

University of Utah, Title 8, Animal Ordinances

8.04.010 Definitions:

As used in this Title:

- A. "Abandonment" means: 1) placing an animal in an unsafe or dangerous environment where the animal is separated from basic needs such as food, water, shelter or necessary medical attention, for a period of longer than twenty four (24) hours; or 2) failure to reclaim an animal seventy two (72) hours beyond the time agreed upon with a kennel, grooming service, veterinary hospital, or animal shelter.
- B. "Allow", for the purposes of this ordinance, shall include human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to the actions of an animal.
- C. "Animal at large" means any domesticated animal, whether or not licensed, not under restraint as defined below.
- D. "Animal boarding establishment" means any establishment that takes in animals for board for profit.
- E. "Animal groomer" means any establishment maintained for the purpose of offering cosmetological services for animals for profit.
- F. "Animals" means any and all types of livestock, dogs and other nonhuman creatures, both domestic and wild, male and female, singular and plural.
- G. "Animal services" means the office referred to in section [8.04.020](#) of this chapter, or its successor.
- H. "Animal shelter" means a facility owned and/or operated by a governmental entity or any animal welfare organization that is incorporated within the state, used for the care and custody of seized, stray, homeless, quarantined, abandoned or unwanted dogs, cats, or other small domestic animals; or for the purpose of protective custody under the authority of this ordinance or state law.
- I. "Animal under restraint" means any animal under the control of its owner or person over the age of twelve (12) years having charge, care, custody or control of the animal, by means of: 1) a leash or lead not to exceed six feet (6') in length, 2) other physical enclosure, or 3) within the real property limits of the owner.

- J. "Bite" means an actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.
- K. "Carriage" or "horse drawn carriage" means any device in, upon, or by which any person is or may be transported or drawn upon a public way and which is designed to be drawn by horses.
- L. "Carriage business" means any person offering to transport another person for any valuable consideration and by means of a horse drawn carriage.
- M. "Cat" means any age feline of the domesticated types four (4) months of age or older.
- N. "Cattery" means an establishment for boarding, breeding, buying, grooming or selling cats for profit.
- O. "Commercial animal establishment" means any pet shop, grooming shop, animal training establishment, guard dog auction or exhibition, riding school or stable, zoological park, circus, rodeo, animal exhibition, or boarding or breeding kennel.
- P. "Confinement" means that the animal is kept in an escape-proof enclosure or walked on a leash of not more than six feet (6') in length by a person eighteen (18) years of age or older. Confinement does not restrict contact with other animals or humans.
- Q. "Custody" means ownership, possession of, harboring, or exercising control over any animal.
- R. "Dangerous animal" means any animal that is a hazard to the public health and safety.
- S. "Dog" means any *Canis familiaris* four (4) months of age or older.
- T. "Domesticated animals" means animals accustomed to live in or about the habitation of people, including, but not limited to, cats, dogs, fowl, horses, swine and goats.
- U. "Driver" means any person operating or in actual physical control of a horse-drawn carriage, or any person sitting in the driver's seat of such carriage with the intention of causing it to be moved by a horse.
- V. "Enclosure" means any structure that prevents an animal from escaping its confines.
- W. "Estray" or "stray" means any "animal at large", as defined herein.

- X. "Euthanasia" means the humane destruction of an animal accomplished by a method approved by the most recent Report of the American Veterinary Medication Association Panel on Euthanasia.
- Y. "Guard dog" means a working dog which must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control while working, so it cannot come into contact with the public.
- Z. "Holding facility" means any pet shop, kennel, cattery, groomery, riding school, stable, animal shelter, veterinary hospital, humane establishment, or any other such facility used for holding animals.
- AA. "Impoundment" means taken into the custody of an animal services agency, police department, or an agent thereof.
- BB. "Kennel" means an establishment having dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, or selling.
- CC. "Leash" or "lead" means any chain, rope or device used to restrain an animal, being no longer than six feet (6') in length.
- DD. "Owner" means any person having title to, or custody of, or keeping, or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered during a period of twenty four (24) consecutive hours or more.
- EE. "Person" means a natural person or any legal entity, including, but not limited to, a corporation, firm, partnership or trust.
- FF. "Pet" or "companion animal" means any animal of a species that has been developed to live in or about the habitation of humans, is dependent on humans for food and shelter, and is kept for pleasure rather than utility or commercial purposes.
- GG. "Pet shop" means any establishment containing cages or exhibition pens, not part of a kennel or cattery, wherein dogs, cats, birds or other pets are kept, displayed or sold.
- HH. "Provoked" means any deliberate act by a person towards a dog or any other animal done with the intent to tease, torment, abuse, assault or otherwise cause a reaction by the dog or other animal; provided, however, that any act by a person done with the intent to discourage or prevent a dog or other animal from attacking shall not be considered to be a provocation.

II. "Quarantine" means the isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or persons not authorized by the Office of Animal Services.

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

KK. "Service animal" means any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

LL. "Set" means:

1. To cock, open or put a trap in such a condition that it would clamp closed when an object or person touches a triggering device; and/or

2. To place a spring-loaded trap which has been opened or fixed so that it would close upon the triggering device being touched upon the ground, or in a position where a person or animal could become caught therein.

MM. "Specialized equipment" is that equipment, other than the usual patrol vehicles of animal services, which is designed for specific purposes such as, but not limited to, livestock trailers and carcass trailers.

NN. "Species subject to rabies" means any species that has been reported to the Center for Disease Control to have contracted the rabies virus and become a host for that virus.

OO. "Spring-loaded trap" means any clamp-like apparatus which is utilized to catch animals, objects or persons when, after being set and the triggering device being activated, clamp-like jaws are designed to come together with force so as to clamp or close upon an animal, person or object activating the spring or triggering device.

PP. "Stable" means any place or facility where one or more horses, ponies, donkeys, mules or burros are housed or maintained, and are offered for hire.

QQ. "Veterinarian" means any person legally licensed to practice veterinary medicine under the laws of the State of Utah.

RR. "Vicious animal" means:

1. Any animal which, in a threatening or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places;

2. Any animal with a known propensity, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or animals; or

3. Any animal which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property.

SS. "Wild, exotic or dangerous animal" means any animal which is not commonly domesticated, or which is not native to North America, or which, irrespective of geographic origin, is of a wild or predatory nature, or any other animal which, because of its size, growth propensity, vicious nature or other characteristics, would constitute an unreasonable danger to human life, health or property if not kept, maintained or confined in a safe and secure manner, including hybrids, and animals which, as a result of their natural or wild condition, cannot be vaccinated effectively for rabies. Those animals, however domesticated, shall include, but are not limited to:

1. **Alligators And Crocodiles:** Alligators and crocodiles;

2. **Bears (Ursidae):** All bears, including grizzly bears, brown bears, and black bears;

3. **Cat Family (Felidae):** All except the commonly accepted domesticated cats, and including cheetahs, cougars, leopards, lions, lynx, panthers, mountain lions, tigers and wildcats;

4. **Dog Family (Canidae):** All except domesticated dogs, and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo and part dingo;

5. **Porcupines:** Porcupine (erehizontidae);

6. **Primate (Hominidae):** All subhuman primates;

7. **Raccoon (Prosynnidae):** All raccoons, including eastern raccoons, desert raccoons and ring-tailed cats;

8. **Skunks:** Skunks;

9. **Fish:** Venomous fish and piranha;

10. **Snakes Or Lizards:** Venomous snakes or lizards;

11. **Weasels (Mustelidae):** All, including weasels, martins, wolverines, ferrets, badgers, otters, ermine, mink and mongoose, except that the possession of such animals shall not be prohibited when raised commercially for their pelts.

