

## SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. \_\_\_\_\_, 2019

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING TITLE 8 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, RELATING TO THE AUTHORITY AND PROCEDURES OF THE ANIMAL SERVICES DIVISION; MAKING CHANGES TO REFLECT CURRENT PRACTICES AND DESIRED CHANGES TO STANDARDS, RULES, AND PRACTICES OF THE DIVISION; INCLUDING ADDED DEFINITIONS; INCLUDING REGULATION OF COMMERCIAL DOG WALKERS; INCLUDING NEW ENFORCEMENT, PENALTIES, AND APPEALS PROCESS.

The Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations. Renumbering is designated by parenthesis indicating where the text has moved from or moved to.

SECTION II. Chapter 8.01 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.01 - DEFINITIONS<sup>[1]</sup>

Footnotes:

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**Editor's note**—Ord. No. 1692, § I, adopted December 28, 2010, amended the Code by, in effect, repealing former Ch. 8.01, §§ 8.01.010—8.01.520, and adding a new § 8.01.010. Former §§ 8.01.010—8.01.520 pertained to single definitions, and derived from Ord. No. 1663, adopted January 5, 2010; Ord. No. 1671, adopted April 13, 2010; and Ord. No. 1684, adopted October 12, 2010.

8.01.010 - Definitions.

As used in Chapter 8 the following terms shall have the definitions provided herein.

"Abandonment" means placing an animal in an environment where the animal is separated from basic needs such as food, water, shelter, or necessary medical attention, for a period longer than twenty-four hours or intentionally or negligently depositing, leaving, or dropping off any live animal with no apparent intent to return for such animal. Abandonment includes failure to reclaim an animal seventy-two hours beyond the time agreed upon with a veterinary clinic, commercial establishment, or similar facility. Abandonment includes failure to reclaim a pet from an animal shelter beyond seventy-two hours of notification or refusal to sign relinquishment authorization. Abandoned animals will be considered unclaimed stray animals subject to the statutory stray wait period for the purposes of this Title.

"Adequate fencing for livestock" means, at a minimum, mesh, barbed wire, chain link, rail or post fencing, or metal fence panels.

"Adequate space" means that the animal is able to easily stand up, sit down, turn around, lay down, and make all normal bodily movements and interact safely with the environment and with other animals that may be in the immediate area.

"Allow," for the purposes of this Title, shall include human conduct that is intentional, deliberate, careless, inadvertent, or negligent in relation to the actions of an animal.

"Animal" means every nonhuman species, both domestic and wild.

"Animal control officer" means any person designated by the state of Utah as a peace officer as defined in Section 53-13-101 et seq., Utah Code Annotated (1953), as amended; or otherwise designated by a municipal government as an officer who is authorized by law to perform the duties specified by this Title.

"Animal exhibition" means any display of, event, spectacle, act, or contest in which animals are exhibited or used to provide a performance, whether a fee is charged or not.

"Animal grooming parlor" means any commercial establishment maintained for the purpose of offering cosmetological services for animals.

“Animal husbandry” means proper care, cultivation, and breeding of farm animals primarily for consumption.

"Animal shelter" means any municipal facility owned, operated or maintained for the care and custody of seized, stray, homeless, quarantined, abandoned, unwanted animals or animals held for the purpose of protective custody under the authority of this Title or state law.

"Animal under physical restraint."

A. "Animal under physical restraint" means any animal under the physical control of its owner or handler having charge, care, custody, or control of the animal, by the means of a leash, tether, or other physical control device or enclosure. A leash or tether shall not exceed six feet in length when within reach of other animals or people and may not be affixed in such a way that such animal could cause harm to itself or others.

B. Animals upon the real property of their owner, or upon the property of another with prior written permission of the property owner and under direct adult supervision shall be considered under physical restraint, unless the animal is left unattended and unrestrained on an owner’s property in such circumstances where any other individual or animal engaged in a normal and expected activity (e.g. walking on the sidewalk) would regularly come into contact with such an animal.

C. Animals confined in or upon a motorized vehicle shall be considered physically restrained; provided that the animal is not within reach of other animals or people, or in any manner which could cause harm to itself or others.

"At large."

A. “At large" means any animal other than a cat, whether licensed or unlicensed, which is not under physical restraint imposed by the owner or handler including, but not limited to, caged, enclosed, or leashed when off the premises of the owner.

B. An animal is considered "at large," if the animal's owner does not possess equipment necessary to physically restrain the animal.

"Attack" means an action or attempted action by an animal which places a person or another animal in danger of imminent bodily harm. Actual contact shall not be required to constitute an attack.

