



CITY COUNCIL
AGENDA SUMMARY FORM
COMMUNITY DEVELOPMENT DEPARTMENT

MEETING DATE:	October 1, 2025
AGENDA ITEM:	CONSIDERATION OF ORDINANCE NO. 25-08, APPROVING A ZONING TEXT AMENDMENT TO TITLE 8 ANIMALS, OF THE TAYLORSVILLE MUNICIPAL CODE.
FILE #:	4Z25 – ORD-25-08
PUBLIC HEARING REQUIRED:	☐ Yes ☒ No
ORDINANCE REQUIRED:	☒ Yes ☐ No
RESOLUTION REQUIRED:	☐ Yes ☒ No
AUTHOR:	Terryne Bergeson, Planner II
PRESENTER:	Terryne Bergeson, Planner II
SUMMARY:	Taylorsville planning staff coordinates with West Valley Animal Services to issue animal permits to residents in accordance with Title 8 Animals, of the Taylorsville Municipal Code. Staff began an analysis of the requirements in the Title and City processes to identify areas where consolidation or streamlining could occur to improve the animal permitting process for residents and staff. Analysis of permit applications reveals that nearly half of all animal permit applications received are “hobby permits”, a permit required for having three or more dogs at a residence. Additionally, almost 70% of hobby permits are for three total dogs living at a property. The process requires an application fee, vaccination and sterilization paperwork, a history check, an onsite inspection, an annual renewal inspection and fee, and coordination between both municipal agencies and residents. The process tends to be a burdensome and surprising one for many residents. No added benefit could be identified from requiring owners of three dogs to undergo this process, so staff proposed increasing the minimum requirements for a hobby permit from three to four dogs. During the update process, staff also proposed minor changes related to resident inquiries and redundant standards and definitions. Overall, this triggered discussions between the Community Development team, West Valley Animal Services, and the Taylorsville City Attorneys and resulted in the attached draft. The draft includes updates to remove redundancy in process and definitions, update permit requirements, and clarify processes. Aside from restructuring for more intuitive navigation, updates include: • Hobby permits are required for residents with four or five dogs at a residence. As stated above, currently owners of three or more dogs must apply for the permit.

	• Clarification in the wild animal section: Current standards restrict the keeping of all snakes and lizards in the city, while updates specifically prohibit venomous snakes and lizards and large constrictor snakes. • Establish a limit of five dogs per residence. This limit is a recommendation of West Valley Animal Services and is intended to decrease the likelihood of a “pack mentality” developing among dogs at a residence. • Update “residential chicken” permits to “fowl” permits, to allow ducks or chickens to be kept according to adopted standards, as well as enabling up to two fowl to be kept on small lots. • Clarification, removal, or updates to redundant definitions, general restructuring of the Title for intuitive navigation, and updates to outdated processes, per recommendations from the city attorneys, such as the definition of “restraint”, and clarification of financial responsibility for the release of an impounded animal.
STAFF RECOMMENDATION:	Staff recommend that the City Council approve the proposed changes to the Animal Title to improve usability and applicability of animal-related city laws.
SUMMARY OF PUBLIC COMMENTS:	No public comments were received related to this application.
ATTORNEY’S OFFICE	☒ Yes ☐ No
ATTACHMENTS:	Ordinance No. 25-08

TAYLORSVILLE, UTAH
ORDINANCE NO. 25-08

**AN ORDINANCE OF THE CITY OF TAYLORSVILLE APPROVING A ZONING
TEXT AMENDMENT TO THE TAYLORSVILLE MUNICIPAL CODE, TITLE 8
RELATED TO STANDARDS FOR ANIMALS.**

WHEREAS, the Taylorsville City Council (the “Council”) met in regular session on October 1 ,2025, to consider, among other things, approving a text amendment to Title 8 of the Taylorsville Municipal Code; and

WHEREAS, although not required by City ordinances, the City Council heard courtesy public comment on the proposed amendments during its regularly scheduled meeting on October 1, 2025; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of Taylorsville to approve the proposed amendments.

NOW, THEREFORE, BE IT ORDAINED by the Taylorsville City Council that the proposed text amendment to Title 8, updating standards and procedures related to animals in Taylorsville, are hereby approved, as articulated in Exhibit “A.”

This ordinance, assigned Ordinance No. 25-08, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of _____, 2025.

TAYLORSVILLE CITY COUNCIL

By: _____
Council Chairperson

VOTING:

Meredith Harker	Yea ____	Nay ____
Ernest Burgess	Yea ____	Nay ____
Robert Knudsen	Yea ____	Nay ____
Curt Cochran	Yea ____	Nay ____
Anna Barbieri	Yea ____	Nay ____

PRESENTED to Mayor of Taylorsville for her approval this _____ day of _____, 2025.

APPROVED this _____ day of _____, 2025.

Mayor Kristie S. Overson

ATTEST:

Jamie Brooks, Recorder

DEPOSITED in the Recorder's office this ____ day of _____, 2025.

POSTED this ____ day of _____, 2025

EXHIBIT A

TITLE 8 ANIMALS

CHAPTER 8.01

SECTION:

- 8.01.01: Definitions
- 8.01.02: “A” Definitions
- 8.01.03: “B” Definitions
- 8.01.04: “C” Definitions
- 8.01.05: “D” Definitions
- 8.01.06: “E” Definitions
- 8.01.07: “F” Definitions
- 8.01.08: “G” Definitions
- 8.01.09: “H” Definitions
- 8.01.10: “I” Definitions
- 8.01.11: “J” Definitions
- 8.01.12: “K” Definitions
- 8.01.13: “L” Definitions
- 8.01.14: “M” Definitions
- 8.01.15: “N” Definitions
- 8.01.16: “O” Definitions
- 8.01.17: “P” Definitions
- 8.01.18: “Q” Definitions
- 8.01.19: “R” Definitions
- 8.01.20: “S” Definitions
- 8.01.21: “T” Definitions
- 8.01.22: “U” Definitions
- 8.01.23: “V” Definitions
- 8.01.24: “W” Definitions
- 8.01.25: “X” Definitions
- 8.01.26: “Y” Definitions
- 8.01.27: “Z” Definitions

8.01.01 DEFINITIONS

The following words, terms and phrases, when used in this Title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

8.01.02 “A” Definitions

Abandonment

Intentionally deposit or drop off an animal in an unsafe or dangerous environment or intentionally leave any live animal in a location where the animal is separated from basic needs such as food, water, shelter, or necessary medical attention, for a period longer than twenty-four (24) hours.

Abandonment includes the failure to reclaim an animal seventy-two (72) hours beyond the time agreed upon with a kennel, grooming service, veterinary hospital, or animal shelter.

Abandonment also includes failure or refusal to either reclaim a pet from an animal shelter or to sign relinquishment authorization. (Ord. 09-21, 5-6-2009)

Allow

For the purpose of this Title, “allow” shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal. (Ord. 09-21, 5-6-2009)

Animal

Any and all types of non-human creatures, both domestic and wild, male and female, singular and plural. (Ord. 09-21, 5-6-2009)

Animal at large

Any animal, whether licensed or unlicensed, which is not under restraint imposed by the owner or handler. (Ord. 09-21, 5-6-2009)

Animal control officer

The City's animal control services contract provider, any person designated by the State of Utah as a peace officer, or any other person designated by the City as an officer who is authorized to perform the duties specified by this Title. (Ord. 09-21, 5-6-2009)

Animal exhibition

Any display, event, or contest involving animals. (Ord. 09-21, 5-6-2009)

Animal shelter

Any facility owned, operated, or maintained for the care and custody of seized, stray, homeless, quarantined, abandoned, unwanted animals, or animals held for the purpose of protective custody under the authority of this Title or state law. (Ord. 09-21, 5-6-2009)

Attack

Any bite, attempted bite, or aggressive behavior by an animal which places a person or another animal in danger of immediate physical harm. Actual physical contact is not required to constitute an attack. (Ord. 09-21, 5-6-2009)

8.01.03 “B” Definitions

Bite

Actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal. (Ord. 09-21, 5-6-2009)

Breeder

Anyone who causes or allows the breeding of any pet identified within this Title or makes that pet available to be bred. (Ord. 09-21, 5-6-2009)

8.01.04 “C” Definitions

Cat

Any feline of the domesticated type four (4) or more months of age. Any feline of the domesticated type less than four (4) months of age is classified as a kitten. (Ord. 09-21, 5-6-2009)

Cattery

An establishment where cats are boarded, bred, bought, sold, or groomed for a fee. (Ord. 09-21, 5-6-2009)

City

The City of Taylorsville, Salt Lake County, State of Utah and all the territory within its current and future municipal boundaries and shall include any additions thereto by annexation or other legal means or any name change thereto. (Ord. 09-21, 5-6-2009)

Commercial animal establishment

Any pet shop, animal grooming parlor, guard dog location or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, cattery, kennel, or animal breeding or housing facility. (Ord. 09-21, 5-6-2009)

Custody

Having ownership, possession of, harboring, or exercising control over any animal. (Ord. 09-21, 5-6-2009)

8.01.05 “D” Definitions

Dangerous animal

Any animal that meets at least one (1) of the criteria listed in section 8.04.15, below. Whether an animal has been properly licensed under the provisions of this Title shall have no relevance to the determination of whether an animal is a "dangerous animal" as defined herein.

Director

The director of the City's designated animal control services contract provider or any other person designated by the City as an officer who is authorized to perform the duties of the director specified by this Title. (Ord. 09-21, 5-6-2009)

Division

The City's designated animal control services contract provider or any other person, agency, or entity designated by the City to perform the duties of the division specified by this Title. (Ord. 09-21, 5-6-2009)

Dog

Any Canis familiaris four (4) or more months of age. Any Canis familiaris less than four (4) months of age is classified as a puppy. (Ord. 09-21, 5-6-2009)

Domestic animals

Animals accustomed to living in or about the habitation of humans and which are dependent on humans for food and shelter including, but not limited to, cats, dogs, ferrets, and livestock. "Domestic animals" shall not include "exotic animals" or "wild animals" as defined herein. (Ord. 09-21, 5-6-2009)

8.01.06 “E” Definitions

Ear tip

A method of marking a feral cat that has been sterilized. for tracking purposes and which is done by removing a small portion of the top of one ear while the cat is under anesthesia.

Enclosure

Any structure that prevents an animal from escaping its primary confines. (Ord. 09-21, 5-6-2009)

Euthanasia

The humane destruction of an animal accomplished by a method approved by the most recent report of the American Veterinary Medical Association panel on euthanasia that results in unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness. (Ord. 09-21, 5-6-2009)

Exotic animal

Any animal whose native habitat is not indigenous to the continental United States, excluding Alaska, except tropical fish, furbearing animals commercially bred for the furrier trade, birds, and dangerous animals. (Ord. 09-21, 5-6-2009)

8.01.07 “F” Definitions

Feral cat

Any cat that lives outdoors, has no handler or owner, and is not used to human contact. (Ord. 09-21, 5-6-2009)

Feral cat colony

A group of feral cats living or growing together. (Ord. 09-21, 5-6-2009)

Ferret

Any domestic *Mustela putorius* (except the black footed ferret) more than four (4) months of age. Any *Mustela putorius* less than four (4) months of age is classified as a kit. (Ord. 09-21, 5-6-2009)

Fierce

Violent, hostile or aggressive temperament. (Ord. 09-21, 5-6-2009)

8.01.08 “G” Definitions

Guard dog

Any dog that will detect and warn its handler that an intruder is present in or near an area that is being secured and will attack a human pursuant to training or its handler's command. (Ord. 09-21, 5-6-2009)

Grooming parlor¹

Any commercial establishment maintained for the purpose of offering cosmetic services for animals for a fee. (Ord. 09-21, 5-6-2009)

8.01.09 “H” Definitions

Handler

Any person who has physical control of an animal at any given time (*i.e.*, the charge, care, control, custody, possession, or responsibility for the animal.) An "owner" shall be presumed to have ultimate responsibility for the physical control of the animal and may divest himself of such responsibility only by the transferring of, or giving permission for, actual physical control of the animal to a legally responsible adult person of age eighteen (18) or more. Whenever such other person of the requisite age has responsibility for physical control of the animal, such person shall be the "handler". At all other times, the "owner" shall be presumed to be the "handler." (Ord. 09-21, 5-6-2009)

Harbor

Housing, feeding, or caring for someone else's pet within a person's house, yard, or premises for more than twenty-four (24) hours without the permission of the owner. (Ord. 09-21, 5-6-2009)

Health Department

The Salt Lake Valley Health Department. (Ord. 09-21, 5-6-2009)

Humane treatment

Ensuring the provision of appropriate food, shelter, human interaction, and care and of protecting any animal from danger, mistreatment, neglect, or abuse. (Ord. 09-21, 5-6-2009)

Hybrid

Any animal, however tame or docile, that is the offspring of a breeding between a domestic animal and a wild animal, a domestic animal and a hybrid, or two (2) hybrid animals. (Ord. 09-21, 5-6-2009)

8.01.10 “I” Definitions

Identification

A pet license or identification tag which is attached to the collar or harness of an animal; a microchip implanted as recommended by the manufacturer for the specific species; or a tattoo on the animal's right ear or on its inside right thigh or groin, or other livestock identification such as ear tags, brands, etc. (Ord. 09-21, 5-6-2009)

Impoundment

Taken into the custody of an animal control agency, police agency, or an agent thereof. (Ord. 09-21, 5-6-2009)

8.01.11 “J” Definitions

8.01.12 “K” Definitions

Kennel

A commercial establishment having three (3) or more animals for the purpose of boarding, breeding, letting for hire, or training for a fee. (Ord. 09-21, 5-6-2009)

8.01.13 “L” Definitions

Leash or Lead

Any chain, rope or device of sufficient strength and length used to restrain an animal. (Ord. 09-21, 5-6-2009)

Livestock

Animals commonly regarded as farm animals including but not limited to, cattle, horses, goats, llamas, ostriches, sheep, or any domestic animal or furbearer raised and kept for profit.

[8.01.14 “M” Definitions](#)

[8.01.15 “N” Definitions](#)

Nuisance

Any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or humans, or substantially interfere with humans', other than their owner's, enjoyment of life or property, or as defined in chapter 8.07 of this Title. (Ord. 09-21, 5-6-2009)

[8.01.16 “O” Definitions](#)

On-site impound

To place an animal under seizure by police department personnel, animal services personnel, or an agent thereof, on a property other than an animal services sheltering facility pending transportation or court seizure order. (Ord. 09-21, 5-6-2009)

On-site redemption

To return an impounded animal to the owner or caretaker prior to transportation to the sheltering facility upon collection of all applicable impound and/or license fees. (Ord. 09-21, 5-6-2009)

Overwork

To work or exercise any animal to a point of physical harm. (Ord. 09-21, 5-6-2009)

Owner

Any person, partnership, or corporation keeping, possessing, maintaining, having an ownership interest in, or having control or custody of an animal. (Ord. 09-21, 5-6-2009)

[8.01.17 “P” Definitions](#)

Performing Animal Exhibition

Any spectacle, display, act, or event in which animals are used to provide a performance whether a fee is charged or not. (Ord. 09-21, 5-6-2009)

Person

A natural person or any legal entity including, but not limited to, a corporation, limited liability corporation, firm, partnership, or trust. (Ord. 09-21, 5-6-2009)

Pet

Non-farm animals including dogs, cats, ferrets, rodents, birds, reptiles, fish, aquatic vertebrates bred to remain in a confined body of water, and any other species of animal that is sold or retained as a household pet (noncommercial), not including livestock, bees, skunks, nonhuman primates, and other species of wild, exotic, or carnivorous animals.

Pet shop

Any commercial establishment properly licensed to maintain, keep or display dogs, cats, birds, or other household pets for sale. Pet shop does not include government animal shelters, humane shelters as defined by statute or veterinary clinics whose major business is veterinary medicine. (Ord. 09-21, 5-6-2009)

Protective custody

Seizing or receiving an animal into the care of the division, the animal services, or an authorized agent or representative thereof, in order to hold the animal as evidence of a violation of the law or to protect the animal(s) from further threat or danger. (Ord. 09-21, 5-6-2009)

Provoke

Any deliberate act by a person toward an animal done with the intent to tease, torment, abuse, assault, or otherwise cause a reaction by the animal; provided the act is not reasonably done with the intent to discourage or prevent attack. (Ord. 09-21, 5-6-2009)

Public place

Any location which is accessible to members of the general public, where members of the public gather, engage in business, or have free access. (Ord. 09-21, 5-6-2009)

[8.01.18 “Q” Definitions](#)

Quarantine

The isolation of an animal in an enclosure so that the animal cannot have physical contact with other animals or persons without recognized authority to be near or about the quarantined animal. (Ord. 09-21, 5-6-2009)

[8.01.19 “R” Definitions](#)

Restraint

Any animal under the control of its owner or person over the age of twelve (12) years having charge, care, custody or control of the animal, by means of: a) a leash or lead not to exceed six feet (6') in length, b) other physical enclosure, or c) within the real property limits of the owner.

Riding school or stable

An establishment which offers boarding and/or riding instruction for any horse, pony, donkey, mule, or burro, or which offers the use of such animals for hire. (Ord. 09-21, 5-6-2009)

[8.01.20 “S” Definitions](#)

Set

To cock, open or put a trap in such a condition that it would close when an object, animal, or person touches a triggering device. (Ord. 09-21, 5-6-2009)

Shelter

A structure which is substantial in construction and provides protection from moisture, wind, and other factors of weather, and is of a size appropriate to the particular animal to ensure retention of body heat within the enclosure. Any shelter shall be maintained to ensure a clean, dry, healthy environment for the animal being housed. (Ord. 09-21, 5-6-2009)

Species subject to rabies

Any species that has been reported to the Health Department or the Centers for Disease Control and Prevention to have contracted the rabies virus and become a host for that virus. (Ord. 09-21, 5-6-2009)

Stray

Any animal at large, abandoned, or that has no handler or owner, as defined in this chapter.

8.01.21 “T” Definitions

Trap

An apparatus designed to come together with force so as to clamp or close upon an animal, person, or object when the spring or triggering device is activated. (Ord. 09-21, 5-6-2009)

8.01.22 “U” Definitions

8.01.23 “V” Definitions

Veterinarian

Any person properly licensed under the laws of the State of Utah to practice veterinary medicine. (Ord. 09-21, 5-6-2009)

Veterinarian hospital

Any establishment operated by a licensed veterinarian for surgery, diagnosis, and treatment of disease and injuries to animals. (Ord. 09-21, 5-6-2009)

8.01.24 “W” Definitions

Wild animal

Any animal of a species that in its natural life is usually untamed and undomesticated, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated for rabies. These animals include, but are not limited to:

- A. Alligators and crocodiles;
- B. Bears (Ursidae). All bears, including grizzly bears, brown bears, black bears, etc.;
- C. Cat family (Felidae). All except the commonly accepted domesticated cats, including cheetah, leopard, lion, lynx, panther, mountain lion, tiger, wildcat, etc.;
- E. Dog family (Canidae). All except domesticated dogs, including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.;
- G. Porcupine (Erethizontidae);
- H. Primate (Hominidae). All nonhuman primates;
- I. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ring-tailed cat, etc.;
- J. Skunks;
- K. Venomous fish and piranha;
- L. Venomous snakes or lizards;
- M. Weasels (Mustelidae). All including martens, wolverines, black footed ferrets, badgers, otters, ermine, mink, mongoose, etc.

For the purpose of this section, animals that are kept commercially or ranched shall not be wild animals. (Ord. 09-21, 5-6-2009)

Working day

Any day the West Valley City animal services sheltering facility is open to the general public. (Ord. 09-21, 5-6-2009)

Worry

To harass or intimidate by barking or baring of teeth, growling, biting, shaking or tearing with the teeth; or approaching any person in an apparent attitude of attack or any aggressive behavior which would cause a reasonable person to feel they were in danger of immediate physical attack. (Ord. 09-21, 5-6-2009)

8.01.25 "X" Definitions

8.01.26 "Y" Definitions

8.01.27 "Z" Definitions

Zoological park

Any facility properly and lawfully licensed by applicable federal, state, or local law, for displaying or exhibiting one or more species of non-domesticated animals. (Ord. 09-21, 5-6-2009)

CHAPTER 8.02 ADMINISTRATION

SECTION:

8.02.01: Enforcement Authority

8.02.02: Provider; Powers And Duties

8.02.03: Animal Control Officers; Powers And Duties

8.02.04: Right Of Entry For Enforcement

8.02.05: Interfering With Officers Prohibited

8.02.06: Rules and Regulations

8.02.07: Animal Fees

8.02.01: ENFORCEMENT AUTHORITY:

The division, or other agent designated by the City, or any police officer, is hereby authorized and empowered to enforce this Title and to apprehend, transport, and impound any animal found in violation of this Title, including, but not limited to, licensable animals for which no license has been procured in accordance with this Title or any licensed or unlicensed animals for any other violation thereof, and to issue criminal citations. (Ord. 09-21, 5-6-2009)

8.02.02: PROVIDER; POWERS AND DUTIES:

The division, or other agent designated by the City, or any police officer, shall:

- A. Enforce this Title and perform other responsibilities inherent thereto;
- B. Supervise the animal shelter(s) under its jurisdiction;
- C. Keep records of all animals impounded in said shelter(s);
- D. Keep accounts of all monies collected and received in accordance with governing law; and
- E. Establish rules and regulations for the training of all persons hired as animal control officers to assure professional conduct of said persons and compliance with governing law. (Ord. 09-21, 5-6-2009)

8.02.03: ANIMAL CONTROL OFFICERS; POWERS AND DUTIES:

Each animal control officer shall be authorized to enforce this Title in all respects pertaining to animal control within the City including, but not limited to, the apprehension, transport, and impoundment of animals found to warrant such action; the care of animals; the prevention of cruelty to animals; the administrative code enforcement hearing program established by Title 18 of this code; and the issuance of criminal citations. Animal control officers shall further carry out all lawful duties prescribed or delegated by the City by contract or otherwise. (Ord. 13-37, 12-18-2013)

8.02.04: RIGHT OF ENTRY FOR ENFORCEMENT:

In the enforcement of this Title, each animal control officer is authorized to enter into the open premises of any person to secure or take possession of any animal which is reasonably deemed by said officer to, in the presence of said officer or official, be in violation of this Title and issue criminal citations for violations of this Title to the owner or handler of said animal. (Ord. 09-21, 5-6-2009)

8.02.05: INTERFERING WITH OFFICERS PROHIBITED:

It is unlawful for any person to knowingly and intentionally interfere with any animal control officer in the lawful discharge of his duties as prescribed in this Title. For the purpose of this section, interfering with animal control officers shall include, but not be limited to, failing to hand over to or release to an officer an identifiable animal which has been pursued but not captured by said officer, failing to make payment of agreed upon fees, and knowingly and intentionally failing to comply with an abatement order lawfully issued by the City or the division. (Ord. 09-21, 5-6-2009)

8.02.06: RULES AND REGULATIONS:

A. From time to time, the director may, upon resolution by the City Council, adopt rules and regulations governing the operation of animal related establishments and uses.

B. Such rules and regulations may provide for:

1. The type of structures, buildings, pens, cages, runways, or yards required for the animals sought to be kept, harbored, or confined on such premises;
2. The manner in which food, water, and sanitation facilities will be provided to such animals;
3. Measures relating to the health and care of such animals, the control of odors, noise, and the protection of persons or property on adjacent premises; or
4. Such other matters as the City shall deem necessary.

C. Such rules and regulations shall, upon publication and following adoption by the City, have the effect of law, and violation of such rules and regulations shall be deemed a violation of this Title and grounds for revocation of a permit issued by the City. Copies of the rules and regulations, when adopted, shall be filed for public inspection in the office of the City Recorder and of the director. (Ord. 09-21, 5-6-2009)

8.02.07: ANIMAL FEES

Fees shall be stated in the Consolidated Fee Schedule, which is adopted annually by the City Council.

Certain fees which are collected only by a contract provider for given services are likewise indicated in the Consolidated Fee Schedule but may not specify a dollar amount.

CHAPTER 8.03 ENFORCEMENT AND PENALTIES

SECTION:

8.03.01: Violation Of Title; Penalties

8.03.02: Issuance Of Citations

8.03.03: Pick Up Orders

8.03.04: Director Conference

8.03.01: VIOLATION OF TITLE; PENALTIES:

Except for violation of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title, this Title may be enforced through the administrative code enforcement hearing program established by Title 18 of this code or by filing a civil action in the district court. Violations of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title may be enforced through the administrative code enforcement hearing program established by Title 18 of this code by filing a civil or criminal action in the district court or criminal action in the justice court. Notwithstanding anything to the contrary, the City has sole discretion to decide whether to pursue or file a civil or criminal case for any violations. The possibility of an administrative remedy pursuant to Title 18 of this code shall in no way interfere with the City's

right to prosecute violations of this Title as criminal action. If the City chooses to file both civil and criminal charges for the same violation, no civil penalty may be assessed, but all other remedies are available. The correction period set forth in section 18.04.030 of this code may be waived by the animal control officer, and an administrative citation penalty according to the adopted Consolidated Fee Schedule shall be assessed.

8.03.02: ISSUANCE OF CITATIONS:

An animal control officer is authorized to issue a criminal citation to any person upon a charge of violating any of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title. The form of the citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of applicable law. (Ord. 14-04, 3-19-2014)

8.03.03: PICK UP ORDERS:

The director may petition the court for a "pick up order" for an animal within the premises of and/or under the control of a person who is in violation of this Title. This section may be used for, but is not limited to, picking up of animals pursued but not captured by an animal control officer, nuisance animals, or for any other violation of this Title. (Ord. 13-37, 12-18-2013)

CHAPTER 8.04 PERMITS

SECTION:

- 8.04.01: Regulatory Authority of Division
- 8.04.02: Permit Procedures and Requirements
- 8.04.03: Establishments; Inspections and Reports
- 8.04.04: Unlawful Activities; Notice Requirements
- 8.04.05: Permits; Suspension or Revocation; Grounds
- 8.04.06: Permits; Suspension or Revocation; Procedure
- 8.04.07: Emergency Suspension of Permits
- 8.04.08: Notice of Suspension of Permits; Service Procedure
- 8.04.09: Commercial Animal Establishments
- 8.04.10: Requirements for Animal Exhibitions
- 8.04.11: Guard Dog Permit
- 8.04.12: Fancier's Permit
- 8.04.13: Hobby Permit
- 8.04.14: Foster Animal Foster
- 8.04.15: Exotic Animal Permit
- 8.04.16: Dangerous Animal Permit
- 8.04.17: Residential Fowl Permit
- 8.04.18: Exemptions

8.04.01: REGULATORY AUTHORITY OF DIVISION:

The director shall have the authority to promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this Title and other applicable laws. Such regulations may be amended from time to time as deemed desirable for public health and welfare and for the protection of animals. Regulations promulgated under this delegation of authority shall not extend the power of the director or the division beyond that reasonably necessary to carry out the requirements of this Title. (Ord. 09-21, 5-6-2009)

8.04.02: PERMIT PROCEDURES AND REQUIREMENTS:

- A. All applications for permits shall be submitted to the director on a form provided by the director.
 - B. Upon submission of an application, the director shall verify with the health department, appropriate zoning authority, and appropriate business licensing division that the applicant is in compliance with applicable rules, regulations, ordinances and laws.
 - C. Applications must be accompanied by the applicable fee in accordance with the adopted Consolidated Fee Schedule.
 - D. Permits issued pursuant to this chapter are nontransferable from one location or owner to another.
 - E. A commercial animal establishment or shelter shall obtain a permit or license issued in accordance with this chapter. Such permit or license shall be posted in a conspicuous place of the establishment or shelter.
 - F. A permit issued pursuant to this chapter shall expire one (1) year after it is issued by the director. Renewal applications are available thirty (30) days prior to the expiration date of the current permit and must be accompanied by the applicable fee in accordance with the adopted Consolidated Fee Schedule.
- G. Late applications for the permits required by this chapter shall be subject to the late fee set forth in the adopted Consolidated Fee Schedule.

8.04.03: INSPECTIONS AND REPORTS:

Any person or establishment required to have a permit or business license for a commercial animal establishment shall be subject to periodic inspections, and the inspector shall make a report of such inspection, which shall be given to the establishment and shall be filed with the director. When the inspector finds a violation, the inspection form shall:

- A. Set forth the specific violation(s) found;
- B. Establish a specific and reasonable period of time for correction of the violation(s) found;
- C. State that failure to comply in the specified period of time with any notice issued in accordance with the provisions of this section. Failure to comply may result in immediate suspension of the permit and/or issuance of a citation; and
- D. State that an opportunity for a director conference upon any grievance the owner or operator may have concerning the inspection findings and corrections ordered by the animal control officer may be held according to the provisions of section 8.03.04 of this Title. (Ord. 09-21, 5-6-2009)

8.04.04: UNLAWFUL ACTIVITIES; NOTICE REQUIREMENTS:

If an inspection of kennels, catteries, animal grooming parlors, pet shops, riding stables, similar establishments, or the premises of the holder of a permit reveals a violation of this Title, the inspector shall notify the permit holder or operator of such violation as provided in section 8.04.03 of this chapter and/or issue a citation. (Ord. 09-21, 5-6-2009)

8.04.05: PERMITS; SUSPENSION OR REVOCATION; GROUNDS:

A permit or license may be suspended or revoked or a permit application rejected on any one (1) or more of the following grounds:

- A. Falsification of facts in a permit application;
- B. Material change in the conditions upon which the permit was granted; (Ord. 09-21, 5-6-2009)
- C. Violation of any provisions of this Title or any other law or regulation governing the permittee's establishment, including, but not limited to, noise and/or building and land use ordinances; or (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)
- D. Conviction on a charge of cruelty to animals. (Ord. 09-21, 5-6-2009)

E. Notwithstanding any other provisions of this Title, if an inspecting officer finds unsanitary or other conditions in the operation of commercial animal establishments or premises of the holder of a permit obtained under this Title, which in the inspector's sole judgment constitute an immediate and substantial hazard to public health or the health and safety of any animal, they may order the immediate seizure of any animals whose health and safety are at risk and order the owner or operator of the establishment to immediately cease operations. It shall be unlawful for any person to whom such an order is given to fail to obey the same. Any animals seized under this section shall be impounded or otherwise cared for as the director deems necessary.

8.04.06: PERMITS; SUSPENSION OR REVOCATION; PROCEDURE:

- A. Any permit granted under this Title may be suspended or revoked by the division for violations of any of the requirements of this Title.
- B. A permittee aggrieved by the suspension or revocation of a permit may file a written petition with the director within twenty (20) days of the director's decision for review of said grievance.
 - a. Upon consideration of said grievance and upon good cause showing, the director may, at the director's sole discretion, uphold or modify the suspension or revocation, or reinstate the permit.
 - b. A permittee aggrieved by a decision of the director may file a written petition with the mayor or a person appointed by the mayor with the advice and consent of the City Council within twenty (20) days of the director's decision for review of said grievance. Upon consideration of said petition and upon good cause shown, the mayor or a person appointed by the mayor as provided herein may uphold or modify the suspension or revocation or reinstate the permit.
- C. A new permit shall not be issued to any person whose prior permit was suspended or revoked by the division until the applicant has satisfied the director that they have the means and the will to comply with the requirements of this Title in the future. An application for another permit must comply with the requirements for an application for an initial permit, including application fee. (Ord. 09-21, 5-6-2009)

8.04.07: NOTICE OF SUSPENSION OF PERMITS; SERVICE PROCEDURES:

Notice shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the director. (Ord. 09-21, 5-6-2009)

8.04.08: COMMERCIAL ANIMAL ESTABLISHMENTS; REQUIREMENTS:

It is unlawful for any person to operate or maintain a commercial holding facility or any similar establishment unless such person first obtains an inspection conducted by the division which verifies compliance with the regulations in this Title and any other required licenses. Such establishment shall be required to obtain a business license from the Community Development Department.

In addition to obtaining the permit required by this chapter, all commercial animal establishments within the City shall comply with all zoning requirements and shall:

- A. Be operated in such a manner as not to constitute a nuisance;
- B. Provide an isolation area for boarded animals which are sick or diseased, sufficiently removed so as not to endanger the health of other animals;
- C. Retain for a period of one (1) year the name, address and telephone number of the owner and license number of each dog or cat boarded;
- D. Retain for a period of three (3) years the name and address of each person selling, trading or giving any animal to the commercial animal establishment;
- E. Keep all boarded animals caged or under control of the owner or operator of the establishment;

- F. Care for all animals in the establishment, whether or not owned by the establishment, and comply with all the requirements of this Title for the general care of animals;
- G. If applicable, not sell animals which are un-weaned or so young or weak that their sale poses a serious risk of death or inadequate development to the animal;
- H. If applicable, provide the purchaser of an animal with written instructions as to the proper care and control of that species; (Ord. 09-21, 5-6-2009)
- I. Comply with all applicable federal, state and local laws and all regulations respecting that specific commercial animal establishment which are adopted by the City and in effect from time to time; and
- J. Supply the purchaser, residing in the licensing authority of this Title, of any dog, cat or ferret with an application for animal license, the form of which is prescribed by the City. (Ord. 09-21, 5-6-2009)

8.04.09: REQUIREMENTS FOR ANIMAL EXHIBITIONS:

A. It shall be unlawful for any person to own, operate, sponsor or conduct an animal exhibition within the City without first obtaining a mass gathering permit and, if required, a temporary business license permit issued by the City.

B. No animal exhibition shall occur within the City in which any animal is exhibited, paraded or allowed to participate in a contest:

- 1. Under conditions which cause physical injury to such animal;
- 2. Under conditions that place spectators at risk of being harmed; or
- 3. Unless all applicable federal, state and local laws and regulations and standards adopted by reputable, nationally recognized associations organized for the operation of such exhibitions and City standards complied with by the operator of the exhibition.

C. A person owning, operating or sponsoring an animal exhibition within the City without first obtaining the permit therefor required by this chapter shall be guilty of a class B misdemeanor. Each day of violation of this section shall be a separate offense. The City may also seek to obtain an injunction against an animal exhibition through a court with jurisdiction over the matter.

D. The application for an animal exhibition permit required by this section shall:

- 1. Describe the type of exhibition or contest and the kind and number of animals to be on exhibition or involved in the contest and list the sites and dates of the event(s); and
- 2. Contain such other information as may be required under regulations established by the director and include a sworn statement by the applicant that the provisions of this Title pertaining to animal exhibitions will be complied with at all times.

E. No permit required by this section shall be issued until the applicant completes the application form, pays the applicable fees as set forth in the adopted Consolidated Fee Schedule, and receives the written approval of the director of the provisions made for the safety, well-being and comfort of the animals involved.

F. Animal exhibition permits issued pursuant to this section shall be effective only for the period specified in the permit, which period shall not exceed thirty (30) days.

G. A permit issued pursuant to this section shall not be transferable.

H. A permit issued pursuant to this section shall be displayed prominently at the site of the animal exhibition.

I. The City may waive the permit fee for an animal exhibition that is sponsored by a bona fide nonprofit organization, a governmental entity, or a school if the purpose is a City public purpose or a charitable purpose.

J. Animal exhibitions permitted under this section shall provide immediate access to animal control officers, health department agents, and/or Utah state officials for the purpose of compliance inspections. (Ord. 09-21, 5-6-2009)

8.04.10: GUARD DOG PERMIT:

A. It shall be unlawful for any person to own a guard dog without first obtaining a guard dog permit as provided hereafter. It shall be unlawful for any person to hire the use of a guard dog that has not been issued a guard dog permit.

B. A permit required by this section shall be obtained from the division. The application shall set forth the type of dog, the site(s) where said dog shall be used, the hours of use of said dog, and any other information the director deems appropriate.

C. Permits are not transferable from one owner to another or from one location to another.

D. On the premises where a guard dog is used, conspicuous warning signs shall be posted at each door or gate that gives access to the guard dog and shall contain the following wording: "Warning: A guard dog is guarding this property. Entry herein may cause said dog to attack your person and cause significant injury, even death. To reach the handler for said dog, call (enter telephone number)." The telephone number contained in the warning required by this subsection must provide a twenty-four (24) hour per day access to the guard dog's owner or handler.

E. A guard dog shall not be allowed to become a nuisance.

F. A guard dog shall, in addition to licensing, be microchipped and the microchip number shall be registered with the division. The license shall be attached to a one inch (1") wide red or orange collar with the word "Danger" written or embroidered in black lettering three-fourths inch (3/4") in height. The collar must be on the dog at all times.

G. Any person violating any provision of this section shall be guilty of a class B misdemeanor. Each day a guard dog is deployed for use by any person for the detection of intruders and/or protection of premises in violation of any provision of this section shall be deemed a separate offense. (Ord. 09-21, 5-6-2009)

8.04.11: FANCIER'S PERMIT:

A. Owners of purebred cats or dogs may apply for a fancier permit to keep more than three (3) of any one (1) species, but no more than five (5) total in any combination of dogs, cats, pot-bellied pigs, or ferrets in a residential area, provided:

1. Such pets are individually licensed;
2. Such pets are registered with a national registry such as, but not limited to, the AKC, UKC or Field Dog;
3. The owner is in compliance with zoning requirements, health department requirements, and division requirements;
4. Approval is granted by the health department and the director;
5. Adequate areas for shelter and confinement are provided; and
6. All other provisions of this Title are complied with;
7. No pet or premises is deemed to be a nuisance; and
8. The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one (1) dwelling unit; and
9. Any other animals subject to licensing according to this Title, without purebred certification, and residing at the home shall be listed on the application and meet the requirements for licensing and sterilization as outlined in 8.04.12.

B. The holder of a permit issued under this section may keep one litter intact until the animals reach five (5) months of age; one animal from the litter may be retained until it reaches twelve (12) months of age. At no time may the holder of a permit retain more animals than is indicated on the permit. (Ord. 09-21, 5-6-2009)

8.04.12: HOBBY PERMIT:

- A. Owners of dogs, cats, pot-bellied pigs, and ferrets may obtain a permit to keep more than three (3) of any one (1) species, but no more than five (5) total in any combination, provided:
1. Such pets are individually licensed;
 2. Such pets are rendered sterile;
 3. The owner is in compliance with zoning requirements, health department requirements, and division requirements;
 4. Approval is granted by the health department and the director;
 5. Adequate areas for confinement and shelter are provided; and
 6. The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one (1) dwelling unit; and
 7. Other provisions of this Title are complied with; and
 8. No pet or premises is deemed to be a nuisance. (Ord. 09-21, 5-6-2009)

8.04.13: FOSTER ANIMAL PERMITS:

A. A person may obtain a foster permit to foster up to five (5) dogs, cats, pot-bellied pigs, or ferrets in any combination, provided

1. Such pets are the property of a local public animal shelter or a section 501(c)(3), Internal Revenue Code, animal welfare organization;
2. Such pets are awaiting adoption;
3. The fostering person is in compliance with zoning requirements, health department requirements, and division requirements;
4. Approval is granted by the health department and the director;
5. Adequate areas for confinement and shelter are provided; and
6. The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one dwelling unit; and
7. Animals subject to licensing that reside at the home for longer than thirty (30) days shall count towards the total number of allowed animals and be subject to the licensing and sterilizations requirements listed in 8.04.12; and
8. Other provisions of this Title are complied with; and
9. No pet or premises is deemed to be a nuisance.

8.04.14: EXOTIC ANIMAL PERMIT:

It is unlawful for any person to own or keep an exotic animal without a permit. Unless prohibited by land use or other ordinances or laws, any person 18 years or older may obtain an exotic animal permit upon: (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)

- A. Demonstrating sufficient knowledge of the species to provide adequate care;
- B. Presenting proof of adequate caging appropriate for the species;
- C. Presenting proof that the animal poses no threat to the health and safety of the community in the event that the animal should escape; and
- D. Presenting proof of required state or federal permits, if any.

The director may consult with a review board comprised of federal, state and local public health authorities in considering a request for an exotic animal permit.

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he/she has adequate knowledge of a species to provide for its basic needs to maintain the animal's health and welfare. The director may consider the person's experience, education, apprenticeship or by examination administered by the director when determining that a person has sufficient knowledge of a species. (Ord. 09-21, 5-6-2009)

8.04.15: DANGEROUS ANIMAL PERMIT:

It is unlawful for any person to own or keep a dangerous animal without a permit.

1. For the purposes of this section, a dangerous animal is any animal that:
 - a. Would constitute an unreasonable danger to human life, health, or property if not kept, maintained, or confined in a safe and secure manner;
 - b. Approaches any person in an aggressive, terrorizing, or threatening manner;
 - c. Has a known propensity, tendency, or disposition to attack unprovoked or to cause injury or otherwise endanger the safety of human beings or other animals; or
 - d. Which bites, inflicts injury, assaults, or otherwise attacks a human being or domestic animal on public or private property, except in the case of an injured animal or an animal which is deliberately provoked.
 - e. For the purpose of this Title, constrictor snakes over ten feet (10') in length shall be considered a dangerous animal,
2. Unless prohibited by land use or other ordinances or laws, any person over the age of eighteen (18) years of age may obtain a dangerous animal permit upon complying with applicable zoning requirements and: (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)
 - a. Demonstrating sufficient knowledge of the species so as to be an expert in the care and control of the species;
 - b. Presenting proof of adequate primary caging appropriate for the species and a sufficient secondary system of confinement so as to prevent unauthorized access to the animal and to prevent the animal's escape;
 - c. Presenting proof that adequate measures have been taken to prevent the animal from becoming a threat to the health and safety of the community;
 - d. Presenting a plan of action in the event of the animal's escape;
 - e. Presenting proof of required state or federal permits, if any; and
 - f. Presenting proof of liability insurance in an amount of at least one hundred thousand dollars (\$100,000.00), which policy shall name the City as an additional insured and shall not be subject to cancellation or other material modifications without at least thirty (30) days' prior written notice to the City.

The director may consult with a review board comprising federal, state and local public health authorities in considering a request for a dangerous animal permit;

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he has specialized knowledge of a species to provide for its basic needs to maintain the animal's health, welfare and confinement. The director may consider the person's experience, education, apprenticeship or by examination administered by the director when determining that a person has sufficient knowledge of a species. (Ord. 09-21, 5-6-2009)

8.04.16: RESIDENTIAL FOWL PERMIT:

A. Purpose: Where permitted by the land development code, persons may keep residential fowl on single-family, owner-occupied residential and agricultural lots. For the purposes in this section, the term "fowl" shall mean ducks and chickens. Such animals shall be kept in accordance with the provisions of this section:

1. Application; Obtaining Permit: It is unlawful for any person to keep any fowl without first making application for and obtaining a residential fowl permit.
2. At Large: It is unlawful for any person who is the owner, keeper, or temporary custodian of any residential fowl to allow the animal(s) to be off the premises.
3. Unsanitary Conditions: It is unlawful for any person to keep and maintain in an unclean or unsanitary condition any coop, enclosure, or other structure or area in which any fowl is kept. All droppings must be cleaned at least once a week.
4. Nuisance: It is unlawful for the owner to allow the animal(s) to be a nuisance to any neighbor including, but not limited to, creating noxious odors from the animals, their waste, coop, or related structure or generating noise of a loud and persistent nature.
5. Subject To Inspection: All places where any fowl are kept shall be subject to inspection prior to a permit being issued for cleanliness, health, and sanitation purposes by a code enforcement official, animal control officer, or representative of the Salt Lake Valley Health Department. A code enforcement official, animal control officer, or representative of the Salt Lake Valley Health Department shall also be authorized to inspect any property where the animal(s) are kept based on any complaint or observation that the requirements of this section or conditional use permit requirement are in violation.
6. Females Only: Only female fowl may be kept. No geese, turkeys, peafowl, crowing hens, or roosters may be kept. No other bird species shall be kept except as provided by this code and birds normally and generally considered household or indoor pets.
7. Accessory Buildings: Coops shall be considered accessory buildings and are subject to the area provisions of the Taylorsville land development code. Height and setback provisions shall be determined by this section but shall in no cases violate setback or height limitations of the zoning ordinance with the exception of proximity to a main structure.
8. Feed And Water Access: Fowl shall have access to feed and water at all times in an area that is protected from wild birds, rodents, and other predators. Any stored feed must be kept in a rodent and predator proof container.
9. Personal Use Only: Residential fowl shall be for personal use only. The selling of eggs or fertilizer or the breeding of fowl for commercial use is prohibited.
10. Slaughtering Prohibited: The slaughtering of fowl on the premises is prohibited.
11. Dead Birds; Rotting Eggs: Dead fowl and rotting eggs shall be removed within twenty-four (24) hours and properly disposed of.
12. Review Of Permits: All residential fowl permits are subject to review upon substantiated and unresolved complaint.
13. Enclosure Standards:
 - a. Fowl must be contained within an enclosure or fenced area at all times.
 - b. All enclosures shall have a maximum opening of two and one-half inches (2 ½").

c. Enclosures shall be contained entirely in the rear yard. Enclosures shall not be permitted in any front or side yard unless the subject property meets the requirements set forth in paragraph d.

d. The director has authority to grant exception to side or front yard restrictions provided that the application demonstrates all of the following:

(1) The subject property is an irregularly shaped parcel and rear yard is not the most suitable location for a coop and enclosure;

(2) The side or front yard area for which the exception is being requested is at least two (2) times the area of the rear yard; and

(3) A scaled site plan is submitted that demonstrates the placement of the coop and enclosure in the front or side yard can meet the following location requirements:

(a) Coop and enclosure shall not encroach into the minimum setback requirements established for the primary dwelling as outlined in the Residential Development Standards; and

(b) Coop and enclosure must meet all other standards in this ordinance including distance from neighboring, main structures, and dwelling entrances.