TT. "Work", with reference to a horse, means that the horse is out of the stable and presented as being available for pulling carriages; in harness; or pulling a carriage. (Ord. 69-99 § 6, 1999: Ord. 52-89 § 2, 1989: Ord. 48-88 § 1, 1988: Ord. 88-86 § 1, 1986: Ord. 59-86 § 1, 1986: prior code § 100-1-1)

8.04.020 Office Of Animal Services:

There is created an Office of Animal Services. A Director of the Office of Animal Services and such personnel as may be necessary to the work of the Office shall be appointed by the Mayor upon the recommendation of the Director of the Department of Management Services. Alternatively, animal services may be provided through a legally executed agreement, which includes the authority and power to enforce this Title. (Ord. 69-99 § 6, 1999: prior code § 100-1-2)

8.04.030 Animal Services Officials Powers And Duties:

- A. The Animal Services Director, or any person employed by the Office of Animal Services as an animal services officer, or any person authorized through a legal agreement, shall take the oath of office and shall be vested with the power and authority to enforce this Title.
- B. The Animal Services Director, his or her deputies, assistants and animal services officers, are hereby authorized and empowered to apprehend and take with them and impound any animal found in violation of this Title, and including licensable dogs for which no license has been procured in accordance with this Title, or any licensed or unlicensed dogs for any other violation thereof.
- C. In the enforcement of this Title, any peace officer, or the Director of Animal Services, his or her assistants or animal services officers are authorized to enter onto the open premises of any person to take possession of any animal in violation of this Title. (Ord. 69-99 § 6, 1999: prior code § 100-1-3)

8.04.040 Director's And Officers' Powers Enforcement:

- A. The Animal Services Director shall:
 - 1. Enforce this Title and perform other responsibilities pursuant thereto;
 - 2. Supervise the Municipal animal shelter(s) under his or her jurisdiction;
 - 3. Keep adequate records of all animals impounded and all monies collected;
 - 4. See that all animals and animal-holding facilities in his or her jurisdiction are licensed, controlled and permitted in accordance with any applicable ordinance and/or regulations;

5. Establish, in cooperation with the Salt Lake City-County Health Department and other interested governmental agencies, adequate measures for rabies immunization and control.

B. Each animal services officer shall:

1. Enforce this Chapter in all respects pertaining to animal services within the City, including the care and impounding of animals and prevention of cruelty to animals;

2. Carry out all duties prescribed or delegated by the Director. (Ord. 69-99 § 6, 1999: prior code § 100-1-4)

8.04.050 Exemption From Fees Authorized When:

(Rep. by Ord. 69-99 § 1, 1999)

8.04.060 Interference With Officers Prohibited:

It is unlawful for any person knowingly and intentionally to interfere with the Director or any animal services officer in the lawful discharge of their duties, as prescribed in this Title. (Ord. 69-99 § 6, 1999: prior code § 100-1-5)

8.04.065 Permit And License Fees Expiration Renewal:

A permit issued pursuant to this Chapter shall expire one year after it is issued by the Office of Animal Services or other authorized entity, and shall be renewable upon application therefor. Renewal applications shall not be available until thirty (30) days prior to the expiration date of the current permit. A permit may only be issued after the appropriate fee has been paid. Application shall be accompanied by the fee established in the permit and fee schedule, Appendix A of this Chapter. Licenses may be issued for multiple years in accordance with fees set forth in Appendix A of this Chapter.

A. The permit and license fee schedule may be modified from time to time as deemed appropriate by the Director of Animal Services or other authorized manager, and upon approval by the Salt Lake City Council.

B. Permits are not transferable from one owner to another, nor from one site to another. (Ord. 69-99 § 2, 1999)

8.04.070 Dog License Required When Application And Fees:

A. **Required:** All dogs shall be licensed each year, except as otherwise provided herein, to a person of the age of eighteen (18) years or older.

B. **Deadline:** Any person owning, possessing or harboring any dog shall obtain a license for such animal within thirty (30) days after the dog reaches the age of four (4) months, or, in the case of a dog over four (4) months, or in the case of a new City resident, within thirty (30) days of the acquisition of the dog or the commencement of residency.

C. **Application:** License applications shall be submitted to the Office of Animal Services, by utilizing a standard form which requests name, address and telephone number of the applicant; breed, sex, color and age of the animal; previous license information; rabies and sterilization information; and the number, location or other identification applicable to a tattoo or implanted microchip of the animal. The application shall be accompanied by the prescribed license fee and by a rabies vaccination certificate current for a minimum of six (6) months beyond the date of application. A license shall not be issued for a period that exceeds the expiration date of the rabies vaccination. Rabies vaccinations shall be given by a licensed veterinarian with a vaccine approved by the current Compendium of Animal Rabies Control.

D. **License Fees:**

1. License fees shall be as set forth in the permit and fee schedule, Appendix A of this Chapter.

2. No dog shall be licensed as spayed or neutered without veterinary verification that such surgery was performed.

E. **License Vendors:** The Animal Services Director may contract with veterinary hospitals, veterinarians, pet shops, animal grooming parlors, and similar institutions or individuals for the issuance of license application forms. License fees and requirements for licensure with such vendors shall be the same as if the application was issued directly by the Office of Animal Services.

F. **Number Of Dogs:** No person or persons at any one residence within the City shall at any one time own, harbor or license more than two (2) dogs in any combination except as otherwise provided herein.

G. **Senior Citizen Provisions:** In lieu of the annual license fees provided above, a person sixty (60) years of age or older on the date of license application may, upon proof of age, obtain a dog license for an unsterilized dog for a reduced fee as specified in Appendix A of this Chapter. A person sixty (60) years of age or older may obtain a dog license for the life of a spayed or neutered dog for a one-time nontransferable fee as specified in Appendix A of this Chapter, but such person shall nevertheless obtain a license without fee thereafter for verification of rabies vaccination. This subsection shall not be

construed to relieve any person from meeting all licensing requirements not specifically exempted, including late fees and required vaccinations, nor is any license issued hereunder transferable to any other animal or owner other than that for which the license was issued. (Ord. 69-99 § 6, 1999: Ord. 30-88 § 1, 1988: amended during 1/88 supplement: Ord. 39-84 § 1, 1984: prior code § 100-1-6)