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

"Cat" means any feline of the domesticated type.

"Cattery" means a commercial establishment where cats are boarded, bred, bought, sold, or groomed.

"Commercial animal establishment" means any pet shop, animal grooming parlor, guard dog location, riding school or stable, circus, rodeo, animal exhibition, cattery, kennel or animal breeding or housing facility.

"Commercial dog walker" means a person who charges a fee for caring for or walking dogs for a licensed business, and who undertakes the responsibility of caring for and controlling a dog(s) while in their company.

"Community Cat" means any free-roaming, homeless cat.

"Coop" means a free-standing building for the feeding, watering, and sheltering of fowl.

"Custody" means ownership, possession of, harboring, or exercising control over any animal.

"Dangerous Animal" means any animal that is a hazard to the public health and safety by virtue of training, treatment, or physical condition and is defined in the division SOPs.

"Director" means any director or head of any municipal animal services agency within Salt Lake County.

"Division" means any municipal animal services agency within Salt Lake County.

"Dog" means any domesticated canis familiaris.

"Domesticated animals" means animals accustomed to living in or about the habitation of man, including but not limited to cats, dogs, ferrets, and livestock. "Domesticated animal," however, shall not include "exotic animals."

"Domestic fowl" means any of a variety of ducks or chickens, but not to include other bird species, unless otherwise permitted by law.

"Enclosure."

- A. For fowl, "Enclosure" means a fenced or sturdy wire pen containing a coop that allows domestic fowl access to the coop while remaining in an enclosed pen.
- B. For all other animals, "Enclosure" means any structure of sufficient strength and height to prevent an animal from escaping its primary confines.

"Euthanasia" means the humane destruction of an animal accomplished by a method approved by the most recent report of the American Veterinary Medical Association Panel on Euthanasia that results in unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness.

"Exotic animal" means any animal whose native habitat is not indigenous to the North American continent.

"Ferret" means any domestic *Mustela putorius* (except the black footed ferret).

"Guard dog" means any dog that will detect and warn its handler that an intruder is present in or near a commercial area that is being secured.

"Handler" is any person who has physical control, i.e., the charge, care, control, custody, or possession, or responsibility for the same, of an animal at any given time, being a legally responsible adult over the age of eighteen. Any handler may not transfer responsibility to a minor under the age of eighteen and such

handler retains responsibility and liability. At all other times, the "owner" shall be presumed to be the "handler."

"Harboring" means either (1) feeding and sheltering an animal for twenty-four consecutive hours or more or (2) feeding an animal for two or more consecutive days, excluding free-roaming cats with no discernable identification.

"Holding facility" means any commercial pet shop, kennel, cattery, animal grooming parlor, riding school, stable, zoological park, animal shelter, veterinary hospital, or any other such facility used for holding animals.

"Humane Treatment" means ensuring the provision of appropriate food, human interaction, shelter, care, and protecting any animal from danger, mistreatment, neglect, or abuse. This definition applies to all provisions in this title referring to "humane care," providing a "humane existence," or the like.

"Identification" means a pet license which is attached to the collar or harness of an animal or other official livestock identification, including, but not limited to ear tags, brands, etc.

"Impound" means an animal being taken into custody by an animal control officer, law enforcement agency, or an agent thereof, and may occur outside of an animal services sheltering facility.

"Interference" means an action that hinders an employee or authorized representative of the division shall include, but not be limited to, failing to hand over to or release an identifiable animal which has been pursued but not captured, failing to make payment of agreed upon fees, failing to meet the agreed upon conditions of a fee waiver, reduction or deferment, knowingly and intentionally failing to comply with an abatement order lawfully issued, or failing to meet the conditions imposed by a notice of violation and stipulation.

"Kennel" means a commercial establishment having three or more dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, or selling such dogs.

"Leash" or "lead" means any chain, rope, or device of sufficient strength used to restrain an animal.

"Livestock" means animals kept for husbandry, including but not limited to fowl, rabbits, horses, mules, burros, asses, cattle, sheep, goats, llamas, swine, and other farm, hoofed domesticated animals, excluding dogs, cats, and ferrets.

"Microchip" means electronic identification implanted subcutaneously in an animal and is a secondary form of identification. Each chip has a unique number that is detected using a microchip scanner.

"Nuisance" means any animal or animals that endanger the life or health of other animals or humans, or substantially interfere with any human's enjoyment of life or property, other than their owner's.

[(Renumbered as Chapter 8.06.010(B)-(C).]

