

TITLE 8. ANIMAL CONTROL

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Chapter 8.02. Animal Control Generally.

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8.02.010. Definitions.

Unless it is clear from the context that a different meaning is intended, the following definitions shall apply:

"**Animal**" means any non-human living creature, whether wild or domesticated.

"**Animal control officer**" means an animal control officer or police officer employed by Provo City.

"**Animal grooming parlor**" means any establishment offering cosmetological services for animals and for profit.

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

"**Animal shelter**" means 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 domestic animals.

"**Animal at large**" means any domesticated animal, whether or not licensed, not under restraint.

"**Animal under restraint**" means an animal on a leash or lead which is held by a person or attached to a stationary object, or confined within a vehicle, or confined upon the real property of the owner or custodian.

"**Bite**" means a puncture, tear or abrasion of the skin inflicted by the teeth of an animal.

"**Cat**" means a feline of the domesticated types.

"**Cattery**" means an establishment for boarding, breeding, buying, grooming or selling cats for profit.

"**Custodian**" means a person having the charge, care, custody or control of an animal which he does not own.

"**Dog**" means any canis familiaris of the domesticated types.

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

"**Guard Dog**" means a dog used for the purpose of deterring crime.

"**Kennel**" means any establishment operated for the purpose of boarding, buying, training, or selling dogs for profit.

"**Leash or lead**" means any chain, rope or device used to restrain

an animal.

"**Pet**" means a domesticated animal kept for pleasure rather than utility, including, but not limited to birds, cats, dogs, fish, rabbits, hamsters, mice, and other domesticated animals kept for pleasure rather than utility. The term "pet" includes Vietnamese pot-belly pig, but no other kind of swine.

"**Pet shop**" means 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.

"**Quarantine**" means the isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or unauthorized persons.

"**Riding school or stable**" means an establishment which offers boarding or riding instruction for any horse, pony, donkey, mule or burro or which offers such animals for hire.

"**Stray**" means any "animal at large."

"**Vicious animal**" is an animal:

(a) with a known propensity, tendency, or disposition to attack unprovoked, to cause injury to, or to otherwise endanger the safety of humans or other domestic animals; or

(b) which attacks a human being or other domestic animal without provocation.

(c) which is trained or used to fight, or, to attack humans.

(d) this provision shall not apply to a dog owned or used by a government entity. Feeding a domesticated animal to a snake shall not make the snake a vicious animal.

"**Wild animal**" means all animals commonly accepted as being "wild" and includes, but is not limited to, the following, no matter how domesticated they may be:

(a) Alligators and crocodiles.

(b) Bears (ursidae).

(c) Cat family (felidae), except the commonly accepted domesticated cats.

(d) Coyotes, foxes and wolves, including the offspring of one of the foregoing with a domestic dog wherein the proportion of wild animal exceeds one-eighth (1/8th).

(e) Porcupine (erethizontiade).

(f) Nonhuman primates (hominidae).

(g) Raccoon (prosynnidae).

(h) Skunks.

(i) Venomous snakes or venomous lizards.

(j) Weasels (mustelidae), except "European" ferrets. (Am 1996-18, Am 2002-22)

8.02.020. Care and Maintenance of Animals.

It shall be unlawful for a person to fail to provide any animal in his charge or custody, as owner or otherwise, with reasonably adequate food, drink, care and shelter.

8.02.030. Cruelty to Animals Prohibited.

The following are unlawful:

(1) To maim, disfigure, torture, beat, mutilate, burn or scald, or otherwise mistreat any animal.

(2) To destroy any domestic animal except in a reasonable and humane manner.

(3) To hobble livestock or other animals in such a way as to cause injury or damage to the animal.

(4) 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.

(5) For any owner or custodian of an animal to abandon such animal within the City.

(6) 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 to prohibit the otherwise lawful 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.

8.02.040. Theft of an Animal.

It shall be unlawful to exercise unauthorized control over an animal belonging to another with a purpose to deprive him thereof.

8.02.050. Reporting Injuries.

It shall be unlawful for the operator of a motor vehicle which injures or kills a domesticated animal to fail to immediately report the same to the owner or custodian of the animal or an animal control officer.

8.02.060. Disposal of Dead Animals.

It shall be unlawful for the owner or custodian of any animal that dies or is killed within the limits of the City to fail to lawfully dispose of or bury the carcass of such animal within ten (10) hours after learning of the death of the animal; provided, however, that no horse, cow, ox or other large animal shall be buried within the City limits.