14. Coop Standards:

a. Fowl shall be provided a covered, predator-proof and well-ventilated coop that must be impermeable to rodents, wild birds, and predators including dogs and cats. The coop shall provide a minimum of three (3) square feet per chicken or duck and be of sufficient size to allow free movement.

b. Residential coops shall be located within or adjacent to the enclosure.

c. All coops shall be placed at least fifteen feet (15') from an entrance to any habitable structure.

d. All coops must be located at least twenty-five feet (25') from any habitable portion of a structure on a neighboring property.

e. Coops shall be maintained in good condition.

f. Coops shall be constructed such that:

(1) It is freestanding;

(2) It is easily accessible for cleaning and maintenance;

(3) It is enclosed on all sides and has a roof and door(s);

(4) Doors must be able to be closed and locked; and

(5) No coop shall exceed eight feet (8') in height.

(6) The coop shall be covered with predator and bird-proof wire with a maximum opening of one-fourth inch (1/4"). The wire shall be buried at least three inches (3") and bent outward at least another twenty-four inches (24") to prevent rodents from burrowing into the structure unless the coop is elevated off the ground at least twelve inches (12").

(7) All openings and vents shall be covered with predator and bird-proof wire with a maximum opening of one-fourth inch (1/4").

g. Coops may be relocated from time to time within the back yard provided that it remains within or adjacent to the enclosure and adheres to all setback standards.

15. Residential Fowl Permit Application Requirements:

a. Prior to the issuance of any residential fowl permit, the applicant shall submit the following information:

(1) A completed and signed application;

(2) Appropriate fee., as set forth in the City's Consolidated Fee Schedule;

(3) A site plan showing the exact location of the enclosure and coop including measured distances from all dwellings and property lines, including buildings on adjacent properties;

(4) A photograph or illustration of the proposed enclosure and coop including construction materials, height, and other dimensions; and

(5) Signed consent to an on-site inspection of all enclosures, coops and surroundings.

16. Side And Rear Setbacks:

a. Minimum rear yard: Three feet (3') minimum from any coop to any rear property line.

b. Side yard setback: Three feet (3') minimum from any coop to any side property line.

17. Maximum Number Of Fowl:

Lot Size (Square Feet)	Maximum Number Of Fowl
Lot Size (Square Feet)	Maximum Number Of Fowl
Less than 5,999	2
6,000 to 6,999	3
7,000 to 7,999	4
8,000 to 8,999	5
9,000 to 9,999	6
10,000 to 11,999	8
12,000 or more	10

(Ord. 10-07, 5-19-2010; amd. Ord. 12-15, 7-11-2012; Ord. 23-07, 6-7-2023)

8.04.17: EXEMPTIONS:

A. Research facilities where bona fide medical or related research is being conducted, or other animal establishments operated by state or local government, or which are licensed by federal law, are excluded from the permit requirements of Section 8.04.09.

B. People or organizations providing care for feral cat colonies shall be exempt from permit requirements. Custodians of such cat colonies shall:

1. Obtain permission from the owner of the property whereupon shelter and food is provided;
2. Take responsibility for feeding the cat colony regularly throughout the year, while ensuring that the feeding area(s) is secure from insect, rodent, and other vermin attraction and harborage;
3. Maintain contact with governmental agencies to ensure sterilization, vaccination, and ear tipping of all adult feral cats that can be captured; and
4. Remove droppings, spoiled food, and other waste from the premises as often as necessary and at least every seven (7) calendar days, to prevent odor, insect, or rodent attraction or breeding, or any other nuisance. (Ord. 09-21, 5-6-2009)

CHAPTER 8.05 PET LICENSING

SECTION

8.05.01: License; Required; Age And Residence Requirements For License Holder

8.05.02: License; Required; Age Of Animals

8.05.03: License; Application

8.05.04: Additional Requirements For Licensing And Keeping Ferrets

8.05.05: Veterinary Certificate

8.05.06: License; Fees; Senior Citizens

8.05.07: License; Term And Renewal

8.05.08: License; Revocation

8.05.09: License; Tag Requirements

8.05.10: License; Exemptions

8.05.11: License Vendors

8.05.12: Number Of Dogs, Cats, And Ferrets Per Residence Or Property

8.05.01: LICENSE; REQUIRED; AGE AND RESIDENCE REQUIREMENTS FOR LICENSE HOLDER:

All dogs, cats, and ferrets must be licensed each year, except as otherwise provided in this chapter, to a person eighteen (18) years old or older who has a residence or property within the City. (Ord. 09-21, 5-6-2009)

8.05.02: LICENSE; REQUIRED; AGE OF ANIMALS:

Any person owning, possessing, or harboring any dog, cat or ferret within the City shall obtain a license for such animal within thirty (30) days after the animal reaches the age of four (4) months or, in the case of a dog, cat, or ferret over four (4) months of age, within thirty (30) days of the acquisition of ownership or possession of the animal by said person. (Ord. 09-21, 5-6-2009)

8.05.03: LICENSE; APPLICATION:

License applications must be submitted to the division by utilizing a standard form which states the name, address and telephone number of the applicant; breed, sex, color, and age of the animal; previous license information, rabies and sterilization information; and the number, location, or other information applicable to a tattoo or implanted microchip of the animal. The application shall be accompanied by the prescribed license fee as outlined in the City's Consolidated Fee Schedule and by a rabies vaccination certificate current for a minimum of four (4) months beyond the date of application. A license shall not be issued for a period that exceeds the expiration date of the rabies vaccination. A licensed veterinarian shall give rabies vaccinations with a vaccine approved by the current compendium of animal rabies control. (Ord. 09-21, 5-6-2009)

8.05.04: ADDITIONAL REQUIREMENTS FOR LICENSING AND KEEPING FERRETS:

Without limiting any other requirements of this Title, those wishing to keep ferrets must adhere to the following requirements:

A. First time applicants for ferret licenses must obtain a license pursuant to Section 8.05.03 of this chapter, and shall comply with the following:

B. All ferrets must be vaccinated against rabies at least annually;

C. An identifying microchip must be implanted in each ferret and the microchip number must be included with each license application;

D. No more than two (2) adult ferrets may be kept in a household at any time and no more than one (1) litter of kits under the age of five (5) months may be kept in a household at any time;

E. All owners shall make their ferret housing facilities and the health of their ferrets open to inspection by the division at least once each year including an initial inspection upon application for a ferret license;

F. Ferrets shall be kept primarily as indoor pets and shall be housed in a cage or kennel of sufficient size and construction to allow proper space and safekeeping of the ferret. When a ferret is outside, it shall be kept on a harness with a leash not over six feet (6') in length specifically designed for ferrets; and

G. The City encourages owners to sterilize and de-scent their ferrets. (Ord. 09-21, 5-6-2009)

8.05.05: VETERINARY CERTIFICATE:

No dog, cat, or ferret shall be licensed as spayed or neutered without a veterinary certificate that such surgery has been performed. If a veterinarian opines in writing that a dog, cat, or ferret has been spayed or neutered, such written opinion may constitute a veterinary certificate. (Ord. 09-21, 5-6-2009)

8.05.06: LICENSE; FEES; SENIOR CITIZENS:

A person sixty (60) years of age or older on the date of license application may, upon proof of that person's age, obtain a senior citizen dog, cat, or ferret license:

- A. For an unsterilized animal for an annual fee as set forth in the adopted .Consolidated Fee Schedule..
- B. For the life of a spayed or neutered animal for a onetime fee as set forth in the adopted Consolidated Fee Schedule. Such licenses shall be renewed annually without fee thereafter.
- C. This section shall not be construed to relieve any person from meeting all licensing requirements not specifically exempted, including late fees and required vaccinations, nor is any license issued hereunder transferable to any other animal or owner other than that for which the license was issued. (Ord. 09-21, 5-6-2009)

8.05.07: LICENSE; TERM AND RENEWAL:

The license shall be issued for one (1) year and shall be effective from (1) the date of purchase through the end of the same month of the expiration year as the month in which the license is purchased, or (2) at the end of the rabies vaccination period current for the animal at the time the license is obtained, whichever date occurs first. Renewals must be obtained prior to the expiration of the immediately preceding license. Applications for renewals made after the expiration of the immediately preceding license must be accompanied by a late fee in accordance with the adopted Consolidated Fee Schedule.

8.05.08: LICENSE; REVOCATION:

If the owner of any dog, cat, or ferret is found to be in violation of this Title on three (3) or more different occasions, within a twelve (12) month period, the director may seek a court order pursuant to chapter 8.03 of this Title, revoking for a period of one (1) year any and all license(s) such person may possess, and providing for the division to pick up and impound any animal kept by the person under such order. Any animal impounded pursuant to such an order shall be dealt with in accordance with the provisions of this Title for impounded animals, except that the person under the order of revocation shall not be allowed to redeem such animal, as provided in this Title, unless successfully making reapplication of the license with the director. Persons seeking reapplication of said license must comply with conditions as set forth by the director that may include, but are not limited to, sterilization of the animal(s), enclosure requirements, and confinement conditions. (Ord. 09-21, 5-6-2009)

8.05.09: LICENSE; TAG REQUIREMENTS:

A. Upon payment of the license fee, the director shall issue to the owner a receipt and a tag for each pet licensed. The tag shall have stamped thereon the license number corresponding with the tag number on the receipt. The owner shall attach the tag to the collar or harness of the animal and see that the animal constantly wears the collar and tag. Failure to attach the tag as provided shall be a violation of this Title, except that dogs or cats which are kept for show purposes are exempt from wearing the collar and tag while participating in an animal exhibition.

B. Tags are not transferable from one animal to another or from one owner to another. No refunds shall be made on any dog, cat, or ferret license fee for any reason whatsoever. Replacement for lost or destroyed tags shall be allowed upon payment to the division of the replacement tag fee set forth in the adopted .Consolidated Fee Schedule.

C. Any person who removes or causes the removal of the collar, harness, or tag from any licensed dog, cat, or ferret without the consent of the owner or keeper thereof, except a licensed veterinarian or animal control officer who removes such for medical or other reasons, shall be in violation of this Title.

D. Owners may have an identifying microchip implanted in their animals. If owners take such action, they may be exempt from the requirement that such animals wear identifying tags at all times while on the owner's premises, provided that the microchip information has been registered with the division. Owners shall assume the risk of the loss or destruction of an unrestrained animal whose microchip either cannot be located after a reasonable search or owner information cannot be found after a reasonable records search.

E. It is the responsibility of any vendor of microchips to provide information to the division as to the identification of the owner of an animal that has been microchipped by said vendor. (Ord. 09-21, 5-6-2009)

8.05.10: LICENSE; EXEMPTIONS:

A. The provisions of sections 8.05.01 through 8.05.09 of this chapter shall not apply in the following circumstances:

1. The dog, cat, or ferret is properly licensed in another jurisdiction and the owner thereof is within the City temporarily, for a period not to exceed thirty (30) consecutive days. If the owner shall be within the City temporarily, but for a period longer than thirty (30) consecutive days, he may transfer the dog, cat, or ferret license to the local license required by this chapter by payment of the applicable fee set forth in the adopted Consolidated Fee Schedule and upon presenting proof of a current rabies vaccination for the animal; and

2. Individual dogs, cats, or ferrets housed within a properly permitted facility or other such establishment when such animals are held for resale for a period not to exceed twelve (12) months.

B. The licensing provisions of sections 8.05.01 through 8.05.09 of this chapter shall not apply to:

1. Seeing eye dogs trained to assist blind persons if such dogs are actually used by blind persons to assist them in moving from place to place;

2. Hearing dogs trained and certified to assist deaf persons to aid them in responding to sounds and in use for that purpose;

3. Assistance dogs trained and certified to assist persons with a physical disability and in use for that purpose; or

4. Dogs trained to assist officials of government agencies in the performance of their duties and which are owned by such agencies.

C. Feral cats are exempt from licensing requirements required by this section.

D. Nothing in this section shall be construed so as to exempt any dog, cat, or ferret located within the City from having a current rabies vaccination. (Ord. 09-21, 5-6-2009)

8.05.11: LICENSE VENDORS:

The director may contract with veterinary hospitals, veterinarians, pet shops, animal grooming parlors, and similar institutions or individuals for the issuance of license application forms. (Ord. 09-21, 5-6-2009)

CHAPTER 8.06 RABIES CONTROL

SECTION:

8.06.01: Dog, Cat And Ferret Rabies Vaccination Requirements

8.06.02: Rabies Vaccination; When Valid

8.06.03: Rabies Vaccination; Veterinarian Duties; Certification And Tags

8.06.04: Impoundment Of Animals Without Valid Vaccination Tags

8.06.05: Rabid Animal Reports

8.06.06: Animals Exposed To Rabies

8.06.07: Management Of Animals That Bite Humans

8.06.08: Management Of Animals That Bite Other Animals

8.06.01: DOG, CAT AND FERRET RABIES VACCINATION REQUIREMENTS:

A. The owner or person having charge, care, custody, and control of a ferret, cat, or dog four (4) months of age or older shall have such animal vaccinated against rabies and shall thereafter ensure that said animal is revaccinated as often as is required to maintain the animal in a current rabies vaccination status. Any person permitting any animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for the vaccinations of the animal. Unvaccinated ferrets, dogs, or cats over four (4) months of age acquired by the owner or moved into the jurisdiction must be vaccinated within thirty (30) days of acquisition or arrival. Every dog, cat, and ferret shall have a current rabies vaccination with a rabies vaccine approved by the current compendium of animal rabies control.

B. Veterinarians, cattery, and kennel operators shall be responsible for determining that dogs, cats and ferrets are currently vaccinated for rabies prior to accepting the animal from their owners or caretakers for temporary housing on their premises.

C. The provisions of this section shall not apply to a veterinarian providing emergency medical care to a sick or injured animal. (Ord. 09-21, 5-6-2009)

8.06.02: RABIES VACCINATION; WHEN VALID:

A. Animals that have had a valid vaccination for rabies shall not be considered to have a current vaccine until thirty (30) days following the first vaccination and shall be considered unvaccinated the day following the expiration of the last documented valid vaccination.

B. For the purpose of management of bite cases an owner may, within the six (6) months of expiration of the last vaccine, submit proof of protection against rabies. Such proof shall be in the form of a written statement from a veterinarian based upon a blood titer paid for by the owner, drawn after the bite, and prior to, or within ten (10) days of, any revaccination. (Ord. 09-21, 5-6-2009)

8.06.03: RABIES VACCINATION; VETERINARIAN DUTIES; CERTIFICATION AND TAGS:

A. It shall be the duty of each veterinarian, when vaccinating any animal for rabies, to complete a certificate of rabies vaccination, in duplicate, which includes the following information:

1. Owner's name and address;
2. Description of the animal (breed, sex, markings, age, name);
3. Date of vaccination;
4. Vaccination expiration date;
5. Rabies vaccination tag number;
6. Type of rabies vaccine administered; and
7. Manufacturer's serial number of vaccine.

B. A copy of the certificate shall be distributed to the owner and the original certificate shall be retained by the issuing veterinarian. The veterinarian and the owner shall retain their respective copies of the certificate for the interval between vaccinations specified in this chapter.

C. Additionally, a metal or durable plastic rabies vaccination tag, serially numbered, may be securely attached to the collar or harness of the animal. An animal discovered in public view and not wearing a rabies tag or current license tag shall be deemed to be unvaccinated and may be impounded or seized in accordance with law and dealt with pursuant to this Title. (Ord. 09-21, 5-6-2009)

8.06.04: IMPOUNDMENT OF ANIMALS WITHOUT VALID VACCINATION TAGS:

A. Any vaccinated animal impounded because of a lack of a rabies vaccination tag may be reclaimed by its owner upon the owner furnishing a valid rabies certificate including the animal's description and payment of all fees attributable to said animal's apprehension and impoundment accrued up to the date of release.

B. Any unvaccinated animal may be reclaimed by its owner prior to disposal of said animal under the procedures set forth hereafter in Section 8.08.04 of this Title by payment of all fees attributable to said animal's apprehension and impoundment and by the owner posting a rabies deposit as specified in the adopted .Consolidated Fee Schedule. Said deposit may be recovered by owner upon showing proof of rabies vaccination within seventy-two (72) hours of release.

C. Any animal not reclaimed prior to the period specified in Section 8.08.05 of this Title shall be disposed of pursuant to that section. (Ord. 09-21, 5-6-2009)

8.06.05: RABID ANIMAL REPORTS:

A. Any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies and any person having knowledge of an animal or person bitten by a wild or domestic mammal or bat shall report such knowledge and all pertinent information to the director and the health department. Any person having custody of such animal shall confine the animal pending direction from the director or the health department.

B. It shall be unlawful for any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies, or of an animal or person bitten by such an animal, to harbor, protect, or otherwise interfere with the apprehension or identification of said animal or person(s) by willfully withholding such knowledge from an animal control officer or any other officer of the City, the division, the health department or the Utah State Department of Health.

C. It shall be a violation of this Title for an owner, or other person having the care, custody, and control of an animal known, suspected, or deemed to have been exposed to rabies as set forth in this section to fail to surrender said animal immediately upon demand by any animal control officer or officer of the City, the division, the health department or the Utah State Department of Health. (Ord. 09-21, 5-6-2009)

8.06.06: ANIMALS EXPOSED TO RABIES:

Any animal potentially exposed to the rabies virus by a wild or domestic mammal or a bat shall be regarded as having been exposed to rabies pending successful completion of testing and/or quarantine of the biting animal.

A. Unvaccinated dogs, cats, and ferrets exposed to a rabid animal shall be euthanized immediately. If the owner is unwilling to have this done, the animal shall be placed in quarantine for up to six (6) months in a location agreeable to the director and monitored by a veterinarian, at the owner's expense, and vaccinated one (1) month before being released.

B. Dogs, cats, and ferrets that are currently vaccinated shall be revaccinated immediately, kept under the owner's control, and observed for forty-five (45) days.

C. Livestock shall be handled as per the current compendium of animal rabies control. (Ord. 09-21, 5-6-2009)

8.06.07: MANAGEMENT OF ANIMALS THAT BITE HUMANS:

A. An apparently healthy dog, cat, or ferret that bites a person shall be quarantined and the following provisions shall apply:

1. The animal shall be observed for a period of not less than ten (10) days by the division and/or the health department, and the owner of the animal shall be responsible for the cost of such quarantine;

2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite is inflicted;

3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the director and the division if the animal shows any signs of sickness or abnormal behavior or if the animal escapes from quarantine;

4. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the City, the division, the health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine;

5. If the quarantined animal dies within ten (10) days from the date of the bite for which the animal was quarantined, the person having custody of said animal shall immediately notify the director and the division of such fact and immediately deliver the animal to that person's veterinarian or the division for the removal and delivery of the head of said animal to a laboratory specified by the Utah State Department of Health for examination for rabies;

6. At the end of the quarantine period, the director or designee shall examine the quarantined animal and if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in section 8.08.05 of this Title;

7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested; and

8. Any stray or unwanted dog, cat, or ferret that bites a person may be euthanized immediately and submitted for rabies examination if an immediate examination is determined necessary by the director or the health department.

B. Animals other than dogs, cats, or ferrets that might have exposed a person to rabies shall be reported immediately to the director and the health department. Case management shall be a collaborative effort between the health department and the division.

C. If any animal bites or attacks a person or another animal two (2) or more times in a twelve (12) month period, or if the director deems the bite or attack to be vicious by virtue of the severity of the bite, such animal may be immediately impounded, pending legal action, at the scene by the division without court order and held at the owner's expense.

D. The director may seek a court order for the destruction of an animal as he deems necessary. (Ord. 09-21, 5-6-2009)

8.06.08: MANAGEMENT OF ANIMALS THAT BITE OTHER ANIMALS:

A. An apparently healthy dog, cat, or ferret that bites another animal shall be quarantined as determined by the division, and the following provisions shall apply:

1. The animal shall be observed for a period of not less than ten (10) days by the division and/or the health department at a location determined by the division and the owner of the animal shall be responsible for the cost of such quarantine;

2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite is inflicted;

3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the director and the division if the animal shows any signs of sickness or abnormal behavior or if the animal escapes from quarantine;

4. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the City, the division, the health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine;

5. If the quarantined animal dies within ten (10) days from the date of the bite for which the animal was quarantined, the person having custody of said animal shall immediately notify the director and the division of such fact and immediately deliver the animal to that person's veterinarian or the division for the removal and delivery of the head of said animal to a laboratory specified by the Utah State Department of Health for examination for rabies;

6. At the end of the quarantine period the director or designee shall examine the quarantined animal and, if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in Section 8.08.05 of this Title;

7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested; and

8. Any stray or unwanted dog, cat or ferret that bites another animal may be euthanized immediately and submitted for rabies examination, if an immediate examination is determined necessary by the director or the health department. (Ord. 14-04, 3-19-2014)

CHAPTER 8.07 PROBLEMS AND NUISANCES

SECTION:

8.07.01: Nuisance; Penalties for Allowing

8.07.02: Animal Causing a Nuisance

8.07.03: Fierce, Dangerous or Vicious

8.07.04: Animal Bites; Reporting Requirements

8.07.05: Attacks By Animals; Owner Liability; Authorizing Destruction

8.07.06: Control and Fencing of Livestock

8.07.07: Harboring Stray Animals

8.07.08: Animals Running at Large

8.07.09: Staking Animals Improperly

8.07.10: Female Pets in Heat

8.07.11: Animals Prohibited in Designated Areas

8.07.12: Animal Trespass

8.07.01: NUISANCE; PENALTIES FOR ALLOWING:

Any owner or person having charge, care, custody, or control of an animal or animals causing a "nuisance", as defined in this Title, shall be guilty of allowing a nuisance in violation of this Title and subject to the penalties provided herein. (Ord. 09-21, 5-6-2009)

8.07.02: ANIMAL CAUSING A NUISANCE:

An animal causing a nuisance includes, but is not limited to, any animal that:

- A. Is repeatedly found at large;
- B. Damages the property of anyone other than its owner;
- C. Repeatedly molests or intimidates neighbors, pedestrians, cyclists, or passersby by lunging at fences, chasing, or acting aggressively toward such person(s), unless provoked by such person(s), or acts in such a way to cause unreasonable annoyance, disturbance, or discomfort;
- D. Chases vehicles;
- E. Makes disturbing noises including, but not limited to, continued and repeated howling, barking, whining, or other noise which causes unreasonable annoyance, disturbance, or discomfort to neighbors or others;
- F. Causes fouling of the air by odors and thereby creates unreasonable annoyance or discomfort to neighbors or others;
- G. Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored;

H. Defecates on any public sidewalk, park, or building, or on any private property without the consent of the owner of such private property, unless the handler of such animal shall have in his possession the instruments to clean up after his animal and shall remove the animal's feces to a proper trash receptacle;

I. Is offensive or dangerous to the public health, safety, or welfare by virtue of the number and/or types of animals kept or harbored;

J. Attacks people or other animals, whether such attack results in actual physical harm to the person or animal to whom or at which the attack is directed or not;

K. Has been found by a court or by any other commission or board lawfully established under Utah law to be a public nuisance under any other provision(s) of Utah law;

L. Cannot be restrained by normal restraints, such as standard leashes, standard chains, or muzzles; or

M. Cannot be effectively controlled by its owner or handler.

The fact, or evidence of the fact, that the factors alleged to have caused the animal to be a nuisance are inherent and/or natural behavior for such animal, or the action of the owner or animal are otherwise legal, shall not negate or excuse a charge of nuisance. (Ord. 09-21, 5-6-2009)

8.07.03: FIERCE, DANGEROUS OR VICIOUS ANIMALS:

A. It is unlawful for the owner of any fierce, dangerous, or vicious animal to permit such animal to go or be off the premises of the owner unless such animal is under restraint and properly muzzled so as to prevent it from injuring any person or property. Every animal so vicious and dangerous that it is not or cannot be effectively controlled by its owner or person having charge, care, custody, or control of such animal through the use of reasonable restraints is a hazard to public safety and the director may seek a court order for destruction, muzzling, or appropriate housing and confinement of the animal.

B. Any person violating any provision of this section shall be guilty of a class B misdemeanor. (Ord. 13-37, 12-18-2013)

8.07.04: ANIMAL BITES; REPORTING REQUIREMENTS:

A. Persons who obtain knowledge that an animal has bitten another animal or a human shall report the fact(s) to the director within twenty-four (24) hours of the bite regardless of whether the biting animal is of a species subject to rabies.

B. A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report that fact to the director and the health department within twenty-four (24) hours of his first professional attendance. Said report shall include the name, gender, and address of the person bitten as well as the type and location of the bite. If known, the person making the report shall give the name and address of the owner of the animal that inflicted the bite and any other facts that may assist the director in ascertaining the immunization status of the animal.

C. A veterinarian or other person who treats an animal bitten, injured, or mauled by another animal shall report that fact to the director. The report shall contain the name and address of the owner of the injured animal, the name and address of the owner, if known, of the animal which caused the injury, and a description of the animal, if known, which caused the injury, and the location of the incident.

D. Any person not conforming with the requirements of this section shall be in violation of this Title. (Ord. 09-21, 5-6-2009)

8.07.05: ATTACKS BY ANIMALS; OWNER LIABILITY; AUTHORIZING DESTRUCTION:

A. It is unlawful for the owner or person having charge, care, custody, or control of any animal to allow such animal to attack, chase, or worry any human, domesticated animal, any species of hoofed wildlife protected by any law or ordinance, or any pet or companion animal.

B. Any penalty imposed as a result of prosecution of a person under subsection A of this section shall be in addition to any penalties or liabilities imposed upon such person by any other law or ordinance.

C. The following shall be considered in mitigating the penalties or damages or in dismissing a charge brought under subsection A of this section:

1. The animal was properly confined on the premises;
2. The animal was deliberately or maliciously provoked; or
3. The animal was already injured and was defending itself.

D. Any person may take other protective action against an animal while it is committing any of the acts specified in subsection A of this section to protect themselves, or members of the public from any threat of death or personal injury then being posed by the animal.

E. Every person owning or keeping an animal shall be liable in damages for injuries committed by such animal and it shall not be necessary in any action brought therefor to allege or prove that such animal was of a vicious or mischievous disposition or that the owner or keeper thereof knew that it was vicious or mischievous. (Ord. 09-21, 5-6-2009)

8.07.06: CONTROL AND FENCING OF LIVESTOCK:

A. It is unlawful for any person owning or harboring an animal of a class of livestock to allow, either negligently or with specific intent, the livestock to run at large in an area where such is not permitted by law or to otherwise permit the livestock to be herded, pastured, or to go upon the land of another.

B. Adequate fencing shall be erected and maintained to prevent the livestock's escape as specified in subsection C of this section.

C. All fencing of property where a class of livestock is kept shall be of sufficient construction to prevent the escape of or injury to the livestock 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 livestock or to allow the escape thereof.

D. Construction, maintenance, and repair of fencing shall be the responsibility of the property owner and shall be constructed in a manner which is appropriate to the containment of all types of livestock confined therein. (Ord. 09-21, 5-6-2009)

8.07.07: HARBORING STRAY ANIMALS; UNLAWFUL CONFINEMENT OR CONCEALMENT OF ANIMALS:

A. It shall be unlawful for any person, except animal establishments operated by state or local governments, to harbor or keep any lost or stray animal. Whenever a lost or stray animal is retained or harbored by an animal welfare society, it shall be the duty of such animal welfare society to notify the division within twenty-four (24) hours and the division shall impound the animal as provided herein.

B. Whenever any animal shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the division within twenty-four (24) hours and the division shall impound the animal as provided herein. (Ord. 09-21, 5-6-2009)

8.07.08: ANIMALS RUNNING AT LARGE:

It shall be unlawful for any owner, handler, or any person harboring any animal to allow such animal at any time to run at large. The owner, handler, or person harboring an animal found running at large shall be strictly liable for violations of this section regardless of precautions taken to prevent the escape of the animal and regardless of whether or not he/she knows the animal is running at large. The owner, handler, or person harboring any animal shall be liable in damages for injuries committed by such animal. Run at large does not mean release of seamless banded pigeons for exercise or performance. (Ord. 09-21, 5-6-2009)

8.07.09: STAKING ANIMALS IMPROPERLY:

A. It is unlawful for any person to chain, stake, or tether any animal on any unenclosed premises in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.

B. It is unlawful for any person to chain, stake, or tether any animal on any premises in a manner that prevents the animal from having access to food, water, or shelter. (Ord. 09-21, 5-6-2009)

8.07.10: FEMALE PETS IN HEAT:

Any owner or person having charge, care, custody, or control of any female pet in heat shall, in addition to restraining such pet from running at large, cause such pet to be constantly confined in a building or other structure so as to prevent it from attracting by scent or coming into contact with other animals and creating a nuisance. (Ord. 09-21, 5-6-2009)

8.07.11: ANIMALS PROHIBITED IN DESIGNATED AREAS:

A. It is unlawful for any person to take or permit any animal, whether loose, on a leash, or in arms, in or about any establishment or place of business where food or food products are sold, displayed, or served including, but not limited to, restaurants, grocery stores, meat markets, and fruit or vegetable stores.

B. It is unlawful for any person keeping, harboring, or having charge or control of any animal to allow such animal to be within protected watershed areas as designated by either the health department or any public water district.

C. It is unlawful for any person to chain, stake, or tether any animal in a public place unless the owner or handler of the animal is continually present and the animal is properly restrained so that the animal poses no threat of contact with a person engaged in a normal and expected activity.

D. It is unlawful for any person to take or permit any unrestrained animal in any public park located within the City. Any animal in a public park must be continually kept on a leash not over eight feet (8') in length and which is of sufficient strength to ensure that the animal's owner or handler shall at all times have absolute control over the animal except for designated off leash areas. The director may grant exceptions to this subsection for a licensed animal exhibition.

E. This section shall not apply to dogs provided for in subsection 8.05.10B of this Title or when the director of the health department adopts rules and regulations subsequently ratified by the City council which set forth the times and places where the dog or dogs may be allowed without compromising the health and safety of humans, causing a nuisance, or damaging property. (Ord. 09-21, 5-6-2009)

8.07.12: ANIMAL TRESPASS:

It is unlawful for the owner or handler of an animal to allow such animal to trespass on the property of another. Any trespassing animal may be confined provided the person confining the animal notifies the division within twenty-four (24) hours of such confinement. (Ord. 09-21, 5-6-2009)

CHAPTER 8.08 IMPOUNDMENT

SECTION:

8.08.01: Animal Shelter And Facilities

8.08.02: Impoundment Authorized; When

8.08.03: Impoundment; Recordkeeping Requirements

8.08.04: Redemption Of Animals; Restrictions

8.08.05: Term Of Impoundment; Destruction Or Other Disposition Of Animals

8.08.60: Sterilization Of Adopted And Impounded Animals

8.08.01: ANIMAL SHELTER AND FACILITIES:

A. The City shall be responsible, within its legislative discretion, to provide (by contract with the division or otherwise) suitable premises and facilities to be used as an animal shelter where impounded animals can be kept. The City, through the division, shall purchase and supply food and provide care for impounded animals.

B. The City, through the division, shall provide for the destruction of dogs, cats, ferrets, and other animals for which destruction is authorized by this Title or by Utah law. Destruction shall be accomplished in accordance with standards established by the American Veterinary Medical Association or in accordance with any other nationally recognized standards established for the proper destruction of animals; or by any method which, in the discretion of the director or the division, is proper under the then-existing circumstances.

C. The City or the division may furnish, when deemed necessary at the discretion of the director or division personnel, medical treatment to animals impounded pursuant to this Title. Prior consent for such treatment from the owners of such animals shall not be required.

D. The owner of any affected animals shall be required to post a bond, as provided in subsection 8.08.04E of this Chapter, and/or pay the cost of the impound and any care and keeping, medical treatment, euthanasia, and disposal provided or performed under the authority of this Title with respect to such animal. (Ord. 09-21, 5-6-2009)

8.08.02: IMPOUNDMENT AUTHORIZED; WHEN:

A. An animal control officer may impound or leave an animal in the custody of its owner or handler according to said officer's discretion whenever such animal is found to be in circumstances which violate the requirements of this Title. If left in the custody of the owner or handler, said owner or handler shall nevertheless be required to respond to the administrative code enforcement hearing program established by Title 18 of this code.

B. An animal found in the following circumstances may be impounded by an animal control officer without the filing of a criminal complaint or obtaining a prior order from a court of competent jurisdiction:

1. The animal is running at large outside its owner's or handler's premises;
2. Any animal which is required by this Title to be licensed and is not licensed; an animal not wearing a license tag shall be presumed to be unlicensed for the purpose of this subsection;
3. The animal is sick or injured and its owner cannot be immediately located;
4. The animal's owner or handler requests the division to impound the animal and posts a bond as provided in subsection 8.08.04E of this chapter or pays, in advance, a fee reasonably calculated to pay for the cost the division may reasonably incur during impoundment and possible destruction of the animal;
5. The animal is abandoned;
6. Animals which are not vaccinated for rabies in accordance with this Title; for the purpose of this subsection, an animal not wearing a rabies tag shall be presumed to be unvaccinated;
7. The animal is known by the animal control officer to have been exposed to rabies or bitten by a rabid animal;
8. The animal is to be otherwise held for quarantine;
9. The animal is a vicious animal and not properly confined or restrained as required by Section 8.07.03 of this Title;
10. The animal is not being kept or maintained as required by any other provision of this Title and, as a result thereof, the animal poses an imminent threat to the health and safety of persons, other animals, or itself;
11. Any animal in physical distress; or
12. Any animal considered a nuisance or a public nuisance animal.

C. The circumstances set forth above in this section are not intended to be a complete list of those in which the City, the division, and/or an animal control officer may impound an animal without a prior order from a court of competent jurisdiction and said officers are authorized to act as necessary to maintain the peace and safety of the City under the requirements of this Title and all other applicable law. (Ord. 13-37, 12-18-2013)

8.08.03: IMPOUNDMENT; RECORDKEEPING REQUIREMENTS:

The impounding facility shall keep record of each animal impounded, which shall include the following information:

- A. Complete description of the animal, including tag numbers;
- B. The manner and date of impound;
- C. The location of the pick-up and name of the officer picking up the animal;
- D. The manner and date of disposal;
- E. The name and address of the person who redeems, purchases, or adopts the animal;

- F. The name and address of any person relinquishing an animal to the impound facility;
- G. All fees received on behalf of the animal; and
- H. All costs of impoundment allocable to the animal which accrues during its impoundment. (Ord. 09-21, 5-6-2009)

8.08.04: REDEMPTION OF ANIMALS; RESTRICTIONS:

A. The owner of any impounded animal or the owner's authorized representative (a legally responsible adult of age eighteen (18) or older) may redeem such animal before disposition, provided the owner or representative that person posts a bond as provided in subsection E of this section or pays:

1. The impound fee;
2. The daily board charge;
3. Veterinary costs incurred during the impound period, including rabies vaccination or rabies vaccination deposit;
4. License fee, if required;
5. A transportation fee if transportation of an impounded animal by specialized equipment is required. "Specialized equipment" is that equipment, other than the usual patrol and operation vehicles of animal control, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers. The director shall determine this fee at a level that approximates the cost of utilizing the specialized equipment in the particular situation;
6. Any other expenses incurred to impound an animal in accordance with state or local laws;
7. Any unpaid (past due) fees and fines incurred by the owner; and
8. If any dog or cat is fertile, the owner shall also pay a sterilization deposit and comply with any other requirements of Utah law including UTAH CODE ANNOTATED §§ 11-46-204 *et seq.* For the purposes of this subsection, the term "recipient" contained in the referenced Utah statute shall include an owner or the owner's authorized representative who is redeeming the animal after impoundment.

B. If an animal is impounded, the owner shall be required to purchase microchip identification.

C. Upon the third impoundment and prior to the release of said animal, said animal shall be sterilized. Payment of all fees shall be required and sterilization completed prior to release.

D. The City Council shall set and periodically revise when necessary impound fees and daily board charges for the impounding of animals. Such fees shall be as stated on the adopted .Consolidated Fee Schedule. Such fees may take into account the type of animal impounded, the owner's compliance with animal licensure requirements, the number of confinements in the preceding twenty-four (24) months, and the duration of the confinement. No impound fees will be charged the reporting owners of suspected rabid animals if they comply with chapter 8.06 of this Title.

E. Any owner whose animal is impounded under this section may be required to pay the veterinarian expenses, boarding expenses, and other reasonable expenses directly related to the care of the animal. If it is determined that the owner of the animal has not neglected the animal or been cruel to the animal, or the animal is not determined to be vicious, or the request for revocation of license is denied the owner shall not be responsible for the costs of boarding or caring for the animal during the time it was impounded. The owner may be required to reimburse the costs of necessary medical care for medical needs that existed prior to the animal being impounded. If, after final adjudication of criminal charges or administrative actions, the owner fails to timely pay the required expenses for care of the animal, that failure to pay shall constitute abandonment of the animal. Such abandonment, however, does not alleviate the owner of the obligation to pay the required expenses.

8.08.05: TERM OF IMPOUNDMENT; DESTRUCTION OR OTHER DISPOSITION OF ANIMALS:

A. If an animal is not wearing a license tag or other identification, the animal shall be impounded for a minimum of five (5) working days before further disposition. If an animal is wearing a license tag or other identification it shall be held a minimum of five (5) working days.

B. During the impound period, reasonable efforts shall be made to notify the owner of any animal wearing a license or other identification.

1. Notice shall be deemed given when sent to the last known address of the listed owner.

2. In the event an owner is notified of the impoundment of his/her animal, and fails to either redeem, post a bond as provided in subsection 8.08.04E of this chapter, or formally release said animal to the agency, the animal shall be deemed voluntarily relinquished to the City and/or the division.

C. Any animal voluntarily relinquished to the division by the owner thereof for destruction or other disposition need not be kept for the minimum holding period.

D. All animals, except those quarantined or confined by court order, or stray livestock or farm animals subject to state law requirements, which are held longer than the minimum impound period, and all animals voluntarily relinquished to the impound facility, may be destroyed or disposed of as the director shall direct. The fee for animals other than pets (i.e., livestock, birds, snakes, etc.) shall be the market value of the animal.

E. Any healthy domestic animal excluding livestock may be sold or adopted by anyone meeting the requirements of the division for a price to be determined by the director, to include appropriate registration, rabies vaccination, microchip, and sterilization fees.

F. Any healthy animal which is placed into a new home under this chapter shall be sterilized.

1. In the event the animal is not sterilized prior to going into the new home, the adopter is required to ensure that the surgery is completed within an agreed upon period of time.

2. If the adopter fails to complete the sterilization of the animal within the approved time period or fails to comply with any part of any agreement made within the adoption process, the adopter forfeits all rights to the animal and the division may reclaim said animal.

G. The director may recover all costs incurred by the division in the impoundment and care of any animal sold to a certified research institution pursuant to the laws of the state of Utah.

H. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention, as determined by the director, may be released to the care of a veterinarian.

I. When, in the judgment of the director, it is determined that an animal should be destroyed for humane reasons or to protect the public from imminent danger to persons or property, such animal may be destroyed without regard to any time limitations otherwise established in this Title, and without court order.

J. The director may destroy an animal upon the request of an owner. An appropriate fee shall be charged the owner for the destruction and any subsequent disposal of the carcass destroyed by the division. (Ord. 09-21, 5-6-2009)

8.08.06: STERILIZATION OF ADOPTED AND IMPOUNDED ANIMALS:

A. A dog, cat, or ferret adopted from the division's animal facility shall be sterilized.

B. The division may allow the conditional adoption of an unsterilized dog, cat, or ferret because of the age of the animal or as otherwise deemed necessary by the division. Said conditional adoption shall become final upon proof to the division that the animal has been sterilized. Failure to sterilize results in forfeiture of the animal to the division.

C. A dog or cat owner reclaiming an impounded pet shall comply with any applicable requirements established by UTAH CODE ANNOTATED § 11.46.201 or other applicable Utah law and implemented by the division to conform with said law. (Ord. 09-21, 5-6-2009)

CHAPTER 8.09 CRUELTY TO ANIMALS

SECTION:

8.09.01: Care And Maintenance Responsibility

8.09.02: Keeping Of Diseased Or Painfully Crippled Animals

8.09.03: Abandonment Of Animals

- 8.09.04: Hobbling Animals
- 8.09.05: Animals In Vehicles
- 8.09.06: Physical Abuse Of Animals
- 8.09.07: Injury To Animals By Motorists; Duty To Stop And Assist
- 8.09.08: Poisoning Animals
- 8.09.09: Steel Jaw Traps
- 8.09.10: Mistreatment Of Animals
- 8.09.11: Baby Rabbits And Fowl; Restrictions
- 8.09.12: Selling Certain Turtles Prohibited
- 8.09.13: Killing Birds
- 8.09.14: Giving Animals As Sales Premiums
- 8.09.15: Prohibit Display Of Animals For Sale Or Gift
- 8.09.16: Dead Animals

8.09.01: CARE AND MAINTENANCE RESPONSIBILITY:

It shall be unlawful for an owner or handler of an animal to withhold adequate food, drink, care, veterinary care, grooming, adequate space and shelter from said animal, which is reasonably necessary to maintain said animal in good health, comfort, and safe from potential hazards. To ensure the availability of adequate space for large animals, notwithstanding anything in this code to the contrary, it shall be unlawful to keep any horse, mule, burro, ass, or cattle on a lot or other parcel of ground that is not over one-half (1/2) acre in size. (Ord. 09-21, 5-6-2009)

8.09.02: KEEPING OF DISEASED OR PAINFULLY CRIPPLED ANIMALS:

- A. It is unlawful for any person to abandon or turn out at large any sick, diseased, or disabled animal.
- B. It is unlawful for the owner or handler of an animal rendered worthless to said owner or handler by reason of disease or disability to allow said animal to continue to live in a diseased or disabled state. Said owner or handler shall dispose of such animal by killing the same in a humane manner or by contacting the division. Upon such contact, the division may assume responsibility for disposition of the animal, not including livestock, provided that the owner or handler shall pay a fee, in advance, to the division to pay for the division's cost in disposing of the animal. If the owner or handler fails to pay such fee and fails to dispose of the diseased or disabled animal as required above, such person shall be in violation of this Title.
- C. It is unlawful for an owner or handler of an animal which is infected with a disease or is in a painfully crippled condition to have, keep, or harbor such animal without placing the animal under veterinary care and/or to dispose of such animal as required in subsection B of this section. (Ord. 09-21, 5-6-2009)

8.09.03: ABANDONMENT OF ANIMALS:

It is unlawful for any person to abandon any animal within the geographical boundaries of the City. (Ord. 09-21, 5-6-2009)

8.09.04: HOBBLING ANIMALS:

It is unlawful for any person to hobble livestock or other animals by any means that may cause injury or damage to any animal. (Ord. 09-21, 5-6-2009)

8.09.05: ANIMALS IN VEHICLES:

- A. It is unlawful for any person to carry or confine 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. Persons transporting an animal in the open bed of a vehicle must physically restrain the animal in such a manner as to prevent the animal from jumping or falling out of the vehicle.

B. It is unlawful for any person to allow a vehicle to be used as a shelter or housing for pets. (Ord. 09-21, 5-6-2009)

8.09.06: PHYSICAL ABUSE OF ANIMALS:

It is unlawful for any person to kill, without legal justification, maim, disfigure, torture, beat, whip, mutilate, burn or scald, overwork, cause to fight, or in any manner treat any animal in a cruel or malicious manner. Each instance of such treatment shall constitute a separate offense. (Ord. 09-21, 5-6-2009)

8.09.07: INJURY TO ANIMALS BY MOTORISTS; DUTY TO STOP AND ASSIST:

A. The operator of a motor vehicle or other self-propelled vehicle being operated upon the streets of the City shall, in the event said vehicle should strike and injure or kill any domesticated animal, give reasonable aid and assistance and/or protection to said animal without placing himself at unreasonable risk and call and report the facts pertaining to the incident to one of the following authorities:

1. The police department having jurisdiction in the City;
2. The director; or
3. The division.

B. After making the report required above, the operator shall comply with the instructions given by the agency contacted and shall, if instructed, remain at the scene until appropriate police or animal control authority arrives. After arrival of appropriate authority, the operator shall cooperate with said authority in the investigation and reporting of the incident.

C. As an alternative to complying with the requirements set forth above, the motor vehicle operator may transport the animal which has been struck to the division's animal facility or, in the case of an animal which is injured and not dead, to a veterinarian for treatment of the animal's injuries. If the operator chooses the latter course of action, he shall be responsible for the cost of treatment if required by the veterinarian. The division shall not be responsible for the cost of treatment unless it has accepted responsibility after the operator's compliance with any of the requirements of this section.

D. This section shall not apply to operators of emergency vehicles if such vehicles are being operated in response to a bona fide emergency situation at the time the animal is struck. Emergency vehicle operators who strike an animal during a response to a bona fide emergency situation shall notify the director or the division of the incident as soon as is practicable thereafter. (Ord. 09-21, 5-6-2009)

8.09.08: POISONING ANIMALS:

Except as provided in this section, it is unlawful for any person by any means to knowingly or recklessly make accessible to any animal 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. (Ord. 09-21, 5-6-2009)

8.09.09: STEEL JAW TRAPS:

It shall be unlawful for any person to use steel jaw traps to trap animals unless authorized by the director. (Ord. 09-21, 5-6-2009)

8.08.10: MISTREATMENT OF ANIMALS:

It shall be unlawful for any person to provoke any animal. (Ord. 09-21, 5-6-2009)

8.09.11: BABY RABBITS AND FOWL; RESTRICTIONS:

A. It is unlawful for any person to sell, to offer for sale, offer to give as a prize, premium, or advertising device, or display in any store, shop, carnival or other public place, any baby rabbits or fowl under eight (8) weeks of age in any quantity less than six (6).

