

**CHAPTER 5. ANIMAL CONTROL**

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**Article 5-1. General Provisions**

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**5-1-1. Definitions.**

For the purposes of this Chapter, unless it is plainly evident from the context that a different meaning is intended, the following definitions shall apply:

A. **Animal:** Birds, reptiles, amphibians, fish, and mammals other than homo sapiens.

B. **Animal grooming parlor:** Any establishment offering cosmetological services for animals and for profit.

C. **Animal holding facility:** Any pet shop, kennel, cattery, grooming parlor, riding school, stable, animal shelter, veterinary hospital, humane establishment or any other similar facility used for boarding animals.

D. **Animal shelter:** A facility owned or operated by a governmental entity or any animal welfare organization that is incorporated under the laws of the State of Utah and used for the care and custody of seized, stray, homeless, quarantined, abandoned or unwanted dogs, cats or other small domestic animals.

E. **Animal at large:** Any domesticated animal, whether or not licensed, not under restraint.

F. **Animal under restraint:** Any animal under the control of its owner or custodian, except a dog shall not be considered under control of the owner or custodian unless on a leash or lead, confined within a vehicle, or within the real property limits of the owner or custodian.

G. **Bite:** An actual puncture, tear or abrasion of the skin inflicted by the teeth, mouth, or beak of an animal.

H. **Cat:** Any age feline of the domesticated types.

I. **Cattery:** Any premises where more than two cats are raised, kept, housed, or boarded. Also, any establishment that boards, breeds, buys, trains for a fee, or sells cats.

J. **Custodian:** A person having the charge, care, custody, or control of an animal that he does not own.

K. **District:** The North Utah Valley Animal Services Special Service District. The purpose of the District is to provide animal shelter services to the City and to other jurisdictions in northern Utah County.

L. **Dog:** Any canis familiaris of the domesticated types.

M. **Domesticated animals:** Animals domesticated by man so as to live and breed in a tame condition, including but not limited to cats, dogs, ferrets, fowl, horses, cattle, swine, sheep, and goats.

N. **Guard Dog:** A dog used by a commercial establishment for the purpose of deterring crime.

O. **Kennel:** Any premises where more than two dogs are raised, kept, housed, or boarded. Also, any establishment that boards, breeds, buys, trains for a fee, or sells dogs.

P. **Leash or lead:** Any chain, rope, or device used to restrain an animal.

Q. **Pet:** A domesticated animal kept for pleasure rather than utility, including, but not limited to birds, cats, dogs, ferrets, fish, hamsters, mice, and other animals associated with man's environment.

R. **Pet shop:** Any establishment, not part of a kennel or cattery, containing cages or exhibition pens wherein dogs, cats, birds, or other pets for sale are kept or displayed.

S. **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.

T. **Riding school or stable:** An establishment which offers boarding or riding instruction for any horse, pony, donkey, mule or burro or which offers such animals for hire.

U. **Stray:** Any "animal at large".

V. **Vicious animal:** Any animal that is dangerously aggressive or has shown a propensity to attack persons or other animals.

W. **Wild Animal:** Any of the following animals, no matter how domesticated they may be:

1. Alligators and crocodiles.
2. Bears (ursidae).
3. Cat family (felidae), except the commonly accepted domesticated cats.
4. Coyotes, foxes and wolves.
5. Porcupine (erehthizontiade).

- 6. Monkeys, apes and lemurs.
- 7. Raccoon (prosyinnidae).
- 8. Skunks.
- 9. Venomous snakes or lizards.
- 10. Venomous fish and piranha.
- 11. Weasels (mustelidae), except the commonly accepted domesticated ferrets.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-2. Care and maintenance of animals.**

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 and shelter.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-3. Cruelty to animals prohibited.**

A. Except as authorized by law, it shall be unlawful for any person to willfully or maliciously kill, maim, disfigure, torture, beat, mutilate, burn or scald, overdrive or otherwise cruelly set upon any animal. Each such act shall constitute a separate violation.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. It shall be unlawful for any person to hobble livestock or other animals in such a way as to cause injury or damage to the animal.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. It shall be 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.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

D. It shall be unlawful for any owner or custodian of an animal to abandon such animal within the City.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

