

TITLE 5  
CHAPTER 2  
**ANIMAL CONTROL**

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**5-2-1: DEFINITIONS**

The following words and phrases used in this chapter shall have the following meaning unless a different meaning clearly appears from the context:

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|----------------------------|---|
| ANIMAL AT<br>LARGE:        | Any domesticated animal, licensed or not, found unrestrained as defined below.  |
| ANIMAL<br>SHELTER:         | A facility owned and/or operated by a governmental entity or any animal welfare organization that is incorporated within the state of Utah under Utah Code Annotated section 76-9-302, as amended, and used for the care and custody of seized, stray, homeless, quarantined, abandoned or unwanted dogs, cats or other small domestic animals. River Heights City maintains the right to contract with whomever meets the legal definition of an animal shelter. |
| ANIMAL UNDER<br>RESTRAINT: | Any animal under the control of its owner or person having charge, care, custody or control. A dog shall be considered under control of the owner when on a leash or lead, confined within a vehicle, or within the real property limits of the owner.  |
| BITE:                      | An actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.   |
| CATS:                      | Any age feline domesticated or non-domesticated.  |

DANGEROUS DOG:	See definition of Vicious Dog.
DOG:	A canis familiaris over four (4) months of age. Any canis familiaris under four (4) months of age is a puppy.
DOMESTICATED ANIMALS:	Animals accustomed to living in or about the habitation of man, including, but not limited to, cats, dogs, fowl, horses, swine, goats and cattle. (See also 10-2-1, definition of livestock) (9-2022, 11-1-22)
FOSTERING:	The temporary sheltering of any lost, stray or otherwise homeless animal for a period of time not to exceed thirty (30) days. River Heights City recognizes the need for individuals to care for and shelter stray animals when this occurs. After the thirty (30) day period, all ordinances apply with regards to the vaccinations and licensing of the adopted animal(s). Adoptions that cause a household to exceed the legally permitted number of animals per household are subject to the approval of River Heights City and require a kennel conditional use permit. It is a violation of city ordinance to adopt animals for the express purpose of resale or profit. Adoptions are to proceed in cooperation with the River Heights City animal control officer. (1-2015, 6-23-15)
GUARD DOG:	A working dog which must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control while working, so it cannot come into contact with the public.
HOLDING FACILITY:	Any pet shop, kennel, cattery, groomery, animal shelter, humane establishment, or any other such facility used for holding animals.
HOUSEHOLD PET:	An animal, ordinarily permitted in the house, kept for pleasure rather than utility, including, but not limited to, birds, cats, dogs, fish, hamsters, mice, reptiles, and other animals associated with man's environment. (9-2022,11-1-22)
KENNEL <sup>1</sup> :	Land or buildings used in the keeping of three (3) but no more than four (4) dogs over four (4) months old. Yard or space for the confinement and control of animals to be completely fenced in. (3-2033, 5-3-22)(1-2023, 1-23-2023)
LEASH OR LEAD:	Any chain, rope or device used to restrain an animal.
NEUTER:	A surgical procedure performed on male animals in which its testicles are removed.
QUARANTINE:	The isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or unauthorized persons. The primary purpose is to provide a safe place for

observation and/or the prevention of the spreading of an infectious disease or sickness.

**SPAY:** A surgical procedure performed on a female animal in which its ovaries and uterus are removed.

**STRAY:** Any animal "at large", as defined in this section.

**VICIOUS ANIMAL:** Any animal which is dangerous or aggressive, including, but not limited to, any animal which has bitten or in any other manner attacked any person or animal.