8.04.080 Dog LicenseTag Requirements:

- A. Upon payment of the license fee, the Office of Animal Services shall issue to the owner a certificate and a tag for each dog licensed. The tag shall have stamped thereon the license number corresponding with the tag number on the certificate. The owner shall attach the tag to the collar or harness of the animal and see that the collar and tag are constantly worn when the animal is off the premises of the owner. Failure to attach the tag as provided shall be in violation of this Title, except that dogs which are kept for show purposes are exempt from wearing the collar and tag when participating in a match or show.
- B. Dog tags are not transferable from one dog to another. No refunds shall be made on any dog license fee for any reason whatsoever. Replacements for lost or destroyed tags shall be issued upon payment of the replacement tag fee set in Appendix A of this Chapter to the Office of Animal Services.
- C. Any person removing or causing to be removed the collar, harness or tag from any licensed dog without the consent of the owner or keeper thereof, except a licensed veterinarian or animal services officer who removes such for medical and other reasons, shall be in violation of this Title.
- D. Owners may have an identifying microchip implanted in their dogs. If owners take such action, they shall be exempt from the requirement that such dogs wear identifying tags at all times while off the premises, provided that the microchip information has been registered with the Office of Animal Services. Owners shall assume the risk of nonidentification of all microchipped, unrestrained dogs who are subsequently impounded by animal services officers.
- E. It is unlawful for any vendor of microchips to refuse to provide information to the Office of Animal Services as to the identification of the owner of an animal that has been microchipped. (Ord. 69-99 § 6, 1999: Ord. 30-88 § 2, 1988: prior code § 100-1-7)

8.04.090 Dog LicenseExemptions:

- A. The provisions of Sections [8.04.070](#) and [8.04.080](#) of this Chapter, or their successors, shall not apply to:

1. Dogs properly licensed in another jurisdiction whose owners are nonresidents temporarily (up to 30 days) within the City. Licensed dogs whose owners remain within the City longer than thirty (30) days may transfer to the local license upon payment of a fee as specified in Appendix A of this Chapter and proof of current rabies vaccination; or

2. Individual dogs within a properly licensed dog kennel or other such establishment, when such dogs are held for resale.

B. The fee provisions of Section [8.04.070](#) of this Chapter shall not apply to:

1. Service dogs trained and certified to assist persons with a physical or mental disability, or dogs in an official training program for such assistance; or

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

C. Nothing in this Section shall be construed so as to exempt any dog from having a current rabies vaccination. (Ord. 69-99 § 6, 1999: prior code § 100-1-8)

8.04.100 Dog License Revocation Procedures:

If the owner of any dog is found to be in violation of this Title on three (3) or more different occasions during any twelve (12) month period, the Director of Animal Services may seek a court order, pursuant to Section [8.04.220](#) of this Chapter, or its successor, revoking for a period of one year any dog license(s) such person may possess and providing for the Animal Services Office to pick up and impound any dog(s) kept by the person under such order. Any dog impounded pursuant to such an order shall be dealt with in accordance with the provisions of this Title for impounded animals, except that the person under the order of revocation shall not be allowed to redeem the dog under any circumstances. (Ord. 69-99 § 6, 1999: prior code § 100-1-17)

8.04.240 Rabies Control Vaccination For Dogs And Cats:

A. The owner or person having the charge, care, custody and control of a four (4) months of age or over cat or dog shall have such animal vaccinated for rabies. Any person permitting any such animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for the vaccination. Unvaccinated dogs or cats over four (4) months of age acquired by the owner or moved into the City must be vaccinated within thirty (30) days of purchase or arrival.

B. Every dog and cat shall have a current rabies vaccination with a rabies vaccine approved by the current Compendium of Animal Rabies Control as

amended, published by the National Association of State Public Health Veterinarians, Inc. This provision shall not apply to veterinarians or kennel operators temporarily maintaining on their premises animals owned by others. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(1))

8.04.250 Rabies Control Veterinarian Duties Certification And Tag Requirements:

- A. It shall be the duty of each veterinarian, when vaccinating any animal for rabies, to complete a certificate of rabies vaccination (in duplicate) which includes the following information:
1. Owner's name and address;
 2. Description of 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.
- B. 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 Section [8.04.240](#) of this Chapter, or its successor. 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 a tag shall be deemed to be unvaccinated, and may be impounded and dealt with pursuant to this Title. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(2))

8.04.260 Rabies Control Transient Animals:

The provisions of Sections [8.04.240](#) through [8.04.290](#) of this Chapter or their successor sections, with respect to vaccination, shall not apply to any animal owned by a person temporarily 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 any applicable animal health laws and import regulations. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(3))

8.04.270 Rabies Control Reporting Of Rabid Animals:

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 Office of Animal Services, the City-County Health Department or the State Division of Health. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(5))

8.04.280 Biting Or Potentially Rabid Animals- Quarantine/Confinement Or Other Disposition:

A. **Report Requirements:** An animal that has rabies or is suspected of having rabies, or any animal bitten by another animal infected with rabies or by an animal suspected of having rabies, shall be reported by the owner or person having information as set forth in Section [8.04.270](#) of this Chapter, or its successor, and shall immediately be confined in a secure place by the owner. The owner shall turn over the animal to the Office of Animal Services upon demand.

B. **Surrender Of Animal:** The owner of any animal of a species subject to rabies which has bitten shall surrender the animal to any authorized official upon demand. Any person authorized to enforce this Title 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.

C. Seizure, Confinement Or Quarantine:

1. 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 as determined by the Animal Services Director or designee. In consultation with a veterinarian when deemed necessary by the Director or designee, the potentially rabid animal shall be quarantined or confined for observation in accordance with the current Compendium of Animal Rabies Control, as amended, and with Office policy and procedure. The owner of the animal shall bear the cost of confinement. The animal shelter shall be the normal place for quarantine, but other arrangements, including confinement by the owner, may be made by the Director of Animal Services and/or the Director of the Health Department 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.

2. A person who has custody of an animal under quarantine shall immediately notify the Office of Animal Services if the animal shows any signs of sickness or abnormal behavior, or if the animal escapes confinement. It is unlawful for any person who has custody of a quarantined animal to fail or refuse to allow a City-County Health Department or animal services officer to make an inspection or examination during the period of quarantine. If the animal dies

within ten (10) days from the date of bite, the person having custody shall immediately notify the Office of Animal Services or immediately remove and deliver the head to the State Health Laboratory to be examined for rabies. If, at the end of the quarantine period, the Director of Animal Services, or his/her designee, 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 Section [8.04.340](#) of this Chapter, or its successor.

D. Unvaccinated Bitten Animals:

1. In the case of an unvaccinated animal species subject to rabies which is known to have been bitten by, or otherwise exposed to a known rabid animal, such bitten or exposed animal should be immediately euthanized. Animals with expired rabies vaccinations of six (6) months or more shall be considered unvaccinated for the purpose of this Section.

2. If the owner is unwilling to euthanize 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 vaccinated one month before being released. The animal shall be euthanized if the owner does not comply herewith.

E. Vaccinated Bitten Animals:

1. If the bitten or exposed animal has been vaccinated, the animal shall be revaccinated within twenty four (24) hours, kept under home confinement, and observed for forty five (45) days; or

2. If the animal is not revaccinated within twenty four (24) hours, the animal shall be isolated and monitored according to the current Compendium of Animal Rabies Control, as amended.

3. The animal shall be euthanized if the owner does not comply with subsections E1 and E2 of this Section.

F. Bitten Animals With Expired Vaccinations: Animals with expired rabies vaccinations of six (6) months or less shall be evaluated on a case-by-case basis.

G. Removal Of Quarantined Animals: It is unlawful for any person to remove any such animal from the place of quarantine without written permission of the Office of Animal Services.