B. It is unlawful for any person to sell, offer for sale, barter, or give away any baby rabbits or fowl under eight (8) weeks of age during the two (2) week period preceding Easter in any quantity less than twenty-five (25).

C. It is unlawful to artificially dye or color any animal less than six (6) months of age.

D. Nothing in this section shall be construed to prohibit the purchase and raising of such rabbits and fowl by a private individual for his/her personal use and consumption provided that he/she shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his/her possession.

E. It is unlawful to offer as an advertising device or to display any animal without at all times keeping adequate food and water available for the animal's use.

F. It is unlawful for any person to offer as a premium, prize, award, novelty, or incentive to purchase merchandise any live animal. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals.

G. Each day an offense of this section occurs or continues shall be a separate offense. (Ord. 09-21, 5-6-2009)

8.09.12: SELLING CERTAIN TURTLES PROHIBITED:

It is unlawful to own or sell, barter, or trade any *Chrysemys scripta-elegans*, red eared sliders, that are four inches (4") in length or smaller, or *Pseudemys troostii*, family *Testudinidae*, "pet turtles". (Ord. 09-21, 5-6-2009)

8.09.13: KILLING BIRDS:

It is unlawful to kill any bird, or to rob or destroy any nest, egg, or young of any bird, in violation of Utah law. (Ord. 09-21, 5-6-2009)

8.09.14: GIVING ANIMALS AS SALES PREMIUMS:

It is unlawful for any person or business to offer any live animal, fowl, bird, reptile, or fish as a premium, prize, award, novelty or incentive to purchase merchandise.

A. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals in compliance with all necessary permits.

B. This section does not apply to groups whose purpose is to enhance a particular species and/or educate its members on the proper care and handling of a particular species, and which may offer as a prize animals of the type specific to the group's purpose, only to members of the group. (Ord. 09-21, 5-6-2009)

8.09.15: PROHIBIT DISPLAY OF ANIMALS FOR SALE OR GIFT:

It is unlawful for anyone except licensed businesses, humane societies recognized by the state of Utah, and government animal shelters to offer or display any pet for sale or gift in any public place or facility frequented by the public. (Ord. 09-21, 5-6-2009)

8.09.16: DEAD ANIMALS:

It shall be unlawful for any person knowingly to permit any dead animal to remain upon the premises of such person, or for the owner of any dead animal knowingly to permit the same to remain upon any public property or upon any premises within the City. If the owner of such dead animal does not remove the dead animal himself or cause the dead animal to be properly disposed of within a reasonable time, the City may cause it to be removed and thereupon assess the actual costs of such removal and disposal against the owner and may avail itself of all remedies in law and equity to enforce such removal and recover the costs thereof. (Ord. 09-21, 5-6-2009)

CHAPTER 8.10 WILD, DANGEROUS AND EXOTIC ANIMALS

SECTION:

8.36.010: Prohibitions Relating To Wild, Dangerous And Exotic Animals; Exceptions

8.10.01: PROHIBITIONS RELATING TO WILD, DANGEROUS AND EXOTIC ANIMALS; EXCEPTIONS:

A. It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor, or purchase any wild, dangerous or exotic animal (as defined in Title 50 of the code of federal regulations, in Utah law or regulation, or by this Title) or which is otherwise a "vicious animal" or a "nuisance" as defined in this Title.

B. The prohibitions of subsection A of this section shall not apply to a person, animal shelter, zoological park, veterinary hospital, section 501(c)(3) of the Internal Revenue Code animal welfare shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific research if such organizations or individuals are

otherwise licensed or permitted pursuant to a permit as provided in this Title, provided that said animals are restrained or confined in such a manner as to prevent their escape and/or injury to the public.

C. Any person violating any provision of this section shall be guilty of a class B misdemeanor. (Ord. 13-37, 12-18-2013)

TITLE 8 ANIMALS

CHAPTER 8.01

SECTION:

- 8.01.01: Definitions
- 8.01.02: “A” Definitions
- 8.01.03: “B” Definitions
- 8.01.04: “C” Definitions
- 8.01.05: “D” Definitions
- 8.01.06: “E” Definitions
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- 8.01.09: “H” Definitions
- 8.01.10: “I” Definitions
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- 8.01.24: “W” Definitions
- 8.01.25: “X” Definitions
- 8.01.26: “Y” Definitions

8.01.27: “Z” Definitions

8.01.01 DEFINITIONS

The following words, terms and phrases, when used in this Title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

8.01.02 “A” Definitions

Abandonment

Intentionally deposit or drop off an animal in an unsafe or dangerous environment or intentionally leave any live animal in a location where the animal is separated from basic needs such as food, water, shelter, or necessary medical attention, for a period longer than twenty-four (24) hours.

Abandonment includes the failure to reclaim an animal seventy-two (72) hours beyond the time agreed upon with a kennel, grooming service, veterinary hospital, or animal shelter.

Abandonment also includes failure or refusal to either reclaim a pet from an animal shelter or to sign relinquishment authorization. (Ord. 09-21, 5-6-2009)

Allow

For the purpose of this Title, “allow” shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal. (Ord. 09-21, 5-6-2009)

Animal

Any and all types of non-human creatures, both domestic and wild, male and female, singular and plural. (Ord. 09-21, 5-6-2009)

Animal at large

Any animal, whether licensed or unlicensed, which is not under restraint imposed by the owner or handler. (Ord. 09-21, 5-6-2009)

Animal control officer

The City's animal control services contract provider, any person designated by the State of Utah as a peace officer, or any other person designated by the City as an officer who is authorized to perform the duties specified by this Title. (Ord. 09-21, 5-6-2009)

Animal exhibition

Any display, event, or contest involving animals. (Ord. 09-21, 5-6-2009)

Animal shelter

Any facility owned, operated, or maintained for the care and custody of seized, stray, homeless, quarantined, abandoned, unwanted animals, or animals held for the purpose of protective custody under the authority of this Title or state law. (Ord. 09-21, 5-6-2009)

Attack

Any bite, attempted bite, or aggressive behavior by an animal which places a person or another animal in danger of immediate physical harm. Actual physical contact is not required to constitute an attack. (Ord. 09-21, 5-6-2009)

8.01.03 "B" Definitions

Bite

Actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal. (Ord. 09-21, 5-6-2009)

Breeder

Anyone who causes or allows the breeding of any pet identified within this Title or makes that pet available to be bred. (Ord. 09-21, 5-6-2009)

8.01.04 "C" Definitions

Cat

Any feline of the domesticated type four (4) or more months of age. Any feline of the domesticated type less than four (4) months of age is classified as a kitten. (Ord. 09-21, 5-6-2009)

Cattery

An establishment where cats are boarded, bred, bought, sold, or groomed for a fee. (Ord. 09-21, 5-6-2009)

City

The City of Taylorsville, Salt Lake County, State of Utah and all the territory within its current and future municipal boundaries and shall include any additions thereto by annexation or other legal means or any name change thereto. (Ord. 09-21, 5-6-2009)

Commercial animal establishment

Any pet shop, animal grooming parlor, guard dog location or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, cattery, kennel, or animal breeding or housing facility. (Ord. 09-21, 5-6-2009)

Custody

Having ownership, possession of, harboring, or exercising control over any animal. (Ord. 09-21, 5-6-2009)

8.01.05 "D" Definitions

Dangerous animal

Any animal that meets at least one (1) of the criteria listed in section 8.04.15, below. Whether an animal has been properly licensed under the provisions of this Title shall have no relevance to the determination of whether an animal is a "dangerous animal" as defined herein.

Director

The director of the City's designated animal control services contract provider or any other person designated by the City as an officer who is authorized to perform the duties of the director specified by this Title. (Ord. 09-21, 5-6-2009)

Division

The City's designated animal control services contract provider or any other person, agency, or entity designated by the City to perform the duties of the division specified by this Title. (Ord. 09-21, 5-6-2009)

Dog

Any Canis familiaris four (4) or more months of age. Any Canis familiaris less than four (4) months of age is classified as a puppy. (Ord. 09-21, 5-6-2009)

Domestic animals

Animals accustomed to living in or about the habitation of humans and which are dependent on humans for food and shelter including, but not limited to, cats, dogs, ferrets, and livestock. "Domestic animals" shall not include "exotic animals" or "wild animals" as defined herein. (Ord. 09-21, 5-6-2009)

8.01.06 "E" Definitions

Ear tip

A method of marking a feral cat that has been sterilized. for tracking purposes and which is done by removing a small portion of the top of one ear while the cat is under anesthesia.

Enclosure

Any structure that prevents an animal from escaping its primary confines. (Ord. 09-21, 5-6-2009)

Euthanasia

The humane destruction of an animal accomplished by a method approved by the most recent report of the American Veterinary Medical Association panel on euthanasia that results in unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness. (Ord. 09-21, 5-6-2009)

Exotic animal

Any animal whose native habitat is not indigenous to the continental United States, excluding Alaska, except tropical fish, furbearing animals commercially bred for the furrier trade, birds, and dangerous animals. (Ord. 09-21, 5-6-2009)

8.01.07 "F" Definitions

Feral cat

Any cat that lives outdoors, has no handler or owner, and is not used to human contact. (Ord. 09-21, 5-6-2009)

Feral cat colony

A group of feral cats living or growing together. (Ord. 09-21, 5-6-2009)

Ferret

Any domestic *Mustela putorius* (except the black footed ferret) more than four (4) months of age. Any *Mustela putorius* less than four (4) months of age is classified as a kit. (Ord. 09-21, 5-6-2009)

Fierce

Violent, hostile or aggressive temperament. (Ord. 09-21, 5-6-2009)

8.01.08 "G" Definitions

Guard dog

Any dog that will detect and warn its handler that an intruder is present in or near an area that is being secured and will attack a human pursuant to training or its handler's command. (Ord. 09-21, 5-6-2009)

Grooming parlor²

Any commercial establishment maintained for the purpose of offering cosmetic services for animals for a fee. (Ord. 09-21, 5-6-2009)

[8.01.09 “H” Definitions](#)

Handler

Any person who has physical control of an animal at any given time (*i.e.*, the charge, care, control, custody, possession, or responsibility for the animal.) An "owner" shall be presumed to have ultimate responsibility for the physical control of the animal and may divest himself of such responsibility only by the transferring of, or giving permission for, actual physical control of the animal to a legally responsible adult person of age eighteen (18) or more. Whenever such other person of the requisite age has responsibility for physical control of the animal, such person shall be the "handler". At all other times, the "owner" shall be presumed to be the "handler." (Ord. 09-21, 5-6-2009)

Harbor

Housing, feeding, or caring for someone else's pet within a person's house, yard, or premises for more than twenty-four (24) hours without the permission of the owner. (Ord. 09-21, 5-6-2009)

Health Department

The Salt Lake Valley Health Department. (Ord. 09-21, 5-6-2009)

Humane treatment

Ensuring the provision of appropriate food, shelter, human interaction, and care and of protecting any animal from danger, mistreatment, neglect, or abuse. (Ord. 09-21, 5-6-2009)

Hybrid

Any animal, however tame or docile, that is the offspring of a breeding between a domestic animal and a wild animal, a domestic animal and a hybrid, or two (2) hybrid animals. (Ord. 09-21, 5-6-2009)

[8.01.10 “I” Definitions](#)

Identification

A pet license or identification tag which is attached to the collar or harness of an animal; a microchip implanted as recommended by the manufacturer for the specific species; or a tattoo on the animal's right ear or on its inside right thigh or groin, or other livestock identification such as ear tags, brands, etc. (Ord. 09-21, 5-6-2009)

Impoundment

Taken into the custody of an animal control agency, police agency, or an agent thereof. (Ord. 09-21, 5-6-2009)

[8.01.11 “J” Definitions](#)

[8.01.12 “K” Definitions](#)

Kennel

A commercial establishment having three (3) or more animals for the purpose of boarding, breeding, letting for hire, or training for a fee. (Ord. 09-21, 5-6-2009)

8.01.13 “L” Definitions

Leash or Lead

Any chain, rope or device of sufficient strength and length used to restrain an animal. (Ord. 09-21, 5-6-2009)

Livestock

Animals commonly regarded as farm animals including but not limited to, cattle, horses, goats, llamas, ostriches, sheep, or any domestic animal or furbearer raised and kept for profit.

8.01.14 “M” Definitions

8.01.15 “N” Definitions

Nuisance

Any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or humans, or substantially interfere with humans', other than their owner's, enjoyment of life or property, or as defined in chapter 8.07 of this Title. (Ord. 09-21, 5-6-2009)

8.01.16 “O” Definitions

On-site impound

To place an animal under seizure by police department personnel, animal services personnel, or an agent thereof, on a property other than an animal services sheltering facility pending transportation or court seizure order. (Ord. 09-21, 5-6-2009)

On-site redemption

To return an impounded animal to the owner or caretaker prior to transportation to the sheltering facility upon collection of all applicable impound and/or license fees. (Ord. 09-21, 5-6-2009)

Overwork

To work or exercise any animal to a point of physical harm. (Ord. 09-21, 5-6-2009)

Owner

Any person, partnership, or corporation keeping, possessing, maintaining, having an ownership interest in, or having control or custody of an animal. (Ord. 09-21, 5-6-2009)

8.01.17 “P” Definitions

Performing Animal Exhibition

Any spectacle, display, act, or event in which animals are used to provide a performance whether a fee is charged or not. (Ord. 09-21, 5-6-2009)

Person

A natural person or any legal entity including, but not limited to, a corporation, limited liability corporation, firm, partnership, or trust. (Ord. 09-21, 5-6-2009)

Pet

Non-farm animals including dogs, cats, ferrets, rodents, birds, reptiles, fish, aquatic vertebrates bred to remain in a confined body of water, and any other species of animal that is sold or retained as a household pet (noncommercial), not including livestock, bees, skunks, nonhuman primates, and other species of wild, exotic, or carnivorous animals.

Pet shop

Any commercial establishment properly licensed to maintain, keep or display dogs, cats, birds, or other household pets for sale. Pet shop does not include government animal shelters, humane shelters as defined by statute or veterinary clinics whose major business is veterinary medicine. (Ord. 09-21, 5-6-2009)

Protective custody

Seizing or receiving an animal into the care of the division, the animal services, or an authorized agent or representative thereof, in order to hold the animal as evidence of a violation of the law or to protect the animal(s) from further threat or danger. (Ord. 09-21, 5-6-2009)

Provoke

Any deliberate act by a person toward an animal done with the intent to tease, torment, abuse, assault, or otherwise cause a reaction by the animal; provided the act is not reasonably done with the intent to discourage or prevent attack. (Ord. 09-21, 5-6-2009)

Public place

Any location which is accessible to members of the general public, where members of the public gather, engage in business, or have free access. (Ord. 09-21, 5-6-2009)

[8.01.18 “Q” Definitions](#)

Quarantine

The isolation of an animal in an enclosure so that the animal cannot have physical contact with other animals or persons without recognized authority to be near or about the quarantined animal. (Ord. 09-21, 5-6-2009)

[8.01.19 “R” Definitions](#)

Restraint

Any animal under the control of its owner or person over the age of twelve (12) years having charge, care, custody or control of the animal, by means of: a) a leash or lead not to exceed six feet (6') in length, b) other physical enclosure, or c) within the real property limits of the owner.

Riding school or stable

An establishment which offers boarding and/or riding instruction for any horse, pony, donkey, mule, or burro, or which offers the use of such animals for hire. (Ord. 09-21, 5-6-2009)

[8.01.20 “S” Definitions](#)

Set

To cock, open or put a trap in such a condition that it would close when an object, animal, or person touches a triggering device. (Ord. 09-21, 5-6-2009)

Shelter

A structure which is substantial in construction and provides protection from moisture, wind, and other factors of weather, and is of a size appropriate to the particular animal to ensure retention of body heat within the enclosure. Any shelter shall be maintained to ensure a clean, dry, healthy environment for the animal being housed. (Ord. 09-21, 5-6-2009)

Species subject to rabies

Any species that has been reported to the Health Department or the Centers for Disease Control and Prevention to have contracted the rabies virus and become a host for that virus. (Ord. 09-21, 5-6-2009)

Stray

Any animal at large, abandoned, or that has no handler or owner, as defined in this chapter.

[8.01.21 “T” Definitions](#)

Trap

An apparatus designed to come together with force so as to clamp or close upon an animal, person, or object when the spring or triggering device is activated. (Ord. 09-21, 5-6-2009)

[8.01.22 “U” Definitions](#)

[8.01.23 “V” Definitions](#)

Veterinarian

Any person properly licensed under the laws of the State of Utah to practice veterinary medicine. (Ord. 09-21, 5-6-2009)

Veterinarian hospital

Any establishment operated by a licensed veterinarian for surgery, diagnosis, and treatment of disease and injuries to animals. (Ord. 09-21, 5-6-2009)

[8.01.24 “W” Definitions](#)

Wild animal

Any animal of a species that in its natural life is usually untamed and undomesticated, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated for rabies. These animals include, but are not limited to:

- A. Alligators and crocodiles;
- B. Bears (Ursidae). All bears, including grizzly bears, brown bears, black bears, etc.;
- C. Cat family (Felidae). All except the commonly accepted domesticated cats, including cheetah, leopard, lion, lynx, panther, mountain lion, tiger, wildcat, etc.;
- E. Dog family (Canidae). All except domesticated dogs, including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.;
- G. Porcupine (Erethizontidae);
- H. Primate (Hominidae). All nonhuman primates;
- I. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ring-tailed cat, etc.;
- J. Skunks;
- K. Venomous fish and piranha;
- L. Venomous snakes or lizards;
- M. Weasels (Mustelidae). All including martens, wolverines, black footed ferrets, badgers, otters, ermine, mink, mongoose, etc.

For the purpose of this section, animals that are kept commercially or ranched shall not be wild animals. (Ord. 09-21, 5-6-2009)

Working day

Any day the West Valley City animal services sheltering facility is open to the general public. (Ord. 09-21, 5-6-2009)

Worry

To harass or intimidate by barking or baring of teeth, growling, biting, shaking or tearing with the teeth; or approaching any person in an apparent attitude of attack or any aggressive behavior which would cause a reasonable person to feel they were in danger of immediate physical attack. (Ord. 09-21, 5-6-2009)

8.01.25 "X" Definitions

8.01.26 "Y" Definitions

8.01.27 "Z" Definitions

Zoological park

Any facility properly and lawfully licensed by applicable federal, state, or local law, for displaying or exhibiting one or more species of non-domesticated animals. (Ord. 09-21, 5-6-2009)

CHAPTER 8.02 ADMINISTRATION

SECTION:

8.02.01: Enforcement Authority

8.02.02: Provider; Powers And Duties

8.02.03: Animal Control Officers; Powers And Duties

8.02.04: Right Of Entry For Enforcement

8.02.05: Interfering With Officers Prohibited

8.02.06: Rules and Regulations

8.02.07: Animal Fees

8.02.01: ENFORCEMENT AUTHORITY:

The division, or other agent designated by the City, or any police officer, is hereby authorized and empowered to enforce this Title and to apprehend, transport, and impound any animal found in violation of this Title, including, but not limited to, licensable animals for which no license has been procured in accordance with this Title or any licensed or unlicensed animals for any other violation thereof, and to issue criminal citations. (Ord. 09-21, 5-6-2009)

8.02.02: PROVIDER; POWERS AND DUTIES:

The division, or other agent designated by the City, or any police officer, shall:

- A. Enforce this Title and perform other responsibilities inherent thereto;
- B. Supervise the animal shelter(s) under its jurisdiction;
- C. Keep records of all animals impounded in said shelter(s);
- D. Keep accounts of all monies collected and received in accordance with governing law; and
- E. Establish rules and regulations for the training of all persons hired as animal control officers to assure professional conduct of said persons and compliance with governing law. (Ord. 09-21, 5-6-2009)

8.02.03: ANIMAL CONTROL OFFICERS; POWERS AND DUTIES:

Each animal control officer shall be authorized to enforce this Title in all respects pertaining to animal control within the City including, but not limited to, the apprehension, transport, and impoundment of animals found to warrant such action; the care of animals; the prevention of cruelty to animals; the administrative code enforcement

hearing program established by Title 18 of this code; and the issuance of criminal citations. Animal control officers shall further carry out all lawful duties prescribed or delegated by the City by contract or otherwise. (Ord. 13-37, 12-18-2013)

8.02.04: RIGHT OF ENTRY FOR ENFORCEMENT:

In the enforcement of this Title, each animal control officer is authorized to enter into the open premises of any person to secure or take possession of any animal which is reasonably deemed by said officer to, in the presence of said officer or official, be in violation of this Title and issue criminal citations for violations of this Title to the owner or handler of said animal. (Ord. 09-21, 5-6-2009)

8.02.05: INTERFERING WITH OFFICERS PROHIBITED:

It is unlawful for any person to knowingly and intentionally interfere with any animal control officer in the lawful discharge of his duties as prescribed in this Title. For the purpose of this section, interfering with animal control officers shall include, but not be limited to, failing to hand over to or release to an officer an identifiable animal which has been pursued but not captured by said officer, failing to make payment of agreed upon fees, and knowingly and intentionally failing to comply with an abatement order lawfully issued by the City or the division. (Ord. 09-21, 5-6-2009)

8.02.06: RULES AND REGULATIONS:

A. From time to time, the director may, upon resolution by the City Council, adopt rules and regulations governing the operation of animal related establishments and uses.

B. Such rules and regulations may provide for:

1. The type of structures, buildings, pens, cages, runways, or yards required for the animals sought to be kept, harbored, or confined on such premises;
2. The manner in which food, water, and sanitation facilities will be provided to such animals;
3. Measures relating to the health and care of such animals, the control of odors, noise, and the protection of persons or property on adjacent premises; or
4. Such other matters as the City shall deem necessary.

C. Such rules and regulations shall, upon publication and following adoption by the City, have the effect of law, and violation of such rules and regulations shall be deemed a violation of this Title and grounds for revocation of a permit issued by the City. Copies of the rules and regulations, when adopted, shall be filed for public inspection in the office of the City Recorder and of the director. (Ord. 09-21, 5-6-2009)

8.02.07: ANIMAL FEES

Fees shall be stated in the Consolidated Fee Schedule, which is adopted annually by the City Council.

Certain fees which are collected only by a contract provider for given services are likewise indicated in the Consolidated Fee Schedule but may not specify a dollar amount.

CHAPTER 8.03 ENFORCEMENT AND PENALTIES

SECTION:

8.03.01: Violation Of Title; Penalties

8.03.02: Issuance Of Citations

8.03.03: Pick Up Orders

8.03.04: Director Conference

8.03.01: VIOLATION OF TITLE; PENALTIES:

Except for violation of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title, this Title may be enforced through the administrative code enforcement hearing program established by Title 18 of this code or by filing a civil action in the district court. Violations of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title may be enforced through the administrative code enforcement hearing program established by Title 18 of this code by filing a civil or

criminal action in the district court or criminal action in the justice court. Notwithstanding anything to the contrary, the City has sole discretion to decide whether to pursue or file a civil or criminal case for any violations. The possibility of an administrative remedy pursuant to Title 18 of this code shall in no way interfere with the City's right to prosecute violations of this Title as criminal action. If the City chooses to file both civil and criminal charges for the same violation, no civil penalty may be assessed, but all other remedies are available. The correction period set forth in section 18.04.030 of this code may be waived by the animal control officer, and an administrative citation penalty according to the adopted Consolidated Fee Schedule shall be assessed.

8.03.02: ISSUANCE OF CITATIONS:

An animal control officer is authorized to issue a criminal citation to any person upon a charge of violating any of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title. The form of the citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of applicable law. (Ord. 14-04, 3-19-2014)

8.03.03: PICK UP ORDERS:

The director may petition the court for a "pick up order" for an animal within the premises of and/or under the control of a person who is in violation of this Title. This section may be used for, but is not limited to, picking up of animals pursued but not captured by an animal control officer, nuisance animals, or for any other violation of this Title. (Ord. 13-37, 12-18-2013)

CHAPTER 8.04 PERMITS

SECTION:

- 8.04.01: Regulatory Authority of Division
- 8.04.02: Permit Procedures and Requirements
- 8.04.03: Establishments; Inspections and Reports
- 8.04.04: Unlawful Activities; Notice Requirements
- 8.04.05: Permits; Suspension or Revocation; Grounds
- 8.04.06: Permits; Suspension or Revocation; Procedure
- 8.04.07: Emergency Suspension of Permits
- 8.04.08: Notice of Suspension of Permits; Service Procedure
- 8.04.09: Commercial Animal Establishments
- 8.04.10: Requirements for Animal Exhibitions
- 8.04.11: Guard Dog Permit
- 8.04.12: Fancier's Permit
- 8.04.13: Hobby Permit
- 8.04.14: Foster Animal Foster
- 8.04.15: Exotic Animal Permit
- 8.04.16: Dangerous Animal Permit
- 8.04.17: Residential Fowl Permit
- 8.04.18: Exemptions

8.04.01: REGULATORY AUTHORITY OF DIVISION:

The director shall have the authority to promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this Title and other applicable laws. Such regulations may be amended from time to time as deemed desirable for public health and

welfare and for the protection of animals. Regulations promulgated under this delegation of authority shall not extend the power of the director or the division beyond that reasonably necessary to carry out the requirements of this Title. (Ord. 09-21, 5-6-2009)

8.04.02: PERMIT PROCEDURES AND REQUIREMENTS:

- A. All applications for permits shall be submitted to the director on a form provided by the director.
- B. Upon submission of an application, the director shall verify with the health department, appropriate zoning authority, and appropriate business licensing division that the applicant is in compliance with applicable rules, regulations, ordinances and laws.
- C. Applications must be accompanied by the applicable fee in accordance with the adopted Consolidated Fee Schedule.
- D. Permits issued pursuant to this chapter are nontransferable from one location or owner to another.
- E. A commercial animal establishment or shelter shall obtain a permit or license issued in accordance with this chapter. Such permit or license shall be posted in a conspicuous place of the establishment or shelter.
- F. A permit issued pursuant to this chapter shall expire one (1) year after it is issued by the director. Renewal applications are available thirty (30) days prior to the expiration date of the current permit and must be accompanied by the applicable fee in accordance with the adopted Consolidated Fee Schedule.
- G. Late applications for the permits required by this chapter shall be subject to the late fee set forth in the adopted Consolidated Fee Schedule.

8.04.03: INSPECTIONS AND REPORTS:

Any person or establishment required to have a permit or business license for a commercial animal establishment shall be subject to periodic inspections, and the inspector shall make a report of such inspection, which shall be given to the establishment and shall be filed with the director. When the inspector finds a violation, the inspection form shall:

- A. Set forth the specific violation(s) found;
- B. Establish a specific and reasonable period of time for correction of the violation(s) found;
- C. State that failure to comply in the specified period of time with any notice issued in accordance with the provisions of this section. Failure to comply may result in immediate suspension of the permit and/or issuance of a citation; and
- D. State that an opportunity for a director conference upon any grievance the owner or operator may have concerning the inspection findings and corrections ordered by the animal control officer may be held according to the provisions of section 8.03.04 of this Title. (Ord. 09-21, 5-6-2009)

8.04.04: UNLAWFUL ACTIVITIES; NOTICE REQUIREMENTS:

If an inspection of kennels, catteries, animal grooming parlors, pet shops, riding stables, similar establishments, or the premises of the holder of a permit reveals a violation of this Title, the inspector shall notify the permit holder or operator of such violation as provided in section 8.04.03 of this chapter and/or issue a citation. (Ord. 09-21, 5-6-2009)

8.04.05: PERMITS; SUSPENSION OR REVOCATION; GROUNDS:

A permit or license may be suspended or revoked or a permit application rejected on any one (1) or more of the following grounds:

- A. Falsification of facts in a permit application;
- B. Material change in the conditions upon which the permit was granted; (Ord. 09-21, 5-6-2009)
- C. Violation of any provisions of this Title or any other law or regulation governing the permittee's establishment, including, but not limited to, noise and/or building and land use ordinances; or (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)

D. Conviction on a charge of cruelty to animals. (Ord. 09-21, 5-6-2009)

E. Notwithstanding any other provisions of this Title, if an inspecting officer finds unsanitary or other conditions in the operation of commercial animal establishments or premises of the holder of a permit obtained under this Title, which in the inspector's sole judgment constitute an immediate and substantial hazard to public health or the health and safety of any animal, they may order the immediate seizure of any animals whose health and safety are at risk and order the owner or operator of the establishment to immediately cease operations. It shall be unlawful for any person to whom such an order is given to fail to obey the same. Any animals seized under this section shall be impounded or otherwise cared for as the director deems necessary.

8.04.06: PERMITS; SUSPENSION OR REVOCATION; PROCEDURE:

- D. Any permit granted under this Title may be suspended or revoked by the division for violations of any of the requirements of this Title.
- E. A permittee aggrieved by the suspension or revocation of a permit may file a written petition with the director within twenty (20) days of the director's decision for review of said grievance.
 - c. Upon consideration of said grievance and upon good cause showing, the director may, at the director's sole discretion, uphold or modify the suspension or revocation, or reinstate the permit.
 - d. A permittee aggrieved by a decision of the director may file a written petition with the mayor or a person appointed by the mayor with the advice and consent of the City Council within twenty (20) days of the director's decision for review of said grievance. Upon consideration of said petition and upon good cause shown, the mayor or a person appointed by the mayor as provided herein may uphold or modify the suspension or revocation or reinstate the permit.
- F. A new permit shall not be issued to any person whose prior permit was suspended or revoked by the division until the applicant has satisfied the director that they have the means and the will to comply with the requirements of this Title in the future. An application for another permit must comply with the requirements for an application for an initial permit, including application fee. (Ord. 09-21, 5-6-2009)

8.04.07: NOTICE OF SUSPENSION OF PERMITS; SERVICE PROCEDURES:

Notice shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the director. (Ord. 09-21, 5-6-2009)

8.04.08: COMMERCIAL ANIMAL ESTABLISHMENTS; REQUIREMENTS:

It is unlawful for any person to operate or maintain a commercial holding facility or any similar establishment unless such person first obtains an inspection conducted by the division which verifies compliance with the regulations in this Title and any other required licenses. Such establishment shall be required to obtain a business license from the Community Development Department.

In addition to obtaining the permit required by this chapter, all commercial animal establishments within the City shall comply with all zoning requirements and shall:

- K. Be operated in such a manner as not to constitute a nuisance;
- L. Provide an isolation area for boarded animals which are sick or diseased, sufficiently removed so as not to endanger the health of other animals;
- M. Retain for a period of one (1) year the name, address and telephone number of the owner and license number of each dog or cat boarded;
- N. Retain for a period of three (3) years the name and address of each person selling, trading or giving any animal to the commercial animal establishment;
- O. Keep all boarded animals caged or under control of the owner or operator of the establishment;

- P. Care for all animals in the establishment, whether or not owned by the establishment, and comply with all the requirements of this Title for the general care of animals;
- Q. If applicable, not sell animals which are un-weaned or so young or weak that their sale poses a serious risk of death or inadequate development to the animal;
- R. If applicable, provide the purchaser of an animal with written instructions as to the proper care and control of that species; (Ord. 09-21, 5-6-2009)
- S. Comply with all applicable federal, state and local laws and all regulations respecting that specific commercial animal establishment which are adopted by the City and in effect from time to time; and
- T. Supply the purchaser, residing in the licensing authority of this Title, of any dog, cat or ferret with an application for animal license, the form of which is prescribed by the City. (Ord. 09-21, 5-6-2009)

8.04.09: REQUIREMENTS FOR ANIMAL EXHIBITIONS:

A. It shall be unlawful for any person to own, operate, sponsor or conduct an animal exhibition within the City without first obtaining a mass gathering permit and, if required, a temporary business license permit issued by the City.

B. No animal exhibition shall occur within the City in which any animal is exhibited, paraded or allowed to participate in a contest:

- 1. Under conditions which cause physical injury to such animal;
- 2. Under conditions that place spectators at risk of being harmed; or
- 3. Unless all applicable federal, state and local laws and regulations and standards adopted by reputable, nationally recognized associations organized for the operation of such exhibitions and City standards complied with by the operator of the exhibition.

C. A person owning, operating or sponsoring an animal exhibition within the City without first obtaining the permit therefor required by this chapter shall be guilty of a class B misdemeanor. Each day of violation of this section shall be a separate offense. The City may also seek to obtain an injunction against an animal exhibition through a court with jurisdiction over the matter.

D. The application for an animal exhibition permit required by this section shall:

- 1. Describe the type of exhibition or contest and the kind and number of animals to be on exhibition or involved in the contest and list the sites and dates of the event(s); and
- 2. Contain such other information as may be required under regulations established by the director and include a sworn statement by the applicant that the provisions of this Title pertaining to animal exhibitions will be complied with at all times.

E. No permit required by this section shall be issued until the applicant completes the application form, pays the applicable fees as set forth in the adopted Consolidated Fee Schedule, and receives the written approval of the director of the provisions made for the safety, well-being and comfort of the animals involved.

F. Animal exhibition permits issued pursuant to this section shall be effective only for the period specified in the permit, which period shall not exceed thirty (30) days.

G. A permit issued pursuant to this section shall not be transferable.

H. A permit issued pursuant to this section shall be displayed prominently at the site of the animal exhibition.

I. The City may waive the permit fee for an animal exhibition that is sponsored by a bona fide nonprofit organization, a governmental entity, or a school if the purpose is a City public purpose or a charitable purpose.

J. Animal exhibitions permitted under this section shall provide immediate access to animal control officers, health department agents, and/or Utah state officials for the purpose of compliance inspections. (Ord. 09-21, 5-6-2009)

8.04.10: GUARD DOG PERMIT:

A. It shall be unlawful for any person to own a guard dog without first obtaining a guard dog permit as provided hereafter. It shall be unlawful for any person to hire the use of a guard dog that has not been issued a guard dog permit.

B. A permit required by this section shall be obtained from the division. The application shall set forth the type of dog, the site(s) where said dog shall be used, the hours of use of said dog, and any other information the director deems appropriate.

C. Permits are not transferable from one owner to another or from one location to another.

D. On the premises where a guard dog is used, conspicuous warning signs shall be posted at each door or gate that gives access to the guard dog and shall contain the following wording: "Warning: A guard dog is guarding this property. Entry herein may cause said dog to attack your person and cause significant injury, even death. To reach the handler for said dog, call (enter telephone number)." The telephone number contained in the warning required by this subsection must provide a twenty-four (24) hour per day access to the guard dog's owner or handler.

E. A guard dog shall not be allowed to become a nuisance.

F. A guard dog shall, in addition to licensing, be microchipped and the microchip number shall be registered with the division. The license shall be attached to a one inch (1") wide red or orange collar with the word "Danger" written or embroidered in black lettering three-fourths inch (3/4") in height. The collar must be on the dog at all times.

G. Any person violating any provision of this section shall be guilty of a class B misdemeanor. Each day a guard dog is deployed for use by any person for the detection of intruders and/or protection of premises in violation of any provision of this section shall be deemed a separate offense. (Ord. 09-21, 5-6-2009)

8.04.11: FANCIER'S PERMIT:

A. Owners of purebred cats or dogs may apply for a fancier permit to keep more than three (3) of any one (1) species, but no more than five (5) total in any combination of dogs, cats, pot-bellied pigs, or ferrets in a residential area, provided:

1. Such pets are individually licensed;
2. Such pets are registered with a national registry such as, but not limited to, the AKC, UKC or Field Dog;
3. The owner is in compliance with zoning requirements, health department requirements, and division requirements;
4. Approval is granted by the health department and the director;
5. Adequate areas for shelter and confinement are provided; and
10. All other provisions of this Title are complied with;
11. No pet or premises is deemed to be a nuisance; and
12. The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one (1) dwelling unit; and
13. Any other animals subject to licensing according to this Title, without purebred certification, and residing at the home shall be listed on the application and meet the requirements for licensing and sterilization as outlined in 8.04.12.

B. The holder of a permit issued under this section may keep one litter intact until the animals reach five (5) months of age; one animal from the litter may be retained until it reaches twelve (12) months of age. At no time may the holder of a permit retain more animals than is indicated on the permit. (Ord. 09-21, 5-6-2009)

8.04.12: HOBBY PERMIT:

- B. Owners of dogs, cats, pot-bellied pigs, and ferrets may obtain a permit to keep more than three (3) of any one (1) species, but no more than five (5) total in any combination, provided:
1. Such pets are individually licensed;
 2. Such pets are rendered sterile;
 3. The owner is in compliance with zoning requirements, health department requirements, and division requirements;
 4. Approval is granted by the health department and the director;
 5. Adequate areas for confinement and shelter are provided; and
 6. The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one (1) dwelling unit; and
 7. Other provisions of this Title are complied with; and
 8. No pet or premises is deemed to be a nuisance. (Ord. 09-21, 5-6-2009)

8.04.13: FOSTER ANIMAL PERMITS:

A. A person may obtain a foster permit to foster up to five (5) dogs, cats, pot-bellied pigs, or ferrets in any combination, provided

10. Such pets are the property of a local public animal shelter or a section 501(c)(3), Internal Revenue Code, animal welfare organization;
11. Such pets are awaiting adoption;
12. The fostering person is in compliance with zoning requirements, health department requirements, and division requirements;
13. Approval is granted by the health department and the director;
14. Adequate areas for confinement and shelter are provided; and
15. The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one dwelling unit; and
16. Animals subject to licensing that reside at the home for longer than thirty (30) days shall count towards the total number of allowed animals and be subject to the licensing and sterilizations requirements listed in 8.04.12; and
17. Other provisions of this Title are complied with; and
18. No pet or premises is deemed to be a nuisance.

8.04.14: EXOTIC ANIMAL PERMIT:

It is unlawful for any person to own or keep an exotic animal without a permit. Unless prohibited by land use or other ordinances or laws, any person 18 years or older may obtain an exotic animal permit upon: (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)

- A. Demonstrating sufficient knowledge of the species to provide adequate care;
- B. Presenting proof of adequate caging appropriate for the species;
- C. Presenting proof that the animal poses no threat to the health and safety of the community in the event that the animal should escape; and
- D. Presenting proof of required state or federal permits, if any.

The director may consult with a review board comprised of federal, state and local public health authorities in considering a request for an exotic animal permit.

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he/she has adequate knowledge of a species to provide for its basic needs to maintain the animal's health and welfare. The director may consider the person's experience, education, apprenticeship or by examination administered by the director when determining that a person has sufficient knowledge of a species. (Ord. 09-21, 5-6-2009)

8.04.15: DANGEROUS ANIMAL PERMIT:

It is unlawful for any person to own or keep a dangerous animal without a permit.

- 3. For the purposes of this section, a dangerous animal is any animal that:
 - a. Would constitute an unreasonable danger to human life, health, or property if not kept, maintained, or confined in a safe and secure manner;
 - b. Approaches any person in an aggressive, terrorizing, or threatening manner;
 - c. Has a known propensity, tendency, or disposition to attack unprovoked or to cause injury or otherwise endanger the safety of human beings or other animals; or
 - d. Which bites, inflicts injury, assaults, or otherwise attacks a human being or domestic animal on public or private property, except in the case of an injured animal or an animal which is deliberately provoked.
 - e. For the purpose of this Title, constrictor snakes over ten feet (10') in length shall be considered a dangerous animal,
- 4. Unless prohibited by land use or other ordinances or laws, any person over the age of eighteen (18) years of age may obtain a dangerous animal permit upon complying with applicable zoning requirements and: (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)
 - a. Demonstrating sufficient knowledge of the species so as to be an expert in the care and control of the species;
 - b. Presenting proof of adequate primary caging appropriate for the species and a sufficient secondary system of confinement so as to prevent unauthorized access to the animal and to prevent the animal's escape;
 - c. Presenting proof that adequate measures have been taken to prevent the animal from becoming a threat to the health and safety of the community;
 - d. Presenting a plan of action in the event of the animal's escape;
 - e. Presenting proof of required state or federal permits, if any; and
 - f. Presenting proof of liability insurance in an amount of at least one hundred thousand dollars (\$100,000.00), which policy shall name the City as an additional insured and shall not be subject to cancellation or other material modifications without at least thirty (30) days' prior written notice to the City.

The director may consult with a review board comprising federal, state and local public health authorities in considering a request for a dangerous animal permit;

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he has specialized knowledge of a species to provide for its basic needs to maintain the animal's health, welfare and confinement. The director may consider the person's experience, education, apprenticeship or by examination administered by the director when determining that a person has sufficient knowledge of a species. (Ord. 09-21, 5-6-2009)

8.04.16: RESIDENTIAL FOWL PERMIT:

A. Purpose: Where permitted by the land development code, persons may keep residential fowl on single-family, owner-occupied residential and agricultural lots. For the purposes in this section, the term "fowl" shall mean ducks and chickens. Such animals shall be kept in accordance with the provisions of this section:

1. Application; Obtaining Permit: It is unlawful for any person to keep any fowl without first making application for and obtaining a residential fowl permit.
2. At Large: It is unlawful for any person who is the owner, keeper, or temporary custodian of any residential fowl to allow the animal(s) to be off the premises.
3. Unsanitary Conditions: It is unlawful for any person to keep and maintain in an unclean or unsanitary condition any coop, enclosure, or other structure or area in which any fowl is kept. All droppings must be cleaned at least once a week.
4. Nuisance: It is unlawful for the owner to allow the animal(s) to be a nuisance to any neighbor including, but not limited to, creating noxious odors from the animals, their waste, coop, or related structure or generating noise of a loud and persistent nature.
5. Subject To Inspection: All places where any fowl are kept shall be subject to inspection prior to a permit being issued for cleanliness, health, and sanitation purposes by a code enforcement official, animal control officer, or representative of the Salt Lake Valley Health Department. A code enforcement official, animal control officer, or representative of the Salt Lake Valley Health Department shall also be authorized to inspect any property where the animal(s) are kept based on any complaint or observation that the requirements of this section or conditional use permit requirement are in violation.
6. Females Only: Only female fowl may be kept. No geese, turkeys, peafowl, crowing hens, or roosters may be kept. No other bird species shall be kept except as provided by this code and birds normally and generally considered household or indoor pets.
7. Accessory Buildings: Coops shall be considered accessory buildings and are subject to the area provisions of the Taylorsville land development code. Height and setback provisions shall be determined by this section but shall in no cases violate setback or height limitations of the zoning ordinance with the exception of proximity to a main structure.
8. Feed And Water Access: Fowl shall have access to feed and water at all times in an area that is protected from wild birds, rodents, and other predators. Any stored feed must be kept in a rodent and predator proof container.
9. Personal Use Only: Residential fowl shall be for personal use only. The selling of eggs or fertilizer or the breeding of fowl for commercial use is prohibited.
10. Slaughtering Prohibited: The slaughtering of fowl on the premises is prohibited.
11. Dead Birds; Rotting Eggs: Dead fowl and rotting eggs shall be removed within twenty-four (24) hours and properly disposed of.
12. Review Of Permits: All residential fowl permits are subject to review upon substantiated and unresolved complaint.
13. Enclosure Standards:
 - a. Fowl must be contained within an enclosure or fenced area at all times.
 - b. All enclosures shall have a maximum opening of two and one-half inches (2 ½").

c. Enclosures shall be contained entirely in the rear yard. Enclosures shall not be permitted in any front or side yard unless the subject property meets the requirements set forth in paragraph d.

d. The director has authority to grant exception to side or front yard restrictions provided that the application demonstrates all of the following:

(1) The subject property is an irregularly shaped parcel and rear yard is not the most suitable location for a coop and enclosure;

(2) The side or front yard area for which the exception is being requested is at least two (2) times the area of the rear yard; and

(3) A scaled site plan is submitted that demonstrates the placement of the coop and enclosure in the front or side yard can meet the following location requirements:

(a) Coop and enclosure shall not encroach into the minimum setback requirements established for the primary dwelling as outlined in the Residential Development Standards; and

(b) Coop and enclosure must meet all other standards in this ordinance including distance from neighboring, main structures, and dwelling entrances.

14. Coop Standards:

a. Fowl shall be provided a covered, predator-proof and well-ventilated coop that must be impermeable to rodents, wild birds, and predators including dogs and cats. The coop shall provide a minimum of three (3) square feet per chicken or duck and be of sufficient size to allow free movement.

b. Residential coops shall be located within or adjacent to the enclosure.

c. All coops shall be placed at least fifteen feet (15') from an entrance to any habitable structure.

d. All coops must be located at least twenty-five feet (25') from any habitable portion of a structure on a neighboring property.

e. Coops shall be maintained in good condition.

f. Coops shall be constructed such that:

(1) It is freestanding;

(2) It is easily accessible for cleaning and maintenance;

(3) It is enclosed on all sides and has a roof and door(s);

(4) Doors must be able to be closed and locked; and

(5) No coop shall exceed eight feet (8') in height.

(6) The coop shall be covered with predator and bird-proof wire with a maximum opening of one-fourth inch (1/4"). The wire shall be buried at least three inches (3") and bent outward at least another twenty-four inches (24") to prevent rodents from burrowing into the structure unless the coop is elevated off the ground at least twelve inches (12").

(7) All openings and vents shall be covered with predator and bird-proof wire with a maximum opening of one-fourth inch (1/4").

g. Coops may be relocated from time to time within the back yard provided that it remains within or adjacent to the enclosure and adheres to all setback standards.