**VICIOUS DOG:**

- A. Any dog which, in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places;
- B. Any dog with a known propensity, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or animals; or
- C. Any dog which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property. (Ord. 04-06-08, 6-8-2004)

**5-2-2: DEPARTMENT OF ANIMAL CONTROL**

- A. Officer Employed: The city employs an animal control officer.
- B. Powers and Duties:
  - 1. The animal control officer, or any person employed by the city, shall be vested with the power and authority to enforce this chapter.
  - 2. The animal control officers shall enforce this chapter in all respects pertaining to animal control within the jurisdiction of the city. This includes the prevention of cruelty to animals and the execution of all duties prescribed by ordinance. (3-2011, 12-13-11)

**5-2-3: LICENSING**

- A. Dog License Required:
  - 1. All dogs must be licensed each year, except as otherwise provided herein, to a person eighteen (18) years of age or older. Any person owning, possessing or harboring any dog within the city shall obtain a license for such animal within thirty (30) days after the dog reaches the age of four (4) months, or within thirty (30) days of the acquisition of such dog or presence of such dog within the city. Initial and annual licensing requires the completion of a standard form, which requests name, address and phone number of the

applicant, breed and gender of the animal, proof of animal being spayed or neutered, and proof of rabies vaccination. For a dog under the age of six (6) months, the city may accept certification from a licensed veterinarian that the owner has deposited funds for spaying or neutering. A spayed or neutered dog may be licensed at the reduced fee (refer to current fee schedule held at the City Office). Licenses are good for one year or until March 1 of the following year, whichever comes first, and must be renewed annually thereafter. All annual applications are due March 1<sup>st</sup>. If dogs are not licensed, their owners will be in violation of the law and may be issued a citation. (1-2015, 6-23-15) (2-2019, 5-28-19)

2. Licensing fees are due at the time of application.
3. Applications submitted after March 1 (annual applications only) will be charged a late fee, plus a monthly late fee charged at the beginning of each month. (1-2015, 6-23-15) (2-2019, 5-28-19)
4. No dog shall be licensed as spayed or neutered without satisfactory proof that such surgery was performed on said dog.
5. No person or persons at any one residence within the city jurisdiction shall at any one time own or license more than two (2) dogs in any combination, except as otherwise provided herein. (7-2009, 12-8-09)

B. License Tag:

1. Upon payment of the license fee, the city shall issue to the owner a tag for each dog licensed. The tag shall have stamped thereon the license number corresponding with the tag number on file. The owner shall attach the tag to the collar or harness of the animal and see that the collar and the tag are constantly worn. Failure to attach the tag as provided shall be a violation of this chapter and subject such owner to a citation and/or fine. (3-2011, 12-13-11)
2. Dog tags are not transferable from one dog to another. No refunds shall be made on any dog license fee for any reason whatsoever. Replacements for lost or destroyed tags shall be issued upon payment of the required fee to the city.

C. Licensing Exemptions:

1. The provisions of sections 5-2-1 through 5-2-3 of this chapter shall not apply to licensed dogs whose owners are nonresidents temporarily (up to 30 days) within the jurisdiction; licensed dogs whose owners remain within the jurisdiction longer than thirty (30) days may transfer to the local license upon payment of the required fee and proof of current rabies vaccination.
2. Licensing fees shall not apply to service dogs, per 28 CFR Subpart B, Section 35.136, however, late fees will apply. The City will verify whether the animal qualifies as a service animal by asking the following (6-2025, 12-16-25):

- a. Is the animal required because of a disability?
- b. What work or task has the animal been trained to perform?

(2-2019, 5-28-19)

3. Nothing in this section shall be construed to exempt any dog from having a current rabies vaccination. (Ord. 04-06-08, 6-8-2004)

