

ORDINANCE NO. 2024-8-14

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE
MORONI CITY ANIMAL CONTROL ORDINANCE**

WHEREAS, Moroni City, Sanpete County, State of Utah, a body politic, is a municipal corporation organized and established to assure proper public order and well-being of its citizens; and

WHEREAS, Moroni City has historically adopted ordinances restricting certain actions which create a nuisance or which disturbs the peace of the community, such as limiting smoke, dust, noise, odors and other discernable effects that interfere with or diminish the normal enjoyment of peace and quiet within the community; and

WHEREAS, Moroni City deems it necessary to limit or restrict certain actions within the community which will result in an adverse affect upon a neighborhood or which significantly and unreasonably interferes with the public health, safety, comfort or convenience of a neighborhood or right which is common to the general public; and

WHEREAS, Moroni City has determined that its ordinances require amendment from time-to-time to address land uses which arise that should be prohibited because of its impact on the community or parts of the community; and

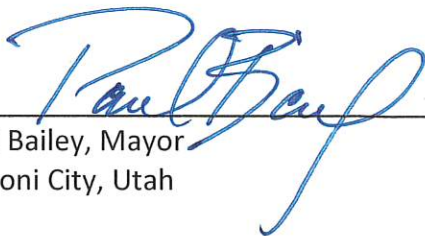
WHEREAS the Moroni City recorder has properly posted and notified the general public of the proposed changes to the MCIS Ordinance; and

WHEREAS the Moroni City Council has taken public comments for purpose of explaining and reviewing the provisions of the ordinance and for proposing the amendments to its pressurized irrigation ordinance.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the City Council of Moroni City, Sanpete County, Utah, that the Title 5, Chapter 2, of the Moroni City Ordinance is hereby partially amended and is adopted as follows:

SEE EXHIBIT "A"

This ordinance is hereby passed and adopted by the Moroni City Council on the 14th day of August 2024 and will take effect immediately in accordance with the terms set forth herein.



Paul Bailey, Mayor
Moroni City, Utah

Voting:	AYE	NAY	ABSTAIN
Thayne Atkinson	<u>X</u>	_____	_____
Troy Prestwich	<u>X</u>	_____	_____
Brad Aldridge	<u>X</u>	_____	_____
Cherrie Green	<u>X</u>	_____	_____
Jacob Bagley	<u>X</u>	_____	_____

ATTEST:



Carol Haskins
City Recorder

5-2-1 Definitions:

As used in this Chapter, unless the context otherwise indicates, the following words shall mean:

- **Animal:** Means every nonhuman species, both domestic or wild, including but not limited to livestock and poultry, a domestic animal such as a bird, cat, dog, rodent, or other animal, whether kept as a pet or for commercial or other consumption purposes.
- **Animal Control Officer:** Any city or county peace officer, or any other person employed or appointed by the county or city who is authorized to investigate violations of laws and ordinances concerning animals, to issue citations in accordance with Utah law, and take custody of animals as appropriate in the enforcement of the laws and ordinances.
- **At Large:** Any animal on or off the premises of the owner which is not penned, confined, or under the direct control of the owner or a member of his/her immediate family either by leash, cord, chain or direct immediate communication and present physical control by the Owner.

5-5-2: Animal Control Officer.

1. **Created:** The position of Animal Control Officer is hereby created. Until such time as an Animal Control Officer is appointed, any duly certified peace officer of the City or County shall be ex officio an Animal Control Officer when acting on behalf of the City to regulate or control an animal.

5-2-4: Licensing Requirements.

4. **Licensing Exemptions:**
 - b. Special Service or Emotional Support Animals: Animals which are utilized to provide one or more services for the benefit of a person with a recognized disability, such as guide animals, hearing dog, seizure response dog or any emotional support animal which provides a therapeutic benefit to a person with a mental health or psychiatric disability shall be licensed and registered with the city as required of other animals; except that the owner or keeper of such animal shall not be required to pay any fee therefore.

5-2-8: Strike out this section

5-2-9: Animals at Large:

1. **Unlawful:** It shall be unlawful for the owner or keeper of any animal to permit such animal to run at large or to be herded, picketed or staked out, upon any street, sidewalk or other public place within the limits of the City, and all such animals so found may be

impounded. Nothing herein contained shall be so construed as to prevent any person from driving animals from outside the City limits to any enclosure within the City limits or from any enclosure with the City limits to a place outside the city or from one enclosure to another within the limits of the City.

2. Trespassing on Private Property: It shall be unlawful for any animal to go upon or be upon the private property or premises of any person without the permission of the owner or person entitled to the possession of such private property.
3. Violation Regardless of Precautions: The owner of any animal running at large shall be deemed in violation of this Section, regardless of the precautions taken to prevent the escape of the animal and to prohibit it from running at large.
4. Declared Nuisance: Any animal running at large in violation of the provisions of this Section is hereby declared to be a nuisance and a menace to the public health and safety and the animal shall be taken up and impounded as provided in this Chapter.
5. Classification of Violation: A violation of this section is a class C misdemeanor unless the animal causes destruction to public or the private property of any person in which event shall be enhanced to a class B misdemeanor.

5-2-10: Prohibited Acts and Conditions

6. Loud or Offensive Animals. It shall be unlawful for any person to own, keep or harbor any animal which by loud, continued or frequent noise (including but not limited to barking, howling, yelping, crowing, meowing, screeching or other animal sounds), or by noxious or offensive odors, shall annoy, disturb, or endanger the health and welfare of any person or neighborhood. Such noise shall be considered disturbing the peace and the owner or keeper of such animal shall be subject to prosecution.
7. Animal Waste: It shall be unlawful for an owner of an animal to go upon or be upon any public place or the private property of another person and permit the animal to defecate on said property without immediately retrieving and properly collecting and disposing of the feces in an appropriate trash bin.
8. Trespassing Animals: Strike out.
8. Classification of Violation: A violation of this section is a class C misdemeanor, subject to penalty provided in Section 1-4-1 of this Code, and such is hereby declared to be a nuisance, and each day a violation is permitted to exist or continue shall constitute a separate offense. This subsection shall not apply to the City dog pound, veterinary hospitals, or medical laboratories.