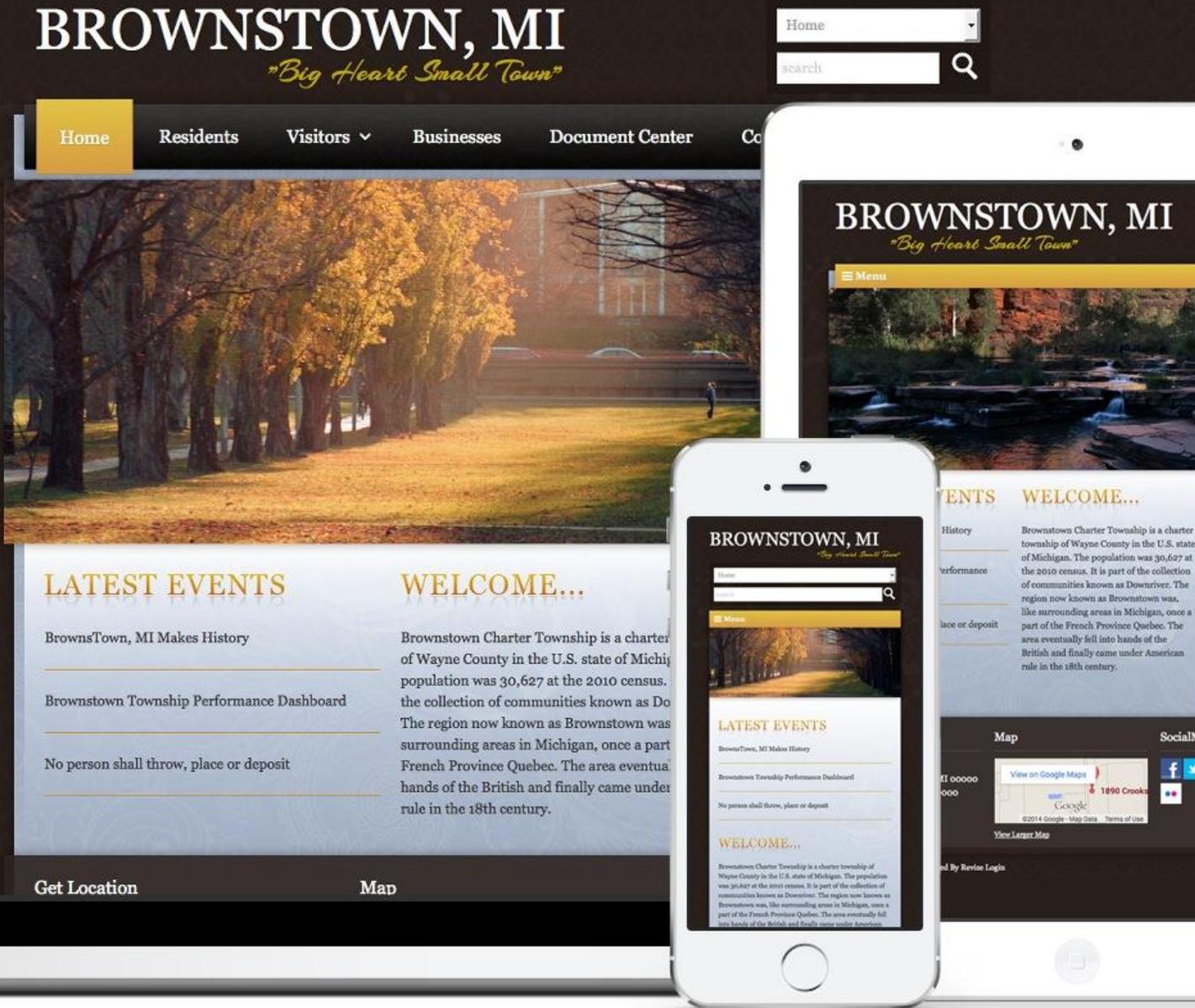
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P.O. Box 1234
Modern Town, MI 123456
7681 Fax: 966-123-45678

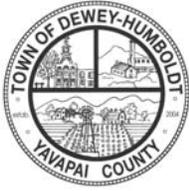
Copyright 2014 Powered By Revize Login

Brownstown Design



RockyTown Design





TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL STUDY SESSION

January 12, 2016, 2:00 p.m. Town Council Meeting Chambers

Agenda Item: # 3.4. Town legal service solicitation material review and direction on next steps.