"Owner" means any person over the age of eighteen, partnership, corporation, or any other type of entity or association having title to, or custody of, or keeping one or more animals. Free-roaming cats and cats with no discernable identification are presumed to be unowned.

"Pet" or "companion animal" means any animal of a species that has been domesticated to live in or about the habitation of humans, is dependent on humans for food and shelter and is kept by its owner for pleasure rather than utility and/or commercial purposes.

"Pet shop" means any commercial establishment containing cages or exhibition pens wherein dogs, cats, birds or other pets, are kept, displayed, and sold.

"Protective Custody" means seizing or receiving an animal into the care of an animal services agency, or an authorized agent or representative thereof, in order to hold the animal as evidence of a violation of the law, or to protect the animal(s) from further threat or danger or absence of care.

"Provoked" means any deliberate act by a person towards any animal done with the intent to tease, torment, abuse, assault, or otherwise cause a reaction by the animal.

"Quarantine" means the isolation of an animal in an enclosure so that the animal cannot have physical contact with other animals or persons without recognized authority to be near or about the quarantined animal.

“Redemption” means to return an impounded animal to the owner or caretaker upon collection of all applicable fees, and may occur outside of an animal services sheltering facility.

"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 the use of such animals for hire.

"Shelter" means a structure which is substantial in construction and provides protection from moisture, wind, and other factors of weather, and is of a size appropriate to the particular animal to ensure retention of body heat within the enclosure. Any shelter will be maintained to ensure a clean, dry, healthy environment for the animal being housed.

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

"Stray" means any animal at large, as defined in this chapter, or any animal that has been abandoned, as defined in this chapter.

"Tether" means any chain, rope, cable, or device attached to a fixed object and used for restraining an animal. The tether must be of sufficient strength to restrain the animal and be appropriate to the species, size, and weight of the animal and is attached to the animal by a properly applied collar, halter, or harness configured so as to protect the animal from injury or entanglement with objects or other animals.

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

"Wild animal" means any animal of a species that in its natural life is usually untamed and undomesticated, including hybrids. Wild animals and wildlife fall under the jurisdiction of DWR. For the purpose of this chapter, animals that are kept commercially or ranched shall not be wild animals.

(Ord. No. 1696, § II, 3-29-2011; Ord. No. 1693, § I, 12-28-2010; Ord. No. 1692, § I, 12-28-2010)

SECTION III. Chapter 8.02 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.02 - ADMINISTRATION

Sections:

8.02.010 - Division of animal services created.

There is created a division of animal services as a division of the Salt Lake County department of public works.

(Ord. 1585 § 4, 2006; Ord. 1461 § 2 (part), 2000)

8.02.020 - Director—Powers and duties.

The divisions shall be under the direction of a director, who shall:

- A. Enforce this chapter and perform other responsibilities inherent thereto;
- B. Supervise municipal animal shelter(s);
- C. Keep records of all animals impounded in such shelter(s);
- D. Keep accounts of all moneys collected and received and follow the Uniform Fiscal Procedures Act for Counties in accordance therewith in the administration of the divisions;
- E. Establish, in cooperation with the Salt Lake County Health Department and other interested governmental agencies, measures for the control of, and immunization of animals against, rabies;
- F. Negotiate interlocal cooperation agreements with other interested governmental agencies for the purpose of establishing animal care and control services;

- G. Establish rules and regulations for the training of all persons hired as animal control officers to ensure professional conduct of said persons and compliance with the division's policies and with governing law;
- H. Pursuant to duly adopted policies and procedures, waive or reduce fees and penalties if warranted, and
- I. Pursuant to duly adopted policies and procedures, provide for deferred payments of fees if warranted.

(Ord. 1473 (part), 2001: Ord. 1461 § 2 (part), 2000)

8.02.030 - Director and officers—Enforcement authority.

The director, his/her authorized deputies, assistants, and animal control officers are empowered to apprehend, transport, and impound any animal found in violation of this title, including licensable animals for which no license has been procured in accordance with this title, or any licensed or unlicensed animals for any other violation thereof and issue criminal citations, including misdemeanor and felony charges, and/or notice of violation and stipulation for violations of this title. The director or designee is authorized to retain an animal if public safety may be at risk, or if the safety of the animal is at serious risk.

(Ord. 1461 § 2 (part), 2000)

8.02.040 - Animal control officers—Powers and duties.

The director shall employ and designate those employees of his/her division who shall perform the duties of animal control officer. Animal control officers and Animal control enforcement officers shall be authorized to enforce this chapter in all respects, including, but not limited to, the apprehension and impoundment of animals found to warrant such action and issue criminal citations, including misdemeanor and felony charges, and/or notice of violation and stipulation for violations of this title. Such officers shall further carry out all lawful duties prescribed or delegated by the director.