8.02.070. Sale of Certain Turtles Prohibited.

It shall be unlawful to possess or sell any "turtle" which meets the following description: Pseudemys Scripta-Elegans, or P. Troostii family Testudinidae.

8.02.080. Possession of Wild Animals.

(1) It shall be unlawful for any person to possess, sell, offer for sale, barter, give away, harbor, rent, or purchase any wild animal, except that an animal shelter, a zoological park, veterinary hospital, humane society shelter, public laboratory, circus, 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.

(2) This section shall not prevent the possession or use of wild animals for motion picture filming where otherwise allowed by law, if reasonable precautions are taken for the safety of the public.

(3) This section shall not apply to persons raising members of the mustelid species as a business for pelts.

(4) It shall be lawful to keep a wild animal in Provo City if the wild animal is registered with Provo City prior to November 1, 1987. Provo City may charge a reasonable fee for registration. A receipt or other evidence of registration shall be issued by Provo City. This subsection shall not be construed to authorize the keeping of a vicious animal.

8.02.090. Vicious Animals.

(1) It shall be unlawful to knowingly own, possess or harbor a vicious animal.

(2) An animal control officer may require the owner or custodian of a vicious animal to deliver possession of the animal to an animal control officer. If, after demand, the owner or custodian fails or refuses to deliver possession of the animal to an animal control officer, the animal control officer may request an order from a court of competent jurisdiction requiring the owner or custodian to deliver possession of the animal to an animal control officer.

(3) An animal control officer may summarily impound a vicious animal which is at large or which is an immediate danger to humans or domesticated animals.

(4) If an animal control officer cannot gain control of a vicious animal and the animal presents an immediate danger to a human, or a domestic animal, the animal control officer may summarily destroy the animal.

(5) If a vicious animal is impounded without the knowledge of the owner or custodian, notice that the animal has been impounded shall be given to the owner or custodian of the animal, if the same is known, by attaching a notice to a door at the residence thereof or by mailing a notice thereto.

(6) A vicious animal impounded by an order of a court acting pursuant to this section shall be destroyed or otherwise disposed of as the court shall direct.

(7) A vicious animal impounded without a court order shall be held

not less than seven (7) days, after which it may be destroyed or otherwise disposed of as the supervising animal control officer shall direct.

(8) The owner or custodian of an animal impounded other than by a court order may contest the impounding by filing a notice with Provo City within seven (7) days after the impounding.

Any hearing requested by the owner or custodian shall be pursuant to the provisions of section 3.06.010, Provo City Code.

8.02.100. Nuisance Animals.

(1) Any animal which does any of the following shall be deemed a nuisance:

(a) Causes unreasonable fouling of the air by odors.

(b) 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 and lawfully dispose of any such defecation.

(c) Barks, whines, or howls or makes other disturbing noises in an excessive, continuous or untimely fashion.

(d) Threatens passers-by threatening, nipping, chasing, jumping upon or biting without breaking the skin.

(e) Trespasses upon school grounds or upon private property in such a manner as to cause damage thereto.

(f) Is for any reason not described above, offensive or dangerous to the public health, welfare or safety.

(g) Chases passing runners, bicycles or motor vehicles.

(2) An animal control officer may summarily impound a dog, which is barking excessively and no owner or custodian of the dog is present to control the dog. Excessive barking shall mean a dog barking, baying, crying, howling or making any other noise continuously for a period of ten (10) minutes, or barking intermittently for one-half hour or more to the disturbance of any person at any time of day or night regardless of whether the animal is physically situated in or upon private property. Provided, however, that an animal shall not be in violation if, at the time the animal is barking or making any other noise, a person is trespassing or threatening to trespass upon private property in or upon which the animal is situated or if the animal is teased or provoked.

(3) If an animal is impounded without the knowledge of the owner or custodian, notice that the animal has been impounded shall be given to the owner or custodian of the animal, if the same is known, by attaching a notice to a door at the residence thereof or by mailing a notice thereto.

(4) If no response is received to a notice given pursuant to subsection (5) of this section within five (5) working days (excluding weekends and holidays) after it is placed on a door or mailed, the animal shall be disposed of as an abandoned animal.

