

AN ORDINANCE AMENDING TITLE 5 CHAPTER 1C SECTION 1 “CONDITIONS OF ANIMAL OWNERSHIP; 5-1C-6 “CRUELTY TO ANIMALS”; 5-1C-12 “LIVESTOCK”; AND 5-1F-4 “ISOLATION OF BITING ANIMALS OR SUSPECTED RABID ANIMALS” AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City is authorized by Utah Code § 10-8-84 to “pass all ordinances and rules, and make all regulations . . . as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants. . .”; and

WHEREAS, the purpose of this ordinance is to promote the public health, safety, and general welfare of the citizens of Pleasant Grove; and

WHEREAS, the City finds it necessary to amend and update the Animal Control ordinances periodically to provide additional regulations; and

WHEREAS, the ordinance amendments are intended to provide additional guidance for animal owners and protection for animals housed within the City; and

WHEREAS, after consideration of all the relevant factors, the Pleasant Grove City Council finds and determines that it is in the best interest of the health, safety and general welfare of its current and future residents to adopt this ordinance in order to provide adequate regulation of animals within the city limits;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Pleasant Grove City, Utah County, Utah as follows:

NOW THEREFORE, BE IT ORDAINED by the Pleasant Grove City Council as follows:

Section 1. Title 5 Chapter 1C Section 1 “Conditions of Animal Ownership: and Title 5 Chapter 1C Section 6 “Cruelty to Animals” and Title 5 Chapter 1C-12 “Livestock” and 5-1F-4 “Isolation of Biting Animals or Suspected Rabid Animals” are hereby adopted and added to the Animal Control Ordinance to read as follows:

5-1C-1: CONDITIONS OF ANIMAL OWNERSHIP:

Animals or keepers must comply with the following conditions of animal ownership, and the animal control officer may require as a condition of licensing such owners and keepers to sign a contract agreeing to comply with such conditions:

A. Restraint Or Confinement: Animals shall be restrained or confined as required by law.

B. Humane Treatment: Animals shall be humanely treated at all times and no conditions shall be maintained or permitted that is or could be injurious to the animal. All animals shall be supplied with sufficient good and wholesome food and fresh water as often as the feeding habits of the respective animals require.

C. Obtaining Of Required Vaccinations And Licenses: Vaccinations, licenses and permits shall be obtained as required by law.

D. Buildings Or Enclosures. Every building or enclosure wherein animals are maintained shall be constructed of a material easily cleaned and shall be kept in a sanitary condition. The building shall be properly ventilated to prevent drafts and to remove odors. Heating, cooling, and shelter shall be provided as required according to the physical need of the animal, with sufficient light to allow observation of animals and sanitation.

E. Medical Treatment. Medical treatment shall be provided as necessary in order to maintain the health of the animals.

F. Size of Accommodations. All animal rooms, cages, kennels, and runs shall be of sufficient size to provide adequate and proper accommodation for the animals kept therein.

G. Sanitation Of Premises: Animal premises shall be kept sanitary and shall not constitute a fly breeding reservoir, attract rodents, or be a source of offensive odors or of human or animal disease.

H. Public Nuisance Or Hazard Prohibited: Animals and animal premises shall not be permitted to disturb the peace or constitute a public nuisance or hazard, nor shall animals be permitted to go onto the property of another without the consent of said property owner or occupant. (Ord. 2000-10, 3-21-2000)

5-1C-6: CRUELTY TO ANIMALS:

A. A person commits cruelty to animals if that person intentionally or knowingly:

1. Fails to provide any animal in that person's charge or custody with adequate food, drink, care, and shelter;
2. Abandons an animal in that person's custody;
3. Carries or confines any animal in or upon any vehicle in a cruel or inhumane manner, including but not limited to carrying or confining such animal without adequate ventilation or for an unusual length of time;
4. Kills, maims, disfigures, tortures, beats with a stick, chain, club, or other object, mutilates, burns, scalds, over-drives, overworks, or otherwise cruelly acts upon any animal. Each offense shall constitute a separate violation;
5. Makes accessible to any animal, with intent to cause harm or death, any substance which has in any manner been treated or prepared with any harmful or poisonous substance. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin in furtherance of the public health, when applied in such a manner as to reasonably prohibit access to other animals;
6. Causes any animal to fight with another animal or creature of like kind for amusement or gain; or causes any animal to fight with a different kind of animal or creature for amusement or gain.