H. Vicious Animals: If any animal bites or attacks a person or animal two (2) times or more in a twelve (12) month period, such animal may be immediately impounded by the Office of Animal Services without court order and held at

owner expense pending court action. Any such animal shall be deemed a vicious animal, and the Director of Animal Services may seek a court order, as provided in Section [8.04.220](#) of this Chapter, or its successor, for destruction of the animal. Parties owning such animals shall, if possible, be notified immediately of the animal's location by the Animal Services Office. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(6))

8.04.290 Animals Without Rabies Vaccination Tag Impoundment:

- A. Any vaccinated animal impounded because of the lack of a rabies vaccination tag may be reclaimed by its owner by furnishing proof of rabies vaccination and payment of all impoundment fees prior to release.
- B. Any unvaccinated animal may be reclaimed prior to disposal by payment of impound fees and by the owner posting a twenty five dollar (\$25.00) cash bond (deposit) with the Office of Animal Services, obligation of which is conditioned upon the owner's failure to obtain a rabies vaccination for the animal within seventy two (72) hours of release. Upon proof of the required vaccination, said bond shall be released or returned to the owner.
- C. Any animal not reclaimed during the period shall be disposed of pursuant to provisions of Section [8.04.340](#) of this Chapter, or its successor. (Ord. 69-99 § 6, 1999: prior code § 100-1-19(4))

8.04.300 Animal Shelter Premises And Activities:

- A. The governing authority shall provide suitable premises and facilities to be used as an animal shelter where impounded small animals can be adequately kept. They shall purchase and supply food and supply humane care for impounded animals.
- B. The governing authority shall provide for the painless and humane destruction of dogs and other animals required to be destroyed by this Title or by the laws of the State.
- C. The governing authority may furnish, when necessary, medical treatment for such animals as may be impounded pursuant to this Title. (Prior code § 100-1-24)

8.04.310 Animal Shelter Hours:

The public facility of the Animal Services Office shall be open to the public for business from nine thirty o'clock (9:30) A.M. to at least five thirty o'clock (5:30) P.M. on all days other than Sundays and legal holidays, and such hours shall be posted on the main entrance. (Ord. 69-99 § 6, 1999: Ord. 88-86 § 5, 1986: prior code § 100-2-8)

8.04.320 Impoundment Authorized When:

The Animal Services Director shall place all animals which he or she takes into custody in a designated animal impound facility. The following animals may be taken into custody by the Animal Services Director or designee and impounded without the filing of a complaint:

- A. Any animal being kept or maintained contrary to the provisions of this Title;
- B. Any animal running at large contrary to the provisions of this Title;
- C. Any animal which is by this Title required to be licensed and is not licensed. An animal not wearing a tag shall be presumed to be unlicensed for purposes of this Section;
- D. Sick or injured animals whose owner cannot be located, or whose owner requests impoundment and agrees to pay a reasonable fee for the services rendered;
- E. Any abandoned animal;
- F. Animals which are not vaccinated for rabies in accordance with the requirements of this Title;
- G. Any animal to be held for quarantine;
- H. Any vicious animal not properly confined as required by Section [8.04.420](#) of this Chapter, or its successor. (Ord. 69-99 § 6, 1999: prior code § 100-1-20)

8.04.330 Impoundment Recordkeeping Requirements:

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

- A. Complete description of the animal, including tag numbers and other forms of identification;
- B. The manner and date of impound;
- C. The location of the pickup and name of the officer picking up the animal;
- D. The manner and date of disposal;
- E. The name and address of the redeemer or purchaser;

- F. The name and address of any person relinquishing an animal to the impound facility;
- G. All fees received;
- H. All expenses accruing during impoundment. (Ord. 69-99 § 6, 1999: prior code § 100-1-21)

8.04.340 Impoundment Holding Period Notice To Owner- Disposition Of Animals:

- A. Animals shall be impounded for a minimum of three (3) calendar days before further disposition, except as otherwise provided herein. Any animal which is impounded and is wearing a current license, rabies tag or other identification designating the owner of the animal and where such owner may be contacted, shall be impounded for a minimum of five (5) calendar days before further disposition. Reasonable effort shall be made to notify the owner of any animal wearing a license or other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner. Any animal voluntarily relinquished to the animal control facility by the owner thereof for destruction or other disposition need not be kept for the minimum holding period before release or other disposition as herein provided.
- B. 1. All dogs and cats, except for those quarantined or confined by court order, held longer than the minimum impound period, and all dogs and cats voluntarily relinquished to the impound facility, may be euthanized or sold, as the Animal Services Director shall direct. Any healthy dog or cat may be sold to any person or to any institution engaged in scientific research and desiring to purchase such animal for a price to be determined by the Director, but not to exceed thirty dollars (\$30.00) per animal, plus license and rabies vaccination is required.

2. All persons purchasing any dog or cat from the impound facility shall, at the time of purchase, execute an agreement on forms provided by the impound facility. Such agreement shall provide that the purchaser will have the dog or cat so purchased spayed or neutered within one hundred eighty (180) days of the date of purchase of such dog or cat, and that the purchaser will file with the Animal Services Director written verification from a licensed veterinarian that such dog or cat has been spayed or neutered prior to the date of written verification. The agreement shall also provide that sale or transfer of the purchased dog or cat by the purchaser shall not release the purchaser from the obligation to have the animal spayed or neutered, nor from the obligation to file the written verification, as provided hereinabove. In lieu of the aforementioned written verification from a licensed veterinarian, the purchaser may file a truthful affidavit with the Animal Services Director within one hundred eighty (180) days of the date of purchase certifying that the dog or

cat so purchased from the impound facility has died prior to the one hundred eighty (180) day deadline, and prior to being spayed or neutered.

3. Failure of the purchaser of a dog or cat from the impound facility to file the written verification from a licensed veterinarian, as provided hereinabove, within one hundred eighty (180) days of the date of purchase of such dog or cat, or, in the alternative, failure of the purchaser to file a truthful affidavit within one hundred eighty (180) days from the date of the purchase certifying that the dog or cat so purchased has died within the one hundred eighty (180) day period and prior to being spayed or neutered, shall constitute a misdemeanor.

- C. 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 Services Director or designee, be released to the care of a veterinarian with the consent of the owner.
- D. When, in the judgment of the Animal Services Director, it is determined that an animal should be euthanized for humane reasons or to protect the public from imminent danger to persons or property, such animal may be euthanized without regard to any time limitations otherwise established herein, and without court order.
- E. The Director of Animal Services may euthanize an animal upon the request of an owner without transporting the animal to animal services facilities. An appropriate fee shall be charged the owner for the euthanasia and any subsequent disposal of the carcass done by the Office of Animal Services. (Ord. 69-99 § 6, 1999: Ord. 59-86 § 2, 1986: prior code § 100-1-22)

8.04.350 Impoundment Redemption Conditions:

- A. **Redemption Requirements:** The owner of any impounded animal, or such owner's authorized representative, may redeem such animal before disposition, provided he or she pays the fees and charges as listed below, according to the amounts in Appendix A of this Chapter:
 - 1. The impound fee;
 - 2. The daily board charge;
 - 3. Veterinary costs incurred during the impound period, including rabies vaccination;
 - 4. License fee, if required;

5. A transportation fee if transportation of an impounded animal by specialized equipment was required. This fee shall be determined by the Director of Animal Services at a level which approximated the cost of utilizing the specialized equipment in the particular situation;

6. Any other expenses incurred to impound an animal in accordance with State or local laws;

7. Any unpaid or past due Animal Services fees and fines incurred by the owner.

B. Removal Of Dead Animals: The following service charge shall be levied for removal of dead animals from an owner's property; no fee shall be charged for dead animals brought to the animal shelter provided the owner resides within the City:

1. Dogs, licensed: no fee;

2. Dogs (unlicensed), all cats, small domestic animals, small livestock, and all other small privately owned animals: twenty five dollars (\$25.00);

3. Large livestock, and all other large, privately owned animals: the owner shall arrange removal by a private dead-animal hauler.