**5-2-4: KENNELS, PET SHOPS AND SIMILAR ESTABLISHMENTS**  
(See current 28 CFR Subpart B, Section 35.136 for exclusions)

A. Kennel Permits:

1. No residence within River Heights shall at any time own or license more than four (4) dogs. Each residence must obtain and maintain a kennel license when owning, harboring, or boarding three (3) or at most four (4) dogs. (3-2022, 5-3-22)
2. Any person wishing to maintain a "kennel", as defined in section 5-2-1 of this chapter and section 10-2-1 of this code, must first obtain a kennel conditional use permit from the city. (6-2022, 6-21-22)
3. Any Kennel Conditional Use Permit issued pursuant to this section shall automatically expire on December 31, immediately following date of issue. During the first two (2) months of each year the licensee shall apply for a renewal of the kennel license and pay the required fee. Any application made after March 1, except an application for a new establishment opening subsequent to that date, shall be accompanied by a late application fee in addition to the regular permit fee. (3-2011, 12-13-11) (3-2018, 8-14-18)
4. A kennel by definition requires that the yard or space for the confinement and control of animals to be completely fenced in.

B. Standards for Permitted Establishment: The city shall promulgate rules and regulations governing the operation of kennels. Such rules and regulations shall provide for the number of animals to be kept; the type of structures, buildings, pens, cages, runways or yard required for the animal sought to be kept, harbored or confined on such premises; the manner in which food, water and sanitation facilities will be provided to such animals; measures relating to the health of said animals, the control of noise and odors; and the protection of persons or property and adjacent premises; and other such matters as the animal control officer shall deem necessary. Such rules and regulations shall have the effect of law, and violation of such rules and regulations shall be deemed a violation of this chapter and grounds for revocation of the permit issued by the city.

C. Suspension or Revocation of Permit:

1. Grounds: A permit may be suspended, revoked, modified or rejected for any of but not exclusive to the following reasons:
  - a. Falsification of facts in a permit application;
  - b. Violation of any of the provisions of this chapter or any other law or regulation governing the establishment, including noise;
  - c. Conviction on a charge of cruelty to animals.
2. Procedure: If an inspection of kennels reveals a violation of this chapter, the animal control officer shall notify the permit holder or operator of such violation by means of an inspection report form or other written notice. The notification shall:
  - a. Set forth the specific violation(s) found;
  - b. Establish a specific and reasonable period of time for the correction of the violations found;
  - c. State that failure to comply with any notice issued in accordance with the provisions of this chapter may result in immediate suspension of the permit.

D. Emergency Suspension:

1. Notwithstanding the other provisions of this chapter, when the inspecting officer finds unsanitary or other conditions in the operation of kennels which in his judgment, constitute a substantial hazard to public health, he/she may, without warning or hearing, issue a written notice to the permit holder or operator citing such condition and specifying the corrective action to be taken. (3-2011, 12-13-11)
2. Notice provided for under this section shall be deemed to have been properly served when 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 records of the city. (1-2015, 6-23-15)

**5-2-5: PROHIBITED ACTS AND ACTIVITIES**

- A. Dogs Running at Large: It shall be unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog at any time to run at large. The owner or person charged with responsibility for a dog found running at large shall be strictly liable for a violation of this subsection regardless of the precautions taken to prevent the escape of the dog and regardless of whether or not he knows that the dog is running at large. See fee schedule held at city office for multiple offenses of dogs running at large.

- B. Dogs on Unenclosed Premises: It shall be unlawful for any person to chain, stake out or tether any dog 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.
- C. Dogs Must be Kept at Primary Residence: It is unlawful for any person to own, keep or harbor within the city limits any dog on property that is not their primary residence or adjacent lot of record. (9-2022, 11-1-22)
- D. Female Dogs in Heat: Any owner or person having charge, care, custody or control of any female dog in heat shall, in addition to restraining such dog from running at large, cause such dog to be constantly confined in a building or secure enclosure so as to prevent it from attracting by scent or coming into contact with other dogs and creating a nuisance, except for planned breeding.
- E. Responsibility for Animal Waste
  - 1. No person shall create or maintain any condition or keep any animal, fowl, household pet, or insect under his/her jurisdiction in such a way that such condition or operation is likely to cause the transmission of any diseases.
  - 2. No owner, keeper, caretaker, or attendant of an animal, shall allow an animal to defecate on public property, including but not limited to sidewalks, streets, planting strips, parking lots, parks, trails and recreational areas or on private property not in the ownership or control of the person having control or purporting to have control over or charge of such animal. If such animal does defecate upon public or private property, the owner, keeper, caretaker, or attendant must immediately and thoroughly clean the fecal matter from such property.
  - 3. Anyone walking, driving, or riding an animal on public or private property other than his/her own must carry with him/her visible means of cleaning up any fecal matter left by the animal. Animals used during parades or used in law enforcement are exempt from this section.
  - 4. No vehicle, trailer or other conveyance used to transport animals shall be cleaned out and the fecal matter deposited upon any public property.
  - 5. No animals are allowed in City parks unless the area is designated for animals. This shall not apply if a City sponsored event includes animals to be allowed for the event.
  - 6. Any person violating the foregoing subsections shall be guilty of an infraction and shall be subject to a fine of not more than fifty dollars (\$50).