(Ord. 1461 § 2 (part), 2000)

8.02.050 - Right of entry for enforcement.

In the enforcement of this title, any peace officer, animal control officer, or the director or his/her assistants are authorized to enter into the premises of any person to secure or take possession of any animal which is reasonably deemed by such officer to then and there, in the presence of such officer or official, be in violation of this title and issue criminal citations and/or notice of violation and stipulations for violations of this title to the owner or handler of such animal.

(Ord. 1461 § 2 (part), 2000)

8.02.060 – Interference prohibited.

It is unlawful for any person to knowingly and intentionally interfere with an employee or authorized representative of the division in the lawful discharge of his/her duties as prescribed in this title. A person in violation of this section shall be subject to a civil notice of violation or up to a felony.

(Ord. 1461 § 2 (part), 2000)

SECTION IV. Chapter 8.03 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.03 - PERMITS

Sections:

8.03.010 - Procedures.

A. All applications for permits shall be submitted to the division on a form provided by the division.

B. Upon submission of an application, the division will verify with the Salt Lake County Health Department, appropriate zoning authority, and appropriate business licensing agency that the applicant is in compliance with applicable rules, regulations, ordinances, and laws.

C. Each permit issued under this section shall expire one year after it is issued by the division.

D. Permits issued pursuant to this title are nontransferable, from one animal to another, from one business to another, from one location to another, or from one person to another.

E. Late applications for the permits required by this section shall be subject to the late fee established by the division.

#### 8.03.020 - Permit fees—Expiration—Renewal.

A permit issued pursuant to this chapter shall expire one year after it is issued by the division and shall be renewable upon acceptance by the division of a new application. A permit may only be issued or renewed after the appropriate fee has been paid. Application must be accompanied by the fee established in the permit and fee schedule, as set by the division.

#### 8.03.030 Types of commercial establishments and exemptions

Commercial establishments permitted by the divisions shall include, but are not limited to, catteries, kennels, pet shops, stables, riding schools, animal grooming parlors, dog walkers, animal exhibitions, guard dogs, and any other commercial animal establishment. Research facilities where bona fide medical or related research is being conducted, veterinary clinics, 501(c)(3) animal welfare shelters, and other animal establishments operated by state or local government, or which are licensed by federal law, are excluded from the permit requirements of Sections 8.03.030 through 8.03.050 of this title.

#### 8.03.040 - Commercial permit requirements.

It is unlawful for any person to operate or maintain a commercial holding facility or any similar establishment, except a licensed veterinary hospital or clinic, unless such person first obtains a regulatory permit from the appropriate animal control agency, in addition to all other required licenses. All applications for permits to operate such establishments shall be submitted, together with the required permit fee, on a form provided by the division. Before the permit is issued, approval must be granted by the Salt Lake County Health Department, and appropriate zoning authority and the division.

In addition to obtaining the permit required by this title, applicants and permit-holders shall:

- A. Be operated in such a manner as not to constitute a nuisance;
- B. Provide an isolation area for boarded animals which are sick or diseased, and sufficiently remove so as not to endanger the health of other animals;
- C. Keep all animals properly restrained, enclosed, or under control of the owner(s) or operator(s) of the establishment.
- D. Care for all animals, whether or not owned by the establishment, shall comply with all the requirements of this chapter for the general care of animals;
- E. Comply with all applicable federal, state, and local laws and all regulations respecting commercial establishments which are adopted by the division.
- F. Be responsible for determining that dogs, cats, and ferrets are currently vaccinated for rabies prior to accepting the animal from their owners or caretakers and shall maintain a record of such vaccinations for a period of six months. Records shall be subject to inspections by the division personnel.

8.03.050 - Permits—Display requirements.

A valid permit shall be posted in a conspicuous place in any establishment for which such permit is required, and such permit shall be considered as appurtenant to the premises. The permittee shall notify the division within thirty days of any change in his/her establishment or operation, which may affect the status of his/her permit. In the event of a change in ownership of the establishment, the permittee shall notify the division immediately.