15. Residential Fowl Permit Application Requirements:

a. Prior to the issuance of any residential fowl permit, the applicant shall submit the following information:

(1) A completed and signed application;

(2) Appropriate fee., as set forth in the City's Consolidated Fee Schedule;

(3) A site plan showing the exact location of the enclosure and coop including measured distances from all dwellings and property lines, including buildings on adjacent properties;

(4) A photograph or illustration of the proposed enclosure and coop including construction materials, height, and other dimensions; and

(5) Signed consent to an on-site inspection of all enclosures, coops and surroundings.

16. Side And Rear Setbacks:

a. Minimum rear yard: Three feet (3') minimum from any coop to any rear property line.

b. Side yard setback: Three feet (3') minimum from any coop to any side property line.

17. Maximum Number Of Fowl:

Lot Size (Square Feet)	Maximum Number Of Fowl
Lot Size (Square Feet)	Maximum Number Of Fowl
Less than 5,999	2
6,000 to 6,999	3
7,000 to 7,999	4
8,000 to 8,999	5
9,000 to 9,999	6
10,000 to 11,999	8
12,000 or more	10

(Ord. 10-07, 5-19-2010; amd. Ord. 12-15, 7-11-2012; Ord. 23-07, 6-7-2023)

8.04.17: EXEMPTIONS:

C. Research facilities where bona fide medical or related research is being conducted, or other animal establishments operated by state or local government, or which are licensed by federal law, are excluded from the permit requirements of Section 8.04.09.

D. People or organizations providing care for feral cat colonies shall be exempt from permit requirements. Custodians of such cat colonies shall:

1. Obtain permission from the owner of the property whereupon shelter and food is provided;
2. Take responsibility for feeding the cat colony regularly throughout the year, while ensuring that the feeding area(s) is secure from insect, rodent, and other vermin attraction and harborage;
3. Maintain contact with governmental agencies to ensure sterilization, vaccination, and ear tipping of all adult feral cats that can be captured; and
4. Remove droppings, spoiled food, and other waste from the premises as often as necessary and at least every seven (7) calendar days, to prevent odor, insect, or rodent attraction or breeding, or any other nuisance. (Ord. 09-21, 5-6-2009)

CHAPTER 8.05 PET LICENSING

SECTION

8.05.01: License; Required; Age And Residence Requirements For License Holder

8.05.02: License; Required; Age Of Animals

8.05.03: License; Application

8.05.04: Additional Requirements For Licensing And Keeping Ferrets

8.05.05: Veterinary Certificate

8.05.06: License; Fees; Senior Citizens

8.05.07: License; Term And Renewal

8.05.08: License; Revocation

8.05.09: License; Tag Requirements

8.05.10: License; Exemptions

8.05.11: License Vendors

8.05.12: Number Of Dogs, Cats, And Ferrets Per Residence Or Property

8.05.01: LICENSE; REQUIRED; AGE AND RESIDENCE REQUIREMENTS FOR LICENSE HOLDER:

All dogs, cats, and ferrets must be licensed each year, except as otherwise provided in this chapter, to a person eighteen (18) years old or older who has a residence or property within the City. (Ord. 09-21, 5-6-2009)

8.05.02: LICENSE; REQUIRED; AGE OF ANIMALS:

Any person owning, possessing, or harboring any dog, cat or ferret within the City shall obtain a license for such animal within thirty (30) days after the animal reaches the age of four (4) months or, in the case of a dog, cat, or ferret over four (4) months of age, within thirty (30) days of the acquisition of ownership or possession of the animal by said person. (Ord. 09-21, 5-6-2009)

8.05.03: LICENSE; APPLICATION:

License applications must be submitted to the division by utilizing a standard form which states the name, address and telephone number of the applicant; breed, sex, color, and age of the animal; previous license information, rabies and sterilization information; and the number, location, or other information applicable to a tattoo or implanted microchip of the animal. The application shall be accompanied by the prescribed license fee as outlined in the City's Consolidated Fee Schedule and by a rabies vaccination certificate current for a minimum of four (4) months beyond the date of application. A license shall not be issued for a period that exceeds the expiration date of the rabies vaccination. A licensed veterinarian shall give rabies vaccinations with a vaccine approved by the current compendium of animal rabies control. (Ord. 09-21, 5-6-2009)

8.05.04: ADDITIONAL REQUIREMENTS FOR LICENSING AND KEEPING FERRETS:

Without limiting any other requirements of this Title, those wishing to keep ferrets must adhere to the following requirements:

A. First time applicants for ferret licenses must obtain a license pursuant to Section 8.05.03 of this chapter, and shall comply with the following:

B. All ferrets must be vaccinated against rabies at least annually;

C. An identifying microchip must be implanted in each ferret and the microchip number must be included with each license application;

D. No more than two (2) adult ferrets may be kept in a household at any time and no more than one (1) litter of kits under the age of five (5) months may be kept in a household at any time;

E. All owners shall make their ferret housing facilities and the health of their ferrets open to inspection by the division at least once each year including an initial inspection upon application for a ferret license;

F. Ferrets shall be kept primarily as indoor pets and shall be housed in a cage or kennel of sufficient size and construction to allow proper space and safekeeping of the ferret. When a ferret is outside, it shall be kept on a harness with a leash not over six feet (6') in length specifically designed for ferrets; and

G. The City encourages owners to sterilize and de-scent their ferrets. (Ord. 09-21, 5-6-2009)

8.05.05: VETERINARY CERTIFICATE:

No dog, cat, or ferret shall be licensed as spayed or neutered without a veterinary certificate that such surgery has been performed. If a veterinarian opines in writing that a dog, cat, or ferret has been spayed or neutered, such written opinion may constitute a veterinary certificate. (Ord. 09-21, 5-6-2009)

8.05.06: LICENSE; FEES; SENIOR CITIZENS:

A person sixty (60) years of age or older on the date of license application may, upon proof of that person's age, obtain a senior citizen dog, cat, or ferret license:

- D. For an unsterilized animal for an annual fee as set forth in the adopted .Consolidated Fee Schedule..
- E. For the life of a spayed or neutered animal for a onetime fee as set forth in the adopted Consolidated Fee Schedule. Such licenses shall be renewed annually without fee thereafter.
- F. This section shall not be construed to relieve any person from meeting all licensing requirements not specifically exempted, including late fees and required vaccinations, nor is any license issued hereunder transferable to any other animal or owner other than that for which the license was issued. (Ord. 09-21, 5-6-2009)

8.05.07: LICENSE; TERM AND RENEWAL:

The license shall be issued for one (1) year and shall be effective from (1) the date of purchase through the end of the same month of the expiration year as the month in which the license is purchased, or (2) at the end of the rabies vaccination period current for the animal at the time the license is obtained, whichever date occurs first. Renewals must be obtained prior to the expiration of the immediately preceding license. Applications for renewals made after the expiration of the immediately preceding license must be accompanied by a late fee in accordance with the adopted Consolidated Fee Schedule.

8.05.08: LICENSE; REVOCATION:

If the owner of any dog, cat, or ferret is found to be in violation of this Title on three (3) or more different occasions, within a twelve (12) month period, the director may seek a court order pursuant to chapter 8.03 of this Title, revoking for a period of one (1) year any and all license(s) such person may possess, and providing for the division to pick up and impound any animal kept by the person under such order. Any animal impounded pursuant to such an order shall be dealt with in accordance with the provisions of this Title for impounded animals, except that the person under the order of revocation shall not be allowed to redeem such animal, as provided in this Title, unless successfully making reapplication of the license with the director. Persons seeking reapplication of said license must comply with conditions as set forth by the director that may include, but are not limited to, sterilization of the animal(s), enclosure requirements, and confinement conditions. (Ord. 09-21, 5-6-2009)

8.05.09: LICENSE; TAG REQUIREMENTS:

A. Upon payment of the license fee, the director shall issue to the owner a receipt and a tag for each pet licensed. The tag shall have stamped thereon the license number corresponding with the tag number on the receipt. The owner shall attach the tag to the collar or harness of the animal and see that the animal constantly wears the collar and tag. Failure to attach the tag as provided shall be a violation of this Title, except that dogs or cats which are kept for show purposes are exempt from wearing the collar and tag while participating in an animal exhibition.

B. Tags are not transferable from one animal to another or from one owner to another. No refunds shall be made on any dog, cat, or ferret license fee for any reason whatsoever. Replacement for lost or destroyed tags shall be allowed upon payment to the division of the replacement tag fee set forth in the adopted .Consolidated Fee Schedule.

C. Any person who removes or causes the removal of the collar, harness, or tag from any licensed dog, cat, or ferret without the consent of the owner or keeper thereof, except a licensed veterinarian or animal control officer who removes such for medical or other reasons, shall be in violation of this Title.

D. Owners may have an identifying microchip implanted in their animals. If owners take such action, they may be exempt from the requirement that such animals wear identifying tags at all times while on the owner's premises, provided that the microchip information has been registered with the division. Owners shall assume the risk of the loss or destruction of an unrestrained animal whose microchip either cannot be located after a reasonable search or owner information cannot be found after a reasonable records search.

E. It is the responsibility of any vendor of microchips to provide information to the division as to the identification of the owner of an animal that has been microchipped by said vendor. (Ord. 09-21, 5-6-2009)

8.05.10: LICENSE; EXEMPTIONS:

A. The provisions of sections 8.05.01 through 8.05.09 of this chapter shall not apply in the following circumstances:

1. The dog, cat, or ferret is properly licensed in another jurisdiction and the owner thereof is within the City temporarily, for a period not to exceed thirty (30) consecutive days. If the owner shall be within the City temporarily, but for a period longer than thirty (30) consecutive days, he may transfer the dog, cat, or ferret license to the local license required by this chapter by payment of the applicable fee set forth in the adopted Consolidated Fee Schedule and upon presenting proof of a current rabies vaccination for the animal; and

2. Individual dogs, cats, or ferrets housed within a properly permitted facility or other such establishment when such animals are held for resale for a period not to exceed twelve (12) months.

B. The licensing provisions of sections 8.05.01 through 8.05.09 of this chapter shall not apply to:

1. Seeing eye dogs trained to assist blind persons if such dogs are actually used by blind persons to assist them in moving from place to place;

2. Hearing dogs trained and certified to assist deaf persons to aid them in responding to sounds and in use for that purpose;

3. Assistance dogs trained and certified to assist persons with a physical disability and in use for that purpose; or

4. Dogs trained to assist officials of government agencies in the performance of their duties and which are owned by such agencies.

E. Feral cats are exempt from licensing requirements required by this section.

F. Nothing in this section shall be construed so as to exempt any dog, cat, or ferret located within the City from having a current rabies vaccination. (Ord. 09-21, 5-6-2009)

8.05.11: LICENSE VENDORS:

The director may contract with veterinary hospitals, veterinarians, pet shops, animal grooming parlors, and similar institutions or individuals for the issuance of license application forms. (Ord. 09-21, 5-6-2009)

CHAPTER 8.06 RABIES CONTROL

SECTION:

8.06.01: Dog, Cat And Ferret Rabies Vaccination Requirements

8.06.02: Rabies Vaccination; When Valid

8.06.03: Rabies Vaccination; Veterinarian Duties; Certification And Tags

8.06.04: Impoundment Of Animals Without Valid Vaccination Tags

8.06.05: Rabid Animal Reports

8.06.06: Animals Exposed To Rabies

8.06.07: Management Of Animals That Bite Humans

8.06.08: Management Of Animals That Bite Other Animals

8.06.01: DOG, CAT AND FERRET RABIES VACCINATION REQUIREMENTS:

A. The owner or person having charge, care, custody, and control of a ferret, cat, or dog four (4) months of age or older shall have such animal vaccinated against rabies and shall thereafter ensure that said animal is revaccinated as often as is required to maintain the animal in a current rabies vaccination status. Any person permitting any animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for the vaccinations of the animal. Unvaccinated ferrets, dogs, or cats over four (4) months of age acquired by the owner or moved into the jurisdiction must be vaccinated within thirty (30) days of acquisition or arrival. Every dog, cat, and ferret shall have a current rabies vaccination with a rabies vaccine approved by the current compendium of animal rabies control.

B. Veterinarians, cattery, and kennel operators shall be responsible for determining that dogs, cats and ferrets are currently vaccinated for rabies prior to accepting the animal from their owners or caretakers for temporary housing on their premises.

C. The provisions of this section shall not apply to a veterinarian providing emergency medical care to a sick or injured animal. (Ord. 09-21, 5-6-2009)

8.06.02: RABIES VACCINATION; WHEN VALID:

A. Animals that have had a valid vaccination for rabies shall not be considered to have a current vaccine until thirty (30) days following the first vaccination and shall be considered unvaccinated the day following the expiration of the last documented valid vaccination.

B. For the purpose of management of bite cases an owner may, within the six (6) months of expiration of the last vaccine, submit proof of protection against rabies. Such proof shall be in the form of a written statement from a veterinarian based upon a blood titer paid for by the owner, drawn after the bite, and prior to, or within ten (10) days of, any revaccination. (Ord. 09-21, 5-6-2009)

8.06.03: RABIES VACCINATION; VETERINARIAN DUTIES; CERTIFICATION AND TAGS:

A. It shall be the duty of each veterinarian, when vaccinating any animal for rabies, to complete a certificate of rabies vaccination, in duplicate, which includes the following information:

1. Owner's name and address;
2. Description of the animal (breed, sex, markings, age, name);
3. Date of vaccination;
4. Vaccination expiration date;
5. Rabies vaccination tag number;
6. Type of rabies vaccine administered; and
7. Manufacturer's serial number of vaccine.

B. A copy of the certificate shall be distributed to the owner and the original certificate shall be retained by the issuing veterinarian. The veterinarian and the owner shall retain their respective copies of the certificate for the interval between vaccinations specified in this chapter.

C. Additionally, a metal or durable plastic rabies vaccination tag, serially numbered, may be securely attached to the collar or harness of the animal. An animal discovered in public view and not wearing a rabies tag or current license tag shall be deemed to be unvaccinated and may be impounded or seized in accordance with law and dealt with pursuant to this Title. (Ord. 09-21, 5-6-2009)

8.06.04: IMPOUNDMENT OF ANIMALS WITHOUT VALID VACCINATION TAGS:

A. Any vaccinated animal impounded because of a lack of a rabies vaccination tag may be reclaimed by its owner upon the owner furnishing a valid rabies certificate including the animal's description and payment of all fees attributable to said animal's apprehension and impoundment accrued up to the date of release.

B. Any unvaccinated animal may be reclaimed by its owner prior to disposal of said animal under the procedures set forth hereafter in Section 8.08.04 of this Title by payment of all fees attributable to said animal's apprehension and impoundment and by the owner posting a rabies deposit as specified in the adopted Consolidated Fee Schedule. Said deposit may be recovered by owner upon showing proof of rabies vaccination within seventy-two (72) hours of release.

C. Any animal not reclaimed prior to the period specified in Section 8.08.05 of this Title shall be disposed of pursuant to that section. (Ord. 09-21, 5-6-2009)

8.06.05: RABID ANIMAL REPORTS:

A. Any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies and any person having knowledge of an animal or person bitten by a wild or domestic mammal or bat shall report such knowledge and all pertinent information to the director and the health department. Any person having custody of such animal shall confine the animal pending direction from the director or the health department.

B. It shall be unlawful for any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies, or of an animal or person bitten by such an animal, to harbor, protect, or otherwise interfere with the apprehension or identification of said animal or person(s) by willfully withholding such knowledge from an animal control officer or any other officer of the City, the division, the health department or the Utah State Department of Health.

C. It shall be a violation of this Title for an owner, or other person having the care, custody, and control of an animal known, suspected, or deemed to have been exposed to rabies as set forth in this section to fail to surrender said animal immediately upon demand by any animal control officer or officer of the City, the division, the health department or the Utah State Department of Health. (Ord. 09-21, 5-6-2009)

8.06.06: ANIMALS EXPOSED TO RABIES:

Any animal potentially exposed to the rabies virus by a wild or domestic mammal or a bat shall be regarded as having been exposed to rabies pending successful completion of testing and/or quarantine of the biting animal.

A. Unvaccinated dogs, cats, and ferrets exposed to a rabid animal shall be euthanized immediately. If the owner is unwilling to have this done, the animal shall be placed in quarantine for up to six (6) months in a location agreeable to the director and monitored by a veterinarian, at the owner's expense, and vaccinated one (1) month before being released.

B. Dogs, cats, and ferrets that are currently vaccinated shall be revaccinated immediately, kept under the owner's control, and observed for forty-five (45) days.

C. Livestock shall be handled as per the current compendium of animal rabies control. (Ord. 09-21, 5-6-2009)

8.06.07: MANAGEMENT OF ANIMALS THAT BITE HUMANS:

A. An apparently healthy dog, cat, or ferret that bites a person shall be quarantined and the following provisions shall apply:

1. The animal shall be observed for a period of not less than ten (10) days by the division and/or the health department, and the owner of the animal shall be responsible for the cost of such quarantine;

2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite is inflicted;

3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the director and the division if the animal shows any signs of sickness or abnormal behavior or if the animal escapes from quarantine;

4. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the City, the division, the health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine;

5. If the quarantined animal dies within ten (10) days from the date of the bite for which the animal was quarantined, the person having custody of said animal shall immediately notify the director and the division of such fact and immediately deliver the animal to that person's veterinarian or the division for the removal and delivery of the head of said animal to a laboratory specified by the Utah State Department of Health for examination for rabies;

6. At the end of the quarantine period, the director or designee shall examine the quarantined animal and if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in section 8.08.05 of this Title;

7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested; and

8. Any stray or unwanted dog, cat, or ferret that bites a person may be euthanized immediately and submitted for rabies examination if an immediate examination is determined necessary by the director or the health department.

B. Animals other than dogs, cats, or ferrets that might have exposed a person to rabies shall be reported immediately to the director and the health department. Case management shall be a collaborative effort between the health department and the division.

C. If any animal bites or attacks a person or another animal two (2) or more times in a twelve (12) month period, or if the director deems the bite or attack to be vicious by virtue of the severity of the bite, such animal may be immediately impounded, pending legal action, at the scene by the division without court order and held at the owner's expense.

D. The director may seek a court order for the destruction of an animal as he deems necessary. (Ord. 09-21, 5-6-2009)

8.06.08: MANAGEMENT OF ANIMALS THAT BITE OTHER ANIMALS:

A. An apparently healthy dog, cat, or ferret that bites another animal shall be quarantined as determined by the division, and the following provisions shall apply:

1. The animal shall be observed for a period of not less than ten (10) days by the division and/or the health department at a location determined by the division and the owner of the animal shall be responsible for the cost of such quarantine;

2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite is inflicted;

3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the director and the division if the animal shows any signs of sickness or abnormal behavior or if the animal escapes from quarantine;

4. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the City, the division, the health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine;

5. If the quarantined animal dies within ten (10) days from the date of the bite for which the animal was quarantined, the person having custody of said animal shall immediately notify the director and the division of such fact and immediately deliver the animal to that person's veterinarian or the division for the removal and delivery of the head of said animal to a laboratory specified by the Utah State Department of Health for examination for rabies;

6. At the end of the quarantine period the director or designee shall examine the quarantined animal and, if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in Section 8.08.05 of this Title;

7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested; and

8. Any stray or unwanted dog, cat or ferret that bites another animal may be euthanized immediately and submitted for rabies examination, if an immediate examination is determined necessary by the director or the health department. (Ord. 14-04, 3-19-2014)

CHAPTER 8.07 PROBLEMS AND NUISANCES

SECTION:

8.07.01: Nuisance; Penalties for Allowing

8.07.02: Animal Causing a Nuisance

8.07.03: Fierce, Dangerous or Vicious

8.07.04: Animal Bites; Reporting Requirements

8.07.05: Attacks By Animals; Owner Liability; Authorizing Destruction

8.07.06: Control and Fencing of Livestock

8.07.07: Harboring Stray Animals

8.07.08: Animals Running at Large

8.07.09: Staking Animals Improperly

8.07.10: Female Pets in Heat

8.07.11: Animals Prohibited in Designated Areas

8.07.12: Animal Trespass

8.07.01: NUISANCE; PENALTIES FOR ALLOWING:

Any owner or person having charge, care, custody, or control of an animal or animals causing a "nuisance", as defined in this Title, shall be guilty of allowing a nuisance in violation of this Title and subject to the penalties provided herein. (Ord. 09-21, 5-6-2009)

8.07.02: ANIMAL CAUSING A NUISANCE:

An animal causing a nuisance includes, but is not limited to, any animal that:

- A. Is repeatedly found at large;
- B. Damages the property of anyone other than its owner;
- C. Repeatedly molests or intimidates neighbors, pedestrians, cyclists, or passersby by lunging at fences, chasing, or acting aggressively toward such person(s), unless provoked by such person(s), or acts in such a way to cause unreasonable annoyance, disturbance, or discomfort;
- D. Chases vehicles;
- E. Makes disturbing noises including, but not limited to, continued and repeated howling, barking, whining, or other noise which causes unreasonable annoyance, disturbance, or discomfort to neighbors or others;
- F. Causes fouling of the air by odors and thereby creates unreasonable annoyance or discomfort to neighbors or others;
- G. Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored;

H. Defecates on any public sidewalk, park, or building, or on any private property without the consent of the owner of such private property, unless the handler of such animal shall have in his possession the instruments to clean up after his animal and shall remove the animal's feces to a proper trash receptacle;

I. Is offensive or dangerous to the public health, safety, or welfare by virtue of the number and/or types of animals kept or harbored;

J. Attacks people or other animals, whether such attack results in actual physical harm to the person or animal to whom or at which the attack is directed or not;

K. Has been found by a court or by any other commission or board lawfully established under Utah law to be a public nuisance under any other provision(s) of Utah law;

L. Cannot be restrained by normal restraints, such as standard leashes, standard chains, or muzzles; or

M. Cannot be effectively controlled by its owner or handler.

The fact, or evidence of the fact, that the factors alleged to have caused the animal to be a nuisance are inherent and/or natural behavior for such animal, or the action of the owner or animal are otherwise legal, shall not negate or excuse a charge of nuisance. (Ord. 09-21, 5-6-2009)

8.07.03: FIERCE, DANGEROUS OR VICIOUS ANIMALS:

A. It is unlawful for the owner of any fierce, dangerous, or vicious animal to permit such animal to go or be off the premises of the owner unless such animal is under restraint and properly muzzled so as to prevent it from injuring any person or property. Every animal so vicious and dangerous that it is not or cannot be effectively controlled by its owner or person having charge, care, custody, or control of such animal through the use of reasonable restraints is a hazard to public safety and the director may seek a court order for destruction, muzzling, or appropriate housing and confinement of the animal.

B. Any person violating any provision of this section shall be guilty of a class B misdemeanor. (Ord. 13-37, 12-18-2013)

8.07.04: ANIMAL BITES; REPORTING REQUIREMENTS:

A. Persons who obtain knowledge that an animal has bitten another animal or a human shall report the fact(s) to the director within twenty-four (24) hours of the bite regardless of whether the biting animal is of a species subject to rabies.

B. A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report that fact to the director and the health department within twenty-four (24) hours of his first professional attendance. Said report shall include the name, gender, and address of the person bitten as well as the type and location of the bite. If known, the person making the report shall give the name and address of the owner of the animal that inflicted the bite and any other facts that may assist the director in ascertaining the immunization status of the animal.

C. A veterinarian or other person who treats an animal bitten, injured, or mauled by another animal shall report that fact to the director. The report shall contain the name and address of the owner of the injured animal, the name and address of the owner, if known, of the animal which caused the injury, and a description of the animal, if known, which caused the injury, and the location of the incident.

D. Any person not conforming with the requirements of this section shall be in violation of this Title. (Ord. 09-21, 5-6-2009)

8.07.05: ATTACKS BY ANIMALS; OWNER LIABILITY; AUTHORIZING DESTRUCTION:

A. It is unlawful for the owner or person having charge, care, custody, or control of any animal to allow such animal to attack, chase, or worry any human, domesticated animal, any species of hoofed wildlife protected by any law or ordinance, or any pet or companion animal.

B. Any penalty imposed as a result of prosecution of a person under subsection A of this section shall be in addition to any penalties or liabilities imposed upon such person by any other law or ordinance.

C. The following shall be considered in mitigating the penalties or damages or in dismissing a charge brought under subsection A of this section:

1. The animal was properly confined on the premises;
2. The animal was deliberately or maliciously provoked; or
3. The animal was already injured and was defending itself.

D. Any person may take other protective action against an animal while it is committing any of the acts specified in subsection A of this section to protect themselves, or members of the public from any threat of death or personal injury then being posed by the animal.

E. Every person owning or keeping an animal shall be liable in damages for injuries committed by such animal and it shall not be necessary in any action brought therefor to allege or prove that such animal was of a vicious or mischievous disposition or that the owner or keeper thereof knew that it was vicious or mischievous. (Ord. 09-21, 5-6-2009)

8.07.06: CONTROL AND FENCING OF LIVESTOCK:

A. It is unlawful for any person owning or harboring an animal of a class of livestock to allow, either negligently or with specific intent, the livestock to run at large in an area where such is not permitted by law or to otherwise permit the livestock to be herded, pastured, or to go upon the land of another.

B. Adequate fencing shall be erected and maintained to prevent the livestock's escape as specified in subsection C of this section.

C. All fencing of property where a class of livestock is kept shall be of sufficient construction to prevent the escape of or injury to the livestock 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 livestock or to allow the escape thereof.

D. Construction, maintenance, and repair of fencing shall be the responsibility of the property owner and shall be constructed in a manner which is appropriate to the containment of all types of livestock confined therein. (Ord. 09-21, 5-6-2009)

8.07.07: HARBORING STRAY ANIMALS; UNLAWFUL CONFINEMENT OR CONCEALMENT OF ANIMALS:

A. It shall be unlawful for any person, except animal establishments operated by state or local governments, to harbor or keep any lost or stray animal. Whenever a lost or stray animal is retained or harbored by an animal welfare society, it shall be the duty of such animal welfare society to notify the division within twenty-four (24) hours and the division shall impound the animal as provided herein.

B. Whenever any animal shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the division within twenty-four (24) hours and the division shall impound the animal as provided herein. (Ord. 09-21, 5-6-2009)

8.07.08: ANIMALS RUNNING AT LARGE:

It shall be unlawful for any owner, handler, or any person harboring any animal to allow such animal at any time to run at large. The owner, handler, or person harboring an animal found running at large shall be strictly liable for violations of this section regardless of precautions taken to prevent the escape of the animal and regardless of whether or not he/she knows the animal is running at large. The owner, handler, or person harboring any animal shall be liable in damages for injuries committed by such animal. Run at large does not mean release of seamless banded pigeons for exercise or performance. (Ord. 09-21, 5-6-2009)

8.07.09: STAKING ANIMALS IMPROPERLY:

A. It is unlawful for any person to chain, stake, or tether any animal on any unenclosed premises in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.

B. It is unlawful for any person to chain, stake, or tether any animal on any premises in a manner that prevents the animal from having access to food, water, or shelter. (Ord. 09-21, 5-6-2009)

8.07.10: FEMALE PETS IN HEAT:

Any owner or person having charge, care, custody, or control of any female pet in heat shall, in addition to restraining such pet from running at large, cause such pet to be constantly confined in a building or other structure so as to prevent it from attracting by scent or coming into contact with other animals and creating a nuisance. (Ord. 09-21, 5-6-2009)

8.07.11: ANIMALS PROHIBITED IN DESIGNATED AREAS:

A. It is unlawful for any person to take or permit any animal, whether loose, on a leash, or in arms, in or about any establishment or place of business where food or food products are sold, displayed, or served including, but not limited to, restaurants, grocery stores, meat markets, and fruit or vegetable stores.

B. It is unlawful for any person keeping, harboring, or having charge or control of any animal to allow such animal to be within protected watershed areas as designated by either the health department or any public water district.

C. It is unlawful for any person to chain, stake, or tether any animal in a public place unless the owner or handler of the animal is continually present and the animal is properly restrained so that the animal poses no threat of contact with a person engaged in a normal and expected activity.

D. It is unlawful for any person to take or permit any unrestrained animal in any public park located within the City. Any animal in a public park must be continually kept on a leash not over eight feet (8') in length and which is of sufficient strength to ensure that the animal's owner or handler shall at all times have absolute control over the animal except for designated off leash areas. The director may grant exceptions to this subsection for a licensed animal exhibition.

E. This section shall not apply to dogs provided for in subsection 8.05.10B of this Title or when the director of the health department adopts rules and regulations subsequently ratified by the City council which set forth the times and places where the dog or dogs may be allowed without compromising the health and safety of humans, causing a nuisance, or damaging property. (Ord. 09-21, 5-6-2009)

8.07.12: ANIMAL TRESPASS:

It is unlawful for the owner or handler of an animal to allow such animal to trespass on the property of another. Any trespassing animal may be confined provided the person confining the animal notifies the division within twenty-four (24) hours of such confinement. (Ord. 09-21, 5-6-2009)

CHAPTER 8.08 IMPOUNDMENT

SECTION:

8.08.01: Animal Shelter And Facilities

8.08.02: Impoundment Authorized; When

8.08.03: Impoundment; Recordkeeping Requirements

8.08.04: Redemption Of Animals; Restrictions

8.08.05: Term Of Impoundment; Destruction Or Other Disposition Of Animals

8.08.60: Sterilization Of Adopted And Impounded Animals

8.08.01: ANIMAL SHELTER AND FACILITIES:

A. The City shall be responsible, within its legislative discretion, to provide (by contract with the division or otherwise) suitable premises and facilities to be used as an animal shelter where impounded animals can be kept. The City, through the division, shall purchase and supply food and provide care for impounded animals.

B. The City, through the division, shall provide for the destruction of dogs, cats, ferrets, and other animals for which destruction is authorized by this Title or by Utah law. Destruction shall be accomplished in accordance with standards established by the American Veterinary Medical Association or in accordance with any other nationally recognized standards established for the proper destruction of animals; or by any method which, in the discretion of the director or the division, is proper under the then-existing circumstances.

C. The City or the division may furnish, when deemed necessary at the discretion of the director or division personnel, medical treatment to animals impounded pursuant to this Title. Prior consent for such treatment from the owners of such animals shall not be required.

D. The owner of any affected animals shall be required to post a bond, as provided in subsection 8.08.04E of this Chapter, and/or pay the cost of the impound and any care and keeping, medical treatment, euthanasia, and disposal provided or performed under the authority of this Title with respect to such animal. (Ord. 09-21, 5-6-2009)

8.08.02: IMPOUNDMENT AUTHORIZED; WHEN:

A. An animal control officer may impound or leave an animal in the custody of its owner or handler according to said officer's discretion whenever such animal is found to be in circumstances which violate the requirements of this Title. If left in the custody of the owner or handler, said owner or handler shall nevertheless be required to respond to the administrative code enforcement hearing program established by Title 18 of this code.

B. An animal found in the following circumstances may be impounded by an animal control officer without the filing of a criminal complaint or obtaining a prior order from a court of competent jurisdiction:

1. The animal is running at large outside its owner's or handler's premises;
2. Any animal which is required by this Title to be licensed and is not licensed; an animal not wearing a license tag shall be presumed to be unlicensed for the purpose of this subsection;
3. The animal is sick or injured and its owner cannot be immediately located;
4. The animal's owner or handler requests the division to impound the animal and posts a bond as provided in subsection 8.08.04E of this chapter or pays, in advance, a fee reasonably calculated to pay for the cost the division may reasonably incur during impoundment and possible destruction of the animal;
5. The animal is abandoned;
6. Animals which are not vaccinated for rabies in accordance with this Title; for the purpose of this subsection, an animal not wearing a rabies tag shall be presumed to be unvaccinated;
7. The animal is known by the animal control officer to have been exposed to rabies or bitten by a rabid animal;
8. The animal is to be otherwise held for quarantine;
9. The animal is a vicious animal and not properly confined or restrained as required by Section 8.07.03 of this Title;
10. The animal is not being kept or maintained as required by any other provision of this Title and, as a result thereof, the animal poses an imminent threat to the health and safety of persons, other animals, or itself;
11. Any animal in physical distress; or
12. Any animal considered a nuisance or a public nuisance animal.

C. The circumstances set forth above in this section are not intended to be a complete list of those in which the City, the division, and/or an animal control officer may impound an animal without a prior order from a court of competent jurisdiction and said officers are authorized to act as necessary to maintain the peace and safety of the City under the requirements of this Title and all other applicable law. (Ord. 13-37, 12-18-2013)

8.08.03: IMPOUNDMENT; RECORDKEEPING REQUIREMENTS:

The impounding facility shall keep record of each animal impounded, which shall include the following information:

- A. Complete description of the animal, including tag numbers;
- B. The manner and date of impound;
- C. The location of the pick-up and name of the officer picking up the animal;
- D. The manner and date of disposal;
- E. The name and address of the person who redeems, purchases, or adopts the animal;

- F. The name and address of any person relinquishing an animal to the impound facility;
- G. All fees received on behalf of the animal; and
- H. All costs of impoundment allocable to the animal which accrues during its impoundment. (Ord. 09-21, 5-6-2009)

8.08.04: REDEMPTION OF ANIMALS; RESTRICTIONS:

A. The owner of any impounded animal or the owner's authorized representative (a legally responsible adult of age eighteen (18) or older) may redeem such animal before disposition, provided the owner or representative that person posts a bond as provided in subsection E of this section or pays:

1. The impound fee;
2. The daily board charge;
3. Veterinary costs incurred during the impound period, including rabies vaccination or rabies vaccination deposit;
4. License fee, if required;
5. A transportation fee if transportation of an impounded animal by specialized equipment is required. "Specialized equipment" is that equipment, other than the usual patrol and operation vehicles of animal control, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers. The director shall determine this fee at a level that approximates the cost of utilizing the specialized equipment in the particular situation;
6. Any other expenses incurred to impound an animal in accordance with state or local laws;
7. Any unpaid (past due) fees and fines incurred by the owner; and
8. If any dog or cat is fertile, the owner shall also pay a sterilization deposit and comply with any other requirements of Utah law including UTAH CODE ANNOTATED §§ 11-46-204 *et seq.* For the purposes of this subsection, the term "recipient" contained in the referenced Utah statute shall include an owner or the owner's authorized representative who is redeeming the animal after impoundment.

B. If an animal is impounded, the owner shall be required to purchase microchip identification.

C. Upon the third impoundment and prior to the release of said animal, said animal shall be sterilized. Payment of all fees shall be required and sterilization completed prior to release.

D. The City Council shall set and periodically revise when necessary impound fees and daily board charges for the impounding of animals. Such fees shall be as stated on the adopted .Consolidated Fee Schedule. Such fees may take into account the type of animal impounded, the owner's compliance with animal licensure requirements, the number of confinements in the preceding twenty-four (24) months, and the duration of the confinement. No impound fees will be charged the reporting owners of suspected rabid animals if they comply with chapter 8.06 of this Title.

E. Any owner whose animal is impounded under this section may be required to pay the veterinarian expenses, boarding expenses, and other reasonable expenses directly related to the care of the animal. If it is determined that the owner of the animal has not neglected the animal or been cruel to the animal, or the animal is not determined to be vicious, or the request for revocation of license is denied the owner shall not be responsible for the costs of boarding or caring for the animal during the time it was impounded. The owner may be required to reimburse the costs of necessary medical care for medical needs that existed prior to the animal being impounded. If, after final adjudication of criminal charges or administrative actions, the owner fails to timely pay the required expenses for care of the animal, that failure to pay shall constitute abandonment of the animal. Such abandonment, however, does not alleviate the owner of the obligation to pay the required expenses.

8.08.05: TERM OF IMPOUNDMENT; DESTRUCTION OR OTHER DISPOSITION OF ANIMALS:

A. If an animal is not wearing a license tag or other identification, the animal shall be impounded for a minimum of five (5) working days before further disposition. If an animal is wearing a license tag or other identification it shall be held a minimum of five (5) working days.

B. During the impound period, reasonable efforts shall be made to notify the owner of any animal wearing a license or other identification.

1. Notice shall be deemed given when sent to the last known address of the listed owner.

2. In the event an owner is notified of the impoundment of his/her animal, and fails to either redeem, post a bond as provided in subsection 8.08.04E of this chapter, or formally release said animal to the agency, the animal shall be deemed voluntarily relinquished to the City and/or the division.

C. Any animal voluntarily relinquished to the division by the owner thereof for destruction or other disposition need not be kept for the minimum holding period.

D. All animals, except those quarantined or confined by court order, or stray livestock or farm animals subject to state law requirements, which are held longer than the minimum impound period, and all animals voluntarily relinquished to the impound facility, may be destroyed or disposed of as the director shall direct. The fee for animals other than pets (i.e., livestock, birds, snakes, etc.) shall be the market value of the animal.

E. Any healthy domestic animal excluding livestock may be sold or adopted by anyone meeting the requirements of the division for a price to be determined by the director, to include appropriate registration, rabies vaccination, microchip, and sterilization fees.

F. Any healthy animal which is placed into a new home under this chapter shall be sterilized.

1. In the event the animal is not sterilized prior to going into the new home, the adopter is required to ensure that the surgery is completed within an agreed upon period of time.

2. If the adopter fails to complete the sterilization of the animal within the approved time period or fails to comply with any part of any agreement made within the adoption process, the adopter forfeits all rights to the animal and the division may reclaim said animal.

G. The director may recover all costs incurred by the division in the impoundment and care of any animal sold to a certified research institution pursuant to the laws of the state of Utah.

H. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention, as determined by the director, may be released to the care of a veterinarian.

I. When, in the judgment of the director, it is determined that an animal should be destroyed for humane reasons or to protect the public from imminent danger to persons or property, such animal may be destroyed without regard to any time limitations otherwise established in this Title, and without court order.

J. The director may destroy an animal upon the request of an owner. An appropriate fee shall be charged the owner for the destruction and any subsequent disposal of the carcass destroyed by the division. (Ord. 09-21, 5-6-2009)

8.08.06: STERILIZATION OF ADOPTED AND IMPOUNDED ANIMALS:

A. A dog, cat, or ferret adopted from the division's animal facility shall be sterilized.

B. The division may allow the conditional adoption of an unsterilized dog, cat, or ferret because of the age of the animal or as otherwise deemed necessary by the division. Said conditional adoption shall become final upon proof to the division that the animal has been sterilized. Failure to sterilize results in forfeiture of the animal to the division.

C. A dog or cat owner reclaiming an impounded pet shall comply with any applicable requirements established by UTAH CODE ANNOTATED § 11.46.201 or other applicable Utah law and implemented by the division to conform with said law. (Ord. 09-21, 5-6-2009)

CHAPTER 8.09 CRUELTY TO ANIMALS

SECTION:

8.09.01: Care And Maintenance Responsibility

8.09.02: Keeping Of Diseased Or Painfully Crippled Animals

8.09.03: Abandonment Of Animals

- 8.09.04: Hobbling Animals
- 8.09.05: Animals In Vehicles
- 8.09.06: Physical Abuse Of Animals
- 8.09.07: Injury To Animals By Motorists; Duty To Stop And Assist
- 8.09.08: Poisoning Animals
- 8.09.09: Steel Jaw Traps
- 8.09.10: Mistreatment Of Animals
- 8.09.11: Baby Rabbits And Fowl; Restrictions
- 8.09.12: Selling Certain Turtles Prohibited
- 8.09.13: Killing Birds
- 8.09.14: Giving Animals As Sales Premiums
- 8.09.15: Prohibit Display Of Animals For Sale Or Gift
- 8.09.16: Dead Animals

8.09.01: CARE AND MAINTENANCE RESPONSIBILITY:

It shall be unlawful for an owner or handler of an animal to withhold adequate food, drink, care, veterinary care, grooming, adequate space and shelter from said animal, which is reasonably necessary to maintain said animal in good health, comfort, and safe from potential hazards. To ensure the availability of adequate space for large animals, notwithstanding anything in this code to the contrary, it shall be unlawful to keep any horse, mule, burro, ass, or cattle on a lot or other parcel of ground that is not over one-half (1/2) acre in size. (Ord. 09-21, 5-6-2009)

8.09.02: KEEPING OF DISEASED OR PAINFULLY CRIPPLED ANIMALS:

- A. It is unlawful for any person to abandon or turn out at large any sick, diseased, or disabled animal.
- B. It is unlawful for the owner or handler of an animal rendered worthless to said owner or handler by reason of disease or disability to allow said animal to continue to live in a diseased or disabled state. Said owner or handler shall dispose of such animal by killing the same in a humane manner or by contacting the division. Upon such contact, the division may assume responsibility for disposition of the animal, not including livestock, provided that the owner or handler shall pay a fee, in advance, to the division to pay for the division's cost in disposing of the animal. If the owner or handler fails to pay such fee and fails to dispose of the diseased or disabled animal as required above, such person shall be in violation of this Title.
- C. It is unlawful for an owner or handler of an animal which is infected with a disease or is in a painfully crippled condition to have, keep, or harbor such animal without placing the animal under veterinary care and/or to dispose of such animal as required in subsection B of this section. (Ord. 09-21, 5-6-2009)

8.09.03: ABANDONMENT OF ANIMALS:

It is unlawful for any person to abandon any animal within the geographical boundaries of the City. (Ord. 09-21, 5-6-2009)

8.09.04: HOBBLING ANIMALS:

It is unlawful for any person to hobble livestock or other animals by any means that may cause injury or damage to any animal. (Ord. 09-21, 5-6-2009)

8.09.05: ANIMALS IN VEHICLES:

- A. It is unlawful for any person to carry or confine 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. Persons transporting an animal in the open bed of a vehicle must physically restrain the animal in such a manner as to prevent the animal from jumping or falling out of the vehicle.

B. It is unlawful for any person to allow a vehicle to be used as a shelter or housing for pets. (Ord. 09-21, 5-6-2009)

8.09.06: PHYSICAL ABUSE OF ANIMALS:

It is unlawful for any person to kill, without legal justification, maim, disfigure, torture, beat, whip, mutilate, burn or scald, overwork, cause to fight, or in any manner treat any animal in a cruel or malicious manner. Each instance of such treatment shall constitute a separate offense. (Ord. 09-21, 5-6-2009)

8.09.07: INJURY TO ANIMALS BY MOTORISTS; DUTY TO STOP AND ASSIST:

A. The operator of a motor vehicle or other self-propelled vehicle being operated upon the streets of the City shall, in the event said vehicle should strike and injure or kill any domesticated animal, give reasonable aid and assistance and/or protection to said animal without placing himself at unreasonable risk and call and report the facts pertaining to the incident to one of the following authorities:

1. The police department having jurisdiction in the City;
2. The director; or
3. The division.

B. After making the report required above, the operator shall comply with the instructions given by the agency contacted and shall, if instructed, remain at the scene until appropriate police or animal control authority arrives. After arrival of appropriate authority, the operator shall cooperate with said authority in the investigation and reporting of the incident.

C. As an alternative to complying with the requirements set forth above, the motor vehicle operator may transport the animal which has been struck to the division's animal facility or, in the case of an animal which is injured and not dead, to a veterinarian for treatment of the animal's injuries. If the operator chooses the latter course of action, he shall be responsible for the cost of treatment if required by the veterinarian. The division shall not be responsible for the cost of treatment unless it has accepted responsibility after the operator's compliance with any of the requirements of this section.

D. This section shall not apply to operators of emergency vehicles if such vehicles are being operated in response to a bona fide emergency situation at the time the animal is struck. Emergency vehicle operators who strike an animal during a response to a bona fide emergency situation shall notify the director or the division of the incident as soon as is practicable thereafter. (Ord. 09-21, 5-6-2009)

8.09.08: POISONING ANIMALS:

Except as provided in this section, it is unlawful for any person by any means to knowingly or recklessly make accessible to any animal 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. (Ord. 09-21, 5-6-2009)

8.09.09: STEEL JAW TRAPS:

It shall be unlawful for any person to use steel jaw traps to trap animals unless authorized by the director. (Ord. 09-21, 5-6-2009)

8.08.10: MISTREATMENT OF ANIMALS:

It shall be unlawful for any person to provoke any animal. (Ord. 09-21, 5-6-2009)

8.09.11: BABY RABBITS AND FOWL; RESTRICTIONS:

A. It is unlawful for any person to sell, to offer for sale, offer to give as a prize, premium, or advertising device, or display in any store, shop, carnival or other public place, any baby rabbits or fowl under eight (8) weeks of age in any quantity less than six (6).

B. It is unlawful for any person to sell, offer for sale, barter, or give away any baby rabbits or fowl under eight (8) weeks of age during the two (2) week period preceding Easter in any quantity less than twenty-five (25).

C. It is unlawful to artificially dye or color any animal less than six (6) months of age.

D. Nothing in this section shall be construed to prohibit the purchase and raising of such rabbits and fowl by a private individual for his/her personal use and consumption provided that he/she shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his/her possession.

E. It is unlawful to offer as an advertising device or to display any animal without at all times keeping adequate food and water available for the animal's use.

F. It is unlawful for any person to offer as a premium, prize, award, novelty, or incentive to purchase merchandise any live animal. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals.