B. Authority to take possession of animals – Lien for Care:

1. Any law enforcement officer may take possession of any animals being treated cruelly and, after reasonable efforts to notify the owner, may provide shelter and care for them or upon permission of the owner, destroy them.
 2. Officers caring for animals pursuant to this section have a lien in favor of Pleasant Grove City for the reasonable value of the care and/or destruction of the animal. Any court upon proof that the owner has been notified of the lien and amount due, at least five (5) days prior, shall order the animal sold at public auction or destroyed.
 3. Any law enforcement officer may humanely destroy any animal found suffering past recovery for any useful purpose. Before destroying the animal, the officer shall obtain the judgment of a veterinarian, or of two reputable citizens called by the officer to view the animal in the officer's presence or shall obtain consent to the destruction from the owner of the animal. The owner may be cited and/or charged for impound and sheltering fees.
- C. Any person who injures any animal, whether belonging to himself or another, shall be guilty of a class B misdemeanor if such conduct was committed intentionally or knowingly, or a class C misdemeanor if such conduct was committed recklessly or with criminal negligence. Any person who, within the city, tortures any animal or kills an animal without having a legal privilege to do so shall be guilty of a class B misdemeanor. Upon conviction of a violation of this section, the violator thereof shall be subject to penalty as provided in section 1-4-1 of this code. (Ord. 2000-10, 3-21-2000; amd. 2003 Code)

5-1C-12: LIVESTOCK:

A. The following provisions shall apply:

1. For purposes of this subsection the term "livestock" includes cattle, sheep, goats, swine, horses, mules, donkeys, poultry, and any other domestic animal (other than dogs or cats) or domestic fur bearing animal.
2. It is unlawful for any person owning or having the custody, possession, or control of livestock to allow, either negligently or with specific intent, the animal to run at large.
3. All fencing of property where livestock are kept shall be of sufficient construction to prevent the escape of or injury to the animals being confined within the fencing. The fencing shall be maintained so that no part of such fence, absent extraordinary circumstances, may be broken, damaged, or in any way create the possibility of injury to the confined animal or to allow the escape thereof.
4. Any animal in violation of this section may be impounded.
5. All persons owning or having the custody, possession, or control of livestock shall be strictly liable for all damages caused by any such livestock.

. (Ord. 2000-10, 3-21-2000)

5-1F-4: ISOLATION OF BITING ANIMALS OR SUSPECTED RABID ANIMALS:

Upon the reasonable order of the animal control officer or public health officer, a biting animal or suspected rabid animal shall be isolated, at owner's expense, if owned, in strict confinement under proper care and under the observation of the animal control officer, or other adequate facility in a manner approved by the animal control officer or the county health department.

Refusal to comply with order of quarantine. An owner who refuses to comply with an order issued under this section to deliver an animal to an officer, isolation facility or veterinarian or who does not comply with the conditions of an order that an animal be quarantined shall be found in violation of this section.

(Ord. 2000-10, 3-21-2000)

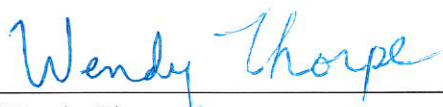
Section 2. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses or phases of this Ordinance.

Section 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and posting as provided by law.

Section 4. APPROVED AND ADOPTED by the City Council of Pleasant Grove City, Utah County, Utah, this 23rd day of April 2024.


Guy L. Fugal, Mayor

ATTEST:


Wendy Thorpe,
City Recorder



Motion: Council Member ANDERSEN

Second: Council Member JENSEN

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Guy L. Fugal	_____	_____	_____	_____
Dianna Andersen	<u>X</u>	_____	_____	_____
Steve Rogers	<u>X</u>	_____	_____	_____
Eric Jensen	<u>X</u>	_____	_____	_____
Cyd LeMone	<u>X</u>	_____	_____	_____
Todd Williams	<u>X</u>	_____	_____	_____

CERTIFICATE OF POSTING ORDINANCE
Pleasant Grove City Corporation

I, the duly appointed recorder for the City of Pleasant Grove, hereby certify that a summary of the foregoing Ordinance No. 2024-10 was posted on the State (<http://pmn.utah.gov>) website on this 24 day of April, 2024.

Dated this 24 day of April, 2024.

Wendy Thorpe
Wendy Thorpe, CMC, City Recorder