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: January 6, 2016

Summary:

At the December 15th meeting, Council directed to solicit legal service proposals. The last time Council conducted a search for legal services was in May 2010. Enclosed is the advertisement the town posted.

Based on my research, the posting would be sufficient. As far as the monthly service hours, I recommend either leaving it off or increasing to 20 hours which is closer to our current average.

Once council directs to proceed, we will post the ad on the Town's website, the Daily courier, and the League of Cities and Town's website. I can also contact the Yavapai Bar Association and the State Bar of Arizona. We can post the ad for two to three weeks. Once the application period closes, I expect to report the results to council at a March or April meeting. Council can interview and make your selection shortly after.

Client:

Town of Dewey-Humboldt

Account # 20899 Ad # 184138

Phone: (928) 632-8562

Fax: (928) 632-7365

Address: P.O. Box 69

P.O. Box 69

Humboldt, AZ 86329

Sales Rep.:

1029 Merinda Power

Phone: (928) 778-0500 Ext: 1082

Fax: (928) 759-5672

Email: mpower@prescottaz.com

Entry date: 05/07/2010 08:17 AM

Class.: 0201 ADMIN/PROFESSIONAL

Requested By:

Start Date: 05/08/2010

End Date: 05/09/2010

Nb. of Inserts: 4

Publications: DAILY COURIER

PRESCOTT MONSTER

Total Price: \$242.35

Paid Amount: \$0.00

Balance: \$242.35

Page 1 of 1

Town Prosecutor. The Town of Dewey-Humboldt is soliciting letters of interest & qualification for the position of Town Prosecutor. This contract position reports to the Town Attorney & involves approximately 20 hours per month, including two court days per month. The appointment is expected to be made by the beginning of June 2010. For more information, please contact the Town Manager at 928-632-7362 or at DeweyHumboldt@dhaz.gov.

Town Attorney. The Town of Dewey-Humboldt is soliciting letters of interest & qualification for the position of Town Attorney. This contract position reports to the Town Council and involves approximately 15 hours per month. The appointment is expected to be made on June 1, 2010, so applications are due by no later than May 25. For more information, please contact the Town Manager at 928-632-7362 or at DeweyHumboldt@dhaz.gov.

No REP only ad

**Town Manager
Performance Evaluation Procedure
Town of Clarkdale**

Performance Evaluation: - A structured and formal interaction between the Manager and the Elected Officials for the purpose of reviewing the Manager's performance, strengths and weaknesses, and for the development of future goals and objectives.

Purposes of Evaluation:

Clarify the role and responsibilities of the Town Manager.

Strengthen the relationship between the Council and the Town Manager.

Give the Manager feedback on their performance and identify areas where improvements are needed.

Establish performance objectives for the Manager, which likely are tied to goals set at annual Strategic Planning Session.

Provide a basis for compensation decisions.

Recognize and reward good performance.

Frequency: In keeping with the purposes for the evaluation, the Council should evaluate the Manager at least annually. The schedule for the evaluation will be established jointly by the Council and the Manager.

Who Is Involved: All members of the Council and the Town Manager should participate in the evaluation process.

Evaluation Procedure: The evaluation procedure will include the following steps:

1. A preliminary meeting will be held annually including the Council and the Town Manager, to review evaluation procedures, evaluation criteria and set timetables for completion of the evaluation process.
2. Following the preliminary meeting, the Manager shall complete a self-assessment and distribute it to the Council no later than two weeks prior to the scheduled evaluation.
3. The Council shall complete the Town Manager Evaluation Form in advance of the scheduled evaluation.
4. The evaluation session will be conducted, and will include all Council Members and the Town Manager. Based on the results of the evaluation, a report will be compiled that includes: 1) the Manager's self-evaluation (completed by the Manager); 2) a copy of each Council Member's evaluation of the Manager (completed individually by each Council Member); 3) a list of goals for the upcoming year that the Council collectively agrees are the top priorities for the Manager to focus on (completed by the Manager and affirmed by the Council as a result of the evaluation process); and 4) the Council's collective identification of improvements the Manager needs to make in the upcoming year (completed by the Mayor as a result of the evaluation process). The written report will be included in the Manager's personnel file.