(9-2021, 11-16-21)

- F. Dogs Attacking Persons and Animals:

1. **Attacking Dogs:** It shall be unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog to attack, chase or worry any person, any domestic animal, or any species of hoofed protected wildlife, or to attack domestic fowl. "Worry", as used in this section, shall mean to harass by tearing, biting or shaking with the teeth, or without provocation to chase or approach any person in an apparent attitude of attack when such person is in a place where he/she has a right to be.
  2. **Owner Liability:** The owner in violation of subsection F1 of this section shall be strictly liable for violation of this subsection. In addition to being subject to prosecution under subsection F1 of this section, the owner of such dog shall also be liable in damages to any person injured or to the owner of any animal injured or destroyed thereby.
  3. **Defenses:** The following shall be considered in mitigating the penalties or damages or in dismissing the charge:
    - a. The dog was properly confined on the premises.
    - b. The dog was deliberately or maliciously provoked.
  4. **Dogs May be Put Down:** Any person may use sufficient force or whatever force is necessary to prevent a dog from doing serious harm to another animal or person. Such animals are defined as dangerous or vicious animals and require a proportional response to the level of eminent danger that they pose to person, animals and the community. See subsection G of this section for further clarification of a dangerous or vicious animal.
- G. **Fierce, Dangerous and/or Vicious Animals:** It shall be unlawful for the owner of any fierce, dangerous and/or vicious animal to permit such animal to go or be off the premises of the owner unless such animal is under restraint and is properly muzzled so as to prevent said animal from injuring any person or property. Every animal so vicious and dangerous that it cannot be controlled by reasonable restraints, and every dangerous and vicious animal not effectively controlled by its owner or person having charge, care or control of such animal so that it shall not injure any person or property is by definition a public safety hazard. The animal control officer has the authority to seek a court order for destruction of a fierce, dangerous and/or vicious animal.
- H. **Nuisance Animals:** Any owner or person having charge, care, custody or control of an animal or animals causing a "nuisance", as defined below, shall be in violation of this chapter and subject to the penalties provided herein. The following shall be deemed a nuisance:
1. Causes damages to the property of anyone other than its owner;
  2. Is a "vicious animal", as defined herein, and kept contrary to subsection G of this section;
  3. Causes unreasonable fouling of the air by odors;

4. Causes unsanitary conditions in enclosures or surroundings;
5. Defecates on any public sidewalk, city street, park or building, or on any private property without the consent of the owner of such private property, unless the person owning, having a proprietary interest in, harboring or having care, charge, control, custody or possession of such animal shall remove any such defecation to a proper trash receptacle;
6. Barks, whines or howls in an excessive, continuous or untimely fashion at any time of day or night. Excessive behavior is considered as such as would warrant the complaint by an otherwise prudent person who understands what another prudent person would do to properly restrain, correct and/or train a pet to refrain from excessive and/or offensive behavior; (3-2011, 12-13-11)
7. Noise as a nuisance. See Nuisance Ordinance 5-4-5, Noise As Nuisance, A.1 (3-2011, 12-13-11)
8. Attacks other domestic animals;
9. Repeatedly molests or intimidates neighbors, pedestrians or passersby, by lunging at fences, chasing or actively displaying overt aggression;
10. Is determined by the city or the Bear River Health Department to be offensive or dangerous to public health, safety or welfare;
11. When a pet or stray is found on cemetery grounds. Pets and/or strays are strictly forbidden to use or traverse cemetery property. (Ord. 04-06-08, 6-8-2004)
12. When a pet or stray is found in any city park, except Stewart Hill Drive Park. (1-2015, 6-23-15)