(5) An animal summarily impounded pursuant to subsection (2) of this section may be recovered by the owner or custodian paying a reasonable boarding fee. If the owner or custodian disputes payment of the boarding fee, he shall be entitled to a hearing pursuant to the provisions of section 3.06.010, Provo City Code. If, for any reason, the impounded animal was not a nuisance when it was impounded, the animal shall be released to the owner or custodian without any charge.

(6) It shall be unlawful for any person to possess, harbor or own any animal which is a nuisance.

8.02.110. 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 which 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.

8.02.120. Sanitation.

If an 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 for disposal without unreasonable delay and in a manner allowed by law.

8.02.130. Grooming Parlors.

It shall be unlawful to keep an animal overnight at a grooming parlor. This section shall not apply to an animal owned by the operator of the grooming parlor.

8.02.140. Accumulation of Animal Discharges Prohibited.

It shall be unlawful for any person owning or having control of any kennel, stable, stall, shed, apartment, yard or place in which any animal is kept, or in any place within the city limits in which manure or liquid discharges of any animal shall accumulate or collect, to permit such kennel, stable, shed, apartment, yard or place to be kept in an unclean or unsanitary condition.

8.02.150. Loss of Privilege to Maintain an Animal in City.

(1) If the owner or custodian of an animal is convicted of violations of this chapter on three (3) or more different occasions during any twelve (12) month period, the Circuit Court may issue an order denying the right of the owner or custodian to maintain an animal in the City for a period of one (1) year.

(2) If an order is entered pursuant to subsection (1) of this section, the order shall require that the owner or custodian remove his animal from the City. If the owner or custodian fails, as ordered, to remove the animal from the city, an animal control officer may impound the animal, and the circuit court, after notice and hearing, and for good cause shown, may order that the subject animal be destroyed.

(3) It shall be unlawful for a person to maintain an animal within the City in violation of a court order.

8.02.160. Judicially Excluded Animals.

It shall be unlawful to bring any animal into Provo City which has in another jurisdiction:

(1) been judicially determined to be vicious, a nuisance, or a threat to the health or safety of human beings.

(2) been judicially removed from any county or municipality for violation of the laws, codes or ordinances thereof.

8.02.170. Bites or Injury by Vicious Animals.

(1) It shall be unlawful for any person to own or possess a vicious animal which bites or otherwise injures another person.

(2) For the purposes of subsection (1) of this section above a "vicious animal" shall be as defined in subsections (a) or (c) of the definition of "vicious animal" which is in section 8.02.010, Provo City Code.

8.02.180. Residential Pets - Requirements.

(1) Only animals defined by Title 8, Provo City Code as "pets," including but not limited to, dogs used for deterring crime and domesticated animals necessary to assist disabled persons, may be kept within fifty (50) feet of a residence in conformance with the provisions of Title 8, Provo City Code and other applicable licensing and zoning laws. Pets shall not be kept in such a manner that constitutes a nuisance as set forth in section 8.02.100, Provo City Code.

(2) Vietnamese pot-belly pigs shall be limited to one (1) per residence.

(3) Boarding of miniature horses shall be in conformance with applicable zoning laws, including but not limited to, section 14.34.360, Provo City Code.

(4) This section 8.02.180, Provo City Code shall not apply to animals on property designated as agricultural on the Provo City Zoning Map. (New 1996-18)

Chapter 8.04. Animal Control Officers.

8.04.010. Animal Control Officers.

8.04.020. Powers of Animal Control Officers.

8.04.030. Interferences with Animal Control Officers Prohibited.

8.04.010. Animal Control Officers.

(1) There shall be one or more animal control officers each of whom are hereby authorized to enforce the provisions of this title.

(2) Animal control officers shall be members of the police department and subject to the supervision and control of the chief of police.

8.04.020. Powers of Animal Control Officers.

The powers of Animal Control Officers shall include the following:

(1) To apprehend and impound any animal found in violation of this title.

(2) To issue citations for violations of this title.

(3) To summarily destroy an animal if such action is reasonably necessary to prevent physical harm or the threat of physical harm to a human being.

(4) To conduct investigations relating to cruelty to animals.

(5) To, in general, enforce all provisions of law and the Provo City Code, including the Planning and Zoning ordinances and sections of the Provo City Code, relating to the maintenance and use of animals.

(6) To make arrests for violations of law and the Provo City Code relating to the maintenance and use of animals.

(7) To periodically inspect, for violations of law or the Provo City Code, any animal holding facility not licensed or operated by the State of Utah or one of its agencies or political subdivisions.