G. Each day an offense of this section occurs or continues shall be a separate offense. (Ord. 09-21, 5-6-2009)

8.09.12: SELLING CERTAIN TURTLES PROHIBITED:

It is unlawful to own or sell, barter, or trade any *Chrysemys scripta-elegans*, red eared sliders, that are four inches (4") in length or smaller, or *Pseudemys troostii*, family *Testudinidae*, "pet turtles". (Ord. 09-21, 5-6-2009)

8.09.13: KILLING BIRDS:

It is unlawful to kill any bird, or to rob or destroy any nest, egg, or young of any bird, in violation of Utah law. (Ord. 09-21, 5-6-2009)

8.09.14: GIVING ANIMALS AS SALES PREMIUMS:

It is unlawful for any person or business to offer any live animal, fowl, bird, reptile, or fish as a premium, prize, award, novelty or incentive to purchase merchandise.

A. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals in compliance with all necessary permits.

B. This section does not apply to groups whose purpose is to enhance a particular species and/or educate its members on the proper care and handling of a particular species, and which may offer as a prize animals of the type specific to the group's purpose, only to members of the group. (Ord. 09-21, 5-6-2009)

8.09.15: PROHIBIT DISPLAY OF ANIMALS FOR SALE OR GIFT:

It is unlawful for anyone except licensed businesses, humane societies recognized by the state of Utah, and government animal shelters to offer or display any pet for sale or gift in any public place or facility frequented by the public. (Ord. 09-21, 5-6-2009)

8.09.16: DEAD ANIMALS:

It shall be unlawful for any person knowingly to permit any dead animal to remain upon the premises of such person, or for the owner of any dead animal knowingly to permit the same to remain upon any public property or upon any premises within the City. If the owner of such dead animal does not remove the dead animal himself or cause the dead animal to be properly disposed of within a reasonable time, the City may cause it to be removed and thereupon assess the actual costs of such removal and disposal against the owner and may avail itself of all remedies in law and equity to enforce such removal and recover the costs thereof. (Ord. 09-21, 5-6-2009)

CHAPTER 8.10 WILD, DANGEROUS AND EXOTIC ANIMALS

SECTION:

8.36.010: Prohibitions Relating To Wild, Dangerous And Exotic Animals; Exceptions

8.10.01: PROHIBITIONS RELATING TO WILD, DANGEROUS AND EXOTIC ANIMALS; EXCEPTIONS:

A. It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor, or purchase any wild, dangerous or exotic animal (as defined in Title 50 of the code of federal regulations, in Utah law or regulation, or by this Title) or which is otherwise a "vicious animal" or a "nuisance" as defined in this Title.

B. The prohibitions of subsection A of this section shall not apply to a person, animal shelter, zoological park, veterinary hospital, section 501(c)(3) of the Internal Revenue Code animal welfare shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific research if such organizations or individuals are

otherwise licensed or permitted pursuant to a permit as provided in this Title, provided that said animals are restrained or confined in such a manner as to prevent their escape and/or injury to the public.

C. Any person violating any provision of this section shall be guilty of a class B misdemeanor. (Ord. 13-37, 12-18-2013)

TITLE 8 ANIMALS

CHAPTER 8.01

SECTION:

- 8.01.01: Definitions
- 8.01.02: “A” Definitions
- 8.01.03: “B” Definitions
- 8.01.04: “C” Definitions
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8.01.27: “Z” Definitions

8.01.01 DEFINITIONS

The following words, terms and phrases, when used in this Title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

8.01.02 “A” Definitions

Abandonment

Intentionally deposit or drop off an animal in an unsafe or dangerous environment or intentionally leave any live animal in a location where the animal is separated from basic needs such as food, water, shelter, or necessary medical attention, for a period longer than twenty-four (24) hours.

Abandonment includes the failure to reclaim an animal seventy-two (72) hours beyond the time agreed upon with a kennel, grooming service, veterinary hospital, or animal shelter.

Abandonment also includes failure or refusal to either reclaim a pet from an animal shelter or to sign relinquishment authorization. (Ord. 09-21, 5-6-2009)

Allow

For the purpose of this Title, “allow” shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal. (Ord. 09-21, 5-6-2009)

Animal

Any and all types of non-human creatures, both domestic and wild, male and female, singular and plural. (Ord. 09-21, 5-6-2009)

Animal at large

Any animal, whether licensed or unlicensed, which is not under restraint imposed by the owner or handler. (Ord. 09-21, 5-6-2009)

Animal control officer

The City's animal control services contract provider, any person designated by the State of Utah as a peace officer, or any other person designated by the City as an officer who is authorized to perform the duties specified by this Title. (Ord. 09-21, 5-6-2009)

Animal exhibition

Any display, event, or contest involving animals. (Ord. 09-21, 5-6-2009)

Animal shelter

Any facility owned, operated, or maintained for the care and custody of seized, stray, homeless, quarantined, abandoned, unwanted animals, or animals held for the purpose of protective custody under the authority of this Title or state law. (Ord. 09-21, 5-6-2009)

Attack

Any bite, attempted bite, or aggressive behavior by an animal which places a person or another animal in danger of immediate physical harm. Actual physical contact is not required to constitute an attack. (Ord. 09-21, 5-6-2009)

8.01.03 "B" Definitions

Bite

Actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal. (Ord. 09-21, 5-6-2009)

Breeder

Anyone who causes or allows the breeding of any pet identified within this Title or makes that pet available to be bred. (Ord. 09-21, 5-6-2009)

8.01.04 "C" Definitions

Cat

Any feline of the domesticated type four (4) or more months of age. Any feline of the domesticated type less than four (4) months of age is classified as a kitten. (Ord. 09-21, 5-6-2009)

Cattery

An establishment where cats are boarded, bred, bought, sold, or groomed for a fee. (Ord. 09-21, 5-6-2009)

City

The City of Taylorsville, Salt Lake County, State of Utah and all the territory within its current and future municipal boundaries and shall include any additions thereto by annexation or other legal means or any name change thereto. (Ord. 09-21, 5-6-2009)

Commercial animal establishment

Any pet shop, animal grooming parlor, guard dog location or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, cattery, kennel, or animal breeding or housing facility. (Ord. 09-21, 5-6-2009)

Custody

Having ownership, possession of, harboring, or exercising control over any animal. (Ord. 09-21, 5-6-2009)

8.01.05 "D" Definitions

Dangerous animal

Any animal that meets at least one (1) of the criteria listed in section 8.04.15, below. Whether an animal has been properly licensed under the provisions of this Title shall have no relevance to the determination of whether an animal is a "dangerous animal" as defined herein.

Director

The director of the City's designated animal control services contract provider or any other person designated by the City as an officer who is authorized to perform the duties of the director specified by this Title. (Ord. 09-21, 5-6-2009)

Division

The City's designated animal control services contract provider or any other person, agency, or entity designated by the City to perform the duties of the division specified by this Title. (Ord. 09-21, 5-6-2009)

Dog

Any Canis familiaris four (4) or more months of age. Any Canis familiaris less than four (4) months of age is classified as a puppy. (Ord. 09-21, 5-6-2009)

Domestic animals

Animals accustomed to living in or about the habitation of humans and which are dependent on humans for food and shelter including, but not limited to, cats, dogs, ferrets, and livestock. "Domestic animals" shall not include "exotic animals" or "wild animals" as defined herein. (Ord. 09-21, 5-6-2009)

8.01.06 "E" Definitions

Ear tip

A method of marking a feral cat that has been sterilized. for tracking purposes and which is done by removing a small portion of the top of one ear while the cat is under anesthesia.

Enclosure

Any structure that prevents an animal from escaping its primary confines. (Ord. 09-21, 5-6-2009)

Euthanasia

The humane destruction of an animal accomplished by a method approved by the most recent report of the American Veterinary Medical Association panel on euthanasia that results in unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness. (Ord. 09-21, 5-6-2009)

Exotic animal

Any animal whose native habitat is not indigenous to the continental United States, excluding Alaska, except tropical fish, furbearing animals commercially bred for the furrier trade, birds, and dangerous animals. (Ord. 09-21, 5-6-2009)

8.01.07 "F" Definitions

Feral cat

Any cat that lives outdoors, has no handler or owner, and is not used to human contact. (Ord. 09-21, 5-6-2009)

Feral cat colony

A group of feral cats living or growing together. (Ord. 09-21, 5-6-2009)

Ferret

Any domestic *Mustela putorius* (except the black footed ferret) more than four (4) months of age. Any *Mustela putorius* less than four (4) months of age is classified as a kit. (Ord. 09-21, 5-6-2009)

Fierce

Violent, hostile or aggressive temperament. (Ord. 09-21, 5-6-2009)

8.01.08 "G" Definitions

Guard dog

Any dog that will detect and warn its handler that an intruder is present in or near an area that is being secured and will attack a human pursuant to training or its handler's command. (Ord. 09-21, 5-6-2009)

Grooming parlor³

Any commercial establishment maintained for the purpose of offering cosmetic services for animals for a fee. (Ord. 09-21, 5-6-2009)

[8.01.09 "H" Definitions](#)

Handler

Any person who has physical control of an animal at any given time (*i.e.*, the charge, care, control, custody, possession, or responsibility for the animal.) An "owner" shall be presumed to have ultimate responsibility for the physical control of the animal and may divest himself of such responsibility only by the transferring of, or giving permission for, actual physical control of the animal to a legally responsible adult person of age eighteen (18) or more. Whenever such other person of the requisite age has responsibility for physical control of the animal, such person shall be the "handler". At all other times, the "owner" shall be presumed to be the "handler." (Ord. 09-21, 5-6-2009)

Harbor

Housing, feeding, or caring for someone else's pet within a person's house, yard, or premises for more than twenty-four (24) hours without the permission of the owner. (Ord. 09-21, 5-6-2009)

Health Department

The Salt Lake Valley Health Department. (Ord. 09-21, 5-6-2009)

Humane treatment

Ensuring the provision of appropriate food, shelter, human interaction, and care and of protecting any animal from danger, mistreatment, neglect, or abuse. (Ord. 09-21, 5-6-2009)

Hybrid

Any animal, however tame or docile, that is the offspring of a breeding between a domestic animal and a wild animal, a domestic animal and a hybrid, or two (2) hybrid animals. (Ord. 09-21, 5-6-2009)

[8.01.10 "I" Definitions](#)

Identification

A pet license or identification tag which is attached to the collar or harness of an animal; a microchip implanted as recommended by the manufacturer for the specific species; or a tattoo on the animal's right ear or on its inside right thigh or groin, or other livestock identification such as ear tags, brands, etc. (Ord. 09-21, 5-6-2009)

Impoundment

Taken into the custody of an animal control agency, police agency, or an agent thereof. (Ord. 09-21, 5-6-2009)

[8.01.11 "J" Definitions](#)

[8.01.12 "K" Definitions](#)

Kennel

A commercial establishment having three (3) or more animals for the purpose of boarding, breeding, letting for hire, or training for a fee. (Ord. 09-21, 5-6-2009)

8.01.13 “L” Definitions

Leash or Lead

Any chain, rope or device of sufficient strength and length used to restrain an animal. (Ord. 09-21, 5-6-2009)

Livestock

Animals commonly regarded as farm animals including but not limited to, cattle, horses, goats, llamas, ostriches, sheep, or any domestic animal or furbearer raised and kept for profit.

8.01.14 “M” Definitions

8.01.15 “N” Definitions

Nuisance

Any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or humans, or substantially interfere with humans', other than their owner's, enjoyment of life or property, or as defined in chapter 8.07 of this Title. (Ord. 09-21, 5-6-2009)

8.01.16 “O” Definitions

On-site impound

To place an animal under seizure by police department personnel, animal services personnel, or an agent thereof, on a property other than an animal services sheltering facility pending transportation or court seizure order. (Ord. 09-21, 5-6-2009)

On-site redemption

To return an impounded animal to the owner or caretaker prior to transportation to the sheltering facility upon collection of all applicable impound and/or license fees. (Ord. 09-21, 5-6-2009)

Overwork

To work or exercise any animal to a point of physical harm. (Ord. 09-21, 5-6-2009)

Owner

Any person, partnership, or corporation keeping, possessing, maintaining, having an ownership interest in, or having control or custody of an animal. (Ord. 09-21, 5-6-2009)

8.01.17 “P” Definitions

Performing Animal Exhibition

Any spectacle, display, act, or event in which animals are used to provide a performance whether a fee is charged or not. (Ord. 09-21, 5-6-2009)

Person

A natural person or any legal entity including, but not limited to, a corporation, limited liability corporation, firm, partnership, or trust. (Ord. 09-21, 5-6-2009)

Pet

Non-farm animals including dogs, cats, ferrets, rodents, birds, reptiles, fish, aquatic vertebrates bred to remain in a confined body of water, and any other species of animal that is sold or retained as a household pet (noncommercial), not including livestock, bees, skunks, nonhuman primates, and other species of wild, exotic, or carnivorous animals.

Pet shop

Any commercial establishment properly licensed to maintain, keep or display dogs, cats, birds, or other household pets for sale. Pet shop does not include government animal shelters, humane shelters as defined by statute or veterinary clinics whose major business is veterinary medicine. (Ord. 09-21, 5-6-2009)

Protective custody

Seizing or receiving an animal into the care of the division, the animal services, or an authorized agent or representative thereof, in order to hold the animal as evidence of a violation of the law or to protect the animal(s) from further threat or danger. (Ord. 09-21, 5-6-2009)

Provoke

Any deliberate act by a person toward an animal done with the intent to tease, torment, abuse, assault, or otherwise cause a reaction by the animal; provided the act is not reasonably done with the intent to discourage or prevent attack. (Ord. 09-21, 5-6-2009)

Public place

Any location which is accessible to members of the general public, where members of the public gather, engage in business, or have free access. (Ord. 09-21, 5-6-2009)

[8.01.18 “Q” Definitions](#)

Quarantine

The isolation of an animal in an enclosure so that the animal cannot have physical contact with other animals or persons without recognized authority to be near or about the quarantined animal. (Ord. 09-21, 5-6-2009)

[8.01.19 “R” Definitions](#)

Restraint

Any animal under the control of its owner or person over the age of twelve (12) years having charge, care, custody or control of the animal, by means of: a) a leash or lead not to exceed six feet (6') in length, b) other physical enclosure, or c) within the real property limits of the owner.

Riding school or stable

An establishment which offers boarding and/or riding instruction for any horse, pony, donkey, mule, or burro, or which offers the use of such animals for hire. (Ord. 09-21, 5-6-2009)

[8.01.20 “S” Definitions](#)

Set

To cock, open or put a trap in such a condition that it would close when an object, animal, or person touches a triggering device. (Ord. 09-21, 5-6-2009)

Shelter

A structure which is substantial in construction and provides protection from moisture, wind, and other factors of weather, and is of a size appropriate to the particular animal to ensure retention of body heat within the enclosure. Any shelter shall be maintained to ensure a clean, dry, healthy environment for the animal being housed. (Ord. 09-21, 5-6-2009)

Species subject to rabies

Any species that has been reported to the Health Department or the Centers for Disease Control and Prevention to have contracted the rabies virus and become a host for that virus. (Ord. 09-21, 5-6-2009)

Stray

Any animal at large, abandoned, or that has no handler or owner, as defined in this chapter.

[8.01.21 “T” Definitions](#)

Trap

An apparatus designed to come together with force so as to clamp or close upon an animal, person, or object when the spring or triggering device is activated. (Ord. 09-21, 5-6-2009)

[8.01.22 “U” Definitions](#)

[8.01.23 “V” Definitions](#)

Veterinarian

Any person properly licensed under the laws of the State of Utah to practice veterinary medicine. (Ord. 09-21, 5-6-2009)

Veterinarian hospital

Any establishment operated by a licensed veterinarian for surgery, diagnosis, and treatment of disease and injuries to animals. (Ord. 09-21, 5-6-2009)

[8.01.24 “W” Definitions](#)

Wild animal

Any animal of a species that in its natural life is usually untamed and undomesticated, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated for rabies. These animals include, but are not limited to:

- A. Alligators and crocodiles;
- B. Bears (Ursidae). All bears, including grizzly bears, brown bears, black bears, etc.;
- C. Cat family (Felidae). All except the commonly accepted domesticated cats, including cheetah, leopard, lion, lynx, panther, mountain lion, tiger, wildcat, etc.;
- E. Dog family (Canidae). All except domesticated dogs, including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.;
- G. Porcupine (Erethizontidae);
- H. Primate (Hominidae). All nonhuman primates;
- I. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ring-tailed cat, etc.;
- J. Skunks;
- K. Venomous fish and piranha;
- L. Venomous snakes or lizards;
- M. Weasels (Mustelidae). All including martens, wolverines, black footed ferrets, badgers, otters, ermine, mink, mongoose, etc.

For the purpose of this section, animals that are kept commercially or ranched shall not be wild animals. (Ord. 09-21, 5-6-2009)

Working day

Any day the West Valley City animal services sheltering facility is open to the general public. (Ord. 09-21, 5-6-2009)

Worry

To harass or intimidate by barking or baring of teeth, growling, biting, shaking or tearing with the teeth; or approaching any person in an apparent attitude of attack or any aggressive behavior which would cause a reasonable person to feel they were in danger of immediate physical attack. (Ord. 09-21, 5-6-2009)

8.01.25 "X" Definitions

8.01.26 "Y" Definitions

8.01.27 "Z" Definitions

Zoological park

Any facility properly and lawfully licensed by applicable federal, state, or local law, for displaying or exhibiting one or more species of non-domesticated animals. (Ord. 09-21, 5-6-2009)

CHAPTER 8.02 ADMINISTRATION

SECTION:

8.02.01: Enforcement Authority

8.02.02: Provider; Powers And Duties

8.02.03: Animal Control Officers; Powers And Duties

8.02.04: Right Of Entry For Enforcement

8.02.05: Interfering With Officers Prohibited

8.02.06: Rules and Regulations

8.02.07: Animal Fees

8.02.01: ENFORCEMENT AUTHORITY:

The division, or other agent designated by the City, or any police officer, is hereby authorized and empowered to enforce this Title and to apprehend, transport, and impound any animal found in violation of this Title, including, but not limited to, licensable animals for which no license has been procured in accordance with this Title or any licensed or unlicensed animals for any other violation thereof, and to issue criminal citations. (Ord. 09-21, 5-6-2009)

8.02.02: PROVIDER; POWERS AND DUTIES:

The division, or other agent designated by the City, or any police officer, shall:

- A. Enforce this Title and perform other responsibilities inherent thereto;
- B. Supervise the animal shelter(s) under its jurisdiction;
- C. Keep records of all animals impounded in said shelter(s);
- D. Keep accounts of all monies collected and received in accordance with governing law; and
- E. Establish rules and regulations for the training of all persons hired as animal control officers to assure professional conduct of said persons and compliance with governing law. (Ord. 09-21, 5-6-2009)

8.02.03: ANIMAL CONTROL OFFICERS; POWERS AND DUTIES:

Each animal control officer shall be authorized to enforce this Title in all respects pertaining to animal control within the City including, but not limited to, the apprehension, transport, and impoundment of animals found to warrant such action; the care of animals; the prevention of cruelty to animals; the administrative code enforcement

hearing program established by Title 18 of this code; and the issuance of criminal citations. Animal control officers shall further carry out all lawful duties prescribed or delegated by the City by contract or otherwise. (Ord. 13-37, 12-18-2013)

8.02.04: RIGHT OF ENTRY FOR ENFORCEMENT:

In the enforcement of this Title, each animal control officer is authorized to enter into the open premises of any person to secure or take possession of any animal which is reasonably deemed by said officer to, in the presence of said officer or official, be in violation of this Title and issue criminal citations for violations of this Title to the owner or handler of said animal. (Ord. 09-21, 5-6-2009)

8.02.05: INTERFERING WITH OFFICERS PROHIBITED:

It is unlawful for any person to knowingly and intentionally interfere with any animal control officer in the lawful discharge of his duties as prescribed in this Title. For the purpose of this section, interfering with animal control officers shall include, but not be limited to, failing to hand over to or release to an officer an identifiable animal which has been pursued but not captured by said officer, failing to make payment of agreed upon fees, and knowingly and intentionally failing to comply with an abatement order lawfully issued by the City or the division. (Ord. 09-21, 5-6-2009)

8.02.06: RULES AND REGULATIONS:

A. From time to time, the director may, upon resolution by the City Council, adopt rules and regulations governing the operation of animal related establishments and uses.

B. Such rules and regulations may provide for:

1. The type of structures, buildings, pens, cages, runways, or yards required for the animals sought to be kept, harbored, or confined on such premises;
2. The manner in which food, water, and sanitation facilities will be provided to such animals;
3. Measures relating to the health and care of such animals, the control of odors, noise, and the protection of persons or property on adjacent premises; or
4. Such other matters as the City shall deem necessary.

C. Such rules and regulations shall, upon publication and following adoption by the City, have the effect of law, and violation of such rules and regulations shall be deemed a violation of this Title and grounds for revocation of a permit issued by the City. Copies of the rules and regulations, when adopted, shall be filed for public inspection in the office of the City Recorder and of the director. (Ord. 09-21, 5-6-2009)

8.02.07: ANIMAL FEES

Fees shall be stated in the Consolidated Fee Schedule, which is adopted annually by the City Council.

Certain fees which are collected only by a contract provider for given services are likewise indicated in the Consolidated Fee Schedule but may not specify a dollar amount.

CHAPTER 8.03 ENFORCEMENT AND PENALTIES

SECTION:

8.03.01: Violation Of Title; Penalties

8.03.02: Issuance Of Citations

8.03.03: Pick Up Orders

8.03.04: Director Conference

8.03.01: VIOLATION OF TITLE; PENALTIES:

Except for violation of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title, this Title may be enforced through the administrative code enforcement hearing program established by Title 18 of this code or by filing a civil action in the district court. Violations of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title may be enforced through the administrative code enforcement hearing program established by Title 18 of this code by filing a civil or

criminal action in the district court or criminal action in the justice court. Notwithstanding anything to the contrary, the City has sole discretion to decide whether to pursue or file a civil or criminal case for any violations. The possibility of an administrative remedy pursuant to Title 18 of this code shall in no way interfere with the City's right to prosecute violations of this Title as criminal action. If the City chooses to file both civil and criminal charges for the same violation, no civil penalty may be assessed, but all other remedies are available. The correction period set forth in section 18.04.030 of this code may be waived by the animal control officer, and an administrative citation penalty according to the adopted Consolidated Fee Schedule shall be assessed.

8.03.02: ISSUANCE OF CITATIONS:

An animal control officer is authorized to issue a criminal citation to any person upon a charge of violating any of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title. The form of the citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of applicable law. (Ord. 14-04, 3-19-2014)

8.03.03: PICK UP ORDERS:

The director may petition the court for a "pick up order" for an animal within the premises of and/or under the control of a person who is in violation of this Title. This section may be used for, but is not limited to, picking up of animals pursued but not captured by an animal control officer, nuisance animals, or for any other violation of this Title. (Ord. 13-37, 12-18-2013)

CHAPTER 8.04 PERMITS

SECTION:

- 8.04.01: Regulatory Authority of Division
- 8.04.02: Permit Procedures and Requirements
- 8.04.03: Establishments; Inspections and Reports
- 8.04.04: Unlawful Activities; Notice Requirements
- 8.04.05: Permits; Suspension or Revocation; Grounds
- 8.04.06: Permits; Suspension or Revocation; Procedure
- 8.04.07: Emergency Suspension of Permits
- 8.04.08: Notice of Suspension of Permits; Service Procedure
- 8.04.09: Commercial Animal Establishments
- 8.04.10: Requirements for Animal Exhibitions
- 8.04.11: Guard Dog Permit
- 8.04.12: Fancier's Permit
- 8.04.13: Hobby Permit
- 8.04.14: Foster Animal Foster
- 8.04.15: Exotic Animal Permit
- 8.04.16: Dangerous Animal Permit
- 8.04.17: Residential Fowl Permit
- 8.04.18: Exemptions

8.04.01: REGULATORY AUTHORITY OF DIVISION:

The director shall have the authority to promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this Title and other applicable laws. Such regulations may be amended from time to time as deemed desirable for public health and

welfare and for the protection of animals. Regulations promulgated under this delegation of authority shall not extend the power of the director or the division beyond that reasonably necessary to carry out the requirements of this Title. (Ord. 09-21, 5-6-2009)

8.04.02: PERMIT PROCEDURES AND REQUIREMENTS:

- A. All applications for permits shall be submitted to the director on a form provided by the director.
- B. Upon submission of an application, the director shall verify with the health department, appropriate zoning authority, and appropriate business licensing division that the applicant is in compliance with applicable rules, regulations, ordinances and laws.
- C. Applications must be accompanied by the applicable fee in accordance with the adopted Consolidated Fee Schedule.
- D. Permits issued pursuant to this chapter are nontransferable from one location or owner to another.
- E. A commercial animal establishment or shelter shall obtain a permit or license issued in accordance with this chapter. Such permit or license shall be posted in a conspicuous place of the establishment or shelter.
- F. A permit issued pursuant to this chapter shall expire one (1) year after it is issued by the director. Renewal applications are available thirty (30) days prior to the expiration date of the current permit and must be accompanied by the applicable fee in accordance with the adopted Consolidated Fee Schedule.
- G. Late applications for the permits required by this chapter shall be subject to the late fee set forth in the adopted Consolidated Fee Schedule.

8.04.03: INSPECTIONS AND REPORTS:

Any person or establishment required to have a permit or business license for a commercial animal establishment shall be subject to periodic inspections, and the inspector shall make a report of such inspection, which shall be given to the establishment and shall be filed with the director. When the inspector finds a violation, the inspection form shall:

- A. Set forth the specific violation(s) found;
- B. Establish a specific and reasonable period of time for correction of the violation(s) found;
- C. State that failure to comply in the specified period of time with any notice issued in accordance with the provisions of this section. Failure to comply may result in immediate suspension of the permit and/or issuance of a citation; and
- D. State that an opportunity for a director conference upon any grievance the owner or operator may have concerning the inspection findings and corrections ordered by the animal control officer may be held according to the provisions of section 8.03.04 of this Title. (Ord. 09-21, 5-6-2009)

8.04.04: UNLAWFUL ACTIVITIES; NOTICE REQUIREMENTS:

If an inspection of kennels, catteries, animal grooming parlors, pet shops, riding stables, similar establishments, or the premises of the holder of a permit reveals a violation of this Title, the inspector shall notify the permit holder or operator of such violation as provided in section 8.04.03 of this chapter and/or issue a citation. (Ord. 09-21, 5-6-2009)

8.04.05: PERMITS; SUSPENSION OR REVOCATION; GROUNDS:

A permit or license may be suspended or revoked or a permit application rejected on any one (1) or more of the following grounds:

- A. Falsification of facts in a permit application;
- B. Material change in the conditions upon which the permit was granted; (Ord. 09-21, 5-6-2009)
- C. Violation of any provisions of this Title or any other law or regulation governing the permittee's establishment, including, but not limited to, noise and/or building and land use ordinances; or (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)

D. Conviction on a charge of cruelty to animals. (Ord. 09-21, 5-6-2009)

E. Notwithstanding any other provisions of this Title, if an inspecting officer finds unsanitary or other conditions in the operation of commercial animal establishments or premises of the holder of a permit obtained under this Title, which in the inspector's sole judgment constitute an immediate and substantial hazard to public health or the health and safety of any animal, they may order the immediate seizure of any animals whose health and safety are at risk and order the owner or operator of the establishment to immediately cease operations. It shall be unlawful for any person to whom such an order is given to fail to obey the same. Any animals seized under this section shall be impounded or otherwise cared for as the director deems necessary.

8.04.06: PERMITS; SUSPENSION OR REVOCATION; PROCEDURE:

Any permit granted under this Title may be suspended or revoked by the division for violations of any of the requirements of this Title.

A permittee aggrieved by the suspension or revocation of a permit may file a written petition with the director within twenty (20) days of the director's decision for review of said grievance.

Upon consideration of said grievance and upon good cause showing, the director may, at the director's sole discretion, uphold or modify the suspension or revocation, or reinstate the permit.

A permittee aggrieved by a decision of the director may file a written petition with the mayor or a person appointed by the mayor with the advice and consent of the City Council within twenty (20) days of the director's decision for review of said grievance. Upon consideration of said petition and upon good cause shown, the mayor or a person appointed by the mayor as provided herein may uphold or modify the suspension or revocation or reinstate the permit.

A new permit shall not be issued to any person whose prior permit was suspended or revoked by the division until the applicant has satisfied the director that they have the means and the will to comply with the requirements of this Title in the future. An application for another permit must comply with the requirements for an application for an initial permit, including application fee. (Ord. 09-21, 5-6-2009)

8.04.07: NOTICE OF SUSPENSION OF PERMITS; SERVICE PROCEDURES:

Notice shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the director. (Ord. 09-21, 5-6-2009)

8.04.08: COMMERCIAL ANIMAL ESTABLISHMENTS; REQUIREMENTS:

It is unlawful for any person to operate or maintain a commercial holding facility or any similar establishment unless such person first obtains an inspection conducted by the division which verifies compliance with the regulations in this Title and any other required licenses. Such establishment shall be required to obtain a business license from the Community Development Department.

In addition to obtaining the permit required by this chapter, all commercial animal establishments within the City shall comply with all zoning requirements and shall:

Be operated in such a manner as not to constitute a nuisance;

Provide an isolation area for boarded animals which are sick or diseased, sufficiently removed so as not to endanger the health of other animals;

Retain for a period of one (1) year the name, address and telephone number of the owner and license number of each dog or cat boarded;

Retain for a period of three (3) years the name and address of each person selling, trading or giving any animal to the commercial animal establishment;

Keep all boarded animals caged or under control of the owner or operator of the establishment;

Care for all animals in the establishment, whether or not owned by the establishment, and comply with all the requirements of this Title for the general care of animals;

If applicable, not sell animals which are un-weaned or so young or weak that their sale poses a serious risk of death or inadequate development to the animal;

If applicable, provide the purchaser of an animal with written instructions as to the proper care and control of that species; (Ord. 09-21, 5-6-2009)

Comply with all applicable federal, state and local laws and all regulations respecting that specific commercial animal establishment which are adopted by the City and in effect from time to time; and

Supply the purchaser, residing in the licensing authority of this Title, of any dog, cat or ferret with an application for animal license, the form of which is prescribed by the City. (Ord. 09-21, 5-6-2009)

8.04.09: REQUIREMENTS FOR ANIMAL EXHIBITIONS:

A. It shall be unlawful for any person to own, operate, sponsor or conduct an animal exhibition within the City without first obtaining a mass gathering permit and, if required, a temporary business license permit issued by the City.

B. No animal exhibition shall occur within the City in which any animal is exhibited, paraded or allowed to participate in a contest:

1. Under conditions which cause physical injury to such animal;
2. Under conditions that place spectators at risk of being harmed; or
3. Unless all applicable federal, state and local laws and regulations and standards adopted by reputable, nationally recognized associations organized for the operation of such exhibitions and City standards complied with by the operator of the exhibition.

C. A person owning, operating or sponsoring an animal exhibition within the City without first obtaining the permit therefor required by this chapter shall be guilty of a class B misdemeanor. Each day of violation of this section shall be a separate offense. The City may also seek to obtain an injunction against an animal exhibition through a court with jurisdiction over the matter.

D. The application for an animal exhibition permit required by this section shall:

1. Describe the type of exhibition or contest and the kind and number of animals to be on exhibition or involved in the contest and list the sites and dates of the event(s); and
2. Contain such other information as may be required under regulations established by the director and include a sworn statement by the applicant that the provisions of this Title pertaining to animal exhibitions will be complied with at all times.

E. No permit required by this section shall be issued until the applicant completes the application form, pays the applicable fees as set forth in the adopted Consolidated Fee Schedule, and receives the written approval of the director of the provisions made for the safety, well-being and comfort of the animals involved.

F. Animal exhibition permits issued pursuant to this section shall be effective only for the period specified in the permit, which period shall not exceed thirty (30) days.

G. A permit issued pursuant to this section shall not be transferable.

H. A permit issued pursuant to this section shall be displayed prominently at the site of the animal exhibition.

I. The City may waive the permit fee for an animal exhibition that is sponsored by a bona fide nonprofit organization, a governmental entity, or a school if the purpose is a City public purpose or a charitable purpose.

J. Animal exhibitions permitted under this section shall provide immediate access to animal control officers, health department agents, and/or Utah state officials for the purpose of compliance inspections. (Ord. 09-21, 5-6-2009)

8.04.10: GUARD DOG PERMIT:

A. It shall be unlawful for any person to own a guard dog without first obtaining a guard dog permit as provided hereafter. It shall be unlawful for any person to hire the use of a guard dog that has not been issued a guard dog permit.

B. A permit required by this section shall be obtained from the division. The application shall set forth the type of dog, the site(s) where said dog shall be used, the hours of use of said dog, and any other information the director deems appropriate.

C. Permits are not transferable from one owner to another or from one location to another.

D. On the premises where a guard dog is used, conspicuous warning signs shall be posted at each door or gate that gives access to the guard dog and shall contain the following wording: "Warning: A guard dog is guarding this property. Entry herein may cause said dog to attack your person and cause significant injury, even death. To reach the handler for said dog, call (enter telephone number)." The telephone number contained in the warning required by this subsection must provide a twenty-four (24) hour per day access to the guard dog's owner or handler.

E. A guard dog shall not be allowed to become a nuisance.

F. A guard dog shall, in addition to licensing, be microchipped and the microchip number shall be registered with the division. The license shall be attached to a one inch (1") wide red or orange collar with the word "Danger" written or embroidered in black lettering three-fourths inch (3/4") in height. The collar must be on the dog at all times.

G. Any person violating any provision of this section shall be guilty of a class B misdemeanor. Each day a guard dog is deployed for use by any person for the detection of intruders and/or protection of premises in violation of any provision of this section shall be deemed a separate offense. (Ord. 09-21, 5-6-2009)

8.04.11: FANCIER'S PERMIT:

A. Owners of purebred cats or dogs may apply for a fancier permit to keep more than three (3) of any one (1) species, but no more than five (5) total in any combination of dogs, cats, pot-bellied pigs, or ferrets in a residential area, provided:

1. Such pets are individually licensed;
2. Such pets are registered with a national registry such as, but not limited to, the AKC, UKC or Field Dog;
3. The owner is in compliance with zoning requirements, health department requirements, and division requirements;
4. Approval is granted by the health department and the director;
5. Adequate areas for shelter and confinement are provided; and

All other provisions of this Title are complied with;

No pet or premises is deemed to be a nuisance; and

The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one (1) dwelling unit; and

Any other animals subject to licensing according to this Title, without purebred certification, and residing at the home shall be listed on the application and meet the requirements for licensing and sterilization as outlined in 8.04.12.

B. The holder of a permit issued under this section may keep one litter intact until the animals reach five (5) months of age; one animal from the litter may be retained until it reaches twelve (12) months of age. At no time may the holder of a permit retain more animals than is indicated on the permit. (Ord. 09-21, 5-6-2009)

8.04.12: HOBBY PERMIT:

Owners of dogs, cats, pot-bellied pigs, and ferrets may obtain a permit to keep more than three (3) of any one (1) species, but no more than five (5) total in any combination, provided:

Such pets are individually licensed;

Such pets are rendered sterile;

The owner is in compliance with zoning requirements, health department requirements, and division requirements;

Approval is granted by the health department and the director;

Adequate areas for confinement and shelter are provided; and

The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one (1) dwelling unit; and

Other provisions of this Title are complied with; and

No pet or premises is deemed to be a nuisance. (Ord. 09-21, 5-6-2009)

8.04.13: FOSTER ANIMAL PERMITS:

A. A person may obtain a foster permit to foster up to five (5) dogs, cats, pot-bellied pigs, or ferrets in any combination, provided

Such pets are the property of a local public animal shelter or a section 501(c)(3), Internal Revenue Code, animal welfare organization;

Such pets are awaiting adoption;

The fostering person is in compliance with zoning requirements, health department requirements, and division requirements;

Approval is granted by the health department and the director;

Adequate areas for confinement and shelter are provided; and

The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one dwelling unit; and

Animals subject to licensing that reside at the home for longer than thirty (30) days shall count towards the total number of allowed animals and be subject to the licensing and sterilizations requirements listed in 8.04.12; and

Other provisions of this Title are complied with; and

No pet or premises is deemed to be a nuisance.

8.04.14: EXOTIC ANIMAL PERMIT:

It is unlawful for any person to own or keep an exotic animal without a permit. Unless prohibited by land use or other ordinances or laws, any person 18 years or older may obtain an exotic animal permit upon: (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)

A. Demonstrating sufficient knowledge of the species to provide adequate care;

B. Presenting proof of adequate caging appropriate for the species;

C. Presenting proof that the animal poses no threat to the health and safety of the community in the event that the animal should escape; and

D. Presenting proof of required state or federal permits, if any.

The director may consult with a review board comprised of federal, state and local public health authorities in considering a request for an exotic animal permit.

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he/she has adequate knowledge of a species to provide for its basic needs to maintain the animal's health and welfare. The director may consider the person's experience, education, apprenticeship or by examination administered by the director when determining that a person has sufficient knowledge of a species. (Ord. 09-21, 5-6-2009)

8.04.15: DANGEROUS ANIMAL PERMIT:

It is unlawful for any person to own or keep a dangerous animal without a permit.

For the purposes of this section, a dangerous animal is any animal that:

Would constitute an unreasonable danger to human life, health, or property if not kept, maintained, or confined in a safe and secure manner;

Approaches any person in an aggressive, terrorizing, or threatening manner;

Has a known propensity, tendency, or disposition to attack unprovoked or to cause injury or otherwise endanger the safety of human beings or other animals; or

Which bites, inflicts injury, assaults, or otherwise attacks a human being or domestic animal on public or private property, except in the case of an injured animal or an animal which is deliberately provoked.

For the purpose of this Title, constrictor snakes over ten feet (10') in length shall be considered a dangerous animal,

Unless prohibited by land use or other ordinances or laws, any person over the age of eighteen (18) years of age may obtain a dangerous animal permit upon complying with applicable zoning requirements and: (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)

Demonstrating sufficient knowledge of the species so as to be an expert in the care and control of the species;

Presenting proof of adequate primary caging appropriate for the species and a sufficient secondary system of confinement so as to prevent unauthorized access to the animal and to prevent the animal's escape;

Presenting proof that adequate measures have been taken to prevent the animal from becoming a threat to the health and safety of the community;

Presenting a plan of action in the event of the animal's escape;

Presenting proof of required state or federal permits, if any; and

Presenting proof of liability insurance in an amount of at least one hundred thousand dollars (\$100,000.00), which policy shall name the City as an additional insured and shall not be subject to cancellation or other material modifications without at least thirty (30) days' prior written notice to the City.

The director may consult with a review board comprising federal, state and local public health authorities in considering a request for a dangerous animal permit;

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he has specialized knowledge of a species to provide for its basic needs to maintain the animal's health, welfare and confinement. The director may consider the person's experience, education, apprenticeship or by examination administered by the director when determining that a person has sufficient knowledge of a species. (Ord. 09-21, 5-6-2009)

8.04.16: RESIDENTIAL FOWL PERMIT:

A. Purpose: Where permitted by the land development code, persons may keep residential fowl on single-family, owner-occupied residential and agricultural lots. For the purposes in this section, the term "fowl" shall mean ducks and chickens. Such animals shall be kept in accordance with the provisions of this section:

1. Application; Obtaining Permit: It is unlawful for any person to keep any fowl without first making application for and obtaining a residential fowl permit.
2. At Large: It is unlawful for any person who is the owner, keeper, or temporary custodian of any residential fowl to allow the animal(s) to be off the premises.
3. Unsanitary Conditions: It is unlawful for any person to keep and maintain in an unclean or unsanitary condition any coop, enclosure, or other structure or area in which any fowl is kept. All droppings must be cleaned at least once a week.
4. Nuisance: It is unlawful for the owner to allow the animal(s) to be a nuisance to any neighbor including, but not limited to, creating noxious odors from the animals, their waste, coop, or related structure or generating noise of a loud and persistent nature.

5. Subject To Inspection: All places where any fowl are kept shall be subject to inspection prior to a permit being issued for cleanliness, health, and sanitation purposes by a code enforcement official, animal control officer, or representative of the Salt Lake Valley Health Department. A code enforcement official, animal control officer, or representative of the Salt Lake Valley Health Department shall also be authorized to inspect any property where the animal(s) are kept based on any complaint or observation that the requirements of this section or conditional use permit requirement are in violation.

6. Females Only: Only female fowl may be kept. No geese, turkeys, peafowl, crowing hens, or roosters may be kept. No other bird species shall be kept except as provided by this code and birds normally and generally considered household or indoor pets.

7. Accessory Buildings: Coops shall be considered accessory buildings and are subject to the area provisions of the Taylorsville land development code. Height and setback provisions shall be determined by this section but shall in no cases violate setback or height limitations of the zoning ordinance with the exception of proximity to a main structure.

8. Feed And Water Access: Fowl shall have access to feed and water at all times in an area that is protected from wild birds, rodents, and other predators. Any stored feed must be kept in a rodent and predator proof container.

9. Personal Use Only: Residential fowl shall be for personal use only. The selling of eggs or fertilizer or the breeding of fowl for commercial use is prohibited.

10. Slaughtering Prohibited: The slaughtering of fowl on the premises is prohibited.

11. Dead Birds; Rotting Eggs: Dead fowl and rotting eggs shall be removed within twenty-four (24) hours and properly disposed of.

12. Review Of Permits: All residential fowl permits are subject to review upon substantiated and unresolved complaint.

13. Enclosure Standards:

- a. Fowl must be contained within an enclosure or fenced area at all times.
- b. All enclosures shall have a maximum opening of two and one-half inches (2 ½").
- c. Enclosures shall be contained entirely in the rear yard. Enclosures shall not be permitted in any front or side yard unless the subject property meets the requirements set forth in paragraph d.
- d. The director has authority to grant exception to side or front yard restrictions provided that the application demonstrates all of the following:
 - (1) The subject property is an irregularly shaped parcel and rear yard is not the most suitable location for a coop and enclosure;
 - (2) The side or front yard area for which the exception is being requested is at least two (2) times the area of the rear yard; and
 - (3) A scaled site plan is submitted that demonstrates the placement of the coop and enclosure in the front or side yard can meet the following location requirements:
 - (a) Coop and enclosure shall not encroach into the minimum setback requirements established for the primary dwelling as outlined in the Residential Development Standards; and
 - (b) Coop and enclosure must meet all other standards in this ordinance including distance from neighboring, main structures, and dwelling entrances.

14. Coop Standards:

- a. Fowl shall be provided a covered, predator-proof and well-ventilated coop that must be impermeable to rodents, wild birds, and predators including dogs and cats. The coop shall provide a minimum of three (3) square feet per chicken or duck and be of sufficient size to allow free movement.
- b. Residential coops shall be located within or adjacent to the enclosure.
- c. All coops shall be placed at least fifteen feet (15') from an entrance to any habitable structure.

d. All coops must be located at least twenty-five feet (25') from any habitable portion of a structure on a neighboring property.

e. Coops shall be maintained in good condition.

f. Coops shall be constructed such that:

- (1) It is freestanding;
- (2) It is easily accessible for cleaning and maintenance;
- (3) It is enclosed on all sides and has a roof and door(s);
- (4) Doors must be able to be closed and locked; and
- (5) No coop shall exceed eight feet (8') in height.

(6) The coop shall be covered with predator and bird-proof wire with a maximum opening of one-fourth inch (1/4"). The wire shall be buried at least three inches (3") and bent outward at least another twenty-four inches (24") to prevent rodents from burrowing into the structure unless the coop is elevated off the ground at least twelve inches (12").

(7) All openings and vents shall be covered with predator and bird-proof wire with a maximum opening of one-fourth inch (1/4").

g. Coops may be relocated from time to time within the back yard provided that it remains within or adjacent to the enclosure and adheres to all setback standards.

15. Residential Fowl Permit Application Requirements:

a. Prior to the issuance of any residential fowl permit, the applicant shall submit the following information:

- (1) A completed and signed application;
- (2) Appropriate fee., as set forth in the City's Consolidated Fee Schedule;
- (3) A site plan showing the exact location of the enclosure and coop including measured distances from all dwellings and property lines, including buildings on adjacent properties;
- (4) A photograph or illustration of the proposed enclosure and coop including construction materials, height, and other dimensions; and
- (5) Signed consent to an on-site inspection of all enclosures, coops and surroundings.

16. Side And Rear Setbacks:

- a. Minimum rear yard: Three feet (3') minimum from any coop to any rear property line.
- b. Side yard setback: Three feet (3') minimum from any coop to any side property line.

17. Maximum Number Of Fowl:

Lot Size (Square Feet)	Maximum Number Of Fowl
Lot Size (Square Feet)	Maximum Number Of Fowl
Less than 5,999	2
6,000 to 6,999	3
7,000 to 7,999	4
8,000 to 8,999	5
9,000 to 9,999	6
10,000 to 11,999	8
12,000 or more	10

(Ord. 10-07, 5-19-2010; amd. Ord. 12-15, 7-11-2012; Ord. 23-07, 6-7-2023)

8.04.17: EXEMPTIONS:

Research facilities where bona fide medical or related research is being conducted, or other animal establishments operated by state or local government, or which are licensed by federal law, are excluded from the permit requirements of Section 8.04.09.