Town of Clarkdale

Town Manager Performance Evaluation Form

(This form should be completed in its entirety prior to the scheduled Performance Evaluation. If additional pages are needed for comments, please attach them.)

SECTION 1

Ratings: 1=Exceeds Expectations, 3=Meets Expectations, 5=Below Expectations, N/O=Not Observed

Evaluation Categories	1	2	3	4	5	N/O
<u>Communication with Council</u> – Maintains effective written and verbal communication with Council. Maintains availability to Council. Establishes and maintains a system of reporting current plans and activities of the staff to Council. Ensures that staff reports are useful, timely, provide alternatives, and, where applicable, recommend actions.						
<u>Policy Implementation and Development of Goals</u> – Plans, organizes and executes approved Council policies and assists the Council in the development of annual and long-range goals.						
<u>Staff Relations and Development</u> – Sufficient training and development are provided for the personal/professional development of the staff. Keeps employees informed appropriately of Town affairs and policies which may affect them. Inspires and motivates the staff, through confidence, competence and enthusiasm, to achieve their best and fulfill the objectives of their department and the Town.						
<u>Financial Planning and Administration</u> – Demonstrates budget skills and experience and proposes a balanced, understandable and well-documented budget. Controls expenses within the levels set by the budget.						
<u>Delivery of Town Services</u> – Ensures that Town services are delivered effectively and efficiently, as authorized and budgeted by the Town Council.						
<u>Community Relations</u> – Demonstrates effective communication with citizens and shows an honest interest in the community. Effectively deals with the news media and avoids politics and partisanship. Properly conveys the policies and programs of the Town to the press and to the citizens.						
<u>Intergovernmental Relations</u> - Deals effectively with other units of government at the local, regional, state and federal level. Develops relationships that are beneficial to the Town. Is able to facilitate cooperative efforts among various local agencies and the Town.						
<u>Personal/Professional Development</u> – Keeps informed and abreast of the latest information and technology available in his/her profession and in municipal affairs, generally.						
<u>Integrity</u> – Fulfills responsibilities and duties in accordance with the ICMA and ACMA Code of Ethics.						
<u>Overall Performance Rating</u>						

SECTION 2: Accomplishments

Has the Town Manager accomplished, or satisfactorily worked toward accomplishing, the goals established by the Council? Why or why not?

SECTION 3: Strengths

Based upon your overall evaluation of the Town Manager, what areas would you list as his/her strong points as a Manager?

SECTION 4: Suggested Improvements

Based upon your evaluation, what areas would suggest the Town Manager work on to improve his/her skills and to be more effective in specific areas or situations?

SECTION 5: Goals

What are the major goals on which the Manager needs to focus in the coming year?

SECTION 6: Council/Manager Relations

Do you have any suggestions for improving the effectiveness between the Council and the Town Manager?

Are there any other issues or comments you wish to share?

Evaluator's Signature

Date

Town of Clarkdale
Town Manager
Self-Evaluation Form

This form should be completed and provided to the Town Council two weeks before their evaluations of the Manager are due. Additional pages may be added as needed. Your comments on these self-evaluation questions will be attached to the performance evaluation.

1. Please list the goals that were set by the Council during your last evaluation, and progress that has been made on these goals since your last evaluation.

2. What other job related accomplishments have you had that were not part of the goals set at your last evaluation

3. What training and development actions did you take during the past year?

4. What obstacles or setbacks did you encounter during the year?

5. What do you see as your major goals for this next evaluation period?

6. What can the Council do to help you accomplish these goals?

7. What suggestions do you have for improving the effectiveness between you and the Council?

8. Do you have any specific training needs which the Council can facilitate, and how will these needs help you in meeting your goals?