8.04.030. Interference with Animal Control Officers Prohibited.

Any person who shall do any act which hinders, delays, interferes with or obstructs an animal control officer while engaging in capturing, securing or taking to the animal pound any animal, or who shall break open or in any manner directly or indirectly aid, council or advise the breaking open of any animal pound or animal control vehicle shall be deemed guilty of a misdemeanor.

Chapter 8.05. Kennels.

8.05.010. Permit - Required - Application - Rules.

8.05.020. Fees.

8.05.030. Infractions - Permit Revocation.

8.05.040. Definition - Exception for Puppies and Kittens.

8.05.010. Permit - Required - Application - Rules.

(1) **Permit required.** No person shall operate or maintain a dog kennel or cat kennel without first obtaining a permit from the office of animal control.

(2) **Application.** All applications for permits to operate or maintain a dog kennel, or cat kennel shall be submitted in writing upon printed forms provided for such purposes by the office of animal control. Upon approval the city shall issue the permit following payment of the fee hereinafter provided.

(3) **Promulgating rules.** Rules regarding kennels may be promulgated by animal control with the consent and approval of the mayor not in conflict with this chapter or state law. (Enacted 1993-08)

8.05.020. Fees.

Any person conducting, operating or maintaining a dog kennel or cat kennel shall pay to the city for the privilege of conducting, operating or maintaining such dog or cat kennel an annual permit fee of twenty-five dollars (\$25.00). (Enacted 1993-08)

8.05.030. Infractions - Permit Revocation.

Whenever animal control finds or discovers any infractions of any rule or regulation promulgated as herein provided it shall, upon receipt of such notice, immediately notify the owner or keeper of such kennel, to appear before the administrative appeals board at a day and time certain to show cause why the permit should not be revoked for such infraction. (Enacted 1993-08)

8.05.040. Definition - Exception for Puppies and Kittens.

(1) A kennel shall be defined as premises where more than two (2) dogs or two (2) cats are raised, kept, housed, boarded or engaged in the commercial business of breeding.

(2) This Chapter shall not apply to the birth of puppies or kittens in a situation which is not an intentional commercial breeding business so long as the number of dogs is reduced down to two (2) or less and the number of cats is reduced down to two (2) or less within four (4) months from the birth of the puppies or kittens. (Enacted 1993-08, Am 2005-56)

Chapter 8.06. Dogs and Cats.

- 8.06.010. Dog Licensing and Fees.
- 8.06.020. Cat Licensing.
- 8.06.030. Information Required for Licensing.
- 8.06.040. Collar - Tag Attachment.
- 8.06.050. Removal of Collar and Licensing Tag.
- 8.06.060. Licensing and Fee Exemptions.
- 8.06.070. Allowable Number of Dogs or Cats.
- 8.06.080. Unlawful to Harbor Stray Dogs or Cats.
- 8.06.090. Animals on Unenclosed Premises.
- 8.06.100. Female Dogs or Cats in Season.
- 8.06.110. Places Prohibited to Animals.

8.06.010. Dog Licensing and Fees.

(1) It is unlawful for any person to own, keep or harbor a dog over the age of three (3) months within the limits of Provo City or the South Utah Valley Animal Services Special Service District (hereinafter "SUVASSSD") without making application to the City, SUVASSSD, or their designated agents for that purpose and paying to the City, SUVASSSD or their designated agents an annual, bi-annual, or tri-annual licensing fee.

(2) The owner of any dog of licensing age shall make application for a permit and obtain a permit tag for such dog within ten (10) days after acquisition or age attainment.

(3) A late fee shall be imposed unless a new license is purchased prior to the expiration of the current license. Licenses for the following year may be purchased within ninety (90) days prior to the expiration date.

(4) All licenses and late fees shall be in the amounts established by the SUVASSSD Board of Directors.

(5) It shall be the duty of the animal control officer, City staff, SUVASSSD staff or their designated agents to license any dog on application of the owner or keeper and to issue a licensing receipt and metallic licensing tag on payment by the owner or keeper. Such licensing receipt and metallic licensing tag shall be valid and in force from the date issued until the expiration date.

(6) The provisions of this section shall not apply to dogs whose owners are nonresidents temporarily within the City or SUVASSSD for thirty (30) days or less. (Am 1992-11, Rep&ReEn 2005-56)

8.06.020. Cat Licensing.

(1) A cat may be licensed by submitting an application and paying the applicable fee and receiving a license tag as provided in this Chapter for dogs.