People or organizations providing care for feral cat colonies shall be exempt from permit requirements. Custodians of such cat colonies shall:

Obtain permission from the owner of the property whereupon shelter and food is provided;

Take responsibility for feeding the cat colony regularly throughout the year, while ensuring that the feeding area(s) is secure from insect, rodent, and other vermin attraction and harborage;

Maintain contact with governmental agencies to ensure sterilization, vaccination, and ear tipping of all adult feral cats that can be captured; and

Remove droppings, spoiled food, and other waste from the premises as often as necessary and at least every seven (7) calendar days, to prevent odor, insect, or rodent attraction or breeding, or any other nuisance. (Ord. 09-21, 5-6-2009)

CHAPTER 8.05 PET LICENSING

SECTION

8.05.01: License; Required; Age And Residence Requirements For License Holder

8.05.02: License; Required; Age Of Animals

8.05.03: License; Application

8.05.04: Additional Requirements For Licensing And Keeping Ferrets

8.05.05: Veterinary Certificate

8.05.06: License; Fees; Senior Citizens

8.05.07: License; Term And Renewal

8.05.08: License; Revocation

8.05.09: License; Tag Requirements

8.05.10: License; Exemptions

8.05.11: License Vendors

8.05.12: Number Of Dogs, Cats, And Ferrets Per Residence Or Property

8.05.01: LICENSE; REQUIRED; AGE AND RESIDENCE REQUIREMENTS FOR LICENSE HOLDER:

All dogs, cats, and ferrets must be licensed each year, except as otherwise provided in this chapter, to a person eighteen (18) years old or older who has a residence or property within the City. (Ord. 09-21, 5-6-2009)

8.05.02: LICENSE; REQUIRED; AGE OF ANIMALS:

Any person owning, possessing, or harboring any dog, cat or ferret within the City shall obtain a license for such animal within thirty (30) days after the animal reaches the age of four (4) months or, in the case of a dog, cat, or ferret over four (4) months of age, within thirty (30) days of the acquisition of ownership or possession of the animal by said person. (Ord. 09-21, 5-6-2009)

8.05.03: LICENSE; APPLICATION:

License applications must be submitted to the division by utilizing a standard form which states the name, address and telephone number of the applicant; breed, sex, color, and age of the animal; previous license information, rabies and sterilization information; and the number, location, or other information applicable to a tattoo or implanted microchip of the animal. The application shall be accompanied by the prescribed license fee as outlined in the City's Consolidated Fee Schedule and by a rabies vaccination certificate current for a minimum of four (4) months beyond the date of application. A license shall not be issued for a period that exceeds the expiration date of the rabies vaccination. A licensed veterinarian shall give rabies vaccinations with a vaccine approved by the current compendium of animal rabies control. (Ord. 09-21, 5-6-2009)

8.05.04: ADDITIONAL REQUIREMENTS FOR LICENSING AND KEEPING FERRETS:

Without limiting any other requirements of this Title, those wishing to keep ferrets must adhere to the following requirements:

- A. First time applicants for ferret licenses must obtain a license pursuant to Section 8.05.03 of this chapter, and shall comply with the following:
- B. All ferrets must be vaccinated against rabies at least annually;
- C. An identifying microchip must be implanted in each ferret and the microchip number must be included with each license application;
- D. No more than two (2) adult ferrets may be kept in a household at any time and no more than one (1) litter of kits under the age of five (5) months may be kept in a household at any time;
- E. All owners shall make their ferret housing facilities and the health of their ferrets open to inspection by the division at least once each year including an initial inspection upon application for a ferret license;
- F. Ferrets shall be kept primarily as indoor pets and shall be housed in a cage or kennel of sufficient size and construction to allow proper space and safekeeping of the ferret. When a ferret is outside, it shall be kept on a harness with a leash not over six feet (6') in length specifically designed for ferrets; and
- G. The City encourages owners to sterilize and de-scent their ferrets. (Ord. 09-21, 5-6-2009)

8.05.05: VETERINARY CERTIFICATE:

No dog, cat, or ferret shall be licensed as spayed or neutered without a veterinary certificate that such surgery has been performed. If a veterinarian opines in writing that a dog, cat, or ferret has been spayed or neutered, such written opinion may constitute a veterinary certificate. (Ord. 09-21, 5-6-2009)

8.05.06: LICENSE; FEES; SENIOR CITIZENS:

A person sixty (60) years of age or older on the date of license application may, upon proof of that person's age, obtain a senior citizen dog, cat, or ferret license:

For an unsterilized animal for an annual fee as set forth in the adopted Consolidated Fee Schedule..

For the life of a spayed or neutered animal for a onetime fee as set forth in the adopted Consolidated Fee Schedule. Such licenses shall be renewed annually without fee thereafter.

This section shall not be construed to relieve any person from meeting all licensing requirements not specifically exempted, including late fees and required vaccinations, nor is any license issued hereunder transferable to any other animal or owner other than that for which the license was issued. (Ord. 09-21, 5-6-2009)

8.05.07: LICENSE; TERM AND RENEWAL:

The license shall be issued for one (1) year and shall be effective from (1) the date of purchase through the end of the same month of the expiration year as the month in which the license is purchased, or (2) at the end of the rabies vaccination period current for the animal at the time the license is obtained, whichever date occurs first. Renewals must be obtained prior to the expiration of the immediately preceding license. Applications for renewals made after the expiration of the immediately preceding license must be accompanied by a late fee in accordance with the adopted Consolidated Fee Schedule.

8.05.08: LICENSE; REVOCATION:

If the owner of any dog, cat, or ferret is found to be in violation of this Title on three (3) or more different occasions, within a twelve (12) month period, the director may seek a court order pursuant to chapter 8.03 of this Title, revoking for a period of one (1) year any and all license(s) such person may possess, and providing for the division to pick up and impound any animal kept by the person under such order. Any animal impounded pursuant to such an order shall be dealt with in accordance with the provisions of this Title for impounded animals, except that the person under the order of revocation shall not be allowed to redeem such animal, as provided in this Title, unless successfully making reapplication of the license with the director. Persons seeking reapplication of said license must comply with conditions as set forth by the director that may include, but are not limited to, sterilization of the animal(s), enclosure requirements, and confinement conditions. (Ord. 09-21, 5-6-2009)

8.05.09: LICENSE; TAG REQUIREMENTS:

A. Upon payment of the license fee, the director shall issue to the owner a receipt and a tag for each pet licensed. The tag shall have stamped thereon the license number corresponding with the tag number on the receipt. The owner shall attach the tag to the collar or harness of the animal and see that the animal constantly wears the collar and tag. Failure to attach the tag as provided shall be a violation of this Title, except that dogs or cats which are kept for show purposes are exempt from wearing the collar and tag while participating in an animal exhibition.

B. Tags are not transferable from one animal to another or from one owner to another. No refunds shall be made on any dog, cat, or ferret license fee for any reason whatsoever. Replacement for lost or destroyed tags shall be allowed upon payment to the division of the replacement tag fee set forth in the adopted .Consolidated Fee Schedule.

C. Any person who removes or causes the removal of the collar, harness, or tag from any licensed dog, cat, or ferret without the consent of the owner or keeper thereof, except a licensed veterinarian or animal control officer who removes such for medical or other reasons, shall be in violation of this Title.

D. Owners may have an identifying microchip implanted in their animals. If owners take such action, they may be exempt from the requirement that such animals wear identifying tags at all times while on the owner's premises, provided that the microchip information has been registered with the division. Owners shall assume the risk of the loss or destruction of an unrestrained animal whose microchip either cannot be located after a reasonable search or owner information cannot be found after a reasonable records search.

E. It is the responsibility of any vendor of microchips to provide information to the division as to the identification of the owner of an animal that has been microchipped by said vendor. (Ord. 09-21, 5-6-2009)

8.05.10: LICENSE; EXEMPTIONS:

A. The provisions of sections 8.05.01 through 8.05.09 of this chapter shall not apply in the following circumstances:

1. The dog, cat, or ferret is properly licensed in another jurisdiction and the owner thereof is within the City temporarily, for a period not to exceed thirty (30) consecutive days. If the owner shall be within the City temporarily, but for a period longer than thirty (30) consecutive days, he may transfer the dog, cat, or ferret license to the local license required by this chapter by payment of the applicable fee set forth in the adopted Consolidated Fee Schedule and upon presenting proof of a current rabies vaccination for the animal; and

2. Individual dogs, cats, or ferrets housed within a properly permitted facility or other such establishment when such animals are held for resale for a period not to exceed twelve (12) months.

B. The licensing provisions of sections 8.05.01 through 8.05.09 of this chapter shall not apply to:

1. Seeing eye dogs trained to assist blind persons if such dogs are actually used by blind persons to assist them in moving from place to place;

2. Hearing dogs trained and certified to assist deaf persons to aid them in responding to sounds and in use for that purpose;

3. Assistance dogs trained and certified to assist persons with a physical disability and in use for that purpose;

or

4. Dogs trained to assist officials of government agencies in the performance of their duties and which are owned by such agencies.

Feral cats are exempt from licensing requirements required by this section.

Nothing in this section shall be construed so as to exempt any dog, cat, or ferret located within the City from having a current rabies vaccination. (Ord. 09-21, 5-6-2009)

8.05.11: LICENSE VENDORS:

The director may contract with veterinary hospitals, veterinarians, pet shops, animal grooming parlors, and similar institutions or individuals for the issuance of license application forms. (Ord. 09-21, 5-6-2009)

CHAPTER 8.06 RABIES CONTROL

SECTION:

8.06.01: Dog, Cat And Ferret Rabies Vaccination Requirements

8.06.02: Rabies Vaccination; When Valid

8.06.03: Rabies Vaccination; Veterinarian Duties; Certification And Tags

8.06.04: Impoundment Of Animals Without Valid Vaccination Tags

8.06.05: Rabid Animal Reports

8.06.06: Animals Exposed To Rabies

8.06.07: Management Of Animals That Bite Humans

8.06.08: Management Of Animals That Bite Other Animals

8.06.01: DOG, CAT AND FERRET RABIES VACCINATION REQUIREMENTS:

A. The owner or person having charge, care, custody, and control of a ferret, cat, or dog four (4) months of age or older shall have such animal vaccinated against rabies and shall thereafter ensure that said animal is revaccinated as often as is required to maintain the animal in a current rabies vaccination status. Any person permitting any animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for the vaccinations of the animal. Unvaccinated ferrets, dogs, or cats over four (4) months of age acquired by the owner or moved into the jurisdiction must be vaccinated within thirty (30) days of acquisition or arrival. Every dog, cat, and ferret shall have a current rabies vaccination with a rabies vaccine approved by the current compendium of animal rabies control.

B. Veterinarians, cattery, and kennel operators shall be responsible for determining that dogs, cats and ferrets are currently vaccinated for rabies prior to accepting the animal from their owners or caretakers for temporary housing on their premises.

C. The provisions of this section shall not apply to a veterinarian providing emergency medical care to a sick or injured animal. (Ord. 09-21, 5-6-2009)

8.06.02: RABIES VACCINATION; WHEN VALID:

A. Animals that have had a valid vaccination for rabies shall not be considered to have a current vaccine until thirty (30) days following the first vaccination and shall be considered unvaccinated the day following the expiration of the last documented valid vaccination.

B. For the purpose of management of bite cases an owner may, within the six (6) months of expiration of the last vaccine, submit proof of protection against rabies. Such proof shall be in the form of a written statement from a veterinarian based upon a blood titer paid for by the owner, drawn after the bite, and prior to, or within ten (10) days of, any revaccination. (Ord. 09-21, 5-6-2009)

8.06.03: RABIES VACCINATION; VETERINARIAN DUTIES; CERTIFICATION AND TAGS:

A. It shall be the duty of each veterinarian, when vaccinating any animal for rabies, to complete a certificate of rabies vaccination, in duplicate, which includes the following information:

1. Owner's name and address;
2. Description of the animal (breed, sex, markings, age, name);
3. Date of vaccination;
4. Vaccination expiration date;
5. Rabies vaccination tag number;
6. Type of rabies vaccine administered; and
7. Manufacturer's serial number of vaccine.

B. A copy of the certificate shall be distributed to the owner and the original certificate shall be retained by the issuing veterinarian. The veterinarian and the owner shall retain their respective copies of the certificate for the interval between vaccinations specified in this chapter.

C. Additionally, a metal or durable plastic rabies vaccination tag, serially numbered, may be securely attached to the collar or harness of the animal. An animal discovered in public view and not wearing a rabies tag or current license tag shall be deemed to be unvaccinated and may be impounded or seized in accordance with law and dealt with pursuant to this Title. (Ord. 09-21, 5-6-2009)

8.06.04: IMPOUNDMENT OF ANIMALS WITHOUT VALID VACCINATION TAGS:

A. Any vaccinated animal impounded because of a lack of a rabies vaccination tag may be reclaimed by its owner upon the owner furnishing a valid rabies certificate including the animal's description and payment of all fees attributable to said animal's apprehension and impoundment accrued up to the date of release.

B. Any unvaccinated animal may be reclaimed by its owner prior to disposal of said animal under the procedures set forth hereafter in Section 8.08.04 of this Title by payment of all fees attributable to said animal's apprehension and impoundment and by the owner posting a rabies deposit as specified in the adopted Consolidated Fee Schedule. Said deposit may be recovered by owner upon showing proof of rabies vaccination within seventy-two (72) hours of release.

C. Any animal not reclaimed prior to the period specified in Section 8.08.05 of this Title shall be disposed of pursuant to that section. (Ord. 09-21, 5-6-2009)

8.06.05: RABID ANIMAL REPORTS:

A. Any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies and any person having knowledge of an animal or person bitten by a wild or domestic mammal or bat shall report such knowledge and all pertinent information to the director and the health department. Any person having custody of such animal shall confine the animal pending direction from the director or the health department.

B. It shall be unlawful for any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies, or of an animal or person bitten by such an animal, to harbor, protect, or otherwise interfere with the apprehension or identification of said animal or person(s) by willfully withholding such knowledge from an animal control officer or any other officer of the City, the division, the health department or the Utah State Department of Health.

C. It shall be a violation of this Title for an owner, or other person having the care, custody, and control of an animal known, suspected, or deemed to have been exposed to rabies as set forth in this section to fail to surrender said animal immediately upon demand by any animal control officer or officer of the City, the division, the health department or the Utah State Department of Health. (Ord. 09-21, 5-6-2009)

8.06.06: ANIMALS EXPOSED TO RABIES:

Any animal potentially exposed to the rabies virus by a wild or domestic mammal or a bat shall be regarded as having been exposed to rabies pending successful completion of testing and/or quarantine of the biting animal.

A. Unvaccinated dogs, cats, and ferrets exposed to a rabid animal shall be euthanized immediately. If the owner is unwilling to have this done, the animal shall be placed in quarantine for up to six (6) months in a location agreeable to the director and monitored by a veterinarian, at the owner's expense, and vaccinated one (1) month before being released.

B. Dogs, cats, and ferrets that are currently vaccinated shall be revaccinated immediately, kept under the owner's control, and observed for forty-five (45) days.

C. Livestock shall be handled as per the current compendium of animal rabies control. (Ord. 09-21, 5-6-2009)

8.06.07: MANAGEMENT OF ANIMALS THAT BITE HUMANS:

A. An apparently healthy dog, cat, or ferret that bites a person shall be quarantined and the following provisions shall apply:

1. The animal shall be observed for a period of not less than ten (10) days by the division and/or the health department, and the owner of the animal shall be responsible for the cost of such quarantine;

2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite is inflicted;

3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the director and the division if the animal shows any signs of sickness or abnormal behavior or if the animal escapes from quarantine;

4. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the City, the division, the health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine;

5. If the quarantined animal dies within ten (10) days from the date of the bite for which the animal was quarantined, the person having custody of said animal shall immediately notify the director and the division of such fact and immediately deliver the animal to that person's veterinarian or the division for the removal and delivery of the head of said animal to a laboratory specified by the Utah State Department of Health for examination for rabies;

6. At the end of the quarantine period, the director or designee shall examine the quarantined animal and if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in section 8.08.05 of this Title;

7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested; and

8. Any stray or unwanted dog, cat, or ferret that bites a person may be euthanized immediately and submitted for rabies examination if an immediate examination is determined necessary by the director or the health department.

B. Animals other than dogs, cats, or ferrets that might have exposed a person to rabies shall be reported immediately to the director and the health department. Case management shall be a collaborative effort between the health department and the division.

C. If any animal bites or attacks a person or another animal two (2) or more times in a twelve (12) month period, or if the director deems the bite or attack to be vicious by virtue of the severity of the bite, such animal may be immediately impounded, pending legal action, at the scene by the division without court order and held at the owner's expense.

D. The director may seek a court order for the destruction of an animal as he deems necessary. (Ord. 09-21, 5-6-2009)

8.06.08: MANAGEMENT OF ANIMALS THAT BITE OTHER ANIMALS:

A. An apparently healthy dog, cat, or ferret that bites another animal shall be quarantined as determined by the division, and the following provisions shall apply:

1. The animal shall be observed for a period of not less than ten (10) days by the division and/or the health department at a location determined by the division and the owner of the animal shall be responsible for the cost of such quarantine;
2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite is inflicted;
3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the director and the division if the animal shows any signs of sickness or abnormal behavior or if the animal escapes from quarantine;
4. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the City, the division, the health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine;
5. If the quarantined animal dies within ten (10) days from the date of the bite for which the animal was quarantined, the person having custody of said animal shall immediately notify the director and the division of such fact and immediately deliver the animal to that person's veterinarian or the division for the removal and delivery of the head of said animal to a laboratory specified by the Utah State Department of Health for examination for rabies;
6. At the end of the quarantine period the director or designee shall examine the quarantined animal and, if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in Section 8.08.05 of this Title;
7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested; and
8. Any stray or unwanted dog, cat or ferret that bites another animal may be euthanized immediately and submitted for rabies examination, if an immediate examination is determined necessary by the director or the health department. (Ord. 14-04, 3-19-2014)

CHAPTER 8.07 PROBLEMS AND NUISANCES

SECTION:

- 8.07.01: Nuisance; Penalties for Allowing
- 8.07.02: Animal Causing a Nuisance
- 8.07.03: Fierce, Dangerous or Vicious
- 8.07.04: Animal Bites; Reporting Requirements
- 8.07.05: Attacks By Animals; Owner Liability; Authorizing Destruction
- 8.07.06: Control and Fencing of Livestock
- 8.07.07: Harboring Stray Animals
- 8.07.08: Animals Running at Large
- 8.07.09: Staking Animals Improperly
- 8.07.10: Female Pets in Heat
- 8.07.11: Animals Prohibited in Designated Areas
- 8.07.12: Animal Trespass

8.07.01: NUISANCE; PENALTIES FOR ALLOWING:

Any owner or person having charge, care, custody, or control of an animal or animals causing a "nuisance", as defined in this Title, shall be guilty of allowing a nuisance in violation of this Title and subject to the penalties provided herein. (Ord. 09-21, 5-6-2009)

8.07.02: ANIMAL CAUSING A NUISANCE:

An animal causing a nuisance includes, but is not limited to, any animal that:

- A. Is repeatedly found at large;
- B. Damages the property of anyone other than its owner;
- C. Repeatedly molests or intimidates neighbors, pedestrians, cyclists, or passersby by lunging at fences, chasing, or acting aggressively toward such person(s), unless provoked by such person(s), or acts in such a way to cause unreasonable annoyance, disturbance, or discomfort;
- D. Chases vehicles;
- E. Makes disturbing noises including, but not limited to, continued and repeated howling, barking, whining, or other noise which causes unreasonable annoyance, disturbance, or discomfort to neighbors or others;
- F. Causes fouling of the air by odors and thereby creates unreasonable annoyance or discomfort to neighbors or others;
- G. Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored;
- H. Defecates on any public sidewalk, park, or building, or on any private property without the consent of the owner of such private property, unless the handler of such animal shall have in his possession the instruments to clean up after his animal and shall remove the animal's feces to a proper trash receptacle;
- I. Is offensive or dangerous to the public health, safety, or welfare by virtue of the number and/or types of animals kept or harbored;
- J. Attacks people or other animals, whether such attack results in actual physical harm to the person or animal to whom or at which the attack is directed or not;
- K. Has been found by a court or by any other commission or board lawfully established under Utah law to be a public nuisance under any other provision(s) of Utah law;
- L. Cannot be restrained by normal restraints, such as standard leashes, standard chains, or muzzles; or
- M. Cannot be effectively controlled by its owner or handler.

The fact, or evidence of the fact, that the factors alleged to have caused the animal to be a nuisance are inherent and/or natural behavior for such animal, or the action of the owner or animal are otherwise legal, shall not negate or excuse a charge of nuisance. (Ord. 09-21, 5-6-2009)

8.07.03: FIERCE, DANGEROUS OR VICIOUS ANIMALS:

A. It is unlawful for the owner of any fierce, dangerous, or vicious animal to permit such animal to go or be off the premises of the owner unless such animal is under restraint and properly muzzled so as to prevent it from injuring any person or property. Every animal so vicious and dangerous that it is not or cannot be effectively controlled by its owner or person having charge, care, custody, or control of such animal through the use of reasonable restraints is a hazard to public safety and the director may seek a court order for destruction, muzzling, or appropriate housing and confinement of the animal.

B. Any person violating any provision of this section shall be guilty of a class B misdemeanor. (Ord. 13-37, 12-18-2013)

8.07.04: ANIMAL BITES; REPORTING REQUIREMENTS:

A. Persons who obtain knowledge that an animal has bitten another animal or a human shall report the fact(s) to the director within twenty-four (24) hours of the bite regardless of whether the biting animal is of a species subject to rabies.

B. A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report that fact to the director and the health department within twenty-four (24) hours of his first professional attendance. Said report shall include the name, gender, and address of the person bitten as well as the type and location of the bite. If known, the person making the report shall give the name and address of the owner of the animal that inflicted the bite and any other facts that may assist the director in ascertaining the immunization status of the animal.

C. A veterinarian or other person who treats an animal bitten, injured, or mauled by another animal shall report that fact to the director. The report shall contain the name and address of the owner of the injured animal, the name and address of the owner, if known, of the animal which caused the injury, and a description of the animal, if known, which caused the injury, and the location of the incident.

D. Any person not conforming with the requirements of this section shall be in violation of this Title. (Ord. 09-21, 5-6-2009)

8.07.05: ATTACKS BY ANIMALS; OWNER LIABILITY; AUTHORIZING DESTRUCTION:

A. It is unlawful for the owner or person having charge, care, custody, or control of any animal to allow such animal to attack, chase, or worry any human, domesticated animal, any species of hoofed wildlife protected by any law or ordinance, or any pet or companion animal.

B. Any penalty imposed as a result of prosecution of a person under subsection A of this section shall be in addition to any penalties or liabilities imposed upon such person by any other law or ordinance.

C. The following shall be considered in mitigating the penalties or damages or in dismissing a charge brought under subsection A of this section:

1. The animal was properly confined on the premises;
2. The animal was deliberately or maliciously provoked; or
3. The animal was already injured and was defending itself.

D. Any person may take other protective action against an animal while it is committing any of the acts specified in subsection A of this section to protect themselves, or members of the public from any threat of death or personal injury then being posed by the animal.

E. Every person owning or keeping an animal shall be liable in damages for injuries committed by such animal and it shall not be necessary in any action brought therefor to allege or prove that such animal was of a vicious or mischievous disposition or that the owner or keeper thereof knew that it was vicious or mischievous. (Ord. 09-21, 5-6-2009)

8.07.06: CONTROL AND FENCING OF LIVESTOCK:

A. It is unlawful for any person owning or harboring an animal of a class of livestock to allow, either negligently or with specific intent, the livestock to run at large in an area where such is not permitted by law or to otherwise permit the livestock to be herded, pastured, or to go upon the land of another.

B. Adequate fencing shall be erected and maintained to prevent the livestock's escape as specified in subsection C of this section.

C. All fencing of property where a class of livestock is kept shall be of sufficient construction to prevent the escape of or injury to the livestock 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 livestock or to allow the escape thereof.

D. Construction, maintenance, and repair of fencing shall be the responsibility of the property owner and shall be constructed in a manner which is appropriate to the containment of all types of livestock confined therein. (Ord. 09-21, 5-6-2009)

8.07.07: HARBORING STRAY ANIMALS; UNLAWFUL CONFINEMENT OR CONCEALMENT OF ANIMALS:

A. It shall be unlawful for any person, except animal establishments operated by state or local governments, to harbor or keep any lost or stray animal. Whenever a lost or stray animal is retained or harbored by an animal welfare

society, it shall be the duty of such animal welfare society to notify the division within twenty-four (24) hours and the division shall impound the animal as provided herein.

B. Whenever any animal shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the division within twenty-four (24) hours and the division shall impound the animal as provided herein. (Ord. 09-21, 5-6-2009)

8.07.08: ANIMALS RUNNING AT LARGE:

It shall be unlawful for any owner, handler, or any person harboring any animal to allow such animal at any time to run at large. The owner, handler, or person harboring an animal found running at large shall be strictly liable for violations of this section regardless of precautions taken to prevent the escape of the animal and regardless of whether or not he/she knows the animal is running at large. The owner, handler, or person harboring any animal shall be liable in damages for injuries committed by such animal. Run at large does not mean release of seamless banded pigeons for exercise or performance. (Ord. 09-21, 5-6-2009)

8.07.09: STAKING ANIMALS IMPROPERLY:

A. It is unlawful for any person to chain, stake, or tether any animal on any unenclosed premises in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.

B. It is unlawful for any person to chain, stake, or tether any animal on any premises in a manner that prevents the animal from having access to food, water, or shelter. (Ord. 09-21, 5-6-2009)

8.07.10: FEMALE PETS IN HEAT:

Any owner or person having charge, care, custody, or control of any female pet in heat shall, in addition to restraining such pet from running at large, cause such pet to be constantly confined in a building or other structure so as to prevent it from attracting by scent or coming into contact with other animals and creating a nuisance. (Ord. 09-21, 5-6-2009)

8.07.11: ANIMALS PROHIBITED IN DESIGNATED AREAS:

A. It is unlawful for any person to take or permit any animal, whether loose, on a leash, or in arms, in or about any establishment or place of business where food or food products are sold, displayed, or served including, but not limited to, restaurants, grocery stores, meat markets, and fruit or vegetable stores.

B. It is unlawful for any person keeping, harboring, or having charge or control of any animal to allow such animal to be within protected watershed areas as designated by either the health department or any public water district.

C. It is unlawful for any person to chain, stake, or tether any animal in a public place unless the owner or handler of the animal is continually present and the animal is properly restrained so that the animal poses no threat of contact with a person engaged in a normal and expected activity.

D. It is unlawful for any person to take or permit any unrestrained animal in any public park located within the City. Any animal in a public park must be continually kept on a leash not over eight feet (8') in length and which is of sufficient strength to ensure that the animal's owner or handler shall at all times have absolute control over the animal except for designated off leash areas. The director may grant exceptions to this subsection for a licensed animal exhibition.

E. This section shall not apply to dogs provided for in subsection 8.05.10B of this Title or when the director of the health department adopts rules and regulations subsequently ratified by the City council which set forth the times and places where the dog or dogs may be allowed without compromising the health and safety of humans, causing a nuisance, or damaging property. (Ord. 09-21, 5-6-2009)

8.07.12: ANIMAL TRESPASS:

It is unlawful for the owner or handler of an animal to allow such animal to trespass on the property of another. Any trespassing animal may be confined provided the person confining the animal notifies the division within twenty-four (24) hours of such confinement. (Ord. 09-21, 5-6-2009)

CHAPTER 8.08 IMPOUNDMENT

SECTION:

8.08.01: Animal Shelter And Facilities

8.08.02: Impoundment Authorized; When

8.08.03: Impoundment; Recordkeeping Requirements

8.08.04: Redemption Of Animals; Restrictions

8.08.05: Term Of Impoundment; Destruction Or Other Disposition Of Animals

8.08.60: Sterilization Of Adopted And Impounded Animals

8.08.01: ANIMAL SHELTER AND FACILITIES:

A. The City shall be responsible, within its legislative discretion, to provide (by contract with the division or otherwise) suitable premises and facilities to be used as an animal shelter where impounded animals can be kept. The City, through the division, shall purchase and supply food and provide care for impounded animals.

B. The City, through the division, shall provide for the destruction of dogs, cats, ferrets, and other animals for which destruction is authorized by this Title or by Utah law. Destruction shall be accomplished in accordance with standards established by the American Veterinary Medical Association or in accordance with any other nationally recognized standards established for the proper destruction of animals; or by any method which, in the discretion of the director or the division, is proper under the then-existing circumstances.

C. The City or the division may furnish, when deemed necessary at the discretion of the director or division personnel, medical treatment to animals impounded pursuant to this Title. Prior consent for such treatment from the owners of such animals shall not be required.

D. The owner of any affected animals shall be required to post a bond, as provided in subsection 8.08.04E of this Chapter, and/or pay the cost of the impound and any care and keeping, medical treatment, euthanasia, and disposal provided or performed under the authority of this Title with respect to such animal. (Ord. 09-21, 5-6-2009)

8.08.02: IMPOUNDMENT AUTHORIZED; WHEN:

A. An animal control officer may impound or leave an animal in the custody of its owner or handler according to said officer's discretion whenever such animal is found to be in circumstances which violate the requirements of this Title. If left in the custody of the owner or handler, said owner or handler shall nevertheless be required to respond to the administrative code enforcement hearing program established by Title 18 of this code.

B. An animal found in the following circumstances may be impounded by an animal control officer without the filing of a criminal complaint or obtaining a prior order from a court of competent jurisdiction:

1. The animal is running at large outside its owner's or handler's premises;
2. Any animal which is required by this Title to be licensed and is not licensed; an animal not wearing a license tag shall be presumed to be unlicensed for the purpose of this subsection;
3. The animal is sick or injured and its owner cannot be immediately located;
4. The animal's owner or handler requests the division to impound the animal and posts a bond as provided in subsection 8.08.04E of this chapter or pays, in advance, a fee reasonably calculated to pay for the cost the division may reasonably incur during impoundment and possible destruction of the animal;
5. The animal is abandoned;
6. Animals which are not vaccinated for rabies in accordance with this Title; for the purpose of this subsection, an animal not wearing a rabies tag shall be presumed to be unvaccinated;
7. The animal is known by the animal control officer to have been exposed to rabies or bitten by a rabid animal;
8. The animal is to be otherwise held for quarantine;

9. The animal is a vicious animal and not properly confined or restrained as required by Section 8.07.03 of this Title;

10. The animal is not being kept or maintained as required by any other provision of this Title and, as a result thereof, the animal poses an imminent threat to the health and safety of persons, other animals, or itself;

11. Any animal in physical distress; or

12. Any animal considered a nuisance or a public nuisance animal.

C. The circumstances set forth above in this section are not intended to be a complete list of those in which the City, the division, and/or an animal control officer may impound an animal without a prior order from a court of competent jurisdiction and said officers are authorized to act as necessary to maintain the peace and safety of the City under the requirements of this Title and all other applicable law. (Ord. 13-37, 12-18-2013)

8.08.03: IMPOUNDMENT; RECORDKEEPING REQUIREMENTS:

The impounding facility shall keep record of each animal impounded, which shall include the following information:

A. Complete description of the animal, including tag numbers;

B. The manner and date of impound;

C. The location of the pick-up and name of the officer picking up the animal;

D. The manner and date of disposal;

E. The name and address of the person who redeems, purchases, or adopts the animal;

F. The name and address of any person relinquishing an animal to the impound facility;

G. All fees received on behalf of the animal; and

H. All costs of impoundment allocable to the animal which accrues during its impoundment. (Ord. 09-21, 5-6-2009)

8.08.04: REDEMPTION OF ANIMALS; RESTRICTIONS:

A. The owner of any impounded animal or the owner's authorized representative (a legally responsible adult of age eighteen (18) or older) may redeem such animal before disposition, provided the owner or representative that person posts a bond as provided in subsection E of this section or pays:

1. The impound fee;

2. The daily board charge;

3. Veterinary costs incurred during the impound period, including rabies vaccination or rabies vaccination deposit;

4. License fee, if required;

5. A transportation fee if transportation of an impounded animal by specialized equipment is required. "Specialized equipment" is that equipment, other than the usual patrol and operation vehicles of animal control, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers. The director shall determine this fee at a level that approximates the cost of utilizing the specialized equipment in the particular situation;

6. Any other expenses incurred to impound an animal in accordance with state or local laws;

7. Any unpaid (past due) fees and fines incurred by the owner; and

8. If any dog or cat is fertile, the owner shall also pay a sterilization deposit and comply with any other requirements of Utah law including UTAH CODE ANNOTATED §§ 11-46-204 *et seq.* For the purposes of this subsection, the term "recipient" contained in the referenced Utah statute shall include an owner or the owner's authorized representative who is redeeming the animal after impoundment.

B. If an animal is impounded, the owner shall be required to purchase microchip identification.

C. Upon the third impoundment and prior to the release of said animal, said animal shall be sterilized. Payment of all fees shall be required and sterilization completed prior to release.

D. The City Council shall set and periodically revise when necessary impound fees and daily board charges for the impounding of animals. Such fees shall be as stated on the adopted Consolidated Fee Schedule. Such fees may take into account the type of animal impounded, the owner's compliance with animal licensure requirements, the number of confinements in the preceding twenty-four (24) months, and the duration of the confinement. No impound fees will be charged the reporting owners of suspected rabid animals if they comply with chapter 8.06 of this Title.

E. Any owner whose animal is impounded under this section may be required to pay the veterinarian expenses, boarding expenses, and other reasonable expenses directly related to the care of the animal. If it is determined that the owner of the animal has not neglected the animal or been cruel to the animal, or the animal is not determined to be vicious, or the request for revocation of license is denied the owner shall not be responsible for the costs of boarding or caring for the animal during the time it was impounded. The owner may be required to reimburse the costs of necessary medical care for medical needs that existed prior to the animal being impounded. If, after final adjudication of criminal charges or administrative actions, the owner fails to timely pay the required expenses for care of the animal, that failure to pay shall constitute abandonment of the animal. Such abandonment, however, does not alleviate the owner of the obligation to pay the required expenses.

8.08.05: TERM OF IMPOUNDMENT; DESTRUCTION OR OTHER DISPOSITION OF ANIMALS:

A. If an animal is not wearing a license tag or other identification, the animal shall be impounded for a minimum of five (5) working days before further disposition. If an animal is wearing a license tag or other identification it shall be held a minimum of five (5) working days.

B. During the impound period, reasonable efforts shall be made to notify the owner of any animal wearing a license or other identification.

1. Notice shall be deemed given when sent to the last known address of the listed owner.

2. In the event an owner is notified of the impoundment of his/her animal, and fails to either redeem, post a bond as provided in subsection 8.08.04E of this chapter, or formally release said animal to the agency, the animal shall be deemed voluntarily relinquished to the City and/or the division.

C. Any animal voluntarily relinquished to the division by the owner thereof for destruction or other disposition need not be kept for the minimum holding period.

D. All animals, except those quarantined or confined by court order, or stray livestock or farm animals subject to state law requirements, which are held longer than the minimum impound period, and all animals voluntarily relinquished to the impound facility, may be destroyed or disposed of as the director shall direct. The fee for animals other than pets (i.e., livestock, birds, snakes, etc.) shall be the market value of the animal.

E. Any healthy domestic animal excluding livestock may be sold or adopted by anyone meeting the requirements of the division for a price to be determined by the director, to include appropriate registration, rabies vaccination, microchip, and sterilization fees.

F. Any healthy animal which is placed into a new home under this chapter shall be sterilized.

1. In the event the animal is not sterilized prior to going into the new home, the adopter is required to ensure that the surgery is completed within an agreed upon period of time.

2. If the adopter fails to complete the sterilization of the animal within the approved time period or fails to comply with any part of any agreement made within the adoption process, the adopter forfeits all rights to the animal and the division may reclaim said animal.

G. The director may recover all costs incurred by the division in the impoundment and care of any animal sold to a certified research institution pursuant to the laws of the state of Utah.

H. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention, as determined by the director, may be released to the care of a veterinarian.

I. When, in the judgment of the director, it is determined that an animal should be destroyed for humane reasons or to protect the public from imminent danger to persons or property, such animal may be destroyed without regard to any time limitations otherwise established in this Title, and without court order.

J. The director may destroy an animal upon the request of an owner. An appropriate fee shall be charged the owner for the destruction and any subsequent disposal of the carcass destroyed by the division. (Ord. 09-21, 5-6-2009)

8.08.06: STERILIZATION OF ADOPTED AND IMPOUNDED ANIMALS:

A. A dog, cat, or ferret adopted from the division's animal facility shall be sterilized.

B. The division may allow the conditional adoption of an unsterilized dog, cat, or ferret because of the age of the animal or as otherwise deemed necessary by the division. Said conditional adoption shall become final upon proof to the division that the animal has been sterilized. Failure to sterilize results in forfeiture of the animal to the division.

C. A dog or cat owner reclaiming an impounded pet shall comply with any applicable requirements established by UTAH CODE ANNOTATED § 11.46.201 or other applicable Utah law and implemented by the division to conform with said law. (Ord. 09-21, 5-6-2009)

CHAPTER 8.09 CRUELTY TO ANIMALS

SECTION:

8.09.01: Care And Maintenance Responsibility

8.09.02: Keeping Of Diseased Or Painfully Crippled Animals

8.09.03: Abandonment Of Animals

8.09.04: Hobbling Animals

8.09.05: Animals In Vehicles

8.09.06: Physical Abuse Of Animals

8.09.07: Injury To Animals By Motorists; Duty To Stop And Assist

8.09.08: Poisoning Animals

8.09.09: Steel Jaw Traps

8.09.10: Mistreatment Of Animals

8.09.11: Baby Rabbits And Fowl; Restrictions

8.09.12: Selling Certain Turtles Prohibited

8.09.13: Killing Birds

8.09.14: Giving Animals As Sales Premiums

8.09.15: Prohibit Display Of Animals For Sale Or Gift

8.09.16: Dead Animals

8.09.01: CARE AND MAINTENANCE RESPONSIBILITY:

It shall be unlawful for an owner or handler of an animal to withhold adequate food, drink, care, veterinary care, grooming, adequate space and shelter from said animal, which is reasonably necessary to maintain said animal in good health, comfort, and safe from potential hazards. To ensure the availability of adequate space for large animals, notwithstanding anything in this code to the contrary, it shall be unlawful to keep any horse, mule, burro, ass, or cattle on a lot or other parcel of ground that is not over one-half (1/2) acre in size. (Ord. 09-21, 5-6-2009)

8.09.02: KEEPING OF DISEASED OR PAINFULLY CRIPPLED ANIMALS:

A. It is unlawful for any person to abandon or turn out at large any sick, diseased, or disabled animal.

B. It is unlawful for the owner or handler of an animal rendered worthless to said owner or handler by reason of disease or disability to allow said animal to continue to live in a diseased or disabled state. Said owner or handler shall dispose of such animal by killing the same in a humane manner or by contacting the division. Upon such contact, the division may assume responsibility for disposition of the animal, not including livestock, provided that the owner or handler shall pay a fee, in advance, to the division to pay for the division's cost in disposing of the animal. If the owner or handler fails to pay such fee and fails to dispose of the diseased or disabled animal as required above, such person shall be in violation of this Title.

C. It is unlawful for an owner or handler of an animal which is infected with a disease or is in a painfully crippled condition to have, keep, or harbor such animal without placing the animal under veterinary care and/or to dispose of such animal as required in subsection B of this section. (Ord. 09-21, 5-6-2009)

8.09.03: ABANDONMENT OF ANIMALS:

It is unlawful for any person to abandon any animal within the geographical boundaries of the City. (Ord. 09-21, 5-6-2009)

8.09.04: HOBBLING ANIMALS:

It is unlawful for any person to hobble livestock or other animals by any means that may cause injury or damage to any animal. (Ord. 09-21, 5-6-2009)

8.09.05: ANIMALS IN VEHICLES:

A. It is unlawful for any person to carry or confine 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. Persons transporting an animal in the open bed of a vehicle must physically restrain the animal in such a manner as to prevent the animal from jumping or falling out of the vehicle.

B. It is unlawful for any person to allow a vehicle to be used as a shelter or housing for pets. (Ord. 09-21, 5-6-2009)

8.09.06: PHYSICAL ABUSE OF ANIMALS:

It is unlawful for any person to kill, without legal justification, maim, disfigure, torture, beat, whip, mutilate, burn or scald, overwork, cause to fight, or in any manner treat any animal in a cruel or malicious manner. Each instance of such treatment shall constitute a separate offense. (Ord. 09-21, 5-6-2009)

8.09.07: INJURY TO ANIMALS BY MOTORISTS; DUTY TO STOP AND ASSIST:

A. The operator of a motor vehicle or other self-propelled vehicle being operated upon the streets of the City shall, in the event said vehicle should strike and injure or kill any domesticated animal, give reasonable aid and assistance and/or protection to said animal without placing himself at unreasonable risk and call and report the facts pertaining to the incident to one of the following authorities:

1. The police department having jurisdiction in the City;
2. The director; or
3. The division.

B. After making the report required above, the operator shall comply with the instructions given by the agency contacted and shall, if instructed, remain at the scene until appropriate police or animal control authority arrives. After arrival of appropriate authority, the operator shall cooperate with said authority in the investigation and reporting of the incident.

C. As an alternative to complying with the requirements set forth above, the motor vehicle operator may transport the animal which has been struck to the division's animal facility or, in the case of an animal which is injured and not dead, to a veterinarian for treatment of the animal's injuries. If the operator chooses the latter course of action, he shall be responsible for the cost of treatment if required by the veterinarian. The division shall not be responsible for the cost of treatment unless it has accepted responsibility after the operator's compliance with any of the requirements of this section.

D. This section shall not apply to operators of emergency vehicles if such vehicles are being operated in response to a bona fide emergency situation at the time the animal is struck. Emergency vehicle operators who strike an animal during a response to a bona fide emergency situation shall notify the director or the division of the incident as soon as is practicable thereafter. (Ord. 09-21, 5-6-2009)

8.09.08: POISONING ANIMALS:

Except as provided in this section, it is unlawful for any person by any means to knowingly or recklessly make accessible to any animal 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. (Ord. 09-21, 5-6-2009)

8.09.09: STEEL JAW TRAPS:

It shall be unlawful for any person to use steel jaw traps to trap animals unless authorized by the director. (Ord. 09-21, 5-6-2009)

8.08.10: MISTREATMENT OF ANIMALS:

It shall be unlawful for any person to provoke any animal. (Ord. 09-21, 5-6-2009)

8.09.11: BABY RABBITS AND FOWL; RESTRICTIONS:

A. It is unlawful for any person to sell, to offer for sale, offer to give as a prize, premium, or advertising device, or display in any store, shop, carnival or other public place, any baby rabbits or fowl under eight (8) weeks of age in any quantity less than six (6).

B. It is unlawful for any person to sell, offer for sale, barter, or give away any baby rabbits or fowl under eight (8) weeks of age during the two (2) week period preceding Easter in any quantity less than twenty-five (25).

C. It is unlawful to artificially dye or color any animal less than six (6) months of age.

D. Nothing in this section shall be construed to prohibit the purchase and raising of such rabbits and fowl by a private individual for his/her personal use and consumption provided that he/she shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his/her possession.

E. It is unlawful to offer as an advertising device or to display any animal without at all times keeping adequate food and water available for the animal's use.

F. It is unlawful for any person to offer as a premium, prize, award, novelty, or incentive to purchase merchandise any live animal. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals.

G. Each day an offense of this section occurs or continues shall be a separate offense. (Ord. 09-21, 5-6-2009)

8.09.12: SELLING CERTAIN TURTLES PROHIBITED:

It is unlawful to own or sell, barter, or trade any *Chrysemys scripta-elegans*, red eared sliders, that are four inches (4") in length or smaller, or *Pseudemys troostii*, family *Testudinidae*, "pet turtles". (Ord. 09-21, 5-6-2009)

8.09.13: KILLING BIRDS:

It is unlawful to kill any bird, or to rob or destroy any nest, egg, or young of any bird, in violation of Utah law. (Ord. 09-21, 5-6-2009)

8.09.14: GIVING ANIMALS AS SALES PREMIUMS:

It is unlawful for any person or business to offer any live animal, fowl, bird, reptile, or fish as a premium, prize, award, novelty or incentive to purchase merchandise.

A. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals in compliance with all necessary permits.

B. This section does not apply to groups whose purpose is to enhance a particular species and/or educate its members on the proper care and handling of a particular species, and which may offer as a prize animals of the type specific to the group's purpose, only to members of the group. (Ord. 09-21, 5-6-2009)

8.09.15: PROHIBIT DISPLAY OF ANIMALS FOR SALE OR GIFT:

It is unlawful for anyone except licensed businesses, humane societies recognized by the state of Utah, and government animal shelters to offer or display any pet for sale or gift in any public place or facility frequented by the public. (Ord. 09-21, 5-6-2009)

8.09.16: DEAD ANIMALS:

It shall be unlawful for any person knowingly to permit any dead animal to remain upon the premises of such person, or for the owner of any dead animal knowingly to permit the same to remain upon any public property or upon any premises within the City. If the owner of such dead animal does not remove the dead animal himself or cause the dead animal to be properly disposed of within a reasonable time, the City may cause it to be removed and thereupon assess the actual costs of such removal and disposal against the owner and may avail itself of all remedies in law and equity to enforce such removal and recover the costs thereof. (Ord. 09-21, 5-6-2009)

CHAPTER 8.10 WILD, DANGEROUS AND EXOTIC ANIMALS

SECTION:

8.36.010: Prohibitions Relating To Wild, Dangerous And Exotic Animals; Exceptions

8.10.01: PROHIBITIONS RELATING TO WILD, DANGEROUS AND EXOTIC ANIMALS; EXCEPTIONS:

A. It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor, or purchase any wild, dangerous or exotic animal (as defined in Title 50 of the code of federal regulations, in Utah law or regulation, or by this Title) or which is otherwise a "vicious animal" or a "nuisance" as defined in this Title.