**5-2-6: RABIES CONTROL**

- A. Rabies Vaccination Required for Dogs: The owner or person having the charge, care, custody and control of a dog four (4) months of age or over shall have said animal vaccinated within thirty (30) days after it reaches said age. Any person permitting any such animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for said vaccination. Unvaccinated dogs over four (4) months of age acquired by the owner or moved into the jurisdiction must be vaccinated thereafter as required by law. (1-2015, 6-23-15)
- B. Impoundment without Valid Rabies Vaccination Tag:
  1. Any vaccinated animal impounded because of a lack of rabies vaccination tag may be reclaimed by its owner by furnishing proof of rabies vaccination and payment of all impoundment fees prior to release.

2. Any unvaccinated animal may be reclaimed prior to disposal by payment of impound fees, bringing license current and by obtaining a rabies vaccination, if needed. (1-2015, 6-23-15)
3. Any dog not reclaimed prior to the period shall be disposed of pursuant to the provisions of subsection 5-2-10C of this chapter.

C. Quarantine and Disposition of Biting or Rabid Animals:

1. An animal that has rabies or shows signs of having rabies, and every animal infected with rabies or that has been exposed to rabies, shall be reported by the owner as is set forth above and shall immediately be confined in a secure place by the owner.
2. The owner of any animal of a species subject to rabies, which has bitten, shall surrender the animal to an authorized official upon demand. Any person authorized to enforce this chapter may enter upon private property to seize the animal; if the owner refuses to surrender the animal, the officer shall immediately obtain a search warrant authorizing seizure and impoundment of the animal.
3. Any animal of a species subject to rabies that bites a person or animal or is suspected of having rabies may be seized and quarantined for observation for a period of not less than ten (10) days by the city and/or the Bear River Health Department. The owner of the animal shall bear the cost of confinement. The animal shelter shall be the normal place for quarantine, but other arrangements, including confinement by the owner, may be made by the director of animal control and/or the director of health if the animal had a current rabies vaccination at the time the bite was inflicted or if there are other special circumstances justifying an exception. A person who has custody of an animal under quarantine shall immediately notify the city if the animal shows any signs of sickness or abnormal behavior, or if the animal escapes confinement. It shall be unlawful for any person who has custody of a quarantined animal to fail or to refuse to allow a health or animal control officer to make an inspection or examination during the period of quarantine. If the animal dies within ten (10) days from the date of the bite, the person having custody shall immediately notify the city or the state health laboratory to be examined for rabies. If, at the end of the ten (10) day period, the director of animal control examines the animal and finds no sign of rabies, the animal may be released to the owner or, in the case of a stray, it shall be disposed of as provided in subsection 5-2-10C of this chapter.

D. Disposition and Impounding of Bitten Animals:

1. Unvaccinated Bitten Animals: In the case of an unvaccinated animal species subject to rabies which is known to have been bitten by a known rabid animal, said bitten or exposed animal should be immediately destroyed. If the owner is unwilling to destroy the bitten or exposed animal, the animal shall be immediately isolated and quarantined for six (6) months under veterinary supervision, the cost of such confinement to be paid in advance by the owner. The animal shall be destroyed if the owner does not comply herewith.

