

# COUNCIL DECISION REQUEST

SUBJECT: Electric Fences

MEETING DATE: November 5, 2009

PAYSON GOAL: NEW:            EXISTING:

ITEM NO.:

TENTATIVE SCHEDULE:

SUBMITTED BY: Debra A Galbraith

AMOUNT BUDGETED: \$0.00

SUBMITTAL TO AGENDA

EXPENDITURE REQUIRED: \$0.00

APPROVED BY TOWN MANAGER

CONT. FUNDING REQUIRED: N/A



EXHIBITS

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## POSSIBLE MOTION:

- 1) I move to direct staff to create an amendment to the Town Code regarding the use of electric fences and bring the amendment back to the Town Council at a future Council Meeting.

## SUMMARY OF THE BASIS FOR POSSIBLE MOTION:

Councilmember Blair would like discuss Town Code Section 130.25 as it relates to using electric fences around gardens at private residences. Attached is a petition signed by 21 persons, asking that this Town Code section be reviewed and possibly changed.

## PROS:

## CONS:

PUBLIC INPUT (if any): N/A

BOARD/COMMITTEE/COMMISSION ACTIONS/RECOMMENDATIONS (if any) (give dates and attach minutes): N/A

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## FUNDING:

Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:
Acct:	Budget:	Available:	Expense:	Remaining:
BA:				Date: _____

NOV 05 2009 I.4

# MEMORANDUM

October 27, 2009

**TO:** Silvia Smith, Town Clerk

**FROM:** Ed Blair, Town Council

**SUBJECT:** Electric Fences (Town Code Section 130.25)

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I am requesting that you put an item on an upcoming Council agenda to discuss Town Code Section 130.25 (Electric Fences) and the possibility of asking Town Staff to bring an amendment to such section back for Town Council consideration.

Attached please find the following:

Copy of Section 130.25

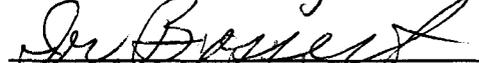
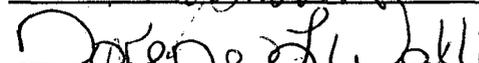
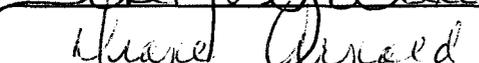
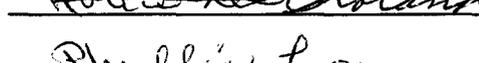
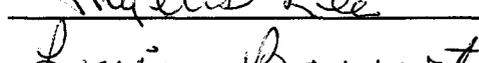
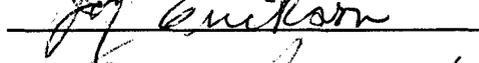
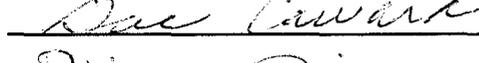
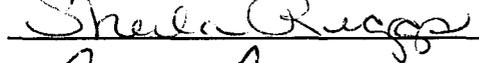
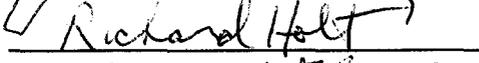
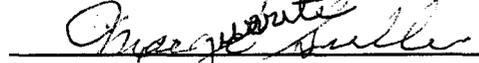
Signatures gathered by Bob Hartley

§130.25 ELECTRIC FENCES.

It is unlawful for any person to build, construct, erect or maintain within the town limits, or upon the boundaries of the town, any electrical fence. Any such fence shall be removed within 20 days after notice by the zoning/building inspector or his agent has been given to the owners, occupants or agents of the lots or property on which such fences are built, constructed or maintained, and if not so removed, the zoning/building inspector shall cause the removal of same at the cost of the owner of the lots or property and the expenses thereof shall be charged as taxes and become a lien against the property, and collected as taxes are collected. Any person building, constructing, erecting or maintaining any electric fence or refusing to remove same from any premises owned, occupied or controlled by him shall be subject to the punishment and penalties as provided for in this code.

To the Payson Town Council regarding Electric Fences:

We the undersigned as residents of the Town of Payson request that Town of Payson Ordinance 130.25 outlawing electric fences be repealed or revised to allow Payson residents to protect their gardens from raccoons, squirrels and other similar critters. A family of raccoons can ruin a garden for a year. Squirrels cause havoc throughout the year. They can't be fenced out except with an electric fence.

Signature	Print last name	Address	Date
	TOWNSEND	603 E Miller Road Payson AZ	10/13/09
	HARTLEY	601 N. Graham Ranch Rd Payson AZ	10/13/09
	HARTLEY	601 N. GRAHAM RANCH RD Payson AZ	10/13/09
	BOSSETT	601 N. SPUR DR. Payson AZ	10/13/09
	HESTATER	623 E. PHOENIX ST Payson AZ	10/13/09
	Wallington	621 E. PHOENIX STREET Payson AZ	10/13/09
	ARNOLD	504 W. Sherwood. Payson AZ	10/13/09
	LEE	605 N. OAK RIDGE RD Payson AZ	10/13/09
	Lee	605 N. Oak Ridge Rd Payson AZ	10/13/09
	BOSSETT	601 N. SPUR DR. Payson AZ	10/13/09
	Teubner	1613 C N. McHane Payson AZ	10/13/09
	ERICKSON	205 N. TRAILWOOD Payson AZ	10/13/09
	CAWARD	619 E PHOENIX ST Payson AZ	10-13-09
	Riggs	1301 W STIRRUP WAY Payson AZ	10-13-09
	Prow	507 N Hogan Dr Payson AZ	10-13-09
	Schultz	1106 N. Rhone Cir Payson AZ	10-13-09
	HOLT	706 W. OVERLAND RD. Payson AZ	10/13/09
	SULLIVAN	2506 W PALMER D Payson AZ	10-13-09
	Holt	706 W. Overland Rd Payson AZ	10-13-09
	Nicholson	613 W. ST. MORITZ DR. Payson AZ	10-13-09
	Jeanne	800 W. St. Moritz Dr. Payson AZ	10-13-09
		Payson AZ	