E. When it becomes necessary to destroy any domestic animal because of age, sickness, or other cause which renders the destruction of the animal necessary or desirable, it shall be the responsibility of the owner of such animal to humanely dispose of the animal.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

F. Except as provided herein, it shall be unlawful for any person by any means to make accessible to any animal, with intent to cause harm or death, any substance which has in any manner been treated or prepared with any harmful or poisonous substance. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin in

furtherance of the public health when applied in such a manner as to reasonably prohibit access to other animals.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

G. Every operator of a motor vehicle or self-propelled vehicle within the City shall, immediately upon injuring, striking, maiming, or running down any animal, notify the Department of Public Safety furnishing requested facts relative to such injury.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

H. It shall be unlawful for any person to take or kill any bird, or to rob or destroy any nest, egg or young of any bird in violation of the laws of the State of Utah.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

I. It shall be unlawful for any person to maliciously secret or impound an animal belonging to another person.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-4. Animals kept for fighting.**

A. It shall be unlawful for any person to raise, keep, or use any animal for the purpose of fighting or baiting or for any person to knowingly permit the use of his buildings, shed, rooms, yard, grounds, or premises for such purposes.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. Law enforcement officers may enter any building or place where there is an exhibition of fighting or baiting of a live animal, or where preparations are being made for such an exhibition, and may arrest persons there present and take possession of all animals engaged in fighting, along with all implements or applications used in such exhibition. This provision shall not be interpreted to authorize a search or arrest without a warrant when such is required by law.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-5. Disposal of dead animals.**

It shall be unlawful for the owner or custodian of any animal that shall die or be killed within the limits of the City to fail to dispose of or bury the carcass of such animal within ten (10) hours after its death, provided that no horse, cow, ox or other large animal shall be buried within the City limits. It shall also be unlawful to dispose of the carcass or offal of any animal in violation of State law or City ordinance.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

#### **5-1-6. Sale of certain turtles prohibited.**

It shall be unlawful for any pet shop to raise or sell any *Pseudemys Scripta-Elegans*, or *P. Troostii* family Testudinidae ("Pet Turtles").

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

#### **5-1-7. Wild animals.**

A. It shall be unlawful for any person to sell, offer for sale, barter, give away, keep or purchase any wild animal, except that the City animal shelter, a zoological park, veterinary hospital, humane society shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific purposes may keep such an animal if protective devices adequate to prevent it from escaping or injuring the public are provided. Persons raising members of the musteliade species as a business for pelts, however, shall not be prohibited from doing so by this section.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. It shall be unlawful for any person to keep an animal of a species prohibited or protected by any regulation or law of Utah County, the State of Utah or the United States.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

#### **5-1-8. Vicious animals.**

A. It shall be unlawful for any person to have any animal determined to be vicious within the City except for guard dogs.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. Whenever a complaint is made to the City that an animal is vicious, Department of Public Safety shall conduct an investigation of the alleged incident. If the investigating officer finds reasonable cause to believe the animal involved is vicious, he may, pending a judicial determination of the animal's vicious nature, require the owner or custodian to either show sufficient ability to secure the animal so that it cannot come into contact with other persons or animals or remove the animal from the City. The investigating officer may instead, in his discretion, impound the animal pending a judicial determination of the animal's vicious nature.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. Guard dogs shall be kept in such a manner so that they cannot come into contact with other persons or animals who are legally upon the premises where a guard dog is maintained.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

#### **5-1-9. Nuisance animals.**

A. Any animal that does any of the following shall be deemed a nuisance:

1. Causes damages to the property of anyone other than its owner or custodian.

2. Causes unreasonable fouling of the air by odors.

3. Defecates on any public street, sidewalk, park, or building, or on any private property without the consent of the owner of the property, unless the owner or custodian of the animal shall immediately remove any such defecation to his own property.

4. Barks, whines, or howls or makes other disturbing noises in an excessive or continuous fashion.

5. Harasses passers-by or chases passing vehicles.

6. Is determined by the Department of Public Safety or Utah County Health Department to be a public nuisance by virtue of being offensive or dangerous to the public health, welfare or safety.

