

## Title 6

### ANIMALS

#### Chapters:

- 6.04 Definitions
- 6.08 Administration and Enforcement
- 6.12 Licenses and Permits
- 6.16 Animal Care and Control
- 6.20 Free Roaming Livestock

#### Chapter 6.04

### DEFINITIONS

#### Sections:

6.04.010 Definitions.

6.04.010 Definitions.

As used in this title:

“Animal” means any live, vertebrate creature, domestic or wild.

“Animal control officer” means any person employed, contracted or appointed by the state for the purpose of the enforcement of this law or any other law or ordinance relating to the licensing, control or seizure and impoundment of animals.

“Animal shelter” means any facility operated by a humane society, or municipal agency, or its authorized agents for the purpose of impounding or caring for animals held under the authority of this title or state law.

“Auctions” means any place or facility where animals are regularly bought, sold or traded, except for those facilities otherwise defined in this title. This section does not apply to individual sales of animals by owners.

“Circus” means a commercial variety show featuring animal acts for public entertainment.

“Commercial animal establishment” means any pet show, grooming shop, auction, riding school or stable, zoological park, circus or performing animal exhibition.

“Grooming shop” means a commercial establishment where animals are bathed, clipped, plucked, or otherwise groomed, except for a licensed kennel.

“Humane officer” means any person designated by the state of Utah, a municipal government, or a humane society as a law enforcement officer who is qualified to perform such duties under the laws of this state.

“Kennel” or “cattery” means as follows:

1. “Commercial kennel/cattery” means an establishment maintained by any person, for profit, where animals of any species are kept for the purpose of breeding, buying, selling or exhibiting such animals; or engaged in the training of dogs for guard and sentry purposes, but such training to exclude obedience, conformation and field training for purposes of exhibition at dog shows and field trials.

2. “Service kennel/cattery” means an establishment other than a pound or animal shelter where animals not owned by the proprietor are sheltered, fed and watered, and/or conditioned in return for a fee.

3. “Private kennel/cattery” means the domicile of a person or persons who own or breed purebred dogs and/or pedigreed cats primarily for personal recreational use, such as participation in recognized conformation shows, field or obedience trials, racing, scenting, specialized hunting or working trials, and water trials, and for the purpose of improving the physical soundness, temperament and conformation of a given breed to a standard; such person to sell or exchange or offer to sell or exchange, at retail only, and other than for purposes of research, testing or experimentation, dogs or cats bred from male/female dogs or cats owned or leased by the breeders; or owners or harborers of cats or dogs of any breed, providing shelter to such number of animals, who have had such animals spayed or neutered, unless such operation is found to be dangerous to an animal’s health, as certified by a licensed veterinarian.

“Owner” means any person, partnership or corporation owning, keeping or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for five consecutive days or more.

“Performing animal exhibition” means any spectacle, display, act or event other than circuses, in which performing animals are used.

“Pet” means any animal kept for pleasure rather than utility.

“Pet shop” means any person, partnership or corporation, whether operated separately or in connection with another business enterprise except for a licensed kennel, that buys, sells or boards any species of animal.

“Public nuisance” means any animal or animals which:

1. Molests passersby or passing vehicles;
2. Attacks other animals;
3. Trespasses on school grounds;
4. Is repeatedly at large or not under restraint;
5. Damages private or public property;
6. Barks, whines or howls in an excessive, continuous or untimely fashion.

“Restraint” means any animal secured by a leash or lead, or under the control of a responsible person and obedient to that person’s commands, or within the real property limits of its owner, or on property of a consenting person.

“Riding school or stable” means any place which has available for hire, boarding and/or riding instruction, any horse, pony, donkey, mule or burro.

“Veterinary hospital” means any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

“Vicious animal” means any animal or animals that constitute a physical threat to human beings or other animals, except when protecting its owner or owner’s property from attack or vandalism.

“Wild animal” means any live monkey (nonhuman primate), raccoon, skunk, fox, poisonous snake, leopard, panther, tiger, lion, lynx or any other warmblooded animal which can normally be found in the wild state; except when raised for at least four generations in domesticity.