2. Vaccinated Bitten Animals: If the bitten or exposed animal has been vaccinated, the animal shall be revaccinated within twenty four (24) hours and quarantined for a period of forty five (45) days following revaccination; or if the animal is not revaccinated within twenty four (24) hours, the animal shall be isolated and quarantined under veterinary supervision for six (6) months. The animal shall be destroyed if the owner does not comply with this subsection.
- E. Removal of Quarantined Animal: It shall be unlawful for any person to remove any such animal from the place of quarantine without written permission of the city. It is unlawful for any person to permit, or suffer to escape, any such animal from its place of quarantine or impoundment.

Animal Attacks: If any animal bites or attacks a person as defined by subsection 5-2-5F and 5G of this chapter, the animal may immediately be impounded by the city without court order and held at owner expense pending court action. Any such animal shall be deemed a vicious animal, and the animal control officer may seek a court order as provided in subsection 5-2-5G of this chapter for destruction of the animal. The owner of said animal shall, if possible, be notified immediately of the animal's location by the animal control officer. (Ord. 04-06-08, 6-8-2004)

#### **5-2-7: BITES; DUTY TO REPORT**

- A. Any person having knowledge of any individual or animal having been bitten by an animal of a species subject to rabies shall report the incident immediately to the city and Bear River Health Department.
- B. Any person bitten by an animal shall report the bite to the city or the Bear River Health Department within twenty-four (24) hours of the bite, regardless of whether or not the biting animal is of a species subject to rabies.
- C. A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report the fact that he has rendered professional treatment to the city and the Bear River Health Department within twenty four (24) hours of his first professional attendance. He/she shall report the name, sex and address of the person bitten as well as the type and location of the bite. If known, he/she shall give the name and address of the owner of the animal that inflicted the bite, and any other facts that may assist the city in ascertaining the immunization status of the animal.
- D. Any person treating an animal bitten, injured or mauled by another animal shall report the incident to the animal control officer. The report shall contain the name and address of the owner of the wounded, injured or bitten animal, the name and address of the owner, a description of the animal, which caused the injury, and the location of the incident. (Ord. 04-06-08, 6-8-2004)

**5-2-8: REVOCATION OF DOG LICENSE**

If the owner of any dog is found to be in violation of this chapter on two (2) or more different occasions during any twelve (12) month period, the director of animal control may seek a court order revoking for a period of one year any dog license such person may possess and providing for the animal control department to pick up and impound any dogs kept by the person under such order. Any dog impounded pursuant to such an order shall be dealt with in accordance with the provisions of this chapter for impounded animals, except that the person under the order of revocation shall not be allowed to redeem the dog under any circumstances. (Ord. 04-06-08, 6-8-2004)

**5-2-9: CRUELTY TO ANIMALS**

- A. Physical Abuse: It is unlawful for any person to willfully or maliciously kill, maim, disfigure, torture, beat with a stick, chain, club or other object, mutilate, burn or scald, overdrive or otherwise cruelly set upon any animal. Each offense shall constitute a separate violation.
- B. Carrying/Confining Animals: 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.
- C. Care and Maintenance: It shall be the duty of any person to provide any animal in his charge or custody, as owner or otherwise, with adequate food, drink, care (which shall include veterinary care), adequate room to exercise and shelter.
- D. Animal Poisoning: Animal poisoning, as defined by state law.
- E. Injury to Animals by Motorists:
  - 1. Every operator of a motor or other self-propelled vehicle upon the streets of the jurisdiction shall immediately, upon injuring, striking, maiming or running down any domestic animal, give such aid as can reasonably be rendered. In the absence of the owner, he shall immediately notify the city, furnishing requested facts relative to such injury.
  - 2. It shall be the duty of such operator to remain at or near the scene until such time as the appropriate authorities arrive, and upon the arrival of such authorities, the operator shall immediately identify himself to such authorities. Alternatively, in the absence of the owner, a person may give aid by taking the animal to the animal control facility or other appropriate facility and notifying the city. Such animal may be taken in by the animal control facility and dealt with as deemed appropriate under the circumstances.
  - 3. Emergency vehicles are exempted from the requirements of this provision.
- F. Animals for Fighting: Animals for fighting, as defined by state law.
- G. Malicious Impounding: It shall be unlawful for any person maliciously to secrete or impound the animal of another owner. (Ord. 04-06-08, 6-8-2004)