C. Rabid Animals: No impound fee will be charged the reporting owners of suspected rabid animals if the owners comply with Sections [8.04.240](#) through [8.04.290](#) of this Chapter, or successor sections. (Ord. 69-99 § 6, 1999: Ord. 46-91 § 1, 1991: Ord. 60-86 § 1, 1986: prior code § 100-1-23)

8.04.352 Impound Fees For Voluntary Relinquishment By Owner:

Whenever any dog or cat is voluntarily relinquished by the owner thereof to the Animal Services facility for destruction or other disposition as provided by subsection [8.04.340A](#) of this Chapter, or its successor section, a fee shall be paid by such owner of twenty five dollars (\$25.00) for each dog or cat and/or for each litter under four (4) months of age of dogs or cats so relinquished. (Ord. 69-99 § 6, 1999: Ord. 45-90 § 1, 1990)

8.04.370 Animal Nuisances Designated Penalty:

A. Any owner or person having charge, care, custody or control of an animal or animals causing a nuisance as defined below shall be in violation of this Title and subject to the penalties provided herein.

B. The following shall be deemed a nuisance: Any animal which:

1. Causes damages to the property of anyone other than its owner;
2. Is a "vicious animal", as defined in this Chapter, and kept contrary to Section [8.04.420](#) of this Chapter, or its successor;
3. Causes unreasonable fouling of the air by odors;
4. Causes unsanitary conditions in enclosures or surroundings;
5. Defecates on any public sidewalk, park or building, or on any private property without the consent of the owner of such private property, unless the person owning, having a proprietary interest in, harboring or having care, charge, control, custody or possession of such animal shall remove any such defecation to a proper trash receptacle, and shall carry the appropriate instrument(s) for the removal and disposal of such waste;
6. Barks, whines or howls, or makes other disturbing noises in an excessive, continuous or untimely fashion;
7. Molests passersby or chases passing vehicles;
8. Attacks people or other domestic animals whether or not such attack results in actual physical harm to the person or animal to whom or at which the attack is directed;
9. Is found at large three (3) or more times within any twelve (12) month period;
10. Is offensive or dangerous to the public health, safety or welfare by virtue of the number and/or type of animal kept or harbored; or
11. Otherwise acts so as to constitute a nuisance or public nuisance under the provisions of title 76, chapter 10, Utah Code Annotated, 1953, or its successor. (Ord. 69-99 § 6, 1999: prior code § 100-1-16)

8.04.380 Female Dogs In Heat:

Any owner or person having charge, care, custody or control of any female dog in heat shall, in addition to restraining such dog from running at large, cause such dog to be constantly confined in a building or secure enclosure so as to prevent it from attracting by scent or coming into contact with other dogs and creating a nuisance, except for planned breeding. (Prior code § 100-1-12)

8.04.390 Animals Running At Large:

- A. With the exception set forth in subsection B of this section, it is unlawful for the owner or person having charge, care, custody or control of any animal to allow such animal at any time to run at large. The owner or person charged with responsibility for an animal found running 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 whether or not such owner or person knows that the animal is running at large. Any person violating any provision of this section shall be deemed guilty of a civil violation and shall be penalized as provided in appendix A of this chapter.
- B. Dogs shall be permitted to run off leash only in areas of parks and public spaces specifically authorized by city ordinance, specifically designated by the director of public services as "off leash areas", and clearly identified by signage as such. Said areas shall be as follows: 1) designated areas of Memory Grove Park known as the Freedom Trail section, 2) the municipal ballpark, also known as Herman Franks Park, except for the fenced youth baseball diamonds and playground area, 3) designated areas of Jordan Park, and 4) designated areas of Lindsey Gardens. While in such areas dogs shall at all times remain under control of the dog's owner or custodian. "Under control" means that a dog will respond on command to its owner or custodian. The foregoing notwithstanding, the public services department may conduct additional experiments in other areas of the city for possible future legislative enactment establishing such areas as "off leash areas", provided such experiments are conducted in accordance with the guidelines approved by the city council in its resolution 101 of 1999. (Ord. 29-02 § 8, 2002¹ : Ord. 31-00 § 2, 2000: Ord. 102-99 § 1, 1999: Ord. 83-99 § 1, 1999: Ord. 84-98 § 1, 1998: Ord. 67-98 § 1, 1998: Ord. 24-89 § 2, 1989: prior code § 100-1-10)

8.04.400 Dogs On Chains On Unenclosed Premises:

It is unlawful for any person to chain, stake out or tether any dog on any unenclosed premises in such a manner that the animal may go beyond the property line, unless such person has permission of the owner or lessee of the affected property. Any person violating any provision of this section shall be deemed guilty of a civil violation and shall be penalized as provided in appendix A of this chapter. (Ord. 29-02 § 9, 2002² : Ord. 31-00 § 3, 2000: prior code § 100-1-11)

8.04.410 Dogs Attacking Persons And Animals:

- A. Attacking Dogs: It is unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog to attack, chase or worry any person, any domestic animal having a commercial value, or any species of hoofed protected wildlife, or to attack domestic fowl. "Worry", as used in this section, means to harass by tearing, biting or shaking with the teeth.

- B. Owner Liability: The owner in violation of subsection A of this section shall be strictly liable for violation of this section. In addition to being subject to prosecution under subsection A of this section, the owner of such dog shall also be liable in damages to any person injured or to the owner of any animal(s) injured or destroyed thereby.
- C. Defenses: The following shall be considered in mitigating the penalties or damages or in dismissing the charge:
1. That the dog was properly confined on the premises;
 2. That the dog was deliberately or maliciously provoked.
- D. Dogs May Be Killed: Any person may kill a dog while it is committing any of the acts specified in subsection A of this section, or while such dog is being pursued thereafter. (Prior code § 100-1-14)

8.04.420 Fierce, Dangerous Or Vicious Animals:

It is unlawful for the owner of any fierce, dangerous or vicious animal to permit such animal to go or be off the premises of the owner unless such animal is under restraint and properly muzzled so as to prevent it from injuring any person or property. Every animal so vicious and dangerous that it cannot be controlled by reasonable restraints, and every dangerous and vicious animal not effectively controlled by its owner or person having charge, care or control of such animal, so that it shall not injure any person or property, is a hazard to public safety, and the director of animal services shall seek a court order pursuant to section 8.04.220 of this chapter, or its successor, for destruction of or muzzling of the animal. (Ord. 69-99 § 6, 1999: prior code § 100-1-15)