7. Any animals that, by virtue of the number maintained, are determined by the Department of Public Safety to be offensive or dangerous to the public health, welfare or safety.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. It shall be unlawful for any person to have any animal determined to be a nuisance within the City.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. Whenever a complaint is made to the City that an animal constitutes a nuisance as defined above, the Department of Public Safety shall conduct an investigation of the alleged nuisance. If the investigating officer finds reasonable cause to believe that a nuisance exists, he shall notify the owner or custodian of the offending animal that the nuisance must be abated within two (2) days. The investigating officer shall specify the method of abatement. If the owner or custodian fails to abate the nuisance in a timely fashion, or if the investigating officer determines that a nuisance animal constitutes an immediate threat to the public health, safety, or welfare, he may impound the animal pending a judicial determination of the status of the animal as a nuisance.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-10. Animals running at large.**

It shall be unlawful for any animal to be at large at any time within the corporate limits of the City. The owner or custodian of any animal that is at large shall be strictly liable for a violation of this section, regardless of the precautions taken to prevent the escape of the animal and regardless of lack of knowledge of the offense at the time it occurs.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-11. Sanitation.**

Where any animal defecates on any street, sidewalk or other public place or on any private property without the consent of the owner of the property, it shall be unlawful for the owner or custodian of the animal to fail to clean up the defecation and remove it to his own property for proper disposal.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-12. Grooming parlors.**

Where the business of a grooming parlor is carried on within any residential zone, all the activities of the business shall be conducted entirely within the confines of an enclosed building, and there shall be no keeping of any animal overnight.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-13. Violation.**

Any person violating any provisions of this Chapter, shall be subject to a fine in an amount not to exceed one thousand dollars (\$1,000.00) or imprisonment for a period not to exceed six (6) months, or by both fine and imprisonment. The City may also order the animal associated with a violation of this Chapter either destroyed or removed from the City. Each day a violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-1-14. Severability.**

If any provision, clause, sentence or paragraph of this Chapter or the application thereof to any person or circumstance shall be held to be invalid, such invalidity shall not affect the other provisions or applications of this Chapter, which can be given effect independent from the invalid provision or application, and to this end the provisions of this Chapter are hereby declared to be severable.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**Article 5-2. Animal Control Office****5-2-1. Animal control services.****5-2-2. Powers of Animal Control Officers.****5-2-3. Interference with officers prohibited.****5-2-1. Animal control services.**

The Department of Public Safety shall be responsible for providing animal control services. The District shall be responsible for providing animal shelter services.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-2-2. Powers of Animal Control Officers.**

A. The Department of Public Safety shall be vested with the power and authority to enforce this Chapter.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. Each law enforcement officer is hereby authorized and empowered to apprehend and impound any animal found in violation of this Chapter and to issue citations to persons in violation of this Chapter.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. In the enforcement of this Chapter, any law enforcement officer is authorized to enter onto the open premises of any person to take possession of any animal in violation of this Chapter.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-2-3. Interference with officers prohibited.**

It shall be unlawful for any person by use of force, threat of force or use of any weapon to knowingly and intentionally interfere with any law enforcement officer in the lawful discharge of his duties as herein prescribed.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

**Article 5-3. Dogs**

- 5-3-1. Dog Licensing.**
- 5-3-2. Loss of privilege to maintain dog in City.**
- 5-3-3. Unlawful to harbor stray dogs.**
- 5-3-4. Dogs on unenclosed premises.**
- 5-3-5. Female dogs in heat.**
- 5-3-6. Places prohibited to dogs.**
- 5-3-7. Dogs attacking persons and animals.**

**5-3-1. Dog Licensing.**

Any person owning a dog within the City shall license the dog pursuant to rules promulgated by the District in accordance with the Interlocal Cooperation Agreement between the City and the District.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-3-2. Loss of privilege to maintain dog in City.**