“Zoological park” means any facility, other than a pet shop or kennel, displaying or exhibiting one or more species of non- domesticated animals operated by a person, partnership, corporation or government agency. (Ord. 129 Art. I, 1977)

## Chapter 6.08

### ADMINISTRATION AND ENFORCEMENT

#### Sections:

- 6.08.010 Animal control officer.
- 6.08.020 Animal shelter operation.
- 6.08.030 Impoundment and violation notice.
- 6.08.040 Sterilization.
- 6.08.050 Isolation of biting animals.
- 6.08.060 Violations--Penalties.

#### 6.08.010 Animal control officer.

The following duties shall be imposed upon the animal control officer:

A. He or she shall see that all persons required to have licenses or permits for dogs and kennels or catteries in the county shall comply with this title.

B. He or she shall collect the carcasses of all dead dogs, cats and other vertebrate creatures from the streets and roads and elsewhere in the county and deliver them, together with the carcasses of all animals he or she shall have had put to death as hereinafter provided, to such place as may be designated by the licensing authority.

C. The animal control officer shall keep a record of each animal impounded by him or her, the date of the impounding thereof, the date and manner of its disposal, and if redeemed, reclaimed or sold, the name and address of the person by whom redeemed, reclaimed or purchased, and the amount of all fees received or collected for or because of the impounding, reclaiming or purchasing thereof, together with the number of any license tag exhibited or purchased upon the redemption or sale of any such dog, as well as the number and the date of any kennel license exhibited upon the redemption of any dog.

D. The civil and criminal provisions of this title shall be enforced by those persons or agencies designated by county authority. It shall be a violation of this title to interfere with an animal control officer or humane officer in the performance of his or her duties. No person shall take his or her own animal or the animal of another person out of the county pound by stealth or by force.

No person other than the owner or his or her agent or a member of the sheriff's department, shall remove a license tag from a dog. (Ord. 129 Art. II, 1977)

6.08.020 Animal shelter operation.

Each animal shelter authorized to receive and impound dogs under the provisions of this law shall be kept open to the public for the transaction of business from nine a.m. until five p.m. on each day other than Saturdays and Sundays and legal holidays. Records on animals impounded shall be available for public information.

A. Housing facilities for animals shall be structurally sound and shall be maintained in good repair, to protect the animals from injury, to contain the animals, and to restrict the entrance of other animals.

B. All animals shall be supplied with sufficient, good and wholesome food and water as often as the feeding habits of the respective animals require, but not less than, in the case of puppies and kittens, once every twelve (12) hours and once every twenty-four (24) hours for adults.

C. All animals and all animal buildings or enclosures shall be maintained in a clean and sanitary condition.

D. No animals shall be without attention more than twenty-four (24) consecutive hours. Whenever an animal is left unattended at a commercial animal facility, the name, address and telephone number of the responsible person shall be posted in a conspicuous place at the front of the property, visible from outside the facility.

E. Every reasonable precaution shall be used to insure that animals are not teased, abused, mistreated, annoyed, tormented or in any manner made to suffer by any person or means.

F. Every animal establishment shall isolate sick or injured animals sufficiently so as not to endanger the health of other animals.

G. Every building or enclosure wherein animals are maintained shall be constructed of material easily cleaned and shall be kept in a sanitary condition. The building shall be properly ventilated to prevent drafts and to remove odors. Heating and cooling shall be provided as required, according to the physical need of the animals, with sufficient light to allow observation of animals and sanitation.

H. All animal rooms, cages, kennels, shipping containers, and runs shall be of sufficient size to provide adequate and proper accommodations and protection from the weather for the animals kept therein. As a minimum, sufficient space must be provided for each and every animal in a single enclosure to, separately and together, stand up, lie down, and turn around in a natural position.

I. Animals which are natural enemies, temperamentally unsuited, or otherwise incompatible, shall not be quartered together or so near each other as to cause injury, fear or torment. If two or more animals are so trained or inclined by nature that they can be placed together and do not attack each other or perform or attempt any hostile act to the others, such animals shall be deemed not to be natural enemies and shall not be required to be kept in separate runs or accommodations or otherwise be arbitrarily segregated.

J. Dog kennel runs, if made of concrete, shall provide adequate draining for proper sanitation. Droppings must be picked up and disposed of and the runs treated periodically with an effective disinfectant. (Ord. 329 § 4 (part), 2000; Ord. 129 Art. II-A, 1977)

6.08.030 Impoundment and violation notice.

A. Unrestrained dogs and nuisance animals shall be taken by the police, animal control officers or humane officers and impounded in an animal shelter and there confined in a humane manner.