8.04.510 Issuance Of Citations Notice Of Violations:

- A. A peace officer and/or animal services officer is authorized to issue a misdemeanor citation to any person upon a charge of violating any provisions of this title. The form of the misdemeanor citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of the Utah code of criminal procedure, including, but not necessarily limited to, sections 77-7-18 through 77-7-22, Utah Code Annotated, 1953, as amended, or their successors.
- B. Where violations of the following requirements of this ordinance are committed, and provided they are not charged in conjunction with another criminal offense and do not constitute a fourth or succeeding notice of violation within a twenty four (24) month period, an animal services officer or authorized agent shall issue a civil notice of violation to such violator in lieu of a misdemeanor citation; violations regarding: 1) commercial permits, (section

[8.04.130](#) of this chapter), 2) commercial permit display, (section [8.04.160](#) of this chapter), 3) licensing, (section [8.04.070](#) of this chapter), 4) license tag requirements, (section [8.04.080](#) of this chapter), 5) rabies vaccinations, (section [8.04.240](#) of this chapter), 6) rabies tag requirements, (subsection [8.04.250B](#) of this chapter), 7) harboring stray animals, (section [8.04.110](#) of this chapter), 8) animals running at large, (section [8.04.390](#) of this chapter), 9) animal nuisances, (section [8.04.370](#) of this chapter except for subsections B2, B8, B9, and B10), 10) more than two (2) dogs at a residence, (subsection [8.04.070F](#) of this chapter), 11) more than two (2) cats at a residence, (section [8.04.120](#) of this chapter), 12) more than two (2) rabbits at a residence, (section [8.04.120](#) of this chapter), 13) staking dogs improperly, (section [8.04.400](#) of this chapter), 14) confining female dogs in heat, (section [8.04.380](#) of this chapter), 15) giving animals as sales premiums, (subsection [8.04.440B](#) of this chapter), 16) the sale/premium of baby rabbits and fowl, (subsection [8.04.440A](#) of this chapter), or 17) the sale of pet turtles, (subsection [8.04.440C](#) of this chapter). The notice of violation shall state, with reference to the pertinent sections of this title, the violation which must be remedied by the person charged and may set forth a compliance date by which the violator must comply with the remedial requirements. The notice of violation shall include a list of the fees as applicable to this violation as set forth in appendix A of this chapter for minimum citation penalties. This fee amount may be reduced or waived for first offenses, provided the pet owner satisfactorily completes a class on responsible pet ownership which is approved by the office of animal services. Compliance with all remedial requirements referred to in the notice of violation by the compliance date shown thereon shall result in a twenty five dollar (\$25.00) reduction in the penalty. Refusal or failure to comply with any remedial requirements referred to in the notice of violation by the deadline set as the compliance date may result in the imposition of the full penalty and any additional administrative fees which may be applicable. (Ord. 61-02 § 2, 2002: Ord. 31-00 § 4, 2000: Ord. 69-99 § 4, 1999)

8.04.520 Notice Of Violations:

- A. Notices of violations shall be adjudicated as civil violations in the justice court in accordance with the procedures set forth in chapter [2.75](#) of this code.
- B. Any person having received a notice of violation, as provided in this chapter, may appear before the justice court and present and contest such alleged violation.
- C. The burden to prove any defense shall be upon the person raising such defense. Nothing herein shall affect the city's burden to prove each element of the underlying charge by a preponderance of evidence.
- D. If the hearing officer finds that no violation as set forth in the notice of violation has occurred or that such a violation has occurred but one or more of the

affirmative defenses set forth in this section is applicable, the hearing officer may dismiss the notice of violation and release the recipient of the notice from liability thereunder or the hearing officer may reduce the penalty associated therewith. Such affirmative defenses are:

1. At the time of the receipt of the notice, the person receiving the notice was not the owner or the person responsible for the animal and his/her actions did not contribute to the issuance of the notice of violation.
2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property.
3. Such other mitigating circumstances as may be approved by the city law department. (Ord. 29-02 § 10, 2002³ : Ord. 31-00 § 5, 2000: Ord. 69-99 § 5, 1999)

APPENDIX A

SALT LAKE CITY ANIMAL SERVICES PERMITS AND FEES

A. Permit Fees:

Commercial operations up to 30 animals	\$ 75.00
Commercial operations over 30 animals	150.00
Riding stables	40.00
Business selling only tropical or freshwater fish	50.00
Pet rescue permit	25.00
If issued at shelter's request	0.00
Late fee (in addition to regular fee)	25.00

B. Pet License Fees:

	1 Year	2 Year	3 Year	Lifetime
Unsterilized	\$25.00	\$45.00	\$60.00	n/a
Sterilized	5.00	9.00	12.00	n/a
Senior citizen (age 60 and older)				
Unsterilized	20.00	36.00	48.00	n/a

Sterlized		\$15.00
Transfer fee	\$3.00	
Replacement tag	3.00	

C. Service And Violation Fees For Pets:

Board fees per day for pets	\$	8.00
Adoption fee (includes microchip and adoption packet)		25.00
Rabies deposit		25.00
Pet disposal fee		25.00
Pet pick up and transportation fee		25.00
Sterilization deposit:		
Dog		50.00
Cat		25.00

Where indicated, fees for second, third, and subsequent violations are for those occurring within a 12 month period.

(Salt Lake City October 2002)

	First Offense	Second Offense	Third Offense	Subsequent Offense
Impound fees	\$ 25.00	\$ 50.00	\$100.00	Criminal
Minimum notice of violation penalties:				
Licensing, permits, tags, rabies vaccination, at large, number of animals, staking, female dogs in heat, harboring stray animals, animals as sales premiums, sale of baby rabbits, fowl, and pet turtles	25.00	50.00	100.00	Criminal
Animal nuisance, commercial permit, permit display	50.00	100.00	200.00	Criminal

D. Service Fees For Livestock:

Impound fees:	
Large livestock	\$60.00
Small livestock	30.00
Board fees per day:	
Large livestock	10.00
Small livestock	8.00
Transportation fees	25.00
Livestock disposal fee	100.00

Purchase price for unclaimed livestock is based on costs incurred by animal services during impound and recommendations made by the state brand inspector. (Ord. 61-02 § 3, 2002; Ord. 69-99 § 6, 1999)

Chapter 8.05 REGULATION AND CONTROL OF VICIOUS DOGS

Chapter 8.08 KEEPING ANIMALS, LIVESTOCK AND POULTRY

8.08.010 Domestic Fowl And Livestock Permit Required:

- A. It is unlawful for any person to keep within the City any chickens, turkeys, ducks, geese, pigeons or other similar domestic fowl, or more than two (2) rabbits, or other similar animals, without first making application for and obtaining a permit from the Office of Animal Services to do so. The fee for such permit shall be five dollars (\$5.00) per animal, but shall not exceed forty dollars (\$40.00) per year.