B. The prohibitions of subsection A of this section shall not apply to a person, animal shelter, zoological park, veterinary hospital, section 501(c)(3) of the Internal Revenue Code animal welfare shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific research if such organizations or individuals are otherwise licensed or permitted pursuant to a permit as provided in this Title, provided that said animals are restrained or confined in such a manner as to prevent their escape and/or injury to the public.

C. Any person violating any provision of this section shall be guilty of a class B misdemeanor. (Ord. 13-37, 12-18-2013)

TITLE 8 ANIMALS

CHAPTER 8.01

SECTION:

8.01.01: Definitions

8.01.02: "A" Definitions

8.01.03: "B" Definitions

8.01.04: "C" Definitions

8.01.05: "D" Definitions

8.01.06: "E" Definitions

8.01.07: "F" Definitions

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8.01.09: “H” Definitions
8.01.10: “I” Definitions
8.01.11: “J” Definitions
8.01.12: “K” Definitions
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8.01.14: “M” Definitions
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8.01.16: “O” Definitions
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8.01.25: “X” Definitions
8.01.26: “Y” Definitions
8.01.27: “Z” Definitions

8.01.01 DEFINITIONS

The following words, terms and phrases, when used in this Title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

8.01.02 “A” Definitions

Abandonment

Intentionally deposit or drop off an animal in an unsafe or dangerous environment or intentionally leave any live animal in a location where the animal is separated from basic needs such as food, water, shelter, or necessary medical attention, for a period longer than twenty-four (24) hours.

Abandonment includes the failure to reclaim an animal seventy-two (72) hours beyond the time agreed upon with a kennel, grooming service, veterinary hospital, or animal shelter.

Abandonment also includes failure or refusal to either reclaim a pet from an animal shelter or to sign relinquishment authorization. (Ord. 09-21, 5-6-2009)

Allow

For the purpose of this Title, “allow” shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal. (Ord. 09-21, 5-6-2009)

Animal

Any and all types of non-human creatures, both domestic and wild, male and female, singular and plural. (Ord. 09-21, 5-6-2009)

Animal at large

Any animal, whether licensed or unlicensed, which is not under restraint imposed by the owner or handler. (Ord. 09-21, 5-6-2009)

Animal control officer

The City's animal control services contract provider, any person designated by the State of Utah as a peace officer, or any other person designated by the City as an officer who is authorized to perform the duties specified by this Title. (Ord. 09-21, 5-6-2009)

Animal exhibition

Any display, event, or contest involving animals. (Ord. 09-21, 5-6-2009)

Animal shelter

Any facility owned, operated, or maintained for the care and custody of seized, stray, homeless, quarantined, abandoned, unwanted animals, or animals held for the purpose of protective custody under the authority of this Title or state law. (Ord. 09-21, 5-6-2009)

Attack

Any bite, attempted bite, or aggressive behavior by an animal which places a person or another animal in danger of immediate physical harm. Actual physical contact is not required to constitute an attack. (Ord. 09-21, 5-6-2009)

[8.01.03 "B" Definitions](#)

Bite

Actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal. (Ord. 09-21, 5-6-2009)

Breeder

Anyone who causes or allows the breeding of any pet identified within this Title or makes that pet available to be bred. (Ord. 09-21, 5-6-2009)

[8.01.04 "C" Definitions](#)

Cat

Any feline of the domesticated type four (4) or more months of age. Any feline of the domesticated type less than four (4) months of age is classified as a kitten. (Ord. 09-21, 5-6-2009)

Cattery

An establishment where cats are boarded, bred, bought, sold, or groomed for a fee. (Ord. 09-21, 5-6-2009)

City

The City of Taylorsville, Salt Lake County, State of Utah and all the territory within its current and future municipal boundaries and shall include any additions thereto by annexation or other legal means or any name change thereto. (Ord. 09-21, 5-6-2009)

Commercial animal establishment

Any pet shop, animal grooming parlor, guard dog location or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, cattery, kennel, or animal breeding or housing facility. (Ord. 09-21, 5-6-2009)

Custody

Having ownership, possession of, harboring, or exercising control over any animal. (Ord. 09-21, 5-6-2009)

8.01.05 “D” Definitions

Dangerous animal

Any animal that meets at least one (1) of the criteria listed in section 8.04.15, below. Whether an animal has been properly licensed under the provisions of this Title shall have no relevance to the determination of whether an animal is a "dangerous animal" as defined herein.

Director

The director of the City's designated animal control services contract provider or any other person designated by the City as an officer who is authorized to perform the duties of the director specified by this Title. (Ord. 09-21, 5-6-2009)

Division

The City's designated animal control services contract provider or any other person, agency, or entity designated by the City to perform the duties of the division specified by this Title. (Ord. 09-21, 5-6-2009)

Dog

Any *Canis familiaris* four (4) or more months of age. Any *Canis familiaris* less than four (4) months of age is classified as a puppy. (Ord. 09-21, 5-6-2009)

Domestic animals

Animals accustomed to living in or about the habitation of humans and which are dependent on humans for food and shelter including, but not limited to, cats, dogs, ferrets, and livestock. "Domestic animals" shall not include "exotic animals" or "wild animals" as defined herein. (Ord. 09-21, 5-6-2009)

8.01.06 “E” Definitions

Ear tip

A method of marking a feral cat that has been sterilized. for tracking purposes and which is done by removing a small portion of the top of one ear while the cat is under anesthesia.

Enclosure

Any structure that prevents an animal from escaping its primary confines. (Ord. 09-21, 5-6-2009)

Euthanasia

The humane destruction of an animal accomplished by a method approved by the most recent report of the American Veterinary Medical Association panel on euthanasia that results in unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness. (Ord. 09-21, 5-6-2009)

Exotic animal

Any animal whose native habitat is not indigenous to the continental United States, excluding Alaska, except tropical fish, furbearing animals commercially bred for the furrier trade, birds, and dangerous animals. (Ord. 09-21, 5-6-2009)

8.01.07 “F” Definitions

Feral cat

Any cat that lives outdoors, has no handler or owner, and is not used to human contact. (Ord. 09-21, 5-6-2009)

Feral cat colony

A group of feral cats living or growing together. (Ord. 09-21, 5-6-2009)

Ferret

Any domestic *Mustela putorius* (except the black footed ferret) more than four (4) months of age. Any *Mustela putorius* less than four (4) months of age is classified as a kit. (Ord. 09-21, 5-6-2009)

Fierce

Violent, hostile or aggressive temperament. (Ord. 09-21, 5-6-2009)

8.01.08 “G” Definitions

Guard dog

Any dog that will detect and warn its handler that an intruder is present in or near an area that is being secured and will attack a human pursuant to training or its handler's command. (Ord. 09-21, 5-6-2009)

Grooming parlor⁴

Any commercial establishment maintained for the purpose of offering cosmetic services for animals for a fee. (Ord. 09-21, 5-6-2009)

8.01.09 “H” Definitions

Handler

Any person who has physical control of an animal at any given time (*i.e.*, the charge, care, control, custody, possession, or responsibility for the animal.) An "owner" shall be presumed to have ultimate responsibility for the physical control of the animal and may divest himself of such responsibility only by the transferring of, or giving permission for, actual physical control of the animal to a legally responsible adult person of age eighteen (18) or more. Whenever such other person of the requisite age has responsibility for physical control of the animal, such person shall be the "handler". At all other times, the "owner" shall be presumed to be the "handler." (Ord. 09-21, 5-6-2009)

Harbor

Housing, feeding, or caring for someone else's pet within a person's house, yard, or premises for more than twenty-four (24) hours without the permission of the owner. (Ord. 09-21, 5-6-2009)

Health Department

The Salt Lake Valley Health Department. (Ord. 09-21, 5-6-2009)

Humane treatment

Ensuring the provision of appropriate food, shelter, human interaction, and care and of protecting any animal from danger, mistreatment, neglect, or abuse. (Ord. 09-21, 5-6-2009)

Hybrid

Any animal, however tame or docile, that is the offspring of a breeding between a domestic animal and a wild animal, a domestic animal and a hybrid, or two (2) hybrid animals. (Ord. 09-21, 5-6-2009)

[8.01.10 "I" Definitions](#)

Identification

A pet license or identification tag which is attached to the collar or harness of an animal; a microchip implanted as recommended by the manufacturer for the specific species; or a tattoo on the animal's right ear or on its inside right thigh or groin, or other livestock identification such as ear tags, brands, etc. (Ord. 09-21, 5-6-2009)

Impoundment

Taken into the custody of an animal control agency, police agency, or an agent thereof. (Ord. 09-21, 5-6-2009)

[8.01.11 "J" Definitions](#)

[8.01.12 "K" Definitions](#)

Kennel

A commercial establishment having three (3) or more animals for the purpose of boarding, breeding, letting for hire, or training for a fee. (Ord. 09-21, 5-6-2009)

[8.01.13 "L" Definitions](#)

Leash or Lead

Any chain, rope or device of sufficient strength and length used to restrain an animal. (Ord. 09-21, 5-6-2009)

Livestock

Animals commonly regarded as farm animals including but not limited to, cattle, horses, goats, llamas, ostriches, sheep, or any domestic animal or furbearer raised and kept for profit.

[8.01.14 "M" Definitions](#)

[8.01.15 "N" Definitions](#)

Nuisance

Any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or humans, or substantially interfere with humans', other than their owner's, enjoyment of life or property, or as defined in chapter 8.07 of this Title. (Ord. 09-21, 5-6-2009)

[8.01.16 "O" Definitions](#)

On-site impound

To place an animal under seizure by police department personnel, animal services personnel, or an agent thereof, on a property other than an animal services sheltering facility pending transportation or court seizure order. (Ord. 09-21, 5-6-2009)

On-site redemption

To return an impounded animal to the owner or caretaker prior to transportation to the sheltering facility upon collection of all applicable impound and/or license fees. (Ord. 09-21, 5-6-2009)

Overwork

To work or exercise any animal to a point of physical harm. (Ord. 09-21, 5-6-2009)

Owner

Any person, partnership, or corporation keeping, possessing, maintaining, having an ownership interest in, or having control or custody of an animal. (Ord. 09-21, 5-6-2009)

8.01.17 “P” Definitions

Performing Animal Exhibition

Any spectacle, display, act, or event in which animals are used to provide a performance whether a fee is charged or not. (Ord. 09-21, 5-6-2009)

Person

A natural person or any legal entity including, but not limited to, a corporation, limited liability corporation, firm, partnership, or trust. (Ord. 09-21, 5-6-2009)

Pet

Non-farm animals including dogs, cats, ferrets, rodents, birds, reptiles, fish, aquatic vertebrates bred to remain in a confined body of water, and any other species of animal that is sold or retained as a household pet (noncommercial), not including livestock, bees, skunks, nonhuman primates, and other species of wild, exotic, or carnivorous animals.

Pet shop

Any commercial establishment properly licensed to maintain, keep or display dogs, cats, birds, or other household pets for sale. Pet shop does not include government animal shelters, humane shelters as defined by statute or veterinary clinics whose major business is veterinary medicine. (Ord. 09-21, 5-6-2009)

Protective custody

Seizing or receiving an animal into the care of the division, the animal services, or an authorized agent or representative thereof, in order to hold the animal as evidence of a violation of the law or to protect the animal(s) from further threat or danger. (Ord. 09-21, 5-6-2009)

Provoke

Any deliberate act by a person toward an animal done with the intent to tease, torment, abuse, assault, or otherwise cause a reaction by the animal; provided the act is not reasonably done with the intent to discourage or prevent attack. (Ord. 09-21, 5-6-2009)

Public place

Any location which is accessible to members of the general public, where members of the public gather, engage in business, or have free access. (Ord. 09-21, 5-6-2009)

8.01.18 “Q” Definitions

Quarantine

The isolation of an animal in an enclosure so that the animal cannot have physical contact with other animals or persons without recognized authority to be near or about the quarantined animal. (Ord. 09-21, 5-6-2009)

8.01.19 “R” Definitions

Restraint

Any animal under the control of its owner or person over the age of twelve (12) years having charge, care, custody or control of the animal, by means of: a) a leash or lead not to exceed six feet (6') in length, b) other physical enclosure, or c) within the real property limits of the owner.

Riding school or stable

An establishment which offers boarding and/or riding instruction for any horse, pony, donkey, mule, or burro, or which offers the use of such animals for hire. (Ord. 09-21, 5-6-2009)

8.01.20 “S” Definitions

Set

To cock, open or put a trap in such a condition that it would close when an object, animal, or person touches a triggering device. (Ord. 09-21, 5-6-2009)

Shelter

A structure which is substantial in construction and provides protection from moisture, wind, and other factors of weather, and is of a size appropriate to the particular animal to ensure retention of body heat within the enclosure. Any shelter shall be maintained to ensure a clean, dry, healthy environment for the animal being housed. (Ord. 09-21, 5-6-2009)

Species subject to rabies

Any species that has been reported to the Health Department or the Centers for Disease Control and Prevention to have contracted the rabies virus and become a host for that virus. (Ord. 09-21, 5-6-2009)

Stray

Any animal at large, abandoned, or that has no handler or owner, as defined in this chapter.

8.01.21 “T” Definitions

Trap

An apparatus designed to come together with force so as to clamp or close upon an animal, person, or object when the spring or triggering device is activated. (Ord. 09-21, 5-6-2009)

8.01.22 “U” Definitions

8.01.23 “V” Definitions

Veterinarian

Any person properly licensed under the laws of the State of Utah to practice veterinary medicine. (Ord. 09-21, 5-6-2009)

Veterinarian hospital

Any establishment operated by a licensed veterinarian for surgery, diagnosis, and treatment of disease and injuries to animals. (Ord. 09-21, 5-6-2009)

8.01.24 “W” Definitions

Wild animal

Any animal of a species that in its natural life is usually untamed and undomesticated, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated for rabies. These animals include, but are not limited to:

- A. Alligators and crocodiles;
- B. Bears (Ursidae). All bears, including grizzly bears, brown bears, black bears, etc.;
- C. Cat family (Felidae). All except the commonly accepted domesticated cats, including cheetah, leopard, lion, lynx, panther, mountain lion, tiger, wildcat, etc.;
- E. Dog family (Canidae). All except domesticated dogs, including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.;
- G. Porcupine (Erethizontidae);
- H. Primate (Hominidae). All nonhuman primates;
- I. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ring-tailed cat, etc.;
- J. Skunks;
- K. Venomous fish and piranha;
- L. Venomous snakes or lizards;
- M. Weasels (Mustelidae). All including martens, wolverines, black footed ferrets, badgers, otters, ermine, mink, mongoose, etc.

For the purpose of this section, animals that are kept commercially or ranched shall not be wild animals. (Ord. 09-21, 5-6-2009)

Working day

Any day the West Valley City animal services sheltering facility is open to the general public. (Ord. 09-21, 5-6-2009)

Worry

To harass or intimidate by barking or baring of teeth, growling, biting, shaking or tearing with the teeth; or approaching any person in an apparent attitude of attack or any aggressive behavior which would cause a reasonable person to feel they were in danger of immediate physical attack. (Ord. 09-21, 5-6-2009)

8.01.25 “X” Definitions

8.01.26 “Y” Definitions

8.01.27 “Z” Definitions

Zoological park

Any facility properly and lawfully licensed by applicable federal, state, or local law, for displaying or exhibiting one or more species of non-domesticated animals. (Ord. 09-21, 5-6-2009)

CHAPTER 8.02 ADMINISTRATION

SECTION:

8.02.01: Enforcement Authority

8.02.02: Provider; Powers And Duties

8.02.03: Animal Control Officers; Powers And Duties

8.02.04: Right Of Entry For Enforcement

8.02.05: Interfering With Officers Prohibited

8.02.06: Rules and Regulations

8.02.07: Animal Fees

8.02.01: ENFORCEMENT AUTHORITY:

The division, or other agent designated by the City, or any police officer, is hereby authorized and empowered to enforce this Title and to apprehend, transport, and impound any animal found in violation of this Title, including, but not limited to, licensable animals for which no license has been procured in accordance with this Title or any licensed or unlicensed animals for any other violation thereof, and to issue criminal citations. (Ord. 09-21, 5-6-2009)

8.02.02: PROVIDER; POWERS AND DUTIES:

The division, or other agent designated by the City, or any police officer, shall:

- A. Enforce this Title and perform other responsibilities inherent thereto;
- B. Supervise the animal shelter(s) under its jurisdiction;
- C. Keep records of all animals impounded in said shelter(s);
- D. Keep accounts of all monies collected and received in accordance with governing law; and
- E. Establish rules and regulations for the training of all persons hired as animal control officers to assure professional conduct of said persons and compliance with governing law. (Ord. 09-21, 5-6-2009)

8.02.03: ANIMAL CONTROL OFFICERS; POWERS AND DUTIES:

Each animal control officer shall be authorized to enforce this Title in all respects pertaining to animal control within the City including, but not limited to, the apprehension, transport, and impoundment of animals found to warrant such action; the care of animals; the prevention of cruelty to animals; the administrative code enforcement hearing program established by Title 18 of this code; and the issuance of criminal citations. Animal control officers shall further carry out all lawful duties prescribed or delegated by the City by contract or otherwise. (Ord. 13-37, 12-18-2013)

8.02.04: RIGHT OF ENTRY FOR ENFORCEMENT:

In the enforcement of this Title, each animal control officer is authorized to enter into the open premises of any person to secure or take possession of any animal which is reasonably deemed by said officer to, in the presence of said officer or official, be in violation of this Title and issue criminal citations for violations of this Title to the owner or handler of said animal. (Ord. 09-21, 5-6-2009)

8.02.05: INTERFERING WITH OFFICERS PROHIBITED:

It is unlawful for any person to knowingly and intentionally interfere with any animal control officer in the lawful discharge of his duties as prescribed in this Title. For the purpose of this section, interfering with animal control officers shall include, but not be limited to, failing to hand over to or release to an officer an identifiable animal which has been pursued but not captured by said officer, failing to make payment of agreed upon fees, and knowingly and intentionally failing to comply with an abatement order lawfully issued by the City or the division. (Ord. 09-21, 5-6-2009)

8.02.06: RULES AND REGULATIONS:

- A. From time to time, the director may, upon resolution by the City Council, adopt rules and regulations governing the operation of animal related establishments and uses.
- B. Such rules and regulations may provide for:
 - 1. The type of structures, buildings, pens, cages, runways, or yards required for the animals sought to be kept, harbored, or confined on such premises;
 - 2. The manner in which food, water, and sanitation facilities will be provided to such animals;

3. Measures relating to the health and care of such animals, the control of odors, noise, and the protection of persons or property on adjacent premises; or

4. Such other matters as the City shall deem necessary.

C. Such rules and regulations shall, upon publication and following adoption by the City, have the effect of law, and violation of such rules and regulations shall be deemed a violation of this Title and grounds for revocation of a permit issued by the City. Copies of the rules and regulations, when adopted, shall be filed for public inspection in the office of the City Recorder and of the director. (Ord. 09-21, 5-6-2009)

8.02.07: ANIMAL FEES

Fees shall be stated in the Consolidated Fee Schedule, which is adopted annually by the City Council.

Certain fees which are collected only by a contract provider for given services are likewise indicated in the Consolidated Fee Schedule but may not specify a dollar amount.

CHAPTER 8.03 ENFORCEMENT AND PENALTIES

SECTION:

8.03.01: Violation Of Title; Penalties

8.03.02: Issuance Of Citations

8.03.03: Pick Up Orders

8.03.04: Director Conference

8.03.01: VIOLATION OF TITLE; PENALTIES:

Except for violation of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title, this Title may be enforced through the administrative code enforcement hearing program established by Title 18 of this code or by filing a civil action in the district court. Violations of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title may be enforced through the administrative code enforcement hearing program established by Title 18 of this code by filing a civil or criminal action in the district court or criminal action in the justice court. Notwithstanding anything to the contrary, the City has sole discretion to decide whether to pursue or file a civil or criminal case for any violations. The possibility of an administrative remedy pursuant to Title 18 of this code shall in no way interfere with the City's right to prosecute violations of this Title as criminal action. If the City chooses to file both civil and criminal charges for the same violation, no civil penalty may be assessed, but all other remedies are available. The correction period set forth in section 18.04.030 of this code may be waived by the animal control officer, and an administrative citation penalty according to the adopted Consolidated Fee Schedule shall be assessed.

8.03.02: ISSUANCE OF CITATIONS:

An animal control officer is authorized to issue a criminal citation to any person upon a charge of violating any of sections 8.04.09, 8.04.10, 8.07.03, and 8.10.01 of this Title. The form of the citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of applicable law. (Ord. 14-04, 3-19-2014)

8.03.03: PICK UP ORDERS:

The director may petition the court for a "pick up order" for an animal within the premises of and/or under the control of a person who is in violation of this Title. This section may be used for, but is not limited to, picking up of animals pursued but not captured by an animal control officer, nuisance animals, or for any other violation of this Title. (Ord. 13-37, 12-18-2013)

CHAPTER 8.04 PERMITS

SECTION:

8.04.01: Regulatory Authority of Division

8.04.02: Permit Procedures and Requirements

- 8.04.03: Establishments; Inspections and Reports
- 8.04.04: Unlawful Activities; Notice Requirements
- 8.04.05: Permits; Suspension or Revocation; Grounds
- 8.04.06: Permits; Suspension or Revocation; Procedure
- 8.04.07: Emergency Suspension of Permits
- 8.04.08: Notice of Suspension of Permits; Service Procedure
- 8.04.09: Commercial Animal Establishments
- 8.04.10: Requirements for Animal Exhibitions
- 8.04.11: Guard Dog Permit
- 8.04.12: Fancier's Permit
- 8.04.13: Hobby Permit
- 8.04.14: Foster Animal Foster
- 8.04.15: Exotic Animal Permit
- 8.04.16: Dangerous Animal Permit
- 8.04.17: Residential Fowl Permit
- 8.04.18: Exemptions

8.04.01: REGULATORY AUTHORITY OF DIVISION:

The director shall have the authority to promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this Title and other applicable laws. Such regulations may be amended from time to time as deemed desirable for public health and welfare and for the protection of animals. Regulations promulgated under this delegation of authority shall not extend the power of the director or the division beyond that reasonably necessary to carry out the requirements of this Title. (Ord. 09-21, 5-6-2009)

8.04.02: PERMIT PROCEDURES AND REQUIREMENTS:

- A. All applications for permits shall be submitted to the director on a form provided by the director.
- B. Upon submission of an application, the director shall verify with the health department, appropriate zoning authority, and appropriate business licensing division that the applicant is in compliance with applicable rules, regulations, ordinances and laws.
- C. Applications must be accompanied by the applicable fee in accordance with the adopted Consolidated Fee Schedule.
- D. Permits issued pursuant to this chapter are nontransferable from one location or owner to another.
- E. A commercial animal establishment or shelter shall obtain a permit or license issued in accordance with this chapter. Such permit or license shall be posted in a conspicuous place of the establishment or shelter.
- F. A permit issued pursuant to this chapter shall expire one (1) year after it is issued by the director. Renewal applications are available thirty (30) days prior to the expiration date of the current permit and must be accompanied by the applicable fee in accordance with the adopted Consolidated Fee Schedule.
- G. Late applications for the permits required by this chapter shall be subject to the late fee set forth in the adopted Consolidated Fee Schedule.

8.04.03: INSPECTIONS AND REPORTS:

Any person or establishment required to have a permit or business license for a commercial animal establishment shall be subject to periodic inspections, and the inspector shall make a report of such inspection, which shall be

given to the establishment and shall be filed with the director. When the inspector finds a violation, the inspection form shall:

- A. Set forth the specific violation(s) found;
- B. Establish a specific and reasonable period of time for correction of the violation(s) found;
- C. State that failure to comply in the specified period of time with any notice issued in accordance with the provisions of this section. Failure to comply may result in immediate suspension of the permit and/or issuance of a citation; and
- D. State that an opportunity for a director conference upon any grievance the owner or operator may have concerning the inspection findings and corrections ordered by the animal control officer may be held according to the provisions of section 8.03.04 of this Title. (Ord. 09-21, 5-6-2009)

8.04.04: UNLAWFUL ACTIVITIES; NOTICE REQUIREMENTS:

If an inspection of kennels, catteries, animal grooming parlors, pet shops, riding stables, similar establishments, or the premises of the holder of a permit reveals a violation of this Title, the inspector shall notify the permit holder or operator of such violation as provided in section 8.04.03 of this chapter and/or issue a citation. (Ord. 09-21, 5-6-2009)

8.04.05: PERMITS; SUSPENSION OR REVOCATION; GROUNDS:

A permit or license may be suspended or revoked or a permit application rejected on any one (1) or more of the following grounds:

- A. Falsification of facts in a permit application;
- B. Material change in the conditions upon which the permit was granted; (Ord. 09-21, 5-6-2009)
- C. Violation of any provisions of this Title or any other law or regulation governing the permittee's establishment, including, but not limited to, noise and/or building and land use ordinances; or (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)
- D. Conviction on a charge of cruelty to animals. (Ord. 09-21, 5-6-2009)
- E. Notwithstanding any other provisions of this Title, if an inspecting officer finds unsanitary or other conditions in the operation of commercial animal establishments or premises of the holder of a permit obtained under this Title, which in the inspector's sole judgment constitute an immediate and substantial hazard to public health or the health and safety of any animal, they may order the immediate seizure of any animals whose health and safety are at risk and order the owner or operator of the establishment to immediately cease operations. It shall be unlawful for any person to whom such an order is given to fail to obey the same. Any animals seized under this section shall be impounded or otherwise cared for as the director deems necessary.

8.04.06: PERMITS; SUSPENSION OR REVOCATION; PROCEDURE:

Any permit granted under this Title may be suspended or revoked by the division for violations of any of the requirements of this Title.

A permittee aggrieved by the suspension or revocation of a permit may file a written petition with the director within twenty (20) days of the director's decision for review of said grievance.

Upon consideration of said grievance and upon good cause showing, the director may, at the director's sole discretion, uphold or modify the suspension or revocation, or reinstate the permit.

A permittee aggrieved by a decision of the director may file a written petition with the mayor or a person appointed by the mayor with the advice and consent of the City Council within twenty (20) days of the director's decision for review of said grievance. Upon consideration of said petition and upon good cause shown, the mayor or a person appointed by the mayor as provided herein may uphold or modify the suspension or revocation or reinstate the permit.

A new permit shall not be issued to any person whose prior permit was suspended or revoked by the division until the applicant has satisfied the director that they have the means and the will to comply with the requirements of this

Title in the future. An application for another permit must comply with the requirements for an application for an initial permit, including application fee. (Ord. 09-21, 5-6-2009)

8.04.07: NOTICE OF SUSPENSION OF PERMITS; SERVICE PROCEDURES:

Notice shall be deemed to have been properly served when the original of the inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the director. (Ord. 09-21, 5-6-2009)

8.04.08: COMMERCIAL ANIMAL ESTABLISHMENTS; REQUIREMENTS:

It is unlawful for any person to operate or maintain a commercial holding facility or any similar establishment unless such person first obtains an inspection conducted by the division which verifies compliance with the regulations in this Title and any other required licenses. Such establishment shall be required to obtain a business license from the Community Development Department.

In addition to obtaining the permit required by this chapter, all commercial animal establishments within the City shall comply with all zoning requirements and shall:

Be operated in such a manner as not to constitute a nuisance;

Provide an isolation area for boarded animals which are sick or diseased, sufficiently removed so as not to endanger the health of other animals;

Retain for a period of one (1) year the name, address and telephone number of the owner and license number of each dog or cat boarded;

Retain for a period of three (3) years the name and address of each person selling, trading or giving any animal to the commercial animal establishment;

Keep all boarded animals caged or under control of the owner or operator of the establishment;

Care for all animals in the establishment, whether or not owned by the establishment, and comply with all the requirements of this Title for the general care of animals;

If applicable, not sell animals which are un-weaned or so young or weak that their sale poses a serious risk of death or inadequate development to the animal;

If applicable, provide the purchaser of an animal with written instructions as to the proper care and control of that species; (Ord. 09-21, 5-6-2009)

Comply with all applicable federal, state and local laws and all regulations respecting that specific commercial animal establishment which are adopted by the City and in effect from time to time; and

Supply the purchaser, residing in the licensing authority of this Title, of any dog, cat or ferret with an application for animal license, the form of which is prescribed by the City. (Ord. 09-21, 5-6-2009)

8.04.09: REQUIREMENTS FOR ANIMAL EXHIBITIONS:

A. It shall be unlawful for any person to own, operate, sponsor or conduct an animal exhibition within the City without first obtaining a mass gathering permit and, if required, a temporary business license permit issued by the City.

B. No animal exhibition shall occur within the City in which any animal is exhibited, paraded or allowed to participate in a contest:

1. Under conditions which cause physical injury to such animal;
2. Under conditions that place spectators at risk of being harmed; or
3. Unless all applicable federal, state and local laws and regulations and standards adopted by reputable, nationally recognized associations organized for the operation of such exhibitions and City standards complied with by the operator of the exhibition.

C. A person owning, operating or sponsoring an animal exhibition within the City without first obtaining the permit therefor required by this chapter shall be guilty of a class B misdemeanor. Each day of violation of this section shall be a separate offense. The City may also seek to obtain an injunction against an animal exhibition through a court with jurisdiction over the matter.

D. The application for an animal exhibition permit required by this section shall:

1. Describe the type of exhibition or contest and the kind and number of animals to be on exhibition or involved in the contest and list the sites and dates of the event(s); and

2. Contain such other information as may be required under regulations established by the director and include a sworn statement by the applicant that the provisions of this Title pertaining to animal exhibitions will be complied with at all times.

E. No permit required by this section shall be issued until the applicant completes the application form, pays the applicable fees as set forth in the adopted Consolidated Fee Schedule, and receives the written approval of the director of the provisions made for the safety, well-being and comfort of the animals involved.

F. Animal exhibition permits issued pursuant to this section shall be effective only for the period specified in the permit, which period shall not exceed thirty (30) days.

G. A permit issued pursuant to this section shall not be transferable.

H. A permit issued pursuant to this section shall be displayed prominently at the site of the animal exhibition.

I. The City may waive the permit fee for an animal exhibition that is sponsored by a bona fide nonprofit organization, a governmental entity, or a school if the purpose is a City public purpose or a charitable purpose.

J. Animal exhibitions permitted under this section shall provide immediate access to animal control officers, health department agents, and/or Utah state officials for the purpose of compliance inspections. (Ord. 09-21, 5-6-2009)

8.04.10: GUARD DOG PERMIT:

A. It shall be unlawful for any person to own a guard dog without first obtaining a guard dog permit as provided hereafter. It shall be unlawful for any person to hire the use of a guard dog that has not been issued a guard dog permit.

B. A permit required by this section shall be obtained from the division. The application shall set forth the type of dog, the site(s) where said dog shall be used, the hours of use of said dog, and any other information the director deems appropriate.

C. Permits are not transferable from one owner to another or from one location to another.

D. On the premises where a guard dog is used, conspicuous warning signs shall be posted at each door or gate that gives access to the guard dog and shall contain the following wording: "Warning: A guard dog is guarding this property. Entry herein may cause said dog to attack your person and cause significant injury, even death. To reach the handler for said dog, call (enter telephone number)." The telephone number contained in the warning required by this subsection must provide a twenty-four (24) hour per day access to the guard dog's owner or handler.

E. A guard dog shall not be allowed to become a nuisance.

F. A guard dog shall, in addition to licensing, be microchipped and the microchip number shall be registered with the division. The license shall be attached to a one inch (1") wide red or orange collar with the word "Danger" written or embroidered in black lettering three-fourths inch (3/4") in height. The collar must be on the dog at all times.

G. Any person violating any provision of this section shall be guilty of a class B misdemeanor. Each day a guard dog is deployed for use by any person for the detection of intruders and/or protection of premises in violation of any provision of this section shall be deemed a separate offense. (Ord. 09-21, 5-6-2009)

8.04.11: FANCIER'S PERMIT:

A. Owners of purebred cats or dogs may apply for a fancier permit to keep more than three (3) of any one (1) species, but no more than five (5) total in any combination of dogs, cats, pot-bellied pigs, or ferrets in a residential area, provided:

1. Such pets are individually licensed;
2. Such pets are registered with a national registry such as, but not limited to, the AKC, UKC or Field Dog;
3. The owner is in compliance with zoning requirements, health department requirements, and division requirements;
4. Approval is granted by the health department and the director;
5. Adequate areas for shelter and confinement are provided; and

All other provisions of this Title are complied with;

No pet or premises is deemed to be a nuisance; and

The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one (1) dwelling unit; and

Any other animals subject to licensing according to this Title, without purebred certification, and residing at the home shall be listed on the application and meet the requirements for licensing and sterilization as outlined in 8.04.12.

B. The holder of a permit issued under this section may keep one litter intact until the animals reach five (5) months of age; one animal from the litter may be retained until it reaches twelve (12) months of age. At no time may the holder of a permit retain more animals than is indicated on the permit. (Ord. 09-21, 5-6-2009)

8.04.12: HOBBY PERMIT:

Owners of dogs, cats, pot-bellied pigs, and ferrets may obtain a permit to keep more than three (3) of any one (1) species, but no more than five (5) total in any combination, provided:

Such pets are individually licensed;

Such pets are rendered sterile;

The owner is in compliance with zoning requirements, health department requirements, and division requirements;

Approval is granted by the health department and the director;

Adequate areas for confinement and shelter are provided; and

The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one (1) dwelling unit; and

Other provisions of this Title are complied with; and

No pet or premises is deemed to be a nuisance. (Ord. 09-21, 5-6-2009)

8.04.13: FOSTER ANIMAL PERMITS:

A. A person may obtain a foster permit to foster up to five (5) dogs, cats, pot-bellied pigs, or ferrets in any combination, provided

Such pets are the property of a local public animal shelter or a section 501(c)(3), Internal Revenue Code, animal welfare organization;

Such pets are awaiting adoption;

The fostering person is in compliance with zoning requirements, health department requirements, and division requirements;

Approval is granted by the health department and the director;

Adequate areas for confinement and shelter are provided; and

The maximum number of licensable animals according to this Title permitted with any combination of permits or licenses is five (5) per dwelling unit. A single-family home containing an accessory dwelling unit shall be considered one dwelling unit; and

Animals subject to licensing that reside at the home for longer than thirty (30) days shall count towards the total number of allowed animals and be subject to the licensing and sterilizations requirements listed in 8.04.12; and

Other provisions of this Title are complied with; and

No pet or premises is deemed to be a nuisance.

8.04.14: EXOTIC ANIMAL PERMIT:

It is unlawful for any person to own or keep an exotic animal without a permit. Unless prohibited by land use or other ordinances or laws, any person 18 years or older may obtain an exotic animal permit upon: (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)

- A. Demonstrating sufficient knowledge of the species to provide adequate care;
- B. Presenting proof of adequate caging appropriate for the species;
- C. Presenting proof that the animal poses no threat to the health and safety of the community in the event that the animal should escape; and
- D. Presenting proof of required state or federal permits, if any.

The director may consult with a review board comprised of federal, state and local public health authorities in considering a request for an exotic animal permit.

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he/she has adequate knowledge of a species to provide for its basic needs to maintain the animal's health and welfare. The director may consider the person's experience, education, apprenticeship or by examination administered by the director when determining that a person has sufficient knowledge of a species. (Ord. 09-21, 5-6-2009)

8.04.15: DANGEROUS ANIMAL PERMIT:

It is unlawful for any person to own or keep a dangerous animal without a permit.

For the purposes of this section, a dangerous animal is any animal that:

Would constitute an unreasonable danger to human life, health, or property if not kept, maintained, or confined in a safe and secure manner;

Approaches any person in an aggressive, terrorizing, or threatening manner;

Has a known propensity, tendency, or disposition to attack unprovoked or to cause injury or otherwise endanger the safety of human beings or other animals; or

Which bites, inflicts injury, assaults, or otherwise attacks a human being or domestic animal on public or private property, except in the case of an injured animal or an animal which is deliberately provoked.

For the purpose of this Title, constrictor snakes over ten feet (10') in length shall be considered a dangerous animal,

Unless prohibited by land use or other ordinances or laws, any person over the age of eighteen (18) years of age may obtain a dangerous animal permit upon complying with applicable zoning requirements and: (Ord. 09-21, 5-6-2009; amd. Ord. 12-15, 7-11-2012)

Demonstrating sufficient knowledge of the species so as to be an expert in the care and control of the species;

Presenting proof of adequate primary caging appropriate for the species and a sufficient secondary system of confinement so as to prevent unauthorized access to the animal and to prevent the animal's escape;

Presenting proof that adequate measures have been taken to prevent the animal from becoming a threat to the health and safety of the community;

Presenting a plan of action in the event of the animal's escape;

Presenting proof of required state or federal permits, if any; and

Presenting proof of liability insurance in an amount of at least one hundred thousand dollars (\$100,000.00), which policy shall name the City as an additional insured and shall not be subject to cancellation or other material modifications without at least thirty (30) days' prior written notice to the City.

The director may consult with a review board comprising federal, state and local public health authorities in considering a request for a dangerous animal permit;

For the purpose of this section, to demonstrate "sufficient knowledge" of a species, a person must show that he has specialized knowledge of a species to provide for its basic needs to maintain the animal's health, welfare and confinement. The director may consider the person's experience, education, apprenticeship or by examination administered by the director when determining that a person has sufficient knowledge of a species. (Ord. 09-21, 5-6-2009)

8.04.16: RESIDENTIAL FOWL PERMIT:

A. Purpose: Where permitted by the land development code, persons may keep residential fowl on single-family, owner-occupied residential and agricultural lots. For the purposes in this section, the term "fowl" shall mean ducks and chickens. Such animals shall be kept in accordance with the provisions of this section:

1. Application; Obtaining Permit: It is unlawful for any person to keep any fowl without first making application for and obtaining a residential fowl permit.
2. At Large: It is unlawful for any person who is the owner, keeper, or temporary custodian of any residential fowl to allow the animal(s) to be off the premises.
3. Unsanitary Conditions: It is unlawful for any person to keep and maintain in an unclean or unsanitary condition any coop, enclosure, or other structure or area in which any fowl is kept. All droppings must be cleaned at least once a week.
4. Nuisance: It is unlawful for the owner to allow the animal(s) to be a nuisance to any neighbor including, but not limited to, creating noxious odors from the animals, their waste, coop, or related structure or generating noise of a loud and persistent nature.
5. Subject To Inspection: All places where any fowl are kept shall be subject to inspection prior to a permit being issued for cleanliness, health, and sanitation purposes by a code enforcement official, animal control officer, or representative of the Salt Lake Valley Health Department. A code enforcement official, animal control officer, or representative of the Salt Lake Valley Health Department shall also be authorized to inspect any property where the animal(s) are kept based on any complaint or observation that the requirements of this section or conditional use permit requirement are in violation.
6. Females Only: Only female fowl may be kept. No geese, turkeys, peafowl, crowing hens, or roosters may be kept. No other bird species shall be kept except as provided by this code and birds normally and generally considered household or indoor pets.
7. Accessory Buildings: Coops shall be considered accessory buildings and are subject to the area provisions of the Taylorsville land development code. Height and setback provisions shall be determined by this section but shall in no cases violate setback or height limitations of the zoning ordinance with the exception of proximity to a main structure.
8. Feed And Water Access: Fowl shall have access to feed and water at all times in an area that is protected from wild birds, rodents, and other predators. Any stored feed must be kept in a rodent and predator proof container.
9. Personal Use Only: Residential fowl shall be for personal use only. The selling of eggs or fertilizer or the breeding of fowl for commercial use is prohibited.
10. Slaughtering Prohibited: The slaughtering of fowl on the premises is prohibited.
11. Dead Birds; Rotting Eggs: Dead fowl and rotting eggs shall be removed within twenty-four (24) hours and properly disposed of.

12. Review Of Permits: All residential fowl permits are subject to review upon substantiated and unresolved complaint.

13. Enclosure Standards:

- a. Fowl must be contained within an enclosure or fenced area at all times.
- b. All enclosures shall have a maximum opening of two and one-half inches (2 ½").
- c. Enclosures shall be contained entirely in the rear yard. Enclosures shall not be permitted in any front or side yard unless the subject property meets the requirements set forth in paragraph d.
- d. The director has authority to grant exception to side or front yard restrictions provided that the application demonstrates all of the following:
 - (1) The subject property is an irregularly shaped parcel and rear yard is not the most suitable location for a coop and enclosure;
 - (2) The side or front yard area for which the exception is being requested is at least two (2) times the area of the rear yard; and
 - (3) A scaled site plan is submitted that demonstrates the placement of the coop and enclosure in the front or side yard can meet the following location requirements:
 - (a) Coop and enclosure shall not encroach into the minimum setback requirements established for the primary dwelling as outlined in the Residential Development Standards; and
 - (b) Coop and enclosure must meet all other standards in this ordinance including distance from neighboring, main structures, and dwelling entrances.

14. Coop Standards:

- a. Fowl shall be provided a covered, predator-proof and well-ventilated coop that must be impermeable to rodents, wild birds, and predators including dogs and cats. The coop shall provide a minimum of three (3) square feet per chicken or duck and be of sufficient size to allow free movement.
- b. Residential coops shall be located within or adjacent to the enclosure.
- c. All coops shall be placed at least fifteen feet (15') from an entrance to any habitable structure.
- d. All coops must be located at least twenty-five feet (25') from any habitable portion of a structure on a neighboring property.
- e. Coops shall be maintained in good condition.
- f. Coops shall be constructed such that:
 - (1) It is freestanding;
 - (2) It is easily accessible for cleaning and maintenance;
 - (3) It is enclosed on all sides and has a roof and door(s);
 - (4) Doors must be able to be closed and locked; and
 - (5) No coop shall exceed eight feet (8') in height.
 - (6) The coop shall be covered with predator and bird-proof wire with a maximum opening of one-fourth inch (1/4"). The wire shall be buried at least three inches (3") and bent outward at least another twenty-four inches (24") to prevent rodents from burrowing into the structure unless the coop is elevated off the ground at least twelve inches (12").
 - (7) All openings and vents shall be covered with predator and bird-proof wire with a maximum opening of one-fourth inch (1/4").
- g. Coops may be relocated from time to time within the back yard provided that it remains within or adjacent to the enclosure and adheres to all setback standards.

15. Residential Fowl Permit Application Requirements:

a. Prior to the issuance of any residential fowl permit, the applicant shall submit the following information:

- (1) A completed and signed application;
- (2) Appropriate fee., as set forth in the City's Consolidated Fee Schedule;
- (3) A site plan showing the exact location of the enclosure and coop including measured distances from all dwellings and property lines, including buildings on adjacent properties;
- (4) A photograph or illustration of the proposed enclosure and coop including construction materials, height, and other dimensions; and
- (5) Signed consent to an on-site inspection of all enclosures, coops and surroundings.

16. Side And Rear Setbacks:

- a. Minimum rear yard: Three feet (3') minimum from any coop to any rear property line.
- b. Side yard setback: Three feet (3') minimum from any coop to any side property line.

17. Maximum Number Of Fowl:

Lot Size (Square Feet)	Maximum Number Of Fowl
Lot Size (Square Feet)	Maximum Number Of Fowl
Less than 5,999	2
6,000 to 6,999	3
7,000 to 7,999	4
8,000 to 8,999	5
9,000 to 9,999	6
10,000 to 11,999	8
12,000 or more	10

(Ord. 10-07, 5-19-2010; amd. Ord. 12-15, 7-11-2012; Ord. 23-07, 6-7-2023)

8.04.17: EXEMPTIONS:

Research facilities where bona fide medical or related research is being conducted, or other animal establishments operated by state or local government, or which are licensed by federal law, are excluded from the permit requirements of Section 8.04.09.