B. Impounded dogs and cats shall be kept for not less than three working days.

C. If by a license tag or other means the owner of an impounded animal can be identified, the animal control officer shall immediately upon impoundment notify the owner by telephone or mail.

D. An owner reclaiming an impounded cat shall pay a fee of five dollars (\$5.00), plus one dollar (\$1.00) for each day the animal has been impounded.

E. An owner reclaiming an impounded dog shall pay a fee of twenty-five dollars (\$25.00).

F. Any animal not reclaimed by its owner within three working days shall become the property of the county, or humane society, and shall be placed for adoption in a suitable home or humanely euthanized.

G. In addition to, or in lieu of, impounding an animal found at large, the animal control officer, humane officer, or police officer may issue to the known owner of such animal a notice of violation. The first such notice may consist of a warning notice only. Subsequent notices shall impose upon the owner a penalty of ten dollars (\$10.00) which may, at the discretion of the animal owner, be paid to any agency designated by the licensing authority within seventy-two (72) hours in full satisfaction of the assessed penalty. In the event such penalty is not within the time period prescribed, a criminal warrant shall be initiated before a magistrate and upon conviction of a violation of this title, the owner shall be punished as provided in Section 6.08.060.

H. The owner of an impounded animal may also be proceeded against for violation of this title.

I. The licensing authority shall review automatically all licenses issued to animal owners against whom three or more ordinance violations have been assessed in a twelve (12) month period. (Ord. 181, 1986; Ord. 129 Art. VII, 1977)

6.08.040 Sterilization.

No unclaimed dog or cat shall be released for adoption without being sterilized, or without a written agreement from the adopter guaranteeing that such animals will be sterilized and a deposit of at least fifteen dollars (\$15.00) must be paid at the time of adoption, to be refunded upon the presentation of a spay or neuter certificate signed by a licensed veterinarian. (Ord. 129A (part), 1977; Ord. 129 Art. X, 1977)

6.08.050 Isolation of biting animals.

At the discretion of the licensing authority, humane officers or animal control officer, any animal which bites a person can be quarantined for a period of ten (10) days in an animal shelter, veterinary clinic, or other adequate facilities, to allow for observation and/or examination for symptoms of rabies. Any animal determined to have rabies by a licensed veterinarian and/or the Board of Health may be disposed of as provided by state law. Any animal which bites one or more persons without provocation three or more times in a one-year period shall be deemed a nuisance and shall not be kept within the county. (Ord. 129 Art. XI, 1977)

6.08.060 Violations--Penalties.

Except as otherwise specifically provided in this title, any person who shall violate any provision of this title shall be deemed guilty of a Class B misdemeanor and shall be punished by a term of incarceration in the county jail not to exceed six months and fined in the sum not exceeding one thousand dollars (\$1,000.00) or by both such term of incarceration and fine. (Ord. 329 § 4 (part), 2000; Ord. 129 Art. XII, 1977)

## Chapter 6.12

### LICENSES AND PERMITS

#### Sections:

- 6.12.010 Licensing.
- 6.12.020 Permits.
- 6.12.030 License and permit issuance and revocation.

#### 6.12.010 Licensing.

A. Any person owning, keeping, harboring or having custody of any dog over six months of age within this county must obtain a license as herein provided.

B. Written application for licenses shall be made to the licensing authority which shall include name and address of applicant, description of the animal, the appropriate fee, and a current rabies certificate issued by a licensed veterinarian or anti-rabies clinic, and a spay or neuter certificate when applicable.

C. If not revoked, licenses for the keeping of dogs shall be for a period of one year.

D. Application for a license must be made within thirty (30) days after obtaining a dog over six months old, except that this requirement will not apply to a non-resident keeping a dog within the county.

E. License fees shall not be required for seeing-eye or hearing-aid dogs, or governmental police dogs.

F. Upon acceptance of the license application and fee, the licensing authority shall issue a durable tag or identification collar, stamped with an identifying number and the year of issuance. Tags should be designed so that they may be conveniently fastened or riveted to the animals' collar or harness.