(2) A licensed cat which is impounded shall be held, sold or destroyed as provided in Subsection 8.10.030(1), Provo City Code.

(3) An unlicensed cat shall be presumed to be not owned by any person, unless, as reasonably determined by the City or SUVASSSD, the appearance of the animal and the circumstances of its capture clearly indicate it is subject to a claim of ownership. (Rep&ReEn 2005-56)

8.06.030. Information Required for Licensing.

Before receiving a licensing receipt and metallic licensing tag, each owner shall state at the time of application for such permit, the name and address of the owner and sex, breed, age and color of each dog to be licensed. The owner shall also present a certificate from a licensed veterinarian stating the dog has been vaccinated for the prevention of rabies. Such certificate shall give the last date of vaccination and the

number of the vaccination tag used by the veterinarian at the time of vaccination. It is unlawful for the owner to misrepresent the age of any dog for the purpose of avoiding the payment of the license required by this Chapter. (Rep&ReEn 2005-56)

8.06.040. Collar - Tag Attachment.

It shall be the duty of the owner or keeper of any dog so licensed to provide a suitable collar for such dog to wear and to attach thereto the metallic licensing tag having a number corresponding with the license certificate inscribed thereon. All dogs not so licensed and collared as prescribed by this Chapter may be impounded by the animal control officer or any police officer or other designated official of the City or SUVASSSD. (Am 1992-11, Rep&ReEn 2005-56)

8.06.050. Removal of Collar and Licensing Tag.

It is unlawful to remove or cause to be removed, the collar, harness or tag from any licensed animal without the consent of the owner or custodian of the animal, except a licensed veterinarian or animal control officer who removes such for medical or other reasons. (Rep&ReEn 2005-56)

8.06.060. Licensing and Fee Exemptions.

(1) The provisions of Section 8.06.010 shall not apply to:

(a) seeing eye dogs properly trained to assist blind persons, if such dogs are actually being used by blind persons to assist them in moving from place to place;

(b) hearing dogs properly trained to assist deaf persons, if such dogs are actually used by deaf persons to aid them in responding to an auditory stimulus; and

(c) dogs specifically trained to assist officials of government agencies in the performance of their duties and which are owned by such agencies.

(2) Nothing in this Section 8.06.060 shall be construed to exempt any dog from having a current rabies vaccination. (Am 2004-42, Rep&ReEn 2005-56)

8.06.070. Allowable Number of Dogs or Cats.

Except as otherwise provided in this Chapter, and notwithstanding any other provision of the Provo City Code, no more than two (2) dogs and no more than two (2) cats six (6) months of age or older shall be kept at any residence or commercial establishment at any time. This provision shall not apply to licensed kennels, catteries, grooming parlors, or pet shops. (Rep&ReEn 2005-56)

8.06.080. Unlawful to Harbor Stray Dogs or Cats.

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

(2) 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 dog or cat unless that person shall immediately notify the Police Department as required herein. (Rep&ReEn 2005-56)

8.06.090. Animals on Unenclosed Premises.

It shall be unlawful for any person to chain, stake out, or tether any animal 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. (Rep&ReEn 2005-56)

8.06.100. Female Dogs or Cats in Season.

Any owner or custodian of any female dog or cat in season shall, in addition to restraining such dog or cat from running at large, cause such dog or cat to be constantly confined in a building or secure enclosure so as to prevent it from coming into contact with other dogs or cats and creating a nuisance, except for planned breeding. (Rep&ReEn 2005-56)

8.06.110. Places Prohibited to Animals.

(1) It shall be unlawful for any person to take or permit any animal, 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.

(2) This section shall not apply to animals used to supplement the sight, hearing, or movement of a handicapped person. This section shall not apply to a qualified instructor, visibly identified to the public as such, who is training an animal to supplement the sight, hearing or movement of a handicapped person.

(3) This section shall not apply to animals owned or controlled by a government entity. (Rep&ReEn 2005-56)

Chapter 8.08. Rabies Control.