If the owner or custodian of any dog is convicted of violations of this Chapter on three (3) or more different occasions during any twelve (12) month period, the City may issue an order denying the right of the owner or custodian to maintain a dog in the City for a period of one (1) year. Prior to final denial of such privilege, written notice shall be sent to the owner or custodian's last known address informing the owner or custodian of the City's intent to deny his privilege of maintaining a dog in the City. The owner or custodian may seek a hearing before the Director of Public Safety to be informed of the alleged violations against him, which have resulted in the loss of his privilege and shall be given an opportunity to refute the applicability of this section to his situation. If the Director of Public Safety finds that grounds exist to deny the owner or custodian's privilege to maintain a dog within the City, he may order the owner or custodian to either remove his dog from the City or, in the event the owner or custodian fails to remove the dog from the City, to have the dog impounded. Any dog impounded under this section shall be dealt with in accordance with the provisions of this Chapter for impounded animals except that the person from whom the dog was taken shall not be allowed to redeem the dog under any circumstances.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-3-3. Unlawful to harbor stray dogs.**

A. Whenever any stray dog shall be found, which appears to be lost or strayed, it shall be the duty of the finder to notify the Department of Public Safety within twenty-four (24) hours. This notice shall include an accurate description of the dog and accurate information regarding the location of the harbored dog.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

B. It shall be unlawful for any person, except an animal welfare society incorporated under the laws of the State of Utah, to harbor or keep any lost or strayed animal unless that person shall immediately notify the Department of Public Safety as required herein.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

**5-3-4. 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 lines of the animal's owner or custodian unless such person has permission of the owner of the affected property.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

**5-3-5. Female dogs in heat.**

Any owner or custodian 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 coming into contact with other dogs and creating a nuisance, except for planned breeding.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

**5-3-6. Places prohibited to dogs.**

It shall be unlawful for any person to take or permit any dog, whether loose or on a leash or in arms, in or about any establishment or place of business where food or food products are sold or displayed, including but not limited to restaurants, grocery stores, convenience stores, meat markets, and fruit or vegetable stores. This Section shall not apply, however, to Seeing Eye dogs, hearing dogs or dogs owned by government agencies described in Section 5-3-3.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

**5-3-7. Dogs attacking persons and animals.**

A. It shall be unlawful for any dog to attack, chase, or worry any person, any domestic animal having a commercial value, or any species of hoofed protected wildlife, or to attack domestic fowl. Worry as used in this section shall mean to harass by excessive barking, growling, tearing, biting, or shaking with the teeth.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

B. The owner or custodian of any dog in violation of Subsection (A) above shall be strictly liable for violation of this Section. In addition to being subject to prosecution under Subsection (A) above, the owner or custodian of such dog shall also be liable in damages to any person injured or to the owner of any animal(s) injured or destroyed thereby.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

C. Any person may kill a dog while it is committing any of the acts specified in Subsection (A) above, provided, however, that such persons do so in a safe manner without endangering people, other animals or property.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

D. The provisions of this section do not apply to dogs used for law enforcement purposes by the Department of Public Safety or other public law enforcement agencies.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

**Article 5-4. Rabies Control**

- 5-4-1. Bites: duty to report.**
- 5-4-2. Control of rabies and rabid animals.**
- 5-4-3. Quarantine and disposition of biting or rabid animals.**

**5-4-1. Bites: duty to report.**

A. The owner of an animal that bites a person and any person bitten by an animal shall report the bite to the Department of Public Safety or the County 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.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. 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 Department of Public Safety or to the County Health Department.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report to the Department of Public Safety within twenty-four (24) hours of his first professional attendance the fact that he has rendered professional treatment to a bite victim. He shall report the name, sex, and address of the person bitten as well as the type and location of the bite. If known, he shall give the name and address of the owner of the animal that inflicted the bite and other facts that may assist the Department of Public Safety to ascertain the immunization status of the animal.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

D. Any person treating an animal bitten, injured, or mauled by another animal shall report the incident to the Department of Public Safety. 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 and description of the animal, which caused the injury, and the location of the incident.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

E. Any person having knowledge of the whereabouts of an animal known to have been exposed to, or suspected of having rabies, or of an animal or person bitten by such a suspect animal, shall notify the Department of Public Safety, the County Health Department or the State Division of Health.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-4-2. Control of rabies and rabid animals.**