G. Dogs must wear identification tags or collars at all times when off the premises of the owners.

H. The licensing authority shall maintain a record for a minimum of three years of the identifying numbers of all tags issued and shall make this record available to the public.

I. The licensing period shall begin with the calendar year and shall run for one year. Application for license may be made thirty (30) days prior to, and up to sixty (60) days after, the first of the year. Persons applying for a license after August 1st of the licensing year shall be required to pay fifty (50) percent of the fee stipulated in this section.

J. Persons who fail to obtain a license as required within the time period specified in this section will be subjected to a fine of twenty-five dollars (\$25.00).

K. For the first two licenses issued to dogs kept or maintained in any one residence, the license fee shall be as follows:

1.	For each unneutered male dog	\$10.00
2.	For each unspayed female dog	15.00
3.	For each neutered male dog	2.00
4.	For each spayed female dog	2.00

For each dog over two in number kept at one residence, the fee for each such dog over two shall be fifteen dollars (\$15.00) without regard to sex or sterilization.

L. A duplicate license may be obtained upon payment of one dollar (\$1.00) replacement fee.

M. No person may use any license for any animal other than the animal for which it was issued. (Ord. 329 § 4 (part), 2000; Ord. 129 Art. III, 1977)

#### 6.12.020 Permits.

A. No person, partnership or corporation shall operate a commercial animal establishment or animal shelter without first obtaining a permit in compliance with this section.

B. The licensing authority shall 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. The licensing authority may amend such regulations from time to time as deemed desirable for public health and welfare and for the protection of animals, with prior public notice.

C. Upon a showing by an applicant for a permit that he or she is willing and able to comply with the regulations promulgated by the licensing authority, a permit shall be issued upon payment of the applicable fee.

D. The permit period shall begin with the calendar year and shall run for one year. Renewal applications for permits shall be made thirty (30) days prior to, and up to sixty (60) days after, the start of the year. Application for permit to establish a new commercial animal establishment under the provisions of this title may be made at any time. Persons applying for a license after August 1st of the licensing year shall be required to pay fifty (50) percent of the fee stipulated in this section.

E. If there is a change in ownership of a commercial animal establishment, the new owner may have the current permit transferred to his or her name upon payment of a ten dollar (\$10.00) transfer fee.

F. Annual permits shall be issued upon payment of the applicable fee, as follows:

1. For a commercial kennel/cattery \$100.00  
(Kennel license will be in lieu of a business license.)
2. For a service kennel- 50.00

	nel/cattery	
3.	For a private ken- nel/cattery	25.00
4.	For each pet shop	50.00
5.	For each riding stable	50.00
6.	For each auction	50.00
7.	For each zoological park	100.00
8.	For each circus	50.00
9.	For each performing animal exhibition	50.00
10.	For each grooming shop	25.00

G. Persons operating kennels for the breeding and/or housing of dogs must, in addition to the annual permit required in subsection F of this section, license such animals individually as required in Section 6.12.010 unless such dogs have been otherwise licensed in the county by the owner of the dog with the exception of a commercial kennel.

H. No fee may be required of any veterinary hospital, animal shelter, or government operated zoological park, except when such places are boarding animals for fees.

I. Failure to obtain a permit before opening any facility covered in this section shall result in a fine of two hundred dollars (\$200.00).

J. Any person who has a change in the category under which a permit was issued shall be subject to reclassification and appropriate adjustment of the permit fee shall be made, but or a combination of permits, only the highest single fee will be charged. (Ord. 129A (part), 1977; Ord. 129 Art. IV, 1977)

#### 6.12.030 License and permit issuance and revocation.

A. The licensing authority may revoke any permit or license if the person holding the permit or license refuses or fails to comply with this title, the regulations promulgated by the licensing authority, or any law governing the protection and keeping of animals.

B. Any person whose permit or license is revoked shall, within fifteen (15) days thereafter, humanely dispose of all animals owned, kept or harbored, unless an extension is granted, and no part of the permit or license fee shall be refunded.

C. Licensees' facilities shall be kept in a clean and sanitary condition and subject to inspection by the Board of Health. The Board of Health is authorized and empowered to close such place of business if the same shall not be kept clean and sanitary, and to keep the same closed until the same shall be placed in a clean and sanitary condition.