8.08.010. Bites - Duty to Report.

8.08.020. Control of Rabies and Rabid Animals.

8.08.030. Quarantine and Disposition of Biting or Rabid Animals.

8.08.010. Bites - Duty to Report.

(1) The owner of an animal that bites a person, any person bitten by an animal and the parents or guardians of a minor child bitten by an animal shall immediately report the bite to the Police Department or the County Health Department if the biting animal is dog, cat, skunk, fox, bat, coyote, bobcat or other animal known to constitute a serious threat of rabies.

(2) 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 Police Department or to the County Health Department and comply with all applicable laws and regulations regarding suspected cases of rabies as directed by the Police Department or the County Health Department.

(3) A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report to the Police Department 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 Animal Control Officers in ascertaining the immunization status of the animal.

(4) Any person treating an animal bitten, injured or mauled by another animal shall report the incident to the Police Department. 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.

(5) 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 Police Department, the County Health Department or the State Division of Health. (Am 2005-56)

8.08.020. Control of Rabies and Rabid Animals.

(1) The owner or custodian of a dog or cat three (3) months of age or over shall have the animal vaccinated within thirty (30) days after it reaches this age. Unvaccinated dogs or cats over three (3) 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 twenty-four (24) months with a rabies vaccine approved by the Utah State Health Department. This provision shall not apply to veterinarians, kennel operators or pet shops temporarily maintaining on their premises animals owned by others, provided said animals are not kept for more than thirty (30) days.

(2) The provision 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 is unlawful to bring any animal into the City which does not comply with all applicable animal health laws and import regulations.

(3) 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:

(a) owner's name and address,

(b) description of animal (breed, sex, markings, age, name),

(c) date of vaccination,

(d) rabies vaccination tag number,

(e) type of rabies vaccine administered, and

(f) manufacturer's serial number of vaccine.

(4) 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. (Am 2005-56)

8.08.030. Quarantine and Disposition of Biting or Rabid Animals.

(1) 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 isolated in strict confinement in a secure place by the owner or custodian.

(2) 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.

(3) Any biting or suspected rabid animal or bat may be humanely euthanized immediately by an animal control officer or the health department, and such animal's undamaged and properly packaged and properly refrigerated head shall be delivered promptly to an approved medical facility having the capability of performing the fluorescent antibody test to demonstrate the presence of rabies.

(4) Notwithstanding the foregoing, if the biting or suspected rabid animal is of the domesticated variety that is owned or obviously could have an owner, said animal shall be confined for a period of not less than ten (10) days to allow time for an attempt to locate an owner unless the City or County veterinarian or other licensed veterinarian shall reasonably deem it necessary to sacrifice the animal for the purpose of laboratory examination. The owner of the animal shall bear the cost of confinement. The South Utah Valley Animal Services Special Service District shall be the normal place for quarantine, but other arrangements, including confinement by the owner, may be made by the animal control supervising officer 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 Animal Control Office 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 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 animal control office 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, a licensed veterinarian 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.

(5) 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 or

which has been in intimate contact with such an animal, the bitten or exposed animal shall be immediately destroyed unless the owner of the animal complies with this subsection (5). If the owner is unwilling to destroy the bitten or exposed animal, the animal shall be immediately isolated and quarantined for six (6) months in a place and manner approved by the animal control officer or public health officer and observed by a licensed veterinarian, 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.

(6) In the case of a dog that has been vaccinated against rabies at least thirty (30) days prior to the suspected exposure with a type of vaccine produced under U.S.D.A. license and within the time period approved by the State veterinarian, the bitten or exposed animal shall be revaccinated in a manner prescribed by the Police Department or the health department and quarantined and observed by a licensed veterinarian for a period of thirty (30) days following revaccination. If the animal is not revaccinated in a manner prescribed by the Police Department or the health department, 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 (6) of this section.

(7) It shall be unlawful for any person to remove any quarantined animal from the place of quarantine without written permission of an animal control officer.

(8) Bats and wild carnivorous mammals, as well as wild animals cross-bred to domestic dogs and cats, that bite people shall be killed, and appropriate tissues shall be sent to the state health laboratory for examination for rabies. (Am 2005-56)

Chapter 8.10. Impounding of Animals.

- 8.10.010. Animals to be Impounded.
- 8.10.020. Records to be Kept - Notice.
- 8.10.030. Disposition of Animals.
- 8.10.040. Redemption.
- 8.10.050. Impoundment of Animal Without Valid Rabies Vaccination Tag.
- 8.10.060. Estrays and Trespassing Animals and Dead Animals.