A. The owner or custodian of a dog or cat four (4) months of age or over shall have the animal vaccinated within thirty (30) days after it reaches this age. Unvaccinated dogs or cats over four (4) months of age, which are acquired by the owner or brought into the City, shall be vaccinated within thirty (30) days of acquisition or of being moved into the City. Every dog shall be revaccinated every twenty-four (24) months and every cat shall be revaccinated every twelve (12) months with a modified virus rabies vaccine approved by the Utah County Health Department. These time periods may be extended if the animal receives a rabies vaccination that lasts for a period longer than that provided in this section, and if the owner maintains and produces evidence of that vaccination. This provision shall not apply to veterinarians or kennel operators temporarily maintaining on their premises animals owned by others, provided said animals are not kept for more than thirty (30) days.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. The provisions of this section with respect to vaccination shall not apply to any animal remaining within the City for less than thirty (30) days. Such animals shall be kept under strict supervision of the owner. It shall be unlawful to bring any animal into the City that does not comply with all applicable animal health laws and import regulations.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. 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 animal (breed, sex, markings, age, name).
3. Date of vaccination.
4. Rabies vaccination tag number.
5. Type of rabies vaccine administered.
6. Manufacturer's serial number of vaccine.

A copy of the certificate shall be distributed to the owner and the original retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies of the certificate for the interval between vaccinations specified in this section. Additionally, a metal or durable plastic rabies vaccination tag, serially numbered, shall be securely attached to the collar or harness of the animal. An animal not wearing such tag

shall be deemed to be unvaccinated and may be impounded and dealt with pursuant to the provisions of this Chapter.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-4-3. Quarantine and disposition of biting or rabid animals.**

A. An animal that has rabies or shows signs of having rabies and every animal bitten by another animal affected with rabies or that has been exposed to rabies shall be reported by the owner or custodian of such animal as set forth above and shall immediately be confined in a secure place by the owner or custodian.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. The owner of any animal of a species subject to rabies, which has bitten another animal or person, shall immediately surrender the animal to an authorized official upon demand. Any person authorized to enforce the provisions of 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.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. 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 a law enforcement officer. The owner of the animal shall bear the cost of confinement. The District Animal Shelter shall be the normal place for quarantine, but other arrangements, including confinement by the owner, may be made by the Department of Public Safety 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 Department of Public Safety 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 refuse to allow an 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 Department of Public Safety or immediately remove and deliver the head to the State Health Laboratory to be examined for rabies. If, at the end of the ten (10) day quarantine period, the Department of Public Safety 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 this Chapter.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

D. In the case of an unvaccinated animal of a species subject to rabies which is known to have been bitten by a known rabid animal, the bitten or exposed animal shall be immediately destroyed unless the owner of the animal complies with the following subsection. 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.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

E. In the case of a rabies-vaccinated animal, which is known to have been bitten by a known rabid animal, the bitten or exposed animal shall be re-vaccinated within twenty-four (24) hours and quarantined for a period of thirty (30) days following re-vaccination. If the animal is not re-vaccinated 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.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

F. It shall be unlawful for any person to remove any quarantined animal from the place of quarantine without written permission of the Department of Public Safety.

(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**Article 5-5. Impounding of Animals**

- 5-5-1. Animals to be impounded.**
- 5-5-2. Records to be kept.**
- 5-5-3. Disposition of animals.**
- 5-5-4. Redemption.**
- 5-5-5. Impoundment of animal without valid rabies vaccination tag.**
- 5-5-6. City animal shelter.**

**5-5-1. Animals to be impounded.**

The Department of Public Safety shall take all animals, which it takes into custody to the District Animal Shelter or a designated animal impound facility. The following animals may be taken into custody by the investigating officer and impounded without the filing of a complaint:

A. Any vicious animal not properly confined as required by this Chapter.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. Any animal running at large.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. Any animal that is required by this Chapter to be licensed and is not licensed. Any animal not wearing a tag shall be presumed to be unlicensed for purposes of this section, except those dogs specifically exempted.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

D. Sick or injured animals whose owner cannot be located.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

E. Any abandoned animal.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

F. Animals that are not wearing a rabies vaccination tag in accordance with the requirements of this Chapter.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

G. Any animal to be held for quarantine.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

H. Any animal being kept or maintained contrary to the provisions of this Chapter.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-5-2. Records to be kept.**