## **5-2-10: IMPOUNDING**

- A. Animals to be Impounded: The animal control officer shall place all animals which he takes into custody in a designated animal impound facility. The following animals may be taken into custody by the animal control officer and impounded without filing a complaint:
1. Any animal being kept or maintained contrary to the provisions of this chapter;
  2. Any animal running at large contrary to the provisions of this chapter;
  3. Any animal which is by this chapter required to be licensed and is not licensed. An animal not wearing a tag shall be presumed to be unlicensed for purposes of this section;
  4. Sick or injured animals whose owner cannot be located;
  5. Any abandoned animal;
  6. Animals which are not vaccinated for rabies in accordance with the requirements of this chapter;
  7. Any animal to be held for quarantine;
  8. Any vicious animal not properly confined as required by subsection 5-2-5G of this chapter.
- B. Records to be Kept: Complete records shall be maintained at the city office for all impounded animals and shall include the following information:
1. A description of the animal, including tag number.
  2. The manner and date of impound.
  3. The location of the pick-up and name of the officer picking up the animal.
  4. The manner and date of disposal.
  5. All expenses accruing during impoundment.
  6. All fees received.
- C. Disposition of Animals:
1. Licensed animals shall be impounded for a minimum of four (4) working days before further disposition, except as otherwise provided herein. Reasonable effort shall be made to notify the owner of any animal wearing a license or other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner. Any animal voluntarily released to the animal control officer by the owner for destruction or other disposition

need not be kept for the minimum holding period before release or other disposition as herein provided.

2. All dogs, except for those quarantined or confined by court order, held longer than the minimum impound period, and all dogs voluntarily relinquished to the impound facility, may be destroyed or sold as the city shall direct. Any healthy dog may be sold to any person desiring to purchase such animal for a price to be determined by the director but not to exceed the fee set by the city, plus license, rabies vaccination and/or spaying or neutering fees, if required. (3-2011, 12-13-11)
  3. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention may, in the discretion of the animal control officer, be released to the care of a veterinarian with the consent of the owner.
  4. When, in the judgment of the animal control officer, 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 herein, and without court order.
  5. Unlicensed or stray animals shall be impounded and held in accordance with Utah State Law. (3-2011, 12-13-11)
- D. Redemption:
1. The owner of any impounded animal or their authorized representative may redeem such animal before disposition, provided they pay the appropriate fees to the city. Upon payment of all fees, the city will contact the impound facility and authorize the release of the impounded animal.
  2. No impound fee will be charged to the reporting owners of suspected rabid animals if they comply with subsection 5-2-6F of this chapter.
- E. Impound Fees for Voluntary Relinquishment By Owner: Refer to current fee schedule held at the city office.
- F. Animal Shelter: The city does not maintain an "animal shelter". As defined in section 5-2-1 of this chapter, the city maintains the right to contract with any animal control shelter that complies with the requirements of said shelter as defined by state law. (Ord. 04-06-08, 6-8-2004)

**5-2-11: INTERFERENCE WITH OFFICERS PROHIBITED**

It is unlawful for any person to do any act which hinders, delays, interferes with or obstructs an animal control officer while engaging in the discharge of their duties, including furnishing false information to such. (Ord. 04-06-08, 6-8-2004)

**5-2-12: VIOLATION**

Any person violating the provisions of this Chapter shall be guilty of an infraction unless the specific violation has another classification. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as such. (3-2011, 12-13-11) (1-2023, 3-21-2023)

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<sup>1</sup> See also section 10-2-1 of this code.