8.10.010. Animals to be Impounded.

An animal control officer shall place all animals which he takes into custody the South Utah Valley Animal Services Special Service District (hereinafter "SUVASSSD") or with any other place designated by the Chief of Police. The following animals may be taken into custody by an animal control officer and impounded without the filing of a complaint:

- (1) any vicious animal not properly confined as required by this Chapter,
- (2) any animal running at large,
- (3) any animal required by this Chapter to be licensed and which is not licensed (an animal not wearing a tag shall be presumed to be unlicensed for the purposes of this Section, except those dogs specifically exempted),
- (4) sick or injured animals whose owner cannot be located,
- (5) any abandoned animal,
- (6) animals not wearing a rabies vaccination tag in accordance with the requirements of this Title,
- (7) any animal to be held for quarantine,
- (8) any wild animal, and
- (9) any animal being kept or maintained contrary to the provisions of this Chapter. (Am 2005-56)

8.10.020. Records to be Kept - Notice.

- (1) Animal control officers shall keep such records as the Chief of Police shall from time to time direct.
- (2) Upon receipt of a lost or stray animal bearing a current year's license tag, an animal control officer shall immediately telephone or mail to the owner of record, at the address indicated on the license form, a notice of the location of the animal. Compliance with the notice requirements of this subsection (2) shall be deemed as met if the animal

control officer has mailed the notice to the owner of record at his address of record, postage prepaid. (Am 2005-56)

8.10.030. Disposition of Animals.

(1) Except as otherwise provided herein, animals shall be impounded for a minimum of three (3) business days (excluding weekends and holidays) if a lost or stray dog or cat not wearing a current year's license tag or five (5) business days (excluding weekends and holidays) after notice is given pursuant to this Chapter if it was wearing a current year's license tag before destruction or other disposition.

(2) Except as provided in subsection (1) of this section, an impounded animal shall be held for the period of time otherwise stated by law before further disposition. If no holding period is otherwise stated by law, the impounded animal shall be held for a reasonable period of time before further disposition.

(3) Any animal voluntarily relinquished to the animal control facility by the owner or custodian thereof for destruction or other disposition need not be kept for the minimum holding period before release or other disposition as herein provided.

(4) The supervising animal control officer may make any one or more of the following dispositions of impounded animals:

(a) All dogs and cats, except for those quarantined, confined by court order, or held pending a judicial determination of an alleged violation of this Title, which are held longer than the minimum impound period, and all dogs and cats voluntarily relinquished to the impound facility may be destroyed or sold as the animal control supervising officer shall direct. Any healthy dog or cat may be sold at public or private sale to anyone desiring to purchase such animal for a price to be determined by the Supervising Officer, plus license and rabies vaccination fees, if required.

(b) 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 supervising officer, be released to the care of a veterinarian with the consent of the owner.

(c) When, in the judgment of the supervising animal control officer, it is determined that an impounded animal should be destroyed for humane reasons, to protect other impounded animals from exposure to a contagious disease 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. (Am 2005-56)

8.10.040. Redemption.

The owner of any impounded animal, or his authorized representative, may redeem such animal before disposition provided the owner or representative displays proper identification, meets all legal requirements and pays:

- (1) reasonable impound fee,
- (2) the daily board charge,
- (3) veterinary costs incurred during the impound period, including rabies vaccination,
- (4) license fee, if required and
- (5) other costs incurred during the impound period. The amounts of impound and boarding fees shall be in an amount established by resolution of the Municipal Council. (Am 2005-56)

8.10.050. Impoundment of Animal Without Valid Rabies Vaccination Tag.

(1) Any vaccinated animal impounded because of lack of a rabies vaccination tag may be reclaimed by its owner by furnishing proof of rabies vaccination, compliance with Chapter 8.08 of this Title, if applicable, and the payment of all impoundment fees prior to release.

(2) Any unvaccinated animal may be reclaimed by its owner prior to disposal by the payment of impound fees, after the animal has been vaccinated and according to the terms of Chapter 8.08 of this Title, if applicable. (Am 2005-56)

8.10.060. Estrays and Trespassing Animals and Dead Animals.

(1) Animal control officers may enforce, or cause to be enforced, state law relating to estrays and trespassing animals and dead animals.

(2) Animal control officers may take possession of any estray or trespassing animals and transport the same, or cause the same to be transported, to SUVASSSD or other place designated by the Chief of Police. (Am 2005-56)