9. Are there any other issues or comments you wish to share?

Town Manager's Signature

Date

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 • Fax 928-632-7365

Tentative Meeting Items for 2016

January 5, 2016 Regular Council

Resolution to adopt the revised sound financial policy

- ⊕ 2012 i-codes adoption by ordinances
- ⊕ CRS –flood control (Ed)
- ⊕ Discussion of a Mutually agreed upon process of town manager performance review (executive session) and potential review of contract issues
- ⊕ Enterprise Technology contract for FY 16-17. Possible renewal.
- ⊕ Minutes of the November 17 meeting.
- ⊕ Presentation on a Regional Airport. [CAARF requested by Mayor Nolan]
- ⊕ Discussion and possible action on having the Town Seal trademarked or registered. [CAARF requested by CM Hamilton.
- ⊕ Limitations on filing for elected office by incumbent council persons [CAARF requested by Mayor Nolan]

January 7, 2016 Planning and Zoning

- ⊕ Public hearing –reasonable accommodation ordinance (notice should be received from Phyllis Smiley by November 30)
- ⊕ P&Z discussion on the animal ordinance amending chapter 153 (Chair request to discuss this in January instead of December; the ordinance amending chapter 90 is not within P&Z responsibility)

January 12, 2016 Work Session Council

- ⊕ revised animal ordinances (chapter 90 –revisions made based on the Nov. 10 study session discussion with all staff and council and community; chapter 153 revisions sent to P&Z per council for further consideration of Kennel and Kennel related regulations(@Dec. 3 p&Z)
- ⊕ Code enforcement activity report and case review.

Commented [YK1]: Steven and Yvonne met on December 4 and went over his initial slides sent to YK on 12/4. YK offered input and steven has to reorganize and collect more photos and update progress. Case categories – inoperable vehicles, home business (firewood); building w/t permits, chickens, unsustain claims; legal non-conforming uses.

Items contained within are tentative in nature. Exact meeting agendas are subject to changes without notice. Official agendas for scheduled meetings will be published according to the Open Meeting Law and other applicable codes and regulations. Please contact Town Clerk at 632-7362 if you have questions regarding meeting agendas.

- ⊕ Website redesign follow up- Revize follow up from December 8 meeting (inconsistency – price, web format options, proposal, samples for the web template)
- ⊕ Town legal service solicitation packet council review and direction
- ⊕ Process of future performance evaluation (Clarkdale form in packet)
- ⊕ Discussion and consensus on setting a town policy on recognition of time in service for town employees and town committee volunteers. [CAARF requested by CM Wright] v2

January 19, 2016 Regular Council

Chip seal contract council award at May 3 2016 meeting, Ed

- ⊕ Public hearing –reasonable accommodation ordinance
- ⊕ CDBG contract with engineer (sometime in January)
- ⊕ TM report- student project with NAU / GPREP (Steven); YK – survey(Alex Wright)
- ⊕ Agreement with TA for the interim
- ⊕ Evaluation of TM

February 2, 2016 Regular Council

- ⊕ Attorney firm interviews and selection (or feb. 16)
- ⊕ **Possible discussion and direction on the Town Manager’s employment contract.** The Council may, by majority vote, recess the regular meeting, hold an executive session and then reconvene the regular meeting for discussion and possible action on elements of this item covered under A.R.S. § 38-431.03(A)(4). **8.3.1. Recess into and hold an executive session pursuant to A.R.S. § 38-431.03(A)(4)** for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town’s position regarding possible amendments to the contract with the Town Manager. **8.3.2. Reconvene Regular Meeting.**

⊕

February 4, 2016 Planning and Zoning

- ⊕ tbd

February 9, 2016 Work Session Council

- ⊕ july1-dec 31, 2015 financial statements review
- ⊕ solicitation process for town legal services

February 16, 2016 Regular Council

- ⊕ public safety quarterly update (last one on Nov. 3 2015) – initial notices have been sent, judy please confirm
- ⊕ Attorney firm interviews and selection (or Feb. 2 meeting)

~ June 2016 council select IT contractor (IT contract due on June 30 2016)(Deni)

March 1, 2016 Regular Council

Items contained within are tentative in nature. Official meeting agendas are subject to changes without further notices and will be published according to the Open Meeting Law and other applicable codes and regulations.