D. If the applicant has withheld or falsified any information on the application, the licensing authority shall refuse to issue a permit or license.

E. No person who has been convicted of cruelty to animals shall be issued a permit or license to operate a commercial establishment.

F. Any person having been denied a license or permit may not reapply for a period of thirty (30) days. Each reapplication shall be accompanied by a ten dollar (\$10.00) fee and re-examination of facilities.

G. All applicants for kennel license shall meet the following requirements:

1. Proper facilities shall be provided for the type and size of animal. They shall consist of:

a. Adequate protection from the weather;

b. An enclosure of sufficient size according to the type and size of the animal and secure enough to prevent escape;

c. The facilities shall be built to facilitate sanitation.

2. The applicant's facilities shall be inspected by the county board of health and shall meet state health standards.

Any applicant failing to meet these requirements may reapply after sufficient improvements of their facilities are made to meet these requirements. Upon reexamination of the applicant's facilities, a license shall be issued. (Ord. 129A (part), 1977; Ord. 129 Art. V, 1977)

## Chapter 6.16

### ANIMAL CARE AND CONTROL

#### Sections:

6.16.010 Restraint.

6.16.020 Animal care.

6.16.030 Animal waste.

6.16.010 Restraint.

A. All dogs shall be kept under restraint.

B. No owner shall fail to exercise proper care and control of his or her animals to prevent them from becoming a public nuisance.

C. Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding.

D. Every vicious animal, as determined by the licensing authority, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner. (Ord. 129 Art. VI, 1977)

6.16.020 Animal care.

A. No owner shall fail to provide his or her animals with sufficient, good and wholesome food and water, proper shelter, sanitation and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

B. A person commits cruelty to animals if he or she intentionally or knowingly:

1. Tortures or seriously overworks an animal;

2. Fails to provide necessary food, care or shelter for an animal in his or her custody;
3. Abandons an animal in his or her custody;
4. Transports or confines an animal in a cruel manner;
5. Kills, injures or administers poison to an animal without legal privilege;
6. It is unlawful for any person to be a spectator at an organized animal fight. For the purposes of this subsection only, an “organized animal fight” means a fight between animals for the benefit of spectators. There is no requirement that an admission fee be charged.
7. No person shall leave an animal inside a hot automobile in hot weather sufficient to cause suffering or death to such animal. (Ord. 129 Art. VIII, 1977)

6.16.030 Animal waste.

The owner of every animal shall be responsible for the removal of any excreta deposited by his or her animal or animals on public walks, recreation areas, or private property. (Ord. 129 Art. IX, 1977)

Chapter 6.20

FREE ROAMING LIVESTOCK

Sections:

6.20.010 Prohibited where.

6.20.010 Prohibited where.

A district is created and encompassed by the following described exterior boundary:

Beginning at the intersection of the South boundary of Grand County and the base of the rim at the Southwest side of Spanish valley and proceeding thence East along said county line to the East line of Section 35, T26S, R22E, S.L.B.&M., thence North to the base of the rim on the Northeast side of Spanish Valley (approximately 1,320 feet North of SE Corner, Section 26 T26S R22E), thence Northwesterly along the base of said Northeast rim to SE corner, SW 1/4 of SW 1/4, Section 14, T26S, R22E, thence North to NE Corner, SW 1/4 of NW 1/4, said Section 14, thence West to NW corner, SW 1/4 of NW 1/2, said Section 14, thence North to the center of Mill Creek, thence Northwesterly along Mill Creek to the confluence of Mill Creek and the North fork of Mill Creek at the North line of Section 8, T26S, R22E, thence West to the East line of Section 7, T26S, R22E, thence Northwesterly along the base of the rim on the Northeast side of Spanish valley to the South (left) bank of the Colorado River, thence along said river bank to the base of the rim on the Southwest side of Spanish valley, thence along the base of said rim southeasterly to the point of beginning.

and

The SW 1/4 of NE 1/4, SE 1/4 of NW 1/4 and NE 1/4 of SW 1/4 all in Section 14, T26S, R22E, S.L.B.&M. in Grand County, State of Utah.

in which the free roaming of livestock will be prohibited. Any free roaming livestock found within this district will be subject to impoundment by the county. (Ord. 161, 1983)