- B. It is unlawful for any person to keep within the City any sheep, goats, cows, calves, pigs, horses, jacks, jennies, or other similar animals, without first making application for and obtaining a permit from the Office of Animal Services to do so. The fee for such permit shall be forty dollars (\$40.00) each year. Such permits shall not be issued for any area of the City except areas zoned as agricultural districts under Section [21A.32.050](#) of this Code, or its successor section. (Ord. 71-99 § 1, 1999; Ord. 69-99 § 8, 1999; prior code § 100-2-1(1))

8.08.020 Permit Issuance Conditions Number Of Animals- Department Powers:

The Salt Lake City-County Health Department is empowered to make rules and regulations governing the keeping of such domestic fowl and animals, as may be required to protect the health and welfare of the citizens of the City; provided, that in no case shall such a permit be issued by the Office of Animal Services or the sanitary division of the City-County Health Department to keep any mink or snake, nor except as provided in Section [8.08.030](#) of this Chapter, or its successor, to keep more than the following number of domestic fowls: twenty five (25) chickens, twenty five (25) ducks, twenty five (25) turkeys, twenty five (25) pigeons, or twenty five (25) other similar domestic fowl; or to keep more than the following number of animals: two (2) sheep, two (2) goats, one cow, one calf, one pig, two (2) horses, two (2) jacks, two (2) jennies, ten (10) rabbits, or other similar animals. (Ord. 71-99 § 2, 1999: Ord. 69-99 § 8, 1999: prior code § 100-2-1(2))

8.08.080 Trespass By Fowl Or Domestic Animals:

It is unlawful for the owner or any person in charge of domestic fowl, such as turkeys, ducks, geese, chickens or other similar domestic fowls, or domestic animals such as dogs or cats, to permit such fowls or domestic animals to trespass upon the premises of another. It is unlawful for any person to house, keep, run or feed any such fowls within fifty feet (50') of any house used for human habitation. (Prior code § 100-2-5)

8.08.080; and 15??? What section?

Chapter 8.12 ESTRAYS

8.12.010 Impounding And Disposal Of Estrays Generally:

It is made the duty of the Director of Animal Services to take into his/her possession and impound all estrays running at large, and to dispose of the same as hereinafter provided. Whenever the word "estray" appears in this Chapter, it is defined to mean any valuable animal, except dogs or cats, not wild, found wandering from its owner. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.020 Notice Of Sale Of Estrays:

Within three (3) days after an estray shall come into the possession of the Director of Animal Services, the Director shall advertise the same in a newspaper published in the County, having general circulation in the County, by publishing a notice in at least one issue of said paper, at least five (5) days before the sale, and by posting notices for a period of ten (10) days in three (3) public places in the City, one of which places shall be at or near the post office. The Director shall immediately deliver a copy of such notice to the County Clerk, or mail the same

to him/her by registered letter. The notice so filed with the Clerk shall be available during reasonable hours for inspection by the public free of charge. The notice herein provided for shall contain a description of the animals, including all makes and brands, when taken, the day, hour, and place of sale, and may be substantially in the following form:

NOTICE

State of Utah, County of Salt Lake,

In Salt Lake City,

I have in my possession the following described estray animals, which, if not claimed and taken away, will be sold at public auction to the highest cash bidder at the Animal Shelter in Salt Lake City on , the day of , 19_, at the hour of .

(description of animals)

Said estrays were taken up by me in said city on the day of , 19_.

Director, Animal Services

(Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.030 Return To Owner On Payment Of CostsSale:

If at any time before the sale of any estrays, such animals shall be claimed and proved to be the property of any person, the Animal Services Director shall deliver them to the owner upon receiving from the owner the cost of impounding, keeping and advertising the same. If the animals are not so claimed and taken away, the Director shall, at the time and place mentioned in the notice, proceed to sell the same, one at a time, to the highest cash bidder, and shall execute and deliver a bill of sale transferring said animals to the purchaser or purchasers thereof, which bill of sale shall be substantially in the following form:

I hereby certify that in pursuance of the law regulating the disposal of estrays and trespassing animals, I have this day sold to for the sum of \$_, he/she being the highest bidder, head of , described as follows, to wit:

(description of animals)

Witness my hand this day of , 19_.

Director, Animal Services

The Director shall immediately file a copy of such bill of sale with the County Clerk or forward the same to him/her by registered mail. The copy so filed with the Clerk shall be preserved for a period of two (2) years and shall be open to inspection during all reasonable hours without charge. Such bill of sale shall transfer and vest in such purchaser the full title to the animals thus sold. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.030 Return To Owner On Payment Of CostsSale:

If at any time before the sale of any estrays, such animals shall be claimed and proved to be the property of any person, the Animal Services Director shall deliver them to the owner upon receiving from the owner the cost of impounding, keeping and advertising the same. If the animals are not so claimed and taken away, the Director shall, at the time and place mentioned in the notice, proceed to sell the same, one at a time, to the highest cash bidder, and shall execute and deliver a bill of sale transferring said animals to the purchaser or purchasers thereof, which bill of sale shall be substantially in the following form:

I hereby certify that in pursuance of the law regulating the disposal of estrays and trespassing animals, I have this day sold to for the sum of \$_, he/she being the highest bidder, head of , described as follows, to wit:

(description of animals)

Witness my hand this day of , 19_.

Director, Animal Services

The Director shall immediately file a copy of such bill of sale with the County Clerk or forward the same to him/her by registered mail. The copy so filed with the Clerk shall be preserved for a period of two (2) years and shall be open to inspection during all reasonable hours without charge. Such bill of sale shall transfer and vest in such purchaser the full title to the animals thus sold. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.050 Trespassing AnimalsDamagingImpounding:

If any cattle, horses, asses, mules, sheep, goats or swine shall trespass or do damage upon the premises of any person, the party aggrieved, whether such be the owner or occupant of such premises, may recover damages by an action at law against the owner of the trespassing animals, or by distraining and impounding said animals in the manner provided herein. (Ord. 24-89 § 1, 1989)

8.12.060 Appraisement Of Damages:

The owner or occupant of any property may detain any or all of said animals trespassing or doing damage thereon. He/she shall, within twenty four (24) hours thereafter, deliver said animals to the Director of Animal Services, together with a certificate of the appraisal of the damage done by such animals. Such appraisal must be made by a qualified disinterested person of adult age. It must state the amount of the damage, the time when committed, the name of the person damaged, the name of the owner of the animals, if known, and if not known, it must state that fact, together with a description of the animals, including all visible marks and brands. If the animals appear to be owned by different parties, a separate appraisal and a separate certificate thereof shall be made of the damage done by the lot or group of animals which appear to belong to each of the different owners. In such cases, the owners shall be notified separately, and each lot or group of animals shall be advertised and sold separately in the same manner as though the damage had been done by different animals at different times. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.070 Owner To Be Notified:

The person detaining the animals must, if the owner of the same be known to such person and if the owner resides within ten (10) miles of the place of the trespass, immediately deliver to such owner, or leave at his/her place of residence if he/she cannot be found, a copy of such certificate of appraisal; but if the owner does not live within ten (10) miles of the place of trespass, the party detaining the animals may, at his/her option, deliver a copy of such certificate to the owner in person, or deposit the same in the nearest post office in a registered letter addressed to said owner. He/she shall be entitled to charge fifteen cents (\$0.15) a mile one way for the first ten (10) miles necessarily traveled in delivering such certificate, and ten cents (\$0.10) for each additional mile, to be taxed as costs against the animals. (Ord. 24-89 § 1, 1989)

8.12.080 Failure To Notify Waives Damages:

If the party detaining any animals shall fail to deliver them or the certificate of appraisal to the Director of Animal Services within twenty four (24) hours, or shall fail to deliver to the owners of the animals, if known, a copy of the certificate of appraisal within forty eight (48) hours after he/she receives the same, or to deposit the same in the post office as herein provided, said party shall not be entitled to recover damages under the provisions of this Chapter. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.090 Where Owner Unknown Duty Of Director Of Animal Services:

