

CITY OF LOGAN, UTAH
ORDINANCE NO. 24-11XX

AN ORDINANCE AMENDING SECTION 6A.16.030 OF THE LOGAN MUNICIPAL CODE REGARDING PENALTIES FOR VIOLATION OF TITLE 6A

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City of Logan to pass ordinances as are necessary and proper to provide for the safety, promote the prosperity, improve the peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City;

WHEREAS, Utah Code Ann. § 10-3-703 limits the maximum criminal penalty that can be imposed upon an individual to an infraction for an offense pertaining to that individual's pet as defined by Utah Code; and

WHEREAS, the City Council has determined that the following ordinance is in the City's best interest.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH, AS FOLLOWS:

SECTION 1: Section 6A.16.030 of the Logan Municipal Code shall be amended as follows: _____

6A.16.030: PENALTIES:

- A. Violations Not Pertaining to a Person's Pet: Unless otherwise stated, any person violating any provision of this title shall be guilty of a Class B misdemeanor and shall be punished within the confines of that class as prescribed by laws. Each day a violation continues shall constitute as a separate offense.
- B. Violations Pertaining to a Person's Pet: If the violation of this title involves a person's pet as defined by Utah Code Ann. § 4-12-102, the person shall be guilty of an infraction.
- C. Penalties for Multiple Offenses Pertaining to Person's Pet: If the person has three previous violations of this title involving that person's pet within the past twelve months, then the person shall be guilty of a Class B misdemeanor. A person may not be cited for more than one infraction within a 14-day time period for a violation pertaining to a person's pet.
- D. Penalties for Violations That Are a Nuisance and Threaten Health and Safety of Individual or Public: If the violation of this title involves a nuisance as defined in Utah Code Ann. § 78B-6-1101(1) and threatens the health, safety, or welfare of the individual or an identifiable third party, then the person shall be guilty of a Class B misdemeanor.

| Such offenses include violations of section 6A.08.020, 6A.08.080, 6A.08.130,
6A.080.160 and 6A.080.180.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS _____
DAY OF June, 2024.

AYES:

NAYS:

ABSENT:

/s/ Amy Z. Anderson, Chair

ATTEST:

/s/ Teresa Harris, City Recorder

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this _____ day of June, 2024.

/s/ Holly Daines, Mayor