The Department of Public Safety shall provide to the District Animal Shelter the following records of any animal impounded by the Department:

A. Complete description of the animal, including tag numbers.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

B. Manner and date of impound.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

C. Location of the pickup and name of the officer picking up the animal.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

D. Manner and date of transport to the District Animal Shelter.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-5-3. Disposition of animals.**

Department of Public Safety shall immediately deliver all animals taken into custody to the District Animal Shelter for impound where animals will be treated according to District policy and procedure. After delivering the animal to the District Animal Shelter, the Department shall make a reasonable effort to notify the owner of any animal wearing a license or other identification. Notice shall be deemed given when sent to the last known address of the listed owner.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-5-4. Redemption.**

An owner of an impounded animal may redeem any impounded animal pursuant to District policy and procedure.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-5-5. Impoundment of animal without valid rabies vaccination tag**

An owner of an animal impounded for failure to carry a rabies vaccination tag may reclaim the animal pursuant to District policy and procedure.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended 12/11/2007)

**5-5-6. City animal shelter.**

The Department of Public Safety shall transport all impounded animals to the District Animal Shelter where animals shall be properly cared for and handled pursuant to District policy and procedure. Nothing in

this provision prevents the City from providing an animal shelter and other related services.  
(Ord. No. 661, Revised, 04/10/90; Ord. No. O-07-0052, Amended and renumbered 12/11/2007)

**Article 5-6.**

**5-6-1. Allowable Number of Dogs and Cats.**

**5-6-2. Business License.**

**5-6-3. Violations – Business License Revocation.**

**5-6-4. Inspection.**

**5-6-5. Sanitation and Care of Animals.**

**5-6-1. Allowable Number of Dogs and Cats.**

Except as otherwise provided in this Chapter, no person may harbor or possess more than two (2) dogs or two (2) cats, four (4) months of age or older. This provision does not apply to legally operating pet stores, grooming parlors, kennels, catteries, animal shelters, veterinarians, or other animal holding facilities.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

**5-6-2. Business License.**

Each kennel and cattery must have a current valid business license to legally operate within the City. The license must be displayed and readily available for inspection by the Department of Public Safety or other authorized officials. All kennels and catteries must comply with all zoning, health, and safety regulations.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

**5-6-3. Violations – Business License Revocation.**

In addition to the penalties set forth in Section 5-1-13 of this Chapter, if the Department of Public Safety discovers a violation of any statute, ordinance, rule, or regulation at a licensed kennel or cattery, the inspecting officer shall notify the offending kennel or cattery of the violation. Upon the second violation, the officer shall schedule, and notify the offending party of, a hearing, with a certain date, time, and place for the offending person or persons to appear before the City Council to show cause why the offending kennel’s or cattery’s business license shall not be revoked. Notwithstanding the provisions of this section, the Department of Public Safety may immediately terminate the operation of any kennel or cattery, whether licensed or unlicensed, if conditions are such that the continuing existence of that kennel or cattery may threaten the health, safety, or welfare of persons or animals in the City.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

**5-6-4. Inspection.**

The Department of Public Safety shall periodically inspect all licensed kennels and catteries in the City to determine that they comply with the provisions of this Chapter.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

**5-6-5. Sanitation and Care of Animals.**

Except as provided herein, all kennels and catteries shall comply with the following standards to obtain and maintain a valid business license to operate:

A. The location must comply with all applicable zoning regulations. Under no circumstance shall a kennel or cattery operate in a residential zone.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

B. All enclosures shall provide adequate protection against weather extremes, shall consist of appropriate breed specific materials, and allow for proper cleaning and disinfecting.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

C. All enclosures shall provide adequate ventilation and provide safe, breed specific temperatures.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

D. Each animal shall have sufficient space to stand up, lie down, and turn around without touching the sides or tops of cages.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

E. All animal quarters and runs are to be kept clean, dry, and in a sanitary condition.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

F. All food shall be palatable, meet the normal nutritional requirements for the condition and size of the animal, and be free of contamination.  
(Ord. No. O-07-0052, Enacted 12/11/2007)

G. Fresh water shall be available at all times.  
(Ord. No. O-07-0052, Enacted 12/11/2007)