Whenever any animals are delivered to the Director of Animal Services, and the certificate of appraisal is filed with him/her as herein provided and such certificate states that the owner is unknown, the Director of Animal Services shall

immediately examine all brand books or brand sheets in his/her possession, and if the owner be ascertained thereby, or if the owner be already known to the Director of Animal Services, the Director shall, if the owner lives within ten (10) miles, immediately deliver a copy of such certificate of appraisement to such owner or leave the same at the owner's residence if he/she cannot be found; if the owner lives more than ten (10) miles away, the Director of Animal Services may, at his/her option, deliver such copy personally to the owner or deposit the same in the nearest post office in a registered letter addressed to such owner. The Director shall, however, serve a copy in one of the ways provided herein; provided, that whenever personal service of a copy of any paper is required by this Chapter, service by agent shall be deemed sufficient. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.100 Notice Of Sale Of Distained Animals:

As soon as such animals are delivered to the Director of Animal Services, the Director shall immediately proceed to advertise the same as hereinafter provided, except when the owner is known and has been notified, in which case he/she shall hold said animals forty eight (48) hours before advertising the same. The Director shall advertise in a newspaper published in the County, having general circulation in the County, by publishing a notice in at least one issue of said paper, and by posting notices in three (3) of the most public places in the City, one of which shall be at or near the post office, and shall deliver a copy of the same to the County Clerk, or send the same by officer or by registered mail. The Clerk shall preserve such notice and post a copy thereof. The notice herein provided for shall state the time when the damage was done and the amount thereof, the name of the party damaged, a description of the animals, including all visible marks and brands, and the day, hour, and place at which such animals will be sold, which shall be not less than ten (10) or more than twenty (20) days from the time of posting such notice; said notices may be substantially in the following form:

SALE OF ANIMALS FOR DAMAGES

State of Utah, County of Salt Lake,

In the City of Salt Lake.

I have in my possession the following described animals, which, if not claimed and taken away, will be sold at public auction to the highest cash bidder at the animal shelter in Salt Lake City, on the day of , 19_.

Animal Services Director

(Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.110 Owner May Pay And Take Animals Disputed Appraisal:

The owner of any trespassing animals taken up under the provisions of this Chapter may, at any time before the sale thereof, claim and take such animals away upon paying the amount of damages set forth in the certificate of appraisal and the accrued costs, and if such animals are included in a lot or group of animals belonging to other parties, against which the damages and costs are assessed as a whole, he/she shall pay his/her proportion of the total amount of damages and costs assessed against such animals, according to the number of animals he/she owns when compared with the number of the entire lot or group. If said owner deems the appraisal too high, he/she may choose another appraiser having the qualifications herein provided, who with the first shall make a new appraisal, and if they cannot agree, they shall choose a third and the three (3) shall proceed to make another appraisal, and the decision of the majority shall be final. (Ord. 24-89 § 1, 1989)

8.12.120 Sale Bill Of Sale:

If such animals are not claimed and taken away by the owner, the director of animal services shall, at the time and place set forth in the notice of sale, proceed to sell such animals, one at a time, to the highest cash bidder. If the owner of any lot of animals to be sold is known, the director of animal services shall sell only enough of said animals to pay the damages and costs, and the remainder may be turned over to the owner at any time thereafter; but if the owner be not known, the director of animal services shall proceed to sell all of said animals so advertised for sale. The director shall execute and deliver a bill of sale therefor, and file a copy with the county clerk as hereinbefore provided. Said copies shall be preserved for a period of two (2) years and shall be open for inspection at all reasonable hours, free of charge. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.130 Record Of Trespassing Animals:

The director of animal services shall keep an accurate record of all trespassing animals received by him/her, which shall contain all the items required by this title, together with the names of the injured party and the owner of the animals, the amount of the damages claimed, and all other matters necessary to a complete account of the transaction. Such record shall be open for inspection at all reasonable hours without charge. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.140 Unlawful Sales:

The owner of any animals unlawfully impounded or sold may maintain an action to recover the same and damages for the detention thereof. (Ord. 24-89 § 1, 1989)

8.12.150 Retaking Animals Unlawfully:

It is unlawful for anyone to take an animal out of the possession of anyone lawfully holding the same under the provisions of this chapter, either by stealth, force, fraud, or to intercept or hinder any person lawfully taking up or attempting to take up such animals. (Ord. 24-89 § 1, 1989)

8.12.160 Animal Shelter:

The director of animal services shall furnish suitable premises to be used as the animal shelter, and it shall be the duty of the director of animal services to take charge of the premises, which shall be designated as the animal shelter and keep said premises in a clean and orderly condition. It shall be said director's duty to receive and care for all animals committed to his/her charge; to examine records, marks and brands; and to exercise diligence in locating the owners of such animals and to notify them if found. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.170 Bill Of Damage:

The director of animal services shall receive and file all bills of damage duly presented, and enter the amounts in his/her books, which shall be open to the inspection of the public. The director shall not deliver any animal to the owner until all costs and damages are paid. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.180 Proceeds Of Sale:

The net proceeds of the sale of all animals, as herein provided, shall be paid into the city treasury, subject to the order of the owners of said animals, if applied for within six (6) months from date of sale. If not applied for within that time, the city treasurer shall transfer the amount into the general fund. (Ord. 24-89 § 1, 1989)

8.12.190 Advertising Bills:

All bills for advertising shall be certified to by the director of animal services, and if correct, shall be ordered paid by the city. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.200 Animals At Large:

No cattle, horses, mules, sheep, goats or swine shall be allowed to run at large, or be herded, picketed, or staked out upon any street, sidewalk or any other public place within the limits of the city, and all such animals so found may be taken up and driven to the animal shelter; provided that nothing herein contained

shall be so construed as to prevent any person from driving milk cows, work cattle, horses, mules or other animals from outside the city limits to any enclosure within the city limits, or from any enclosure in the city to a place outside the city or from any enclosure to another within the limits of the city. (Ord. 24-89 § 1, 1989)

8.12.210 Detention Of Animals:

It is unlawful for any person other than the director of animal services to take up an animal of another, under the provisions of this chapter, and retain it more than eighteen (18) hours. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.220 Malicious Impounding:

It is unlawful for any person maliciously to secrete or impound an animal of another pursuant to the provisions of this chapter. (Ord. 24-89 § 1, 1989)

8.12.230 Fees:

The director of animal services shall collect and retain the fees as described in chapter [8.04](#), appendix A of this title for his/her services regarding impound, board, and transportation for livestock. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.240 Monthly Statement:

It shall be the duty of the director of animal services to make monthly, a statement of the business transacted by him/her in connection with the animal shelter, showing in detail all animals received, sold, advertised or handled by such director, together with a detailed statement of all monies expended and received. (Ord. 69-99 § 9, 1999: Ord. 24-89 § 1, 1989)

8.12.250 Responsibility For Fencing:

The owner, occupant or lessor of any property used to confine, keep or pasture any cattle, horses, asses, mules, sheep, goats, swine or other types of livestock or large animals shall install and maintain in good repair a fence around the perimeter of said property sufficient to ensure that no such animal contained therein shall be able to escape such property to run at large. All gates installed shall be locked and shall be of such a type that no animal contained within shall be able to escape and run at large by any means. (Ord. 24-89 § 1, 1989)