People or organizations providing care for feral cat colonies shall be exempt from permit requirements. Custodians of such cat colonies shall:

Obtain permission from the owner of the property whereupon shelter and food is provided;

Take responsibility for feeding the cat colony regularly throughout the year, while ensuring that the feeding area(s) is secure from insect, rodent, and other vermin attraction and harborage;

Maintain contact with governmental agencies to ensure sterilization, vaccination, and ear tipping of all adult feral cats that can be captured; and

Remove droppings, spoiled food, and other waste from the premises as often as necessary and at least every seven (7) calendar days, to prevent odor, insect, or rodent attraction or breeding, or any other nuisance. (Ord. 09-21, 5-6-2009)

CHAPTER 8.05 PET LICENSING

SECTION

8.05.01: License; Required; Age And Residence Requirements For License Holder

8.05.02: License; Required; Age Of Animals

8.05.03: License; Application

8.05.04: Additional Requirements For Licensing And Keeping Ferrets

8.05.05: Veterinary Certificate

8.05.06: License; Fees; Senior Citizens

8.05.07: License; Term And Renewal

8.05.08: License; Revocation

8.05.09: License; Tag Requirements

8.05.10: License; Exemptions

8.05.11: License Vendors

8.05.12: Number Of Dogs, Cats, And Ferrets Per Residence Or Property

8.05.01: LICENSE; REQUIRED; AGE AND RESIDENCE REQUIREMENTS FOR LICENSE HOLDER:

All dogs, cats, and ferrets must be licensed each year, except as otherwise provided in this chapter, to a person eighteen (18) years old or older who has a residence or property within the City. (Ord. 09-21, 5-6-2009)

8.05.02: LICENSE; REQUIRED; AGE OF ANIMALS:

Any person owning, possessing, or harboring any dog, cat or ferret within the City shall obtain a license for such animal within thirty (30) days after the animal reaches the age of four (4) months or, in the case of a dog, cat, or ferret over four (4) months of age, within thirty (30) days of the acquisition of ownership or possession of the animal by said person. (Ord. 09-21, 5-6-2009)

8.05.03: LICENSE; APPLICATION:

License applications must be submitted to the division by utilizing a standard form which states the name, address and telephone number of the applicant; breed, sex, color, and age of the animal; previous license information, rabies and sterilization information; and the number, location, or other information applicable to a tattoo or implanted microchip of the animal. The application shall be accompanied by the prescribed license fee as outlined in the City's Consolidated Fee Schedule and by a rabies vaccination certificate current for a minimum of four (4) months beyond the date of application. A license shall not be issued for a period that exceeds the expiration date of the rabies vaccination. A licensed veterinarian shall give rabies vaccinations with a vaccine approved by the current compendium of animal rabies control. (Ord. 09-21, 5-6-2009)

8.05.04: ADDITIONAL REQUIREMENTS FOR LICENSING AND KEEPING FERRETS:

Without limiting any other requirements of this Title, those wishing to keep ferrets must adhere to the following requirements:

- A. First time applicants for ferret licenses must obtain a license pursuant to Section 8.05.03 of this chapter, and shall comply with the following:
- B. All ferrets must be vaccinated against rabies at least annually;
- C. An identifying microchip must be implanted in each ferret and the microchip number must be included with each license application;
- D. No more than two (2) adult ferrets may be kept in a household at any time and no more than one (1) litter of kits under the age of five (5) months may be kept in a household at any time;

E. All owners shall make their ferret housing facilities and the health of their ferrets open to inspection by the division at least once each year including an initial inspection upon application for a ferret license;

F. Ferrets shall be kept primarily as indoor pets and shall be housed in a cage or kennel of sufficient size and construction to allow proper space and safekeeping of the ferret. When a ferret is outside, it shall be kept on a harness with a leash not over six feet (6') in length specifically designed for ferrets; and

G. The City encourages owners to sterilize and de-scent their ferrets. (Ord. 09-21, 5-6-2009)

8.05.05: VETERINARY CERTIFICATE:

No dog, cat, or ferret shall be licensed as spayed or neutered without a veterinary certificate that such surgery has been performed. If a veterinarian opines in writing that a dog, cat, or ferret has been spayed or neutered, such written opinion may constitute a veterinary certificate. (Ord. 09-21, 5-6-2009)

8.05.06: LICENSE; FEES; SENIOR CITIZENS:

A person sixty (60) years of age or older on the date of license application may, upon proof of that person's age, obtain a senior citizen dog, cat, or ferret license:

For an unsterilized animal for an annual fee as set forth in the adopted .Consolidated Fee Schedule..

For the life of a spayed or neutered animal for a onetime fee as set forth in the adopted Consolidated Fee Schedule. Such licenses shall be renewed annually without fee thereafter.

This section shall not be construed to relieve any person from meeting all licensing requirements not specifically exempted, including late fees and required vaccinations, nor is any license issued hereunder transferable to any other animal or owner other than that for which the license was issued. (Ord. 09-21, 5-6-2009)

8.05.07: LICENSE; TERM AND RENEWAL:

The license shall be issued for one (1) year and shall be effective from (1) the date of purchase through the end of the same month of the expiration year as the month in which the license is purchased, or (2) at the end of the rabies vaccination period current for the animal at the time the license is obtained, whichever date occurs first. Renewals must be obtained prior to the expiration of the immediately preceding license. Applications for renewals made after the expiration of the immediately preceding license must be accompanied by a late fee in accordance with the adopted Consolidated Fee Schedule.

8.05.08: LICENSE; REVOCATION:

If the owner of any dog, cat, or ferret is found to be in violation of this Title on three (3) or more different occasions, within a twelve (12) month period, the director may seek a court order pursuant to chapter 8.03 of this Title, revoking for a period of one (1) year any and all license(s) such person may possess, and providing for the division to pick up and impound any animal kept by the person under such order. Any animal impounded pursuant to such an order shall be dealt with in accordance with the provisions of this Title for impounded animals, except that the person under the order of revocation shall not be allowed to redeem such animal, as provided in this Title, unless successfully making reapplication of the license with the director. Persons seeking reapplication of said license must comply with conditions as set forth by the director that may include, but are not limited to, sterilization of the animal(s), enclosure requirements, and confinement conditions. (Ord. 09-21, 5-6-2009)

8.05.09: LICENSE; TAG REQUIREMENTS:

A. Upon payment of the license fee, the director shall issue to the owner a receipt and a tag for each pet licensed. The tag shall have stamped thereon the license number corresponding with the tag number on the receipt. The owner shall attach the tag to the collar or harness of the animal and see that the animal constantly wears the collar and tag. Failure to attach the tag as provided shall be a violation of this Title, except that dogs or cats which are kept for show purposes are exempt from wearing the collar and tag while participating in an animal exhibition.

B. Tags are not transferable from one animal to another or from one owner to another. No refunds shall be made on any dog, cat, or ferret license fee for any reason whatsoever. Replacement for lost or destroyed tags shall be allowed upon payment to the division of the replacement tag fee set forth in the adopted .Consolidated Fee Schedule.

C. Any person who removes or causes the removal of the collar, harness, or tag from any licensed dog, cat, or ferret without the consent of the owner or keeper thereof, except a licensed veterinarian or animal control officer who removes such for medical or other reasons, shall be in violation of this Title.

D. Owners may have an identifying microchip implanted in their animals. If owners take such action, they may be exempt from the requirement that such animals wear identifying tags at all times while on the owner's premises, provided that the microchip information has been registered with the division. Owners shall assume the risk of the loss or destruction of an unrestrained animal whose microchip either cannot be located after a reasonable search or owner information cannot be found after a reasonable records search.

E. It is the responsibility of any vendor of microchips to provide information to the division as to the identification of the owner of an animal that has been microchipped by said vendor. (Ord. 09-21, 5-6-2009)

8.05.10: LICENSE; EXEMPTIONS:

A. The provisions of sections 8.05.01 through 8.05.09 of this chapter shall not apply in the following circumstances:

1. The dog, cat, or ferret is properly licensed in another jurisdiction and the owner thereof is within the City temporarily, for a period not to exceed thirty (30) consecutive days. If the owner shall be within the City temporarily, but for a period longer than thirty (30) consecutive days, he may transfer the dog, cat, or ferret license to the local license required by this chapter by payment of the applicable fee set forth in the adopted Consolidated Fee Schedule and upon presenting proof of a current rabies vaccination for the animal; and

2. Individual dogs, cats, or ferrets housed within a properly permitted facility or other such establishment when such animals are held for resale for a period not to exceed twelve (12) months.

B. The licensing provisions of sections 8.05.01 through 8.05.09 of this chapter shall not apply to:

1. Seeing eye dogs trained to assist blind persons if such dogs are actually used by blind persons to assist them in moving from place to place;

2. Hearing dogs trained and certified to assist deaf persons to aid them in responding to sounds and in use for that purpose;

3. Assistance dogs trained and certified to assist persons with a physical disability and in use for that purpose; or

4. Dogs trained to assist officials of government agencies in the performance of their duties and which are owned by such agencies.

Feral cats are exempt from licensing requirements required by this section.

Nothing in this section shall be construed so as to exempt any dog, cat, or ferret located within the City from having a current rabies vaccination. (Ord. 09-21, 5-6-2009)

8.05.11: LICENSE VENDORS:

The director may contract with veterinary hospitals, veterinarians, pet shops, animal grooming parlors, and similar institutions or individuals for the issuance of license application forms. (Ord. 09-21, 5-6-2009)

CHAPTER 8.06 RABIES CONTROL

SECTION:

8.06.01: Dog, Cat And Ferret Rabies Vaccination Requirements

8.06.02: Rabies Vaccination; When Valid

8.06.03: Rabies Vaccination; Veterinarian Duties; Certification And Tags

8.06.04: Impoundment Of Animals Without Valid Vaccination Tags

8.06.05: Rabid Animal Reports

8.06.06: Animals Exposed To Rabies

8.06.07: Management Of Animals That Bite Humans

8.06.08: Management Of Animals That Bite Other Animals

8.06.01: DOG, CAT AND FERRET RABIES VACCINATION REQUIREMENTS:

A. The owner or person having charge, care, custody, and control of a ferret, cat, or dog four (4) months of age or older shall have such animal vaccinated against rabies and shall thereafter ensure that said animal is revaccinated as often as is required to maintain the animal in a current rabies vaccination status. Any person permitting any animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for the vaccinations of the animal. Unvaccinated ferrets, dogs, or cats over four (4) months of age acquired by the owner or moved into the jurisdiction must be vaccinated within thirty (30) days of acquisition or arrival. Every dog, cat, and ferret shall have a current rabies vaccination with a rabies vaccine approved by the current compendium of animal rabies control.

B. Veterinarians, cattery, and kennel operators shall be responsible for determining that dogs, cats and ferrets are currently vaccinated for rabies prior to accepting the animal from their owners or caretakers for temporary housing on their premises.

C. The provisions of this section shall not apply to a veterinarian providing emergency medical care to a sick or injured animal. (Ord. 09-21, 5-6-2009)

8.06.02: RABIES VACCINATION; WHEN VALID:

A. Animals that have had a valid vaccination for rabies shall not be considered to have a current vaccine until thirty (30) days following the first vaccination and shall be considered unvaccinated the day following the expiration of the last documented valid vaccination.

B. For the purpose of management of bite cases an owner may, within the six (6) months of expiration of the last vaccine, submit proof of protection against rabies. Such proof shall be in the form of a written statement from a veterinarian based upon a blood titer paid for by the owner, drawn after the bite, and prior to, or within ten (10) days of, any revaccination. (Ord. 09-21, 5-6-2009)

8.06.03: RABIES VACCINATION; VETERINARIAN DUTIES; CERTIFICATION AND TAGS:

A. It shall be the duty of each veterinarian, when vaccinating any animal for rabies, to complete a certificate of rabies vaccination, in duplicate, which includes the following information:

1. Owner's name and address;
2. Description of the animal (breed, sex, markings, age, name);
3. Date of vaccination;
4. Vaccination expiration date;
5. Rabies vaccination tag number;
6. Type of rabies vaccine administered; and
7. Manufacturer's serial number of vaccine.

B. A copy of the certificate shall be distributed to the owner and the original certificate shall be retained by the issuing veterinarian. The veterinarian and the owner shall retain their respective copies of the certificate for the interval between vaccinations specified in this chapter.

C. Additionally, a metal or durable plastic rabies vaccination tag, serially numbered, may be securely attached to the collar or harness of the animal. An animal discovered in public view and not wearing a rabies tag or current license tag shall be deemed to be unvaccinated and may be impounded or seized in accordance with law and dealt with pursuant to this Title. (Ord. 09-21, 5-6-2009)

8.06.04: IMPOUNDMENT OF ANIMALS WITHOUT VALID VACCINATION TAGS:

A. Any vaccinated animal impounded because of a lack of a rabies vaccination tag may be reclaimed by its owner upon the owner furnishing a valid rabies certificate including the animal's description and payment of all fees attributable to said animal's apprehension and impoundment accrued up to the date of release.

B. Any unvaccinated animal may be reclaimed by its owner prior to disposal of said animal under the procedures set forth hereafter in Section 8.08.04 of this Title by payment of all fees attributable to said animal's apprehension and impoundment and by the owner posting a rabies deposit as specified in the adopted .Consolidated Fee Schedule. Said deposit may be recovered by owner upon showing proof of rabies vaccination within seventy-two (72) hours of release.

C. Any animal not reclaimed prior to the period specified in Section 8.08.05 of this Title shall be disposed of pursuant to that section. (Ord. 09-21, 5-6-2009)

8.06.05: RABID ANIMAL REPORTS:

A. Any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies and any person having knowledge of an animal or person bitten by a wild or domestic mammal or bat shall report such knowledge and all pertinent information to the director and the health department. Any person having custody of such animal shall confine the animal pending direction from the director or the health department.

B. It shall be unlawful for any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies, or of an animal or person bitten by such an animal, to harbor, protect, or otherwise interfere with the apprehension or identification of said animal or person(s) by willfully withholding such knowledge from an animal control officer or any other officer of the City, the division, the health department or the Utah State Department of Health.

C. It shall be a violation of this Title for an owner, or other person having the care, custody, and control of an animal known, suspected, or deemed to have been exposed to rabies as set forth in this section to fail to surrender said animal immediately upon demand by any animal control officer or officer of the City, the division, the health department or the Utah State Department of Health. (Ord. 09-21, 5-6-2009)

8.06.06: ANIMALS EXPOSED TO RABIES:

Any animal potentially exposed to the rabies virus by a wild or domestic mammal or a bat shall be regarded as having been exposed to rabies pending successful completion of testing and/or quarantine of the biting animal.

A. Unvaccinated dogs, cats, and ferrets exposed to a rabid animal shall be euthanized immediately. If the owner is unwilling to have this done, the animal shall be placed in quarantine for up to six (6) months in a location agreeable to the director and monitored by a veterinarian, at the owner's expense, and vaccinated one (1) month before being released.

B. Dogs, cats, and ferrets that are currently vaccinated shall be revaccinated immediately, kept under the owner's control, and observed for forty-five (45) days.

C. Livestock shall be handled as per the current compendium of animal rabies control. (Ord. 09-21, 5-6-2009)

8.06.07: MANAGEMENT OF ANIMALS THAT BITE HUMANS:

A. An apparently healthy dog, cat, or ferret that bites a person shall be quarantined and the following provisions shall apply:

1. The animal shall be observed for a period of not less than ten (10) days by the division and/or the health department, and the owner of the animal shall be responsible for the cost of such quarantine;

2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite is inflicted;

3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the director and the division if the animal shows any signs of sickness or abnormal behavior or if the animal escapes from quarantine;

4. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the City, the division, the health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine;

5. If the quarantined animal dies within ten (10) days from the date of the bite for which the animal was quarantined, the person having custody of said animal shall immediately notify the director and the division of such fact and immediately deliver the animal to that person's veterinarian or the division for the removal and delivery of the head of said animal to a laboratory specified by the Utah State Department of Health for examination for rabies;

6. At the end of the quarantine period, the director or designee shall examine the quarantined animal and if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in section 8.08.05 of this Title;

7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested; and

8. Any stray or unwanted dog, cat, or ferret that bites a person may be euthanized immediately and submitted for rabies examination if an immediate examination is determined necessary by the director or the health department.

B. Animals other than dogs, cats, or ferrets that might have exposed a person to rabies shall be reported immediately to the director and the health department. Case management shall be a collaborative effort between the health department and the division.

C. If any animal bites or attacks a person or another animal two (2) or more times in a twelve (12) month period, or if the director deems the bite or attack to be vicious by virtue of the severity of the bite, such animal may be immediately impounded, pending legal action, at the scene by the division without court order and held at the owner's expense.

D. The director may seek a court order for the destruction of an animal as he deems necessary. (Ord. 09-21, 5-6-2009)

8.06.08: MANAGEMENT OF ANIMALS THAT BITE OTHER ANIMALS:

A. An apparently healthy dog, cat, or ferret that bites another animal shall be quarantined as determined by the division, and the following provisions shall apply:

1. The animal shall be observed for a period of not less than ten (10) days by the division and/or the health department at a location determined by the division and the owner of the animal shall be responsible for the cost of such quarantine;

2. The normal place for such quarantine shall be the division's animal shelter; however, other arrangements suitable to the director may be made for the period of observation specified herein upon the condition that the biting animal had a current rabies vaccination at the time the bite is inflicted;

3. A person having custody of an animal under quarantine at a place other than the division's animal shelter shall immediately notify the director and the division if the animal shows any signs of sickness or abnormal behavior or if the animal escapes from quarantine;

4. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer of the City, the division, the health department or a veterinarian designated by them, to make an inspection or examination of the animal during, and/or at the end of the period of quarantine;

5. If the quarantined animal dies within ten (10) days from the date of the bite for which the animal was quarantined, the person having custody of said animal shall immediately notify the director and the division of such fact and immediately deliver the animal to that person's veterinarian or the division for the removal and delivery of the head of said animal to a laboratory specified by the Utah State Department of Health for examination for rabies;

6. At the end of the quarantine period the director or designee shall examine the quarantined animal and, if no sign of rabies is present in the animal, the animal may be released to its owner. Stray animals shall be disposed of as provided in Section 8.08.05 of this Title;

7. If, during the quarantine, the animal exhibits symptoms of rabies, it shall be immediately destroyed and tested; and

8. Any stray or unwanted dog, cat or ferret that bites another animal may be euthanized immediately and submitted for rabies examination, if an immediate examination is determined necessary by the director or the health department. (Ord. 14-04, 3-19-2014)

CHAPTER 8.07 PROBLEMS AND NUISANCES

SECTION:

8.07.01: Nuisance; Penalties for Allowing

8.07.02: Animal Causing a Nuisance

8.07.03: Fierce, Dangerous or Vicious

8.07.04: Animal Bites; Reporting Requirements

8.07.05: Attacks By Animals; Owner Liability; Authorizing Destruction

8.07.06: Control and Fencing of Livestock

8.07.07: Harboring Stray Animals

8.07.08: Animals Running at Large

8.07.09: Staking Animals Improperly

8.07.10: Female Pets in Heat

8.07.11: Animals Prohibited in Designated Areas

8.07.12: Animal Trespass

8.07.01: NUISANCE; PENALTIES FOR ALLOWING:

Any owner or person having charge, care, custody, or control of an animal or animals causing a "nuisance", as defined in this Title, shall be guilty of allowing a nuisance in violation of this Title and subject to the penalties provided herein. (Ord. 09-21, 5-6-2009)

8.07.02: ANIMAL CAUSING A NUISANCE:

An animal causing a nuisance includes, but is not limited to, any animal that:

- A. Is repeatedly found at large;
- B. Damages the property of anyone other than its owner;
- C. Repeatedly molests or intimidates neighbors, pedestrians, cyclists, or passersby by lunging at fences, chasing, or acting aggressively toward such person(s), unless provoked by such person(s), or acts in such a way to cause unreasonable annoyance, disturbance, or discomfort;
- D. Chases vehicles;
- E. Makes disturbing noises including, but not limited to, continued and repeated howling, barking, whining, or other noise which causes unreasonable annoyance, disturbance, or discomfort to neighbors or others;
- F. Causes fouling of the air by odors and thereby creates unreasonable annoyance or discomfort to neighbors or others;
- G. Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored;

H. Defecates on any public sidewalk, park, or building, or on any private property without the consent of the owner of such private property, unless the handler of such animal shall have in his possession the instruments to clean up after his animal and shall remove the animal's feces to a proper trash receptacle;

I. Is offensive or dangerous to the public health, safety, or welfare by virtue of the number and/or types of animals kept or harbored;

J. Attacks people or other animals, whether such attack results in actual physical harm to the person or animal to whom or at which the attack is directed or not;

K. Has been found by a court or by any other commission or board lawfully established under Utah law to be a public nuisance under any other provision(s) of Utah law;

L. Cannot be restrained by normal restraints, such as standard leashes, standard chains, or muzzles; or

M. Cannot be effectively controlled by its owner or handler.

The fact, or evidence of the fact, that the factors alleged to have caused the animal to be a nuisance are inherent and/or natural behavior for such animal, or the action of the owner or animal are otherwise legal, shall not negate or excuse a charge of nuisance. (Ord. 09-21, 5-6-2009)

8.07.03: FIERCE, DANGEROUS OR VICIOUS ANIMALS:

A. It is unlawful for the owner of any fierce, dangerous, or vicious animal to permit such animal to go or be off the premises of the owner unless such animal is under restraint and properly muzzled so as to prevent it from injuring any person or property. Every animal so vicious and dangerous that it is not or cannot be effectively controlled by its owner or person having charge, care, custody, or control of such animal through the use of reasonable restraints is a hazard to public safety and the director may seek a court order for destruction, muzzling, or appropriate housing and confinement of the animal.

B. Any person violating any provision of this section shall be guilty of a class B misdemeanor. (Ord. 13-37, 12-18-2013)

8.07.04: ANIMAL BITES; REPORTING REQUIREMENTS:

A. Persons who obtain knowledge that an animal has bitten another animal or a human shall report the fact(s) to the director within twenty-four (24) hours of the bite regardless of whether the biting animal is of a species subject to rabies.

B. A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report that fact to the director and the health department within twenty-four (24) hours of his first professional attendance. Said report shall include the name, gender, and address of the person bitten as well as the type and location of the bite. If known, the person making the report shall give the name and address of the owner of the animal that inflicted the bite and any other facts that may assist the director in ascertaining the immunization status of the animal.

C. A veterinarian or other person who treats an animal bitten, injured, or mauled by another animal shall report that fact to the director. The report shall contain the name and address of the owner of the injured animal, the name and address of the owner, if known, of the animal which caused the injury, and a description of the animal, if known, which caused the injury, and the location of the incident.

D. Any person not conforming with the requirements of this section shall be in violation of this Title. (Ord. 09-21, 5-6-2009)

8.07.05: ATTACKS BY ANIMALS; OWNER LIABILITY; AUTHORIZING DESTRUCTION:

A. It is unlawful for the owner or person having charge, care, custody, or control of any animal to allow such animal to attack, chase, or worry any human, domesticated animal, any species of hoofed wildlife protected by any law or ordinance, or any pet or companion animal.

B. Any penalty imposed as a result of prosecution of a person under subsection A of this section shall be in addition to any penalties or liabilities imposed upon such person by any other law or ordinance.

C. The following shall be considered in mitigating the penalties or damages or in dismissing a charge brought under subsection A of this section:

1. The animal was properly confined on the premises;
2. The animal was deliberately or maliciously provoked; or
3. The animal was already injured and was defending itself.

D. Any person may take other protective action against an animal while it is committing any of the acts specified in subsection A of this section to protect themselves, or members of the public from any threat of death or personal injury then being posed by the animal.

E. Every person owning or keeping an animal shall be liable in damages for injuries committed by such animal and it shall not be necessary in any action brought therefor to allege or prove that such animal was of a vicious or mischievous disposition or that the owner or keeper thereof knew that it was vicious or mischievous. (Ord. 09-21, 5-6-2009)

8.07.06: CONTROL AND FENCING OF LIVESTOCK:

A. It is unlawful for any person owning or harboring an animal of a class of livestock to allow, either negligently or with specific intent, the livestock to run at large in an area where such is not permitted by law or to otherwise permit the livestock to be herded, pastured, or to go upon the land of another.

B. Adequate fencing shall be erected and maintained to prevent the livestock's escape as specified in subsection C of this section.

C. All fencing of property where a class of livestock is kept shall be of sufficient construction to prevent the escape of or injury to the livestock 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 livestock or to allow the escape thereof.

D. Construction, maintenance, and repair of fencing shall be the responsibility of the property owner and shall be constructed in a manner which is appropriate to the containment of all types of livestock confined therein. (Ord. 09-21, 5-6-2009)

8.07.07: HARBORING STRAY ANIMALS; UNLAWFUL CONFINEMENT OR CONCEALMENT OF ANIMALS:

A. It shall be unlawful for any person, except animal establishments operated by state or local governments, to harbor or keep any lost or stray animal. Whenever a lost or stray animal is retained or harbored by an animal welfare society, it shall be the duty of such animal welfare society to notify the division within twenty-four (24) hours and the division shall impound the animal as provided herein.

B. Whenever any animal shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the division within twenty-four (24) hours and the division shall impound the animal as provided herein. (Ord. 09-21, 5-6-2009)

8.07.08: ANIMALS RUNNING AT LARGE:

It shall be unlawful for any owner, handler, or any person harboring any animal to allow such animal at any time to run at large. The owner, handler, or person harboring an animal found running at large shall be strictly liable for violations of this section regardless of precautions taken to prevent the escape of the animal and regardless of whether or not he/she knows the animal is running at large. The owner, handler, or person harboring any animal shall be liable in damages for injuries committed by such animal. Run at large does not mean release of seamless banded pigeons for exercise or performance. (Ord. 09-21, 5-6-2009)

8.07.09: STAKING ANIMALS IMPROPERLY:

A. It is unlawful for any person to chain, stake, or tether any animal on any unenclosed premises in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.

B. It is unlawful for any person to chain, stake, or tether any animal on any premises in a manner that prevents the animal from having access to food, water, or shelter. (Ord. 09-21, 5-6-2009)

8.07.10: FEMALE PETS IN HEAT:

Any owner or person having charge, care, custody, or control of any female pet in heat shall, in addition to restraining such pet from running at large, cause such pet to be constantly confined in a building or other structure so as to prevent it from attracting by scent or coming into contact with other animals and creating a nuisance. (Ord. 09-21, 5-6-2009)

8.07.11: ANIMALS PROHIBITED IN DESIGNATED AREAS:

A. It is unlawful for any person to take or permit any animal, whether loose, on a leash, or in arms, in or about any establishment or place of business where food or food products are sold, displayed, or served including, but not limited to, restaurants, grocery stores, meat markets, and fruit or vegetable stores.

B. It is unlawful for any person keeping, harboring, or having charge or control of any animal to allow such animal to be within protected watershed areas as designated by either the health department or any public water district.

C. It is unlawful for any person to chain, stake, or tether any animal in a public place unless the owner or handler of the animal is continually present and the animal is properly restrained so that the animal poses no threat of contact with a person engaged in a normal and expected activity.

D. It is unlawful for any person to take or permit any unrestrained animal in any public park located within the City. Any animal in a public park must be continually kept on a leash not over eight feet (8') in length and which is of sufficient strength to ensure that the animal's owner or handler shall at all times have absolute control over the animal except for designated off leash areas. The director may grant exceptions to this subsection for a licensed animal exhibition.

E. This section shall not apply to dogs provided for in subsection 8.05.10B of this Title or when the director of the health department adopts rules and regulations subsequently ratified by the City council which set forth the times and places where the dog or dogs may be allowed without compromising the health and safety of humans, causing a nuisance, or damaging property. (Ord. 09-21, 5-6-2009)

8.07.12: ANIMAL TRESPASS:

It is unlawful for the owner or handler of an animal to allow such animal to trespass on the property of another. Any trespassing animal may be confined provided the person confining the animal notifies the division within twenty-four (24) hours of such confinement. (Ord. 09-21, 5-6-2009)

CHAPTER 8.08 IMPOUNDMENT

SECTION:

8.08.01: Animal Shelter And Facilities

8.08.02: Impoundment Authorized; When

8.08.03: Impoundment; Recordkeeping Requirements

8.08.04: Redemption Of Animals; Restrictions

8.08.05: Term Of Impoundment; Destruction Or Other Disposition Of Animals

8.08.60: Sterilization Of Adopted And Impounded Animals

8.08.01: ANIMAL SHELTER AND FACILITIES:

A. The City shall be responsible, within its legislative discretion, to provide (by contract with the division or otherwise) suitable premises and facilities to be used as an animal shelter where impounded animals can be kept. The City, through the division, shall purchase and supply food and provide care for impounded animals.

B. The City, through the division, shall provide for the destruction of dogs, cats, ferrets, and other animals for which destruction is authorized by this Title or by Utah law. Destruction shall be accomplished in accordance with standards established by the American Veterinary Medical Association or in accordance with any other nationally recognized standards established for the proper destruction of animals; or by any method which, in the discretion of the director or the division, is proper under the then-existing circumstances.

C. The City or the division may furnish, when deemed necessary at the discretion of the director or division personnel, medical treatment to animals impounded pursuant to this Title. Prior consent for such treatment from the owners of such animals shall not be required.

D. The owner of any affected animals shall be required to post a bond, as provided in subsection 8.08.04E of this Chapter, and/or pay the cost of the impound and any care and keeping, medical treatment, euthanasia, and disposal provided or performed under the authority of this Title with respect to such animal. (Ord. 09-21, 5-6-2009)

8.08.02: IMPOUNDMENT AUTHORIZED; WHEN:

A. An animal control officer may impound or leave an animal in the custody of its owner or handler according to said officer's discretion whenever such animal is found to be in circumstances which violate the requirements of this Title. If left in the custody of the owner or handler, said owner or handler shall nevertheless be required to respond to the administrative code enforcement hearing program established by Title 18 of this code.

B. An animal found in the following circumstances may be impounded by an animal control officer without the filing of a criminal complaint or obtaining a prior order from a court of competent jurisdiction:

1. The animal is running at large outside its owner's or handler's premises;
2. Any animal which is required by this Title to be licensed and is not licensed; an animal not wearing a license tag shall be presumed to be unlicensed for the purpose of this subsection;
3. The animal is sick or injured and its owner cannot be immediately located;
4. The animal's owner or handler requests the division to impound the animal and posts a bond as provided in subsection 8.08.04E of this chapter or pays, in advance, a fee reasonably calculated to pay for the cost the division may reasonably incur during impoundment and possible destruction of the animal;
5. The animal is abandoned;
6. Animals which are not vaccinated for rabies in accordance with this Title; for the purpose of this subsection, an animal not wearing a rabies tag shall be presumed to be unvaccinated;
7. The animal is known by the animal control officer to have been exposed to rabies or bitten by a rabid animal;
8. The animal is to be otherwise held for quarantine;
9. The animal is a vicious animal and not properly confined or restrained as required by Section 8.07.03 of this Title;
10. The animal is not being kept or maintained as required by any other provision of this Title and, as a result thereof, the animal poses an imminent threat to the health and safety of persons, other animals, or itself;
11. Any animal in physical distress; or
12. Any animal considered a nuisance or a public nuisance animal.

C. The circumstances set forth above in this section are not intended to be a complete list of those in which the City, the division, and/or an animal control officer may impound an animal without a prior order from a court of competent jurisdiction and said officers are authorized to act as necessary to maintain the peace and safety of the City under the requirements of this Title and all other applicable law. (Ord. 13-37, 12-18-2013)

8.08.03: IMPOUNDMENT; RECORDKEEPING REQUIREMENTS:

The impounding facility shall keep record of each animal impounded, which shall include the following information:

- A. Complete description of the animal, including tag numbers;
- B. The manner and date of impound;
- C. The location of the pick-up and name of the officer picking up the animal;
- D. The manner and date of disposal;
- E. The name and address of the person who redeems, purchases, or adopts the animal;

- F. The name and address of any person relinquishing an animal to the impound facility;
- G. All fees received on behalf of the animal; and
- H. All costs of impoundment allocable to the animal which accrues during its impoundment. (Ord. 09-21, 5-6-2009)

8.08.04: REDEMPTION OF ANIMALS; RESTRICTIONS:

A. The owner of any impounded animal or the owner's authorized representative (a legally responsible adult of age eighteen (18) or older) may redeem such animal before disposition, provided the owner or representative that person posts a bond as provided in subsection E of this section or pays:

1. The impound fee;
2. The daily board charge;
3. Veterinary costs incurred during the impound period, including rabies vaccination or rabies vaccination deposit;
4. License fee, if required;
5. A transportation fee if transportation of an impounded animal by specialized equipment is required. "Specialized equipment" is that equipment, other than the usual patrol and operation vehicles of animal control, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers. The director shall determine this fee at a level that approximates the cost of utilizing the specialized equipment in the particular situation;
6. Any other expenses incurred to impound an animal in accordance with state or local laws;
7. Any unpaid (past due) fees and fines incurred by the owner; and
8. If any dog or cat is fertile, the owner shall also pay a sterilization deposit and comply with any other requirements of Utah law including UTAH CODE ANNOTATED §§ 11-46-204 *et seq.* For the purposes of this subsection, the term "recipient" contained in the referenced Utah statute shall include an owner or the owner's authorized representative who is redeeming the animal after impoundment.

B. If an animal is impounded, the owner shall be required to purchase microchip identification.

C. Upon the third impoundment and prior to the release of said animal, said animal shall be sterilized. Payment of all fees shall be required and sterilization completed prior to release.

D. The City Council shall set and periodically revise when necessary impound fees and daily board charges for the impounding of animals. Such fees shall be as stated on the adopted Consolidated Fee Schedule. Such fees may take into account the type of animal impounded, the owner's compliance with animal licensure requirements, the number of confinements in the preceding twenty-four (24) months, and the duration of the confinement. No impound fees will be charged the reporting owners of suspected rabid animals if they comply with chapter 8.06 of this Title.

E. Any owner whose animal is impounded under this section may be required to pay the veterinarian expenses, boarding expenses, and other reasonable expenses directly related to the care of the animal. If it is determined that the owner of the animal has not neglected the animal or been cruel to the animal, or the animal is not determined to be vicious, or the request for revocation of license is denied the owner shall not be responsible for the costs of boarding or caring for the animal during the time it was impounded. The owner may be required to reimburse the costs of necessary medical care for medical needs that existed prior to the animal being impounded. If, after final adjudication of criminal charges or administrative actions, the owner fails to timely pay the required expenses for care of the animal, that failure to pay shall constitute abandonment of the animal. Such abandonment, however, does not alleviate the owner of the obligation to pay the required expenses.

8.08.05: TERM OF IMPOUNDMENT; DESTRUCTION OR OTHER DISPOSITION OF ANIMALS:

A. If an animal is not wearing a license tag or other identification, the animal shall be impounded for a minimum of five (5) working days before further disposition. If an animal is wearing a license tag or other identification it shall be held a minimum of five (5) working days.

B. During the impound period, reasonable efforts shall be made to notify the owner of any animal wearing a license or other identification.

1. Notice shall be deemed given when sent to the last known address of the listed owner.

2. In the event an owner is notified of the impoundment of his/her animal, and fails to either redeem, post a bond as provided in subsection 8.08.04E of this chapter, or formally release said animal to the agency, the animal shall be deemed voluntarily relinquished to the City and/or the division.

C. Any animal voluntarily relinquished to the division by the owner thereof for destruction or other disposition need not be kept for the minimum holding period.

D. All animals, except those quarantined or confined by court order, or stray livestock or farm animals subject to state law requirements, which are held longer than the minimum impound period, and all animals voluntarily relinquished to the impound facility, may be destroyed or disposed of as the director shall direct. The fee for animals other than pets (i.e., livestock, birds, snakes, etc.) shall be the market value of the animal.

E. Any healthy domestic animal excluding livestock may be sold or adopted by anyone meeting the requirements of the division for a price to be determined by the director, to include appropriate registration, rabies vaccination, microchip, and sterilization fees.

F. Any healthy animal which is placed into a new home under this chapter shall be sterilized.

1. In the event the animal is not sterilized prior to going into the new home, the adopter is required to ensure that the surgery is completed within an agreed upon period of time.

2. If the adopter fails to complete the sterilization of the animal within the approved time period or fails to comply with any part of any agreement made within the adoption process, the adopter forfeits all rights to the animal and the division may reclaim said animal.

G. The director may recover all costs incurred by the division in the impoundment and care of any animal sold to a certified research institution pursuant to the laws of the state of Utah.

H. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention, as determined by the director, may be released to the care of a veterinarian.

I. When, in the judgment of the director, it is determined that an animal should be destroyed for humane reasons or to protect the public from imminent danger to persons or property, such animal may be destroyed without regard to any time limitations otherwise established in this Title, and without court order.

J. The director may destroy an animal upon the request of an owner. An appropriate fee shall be charged the owner for the destruction and any subsequent disposal of the carcass destroyed by the division. (Ord. 09-21, 5-6-2009)

8.08.06: STERILIZATION OF ADOPTED AND IMPOUNDED ANIMALS:

A. A dog, cat, or ferret adopted from the division's animal facility shall be sterilized.

B. The division may allow the conditional adoption of an unsterilized dog, cat, or ferret because of the age of the animal or as otherwise deemed necessary by the division. Said conditional adoption shall become final upon proof to the division that the animal has been sterilized. Failure to sterilize results in forfeiture of the animal to the division.

C. A dog or cat owner reclaiming an impounded pet shall comply with any applicable requirements established by UTAH CODE ANNOTATED § 11.46.201 or other applicable Utah law and implemented by the division to conform with said law. (Ord. 09-21, 5-6-2009)

CHAPTER 8.09 CRUELTY TO ANIMALS

SECTION:

8.09.01: Care And Maintenance Responsibility

8.09.02: Keeping Of Diseased Or Painfully Crippled Animals

8.09.03: Abandonment Of Animals

- 8.09.04: Hobbling Animals
- 8.09.05: Animals In Vehicles
- 8.09.06: Physical Abuse Of Animals
- 8.09.07: Injury To Animals By Motorists; Duty To Stop And Assist
- 8.09.08: Poisoning Animals
- 8.09.09: Steel Jaw Traps
- 8.09.10: Mistreatment Of Animals
- 8.09.11: Baby Rabbits And Fowl; Restrictions
- 8.09.12: Selling Certain Turtles Prohibited
- 8.09.13: Killing Birds
- 8.09.14: Giving Animals As Sales Premiums
- 8.09.15: Prohibit Display Of Animals For Sale Or Gift
- 8.09.16: Dead Animals

8.09.01: CARE AND MAINTENANCE RESPONSIBILITY:

It shall be unlawful for an owner or handler of an animal to withhold adequate food, drink, care, veterinary care, grooming, adequate space and shelter from said animal, which is reasonably necessary to maintain said animal in good health, comfort, and safe from potential hazards. To ensure the availability of adequate space for large animals, notwithstanding anything in this code to the contrary, it shall be unlawful to keep any horse, mule, burro, ass, or cattle on a lot or other parcel of ground that is not over one-half (1/2) acre in size. (Ord. 09-21, 5-6-2009)

8.09.02: KEEPING OF DISEASED OR PAINFULLY CRIPPLED ANIMALS:

- A. It is unlawful for any person to abandon or turn out at large any sick, diseased, or disabled animal.
- B. It is unlawful for the owner or handler of an animal rendered worthless to said owner or handler by reason of disease or disability to allow said animal to continue to live in a diseased or disabled state. Said owner or handler shall dispose of such animal by killing the same in a humane manner or by contacting the division. Upon such contact, the division may assume responsibility for disposition of the animal, not including livestock, provided that the owner or handler shall pay a fee, in advance, to the division to pay for the division's cost in disposing of the animal. If the owner or handler fails to pay such fee and fails to dispose of the diseased or disabled animal as required above, such person shall be in violation of this Title.
- C. It is unlawful for an owner or handler of an animal which is infected with a disease or is in a painfully crippled condition to have, keep, or harbor such animal without placing the animal under veterinary care and/or to dispose of such animal as required in subsection B of this section. (Ord. 09-21, 5-6-2009)

8.09.03: ABANDONMENT OF ANIMALS:

It is unlawful for any person to abandon any animal within the geographical boundaries of the City. (Ord. 09-21, 5-6-2009)

8.09.04: HOBBLING ANIMALS:

It is unlawful for any person to hobble livestock or other animals by any means that may cause injury or damage to any animal. (Ord. 09-21, 5-6-2009)

8.09.05: ANIMALS IN VEHICLES:

- A. It is unlawful for any person to carry or confine 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. Persons transporting an animal in the open bed of a vehicle must physically restrain the animal in such a manner as to prevent the animal from jumping or falling out of the vehicle.

B. It is unlawful for any person to allow a vehicle to be used as a shelter or housing for pets. (Ord. 09-21, 5-6-2009)

8.09.06: PHYSICAL ABUSE OF ANIMALS:

It is unlawful for any person to kill, without legal justification, maim, disfigure, torture, beat, whip, mutilate, burn or scald, overwork, cause to fight, or in any manner treat any animal in a cruel or malicious manner. Each instance of such treatment shall constitute a separate offense. (Ord. 09-21, 5-6-2009)

8.09.07: INJURY TO ANIMALS BY MOTORISTS; DUTY TO STOP AND ASSIST:

A. The operator of a motor vehicle or other self-propelled vehicle being operated upon the streets of the City shall, in the event said vehicle should strike and injure or kill any domesticated animal, give reasonable aid and assistance and/or protection to said animal without placing himself at unreasonable risk and call and report the facts pertaining to the incident to one of the following authorities:

1. The police department having jurisdiction in the City;
2. The director; or
3. The division.

B. After making the report required above, the operator shall comply with the instructions given by the agency contacted and shall, if instructed, remain at the scene until appropriate police or animal control authority arrives. After arrival of appropriate authority, the operator shall cooperate with said authority in the investigation and reporting of the incident.

C. As an alternative to complying with the requirements set forth above, the motor vehicle operator may transport the animal which has been struck to the division's animal facility or, in the case of an animal which is injured and not dead, to a veterinarian for treatment of the animal's injuries. If the operator chooses the latter course of action, he shall be responsible for the cost of treatment if required by the veterinarian. The division shall not be responsible for the cost of treatment unless it has accepted responsibility after the operator's compliance with any of the requirements of this section.

D. This section shall not apply to operators of emergency vehicles if such vehicles are being operated in response to a bona fide emergency situation at the time the animal is struck. Emergency vehicle operators who strike an animal during a response to a bona fide emergency situation shall notify the director or the division of the incident as soon as is practicable thereafter. (Ord. 09-21, 5-6-2009)

8.09.08: POISONING ANIMALS:

Except as provided in this section, it is unlawful for any person by any means to knowingly or recklessly make accessible to any animal 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. (Ord. 09-21, 5-6-2009)

8.09.09: STEEL JAW TRAPS:

It shall be unlawful for any person to use steel jaw traps to trap animals unless authorized by the director. (Ord. 09-21, 5-6-2009)

8.08.10: MISTREATMENT OF ANIMALS:

It shall be unlawful for any person to provoke any animal. (Ord. 09-21, 5-6-2009)

8.09.11: BABY RABBITS AND FOWL; RESTRICTIONS:

A. It is unlawful for any person to sell, to offer for sale, offer to give as a prize, premium, or advertising device, or display in any store, shop, carnival or other public place, any baby rabbits or fowl under eight (8) weeks of age in any quantity less than six (6).

B. It is unlawful for any person to sell, offer for sale, barter, or give away any baby rabbits or fowl under eight (8) weeks of age during the two (2) week period preceding Easter in any quantity less than twenty-five (25).

C. It is unlawful to artificially dye or color any animal less than six (6) months of age.

D. Nothing in this section shall be construed to prohibit the purchase and raising of such rabbits and fowl by a private individual for his/her personal use and consumption provided that he/she shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his/her possession.

E. It is unlawful to offer as an advertising device or to display any animal without at all times keeping adequate food and water available for the animal's use.

F. It is unlawful for any person to offer as a premium, prize, award, novelty, or incentive to purchase merchandise any live animal. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals.

G. Each day an offense of this section occurs or continues shall be a separate offense. (Ord. 09-21, 5-6-2009)

8.09.12: SELLING CERTAIN TURTLES PROHIBITED:

It is unlawful to own or sell, barter, or trade any *Chrysemys scripta-elegans*, red eared sliders, that are four inches (4") in length or smaller, or *Pseudemys troostii*, family *Testudinidae*, "pet turtles". (Ord. 09-21, 5-6-2009)

8.09.13: KILLING BIRDS:

It is unlawful to kill any bird, or to rob or destroy any nest, egg, or young of any bird, in violation of Utah law. (Ord. 09-21, 5-6-2009)

8.09.14: GIVING ANIMALS AS SALES PREMIUMS:

It is unlawful for any person or business to offer any live animal, fowl, bird, reptile, or fish as a premium, prize, award, novelty or incentive to purchase merchandise.

A. Nothing herein shall be construed to prohibit the offering or sale of animals in conjunction with the sale of food or equipment designed for the care or keeping of such animals in compliance with all necessary permits.

B. This section does not apply to groups whose purpose is to enhance a particular species and/or educate its members on the proper care and handling of a particular species, and which may offer as a prize animals of the type specific to the group's purpose, only to members of the group. (Ord. 09-21, 5-6-2009)

8.09.15: PROHIBIT DISPLAY OF ANIMALS FOR SALE OR GIFT:

It is unlawful for anyone except licensed businesses, humane societies recognized by the state of Utah, and government animal shelters to offer or display any pet for sale or gift in any public place or facility frequented by the public. (Ord. 09-21, 5-6-2009)

8.09.16: DEAD ANIMALS:

It shall be unlawful for any person knowingly to permit any dead animal to remain upon the premises of such person, or for the owner of any dead animal knowingly to permit the same to remain upon any public property or upon any premises within the City. If the owner of such dead animal does not remove the dead animal himself or cause the dead animal to be properly disposed of within a reasonable time, the City may cause it to be removed and thereupon assess the actual costs of such removal and disposal against the owner and may avail itself of all remedies in law and equity to enforce such removal and recover the costs thereof. (Ord. 09-21, 5-6-2009)

CHAPTER 8.10 WILD, DANGEROUS AND EXOTIC ANIMALS

SECTION:

8.36.010: Prohibitions Relating To Wild, Dangerous And Exotic Animals; Exceptions

8.10.01: PROHIBITIONS RELATING TO WILD, DANGEROUS AND EXOTIC ANIMALS; EXCEPTIONS:

A. It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor, or purchase any wild, dangerous or exotic animal (as defined in Title 50 of the code of federal regulations, in Utah law or regulation, or by this Title) or which is otherwise a "vicious animal" or a "nuisance" as defined in this Title.

B. The prohibitions of subsection A of this section shall not apply to a person, animal shelter, zoological park, veterinary hospital, section 501(c)(3) of the Internal Revenue Code animal welfare shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific research if such organizations or individuals are

otherwise licensed or permitted pursuant to a permit as provided in this Title, provided that said animals are restrained or confined in such a manner as to prevent their escape and/or injury to the public.

C. Any person violating any provision of this section shall be guilty of a class B misdemeanor. (Ord. 13-37, 12-18-2013)