(Ord. No. 1786, § II, 10-13-2015)

8.03.060 Additional requirements for commercial establishments

- A. Catteries, kennels, and animal grooming parlors shall retain for a period of one year the name, address, and telephone number of the owner and rabies tag number of each dog or cat boarded.
- B. Pet shops shall also
1. not sell animals which are unweaned or so young or weak that their sale poses a serious risk of death or inadequate development to them, and;
  2. not display, offer for sale, deliver, barter, auction, give away, transfer, or sell any live dog, cat, or rabbit in any pet shop, retail business, or other commercial animal establishment, unless the dog, cat, or rabbit was obtained from an animal shelter and maintain a certificate of source for each of the animals.
- C. Commercial dog walkers shall be limited to a maximum of six (6) dogs per person, and shall at all times have complete control over the animals so as to not cause a nuisance to animals or other persons or property, and shall be identifiable as such.
- D. Animal Exhibitions shall not allow any animal to be exhibited, paraded, or allowed to participate in a contest which presents conditions that cause physical injury to such animal, or conditions that place spectators at risk of being harmed.
- E. For guard dog permits, conspicuous warning signs shall be posted at each door or gate that gives access to the dog and shall contain wording that advises of imminent injury or even death and provides a telephone number for twenty-four-hour per day access to the dog's owner or handler. Guard dogs shall also be microchipped, and the microchip number shall be registered with the appropriate animal control agency.

#### 8.03.100 Types of residential permits

Residential permits shall include, but are not limited to, exotic animals, dangerous animals, domestic fowl for non-commercial purposes, watershed, and any other animal-related permit required in areas that are zoned for residential use.

#### 8.03.110 - Requirements for residential permits

In addition to obtaining the permit required by this title, all applicants and permit-holders shall:

- A. Not constitute a nuisance as defined within Chapter 8 of this title;
- B. Demonstrate sufficient knowledge of the species to provide adequate care;
- C. Present proof of adequate care, sanitizing, and caging appropriate for the species;
- D. Present proof that the animal poses no threat to the health and safety of the community in the event that the animal should escape;
- E. Present proof of required state or federal permits, if any, and abide by all division policies; and
- F. Not allow the animal(s) to be at large or trespass upon the property of another.

#### 8.03.120 Additional requirements for residential permits

A. Dangerous animal permits require the following additional:

1. Proof of current homeowners or renter's liability insurance, with no exclusion for animals, in an amount of at least one hundred thousand dollars (\$100,000.00). Such insurance coverage must be maintained for as long as the owner has the animal and proof thereof shall be provided to the division annually or upon request.
2. The owner shall prominently display a sign on his or her property at all entry points warning that there is a dangerous animal on the property.
3. The animal must be securely confined in accordance with division SOPs.
4. A dangerous dog may be off the owner's property or out of its enclosure only if it is muzzled and restrained by a substantial chain or leash not exceeding six (6) feet in length and under the control of a competent adult over the age of eighteen (18) years. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

5. Prior to a dangerous animal being sold or given away, the owner must consult with the division.

6. The owner of a dangerous animal shall immediately notify the appropriate animal control agency when the dangerous animal:

- a. Is loose or unconfined;
- b. Has attacked a human being or another animal;
- c. Is intended to be sold or given away;
- d. Has died; or
- e. Has been moved to another address.

B. Domestic Fowl

- a. Persons may keep domestic fowl on single-family residential or duplex lots, only with the written permission of the property owner.
- b. No geese, turkeys, peafowl, crowing hens, or roosters (adult male chickens) may be kept.
- c. The keeping of pigeons, birds normally and generally considered household or indoor pets, birds of prey, or exotic or unusual bird species are not addressed by this chapter and are regulated by other separate federal, state or county laws, ordinances, or regulations.
- d. Domestic fowl shall be kept for personal use only. The selling of eggs or fertilizer or the breeding of domestic fowl for commercial purposes is prohibited.
- e. Any domestic fowl, enclosure or coop shall be located only in a side or rear yard. No coop, enclosure or domestic fowl shall be allowed in any front yard.
- f. Standard requirements for feeding and watering of domestic fowl, sufficient size of the coop, cleaning of the coop, storing of feed, and protecting the coop from predators shall be set by divisions.
- g. The Salt Lake County Health Department regulates the slaughtering of animals following generally accepted guidelines of animal husbandry.

h. The total number of domestic fowl allowable on each lot, as well as the distance requirements from human dwellings, is established within the zoning ordinances of the applicable code.

8.03.200 - Regulatory authority of animal control agencies.

A. The director shall have the authority to promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this Title and other applicable laws.

B. A person in violation of the permit requirements mandated by this section shall be subject to a civil notice of violation or a misdemeanor citation. Each day of violation of this section shall be a separate offense. The division may also seek to obtain an injunction through a court with jurisdiction over the matter.

C. Permit holders shall provide immediate access to peace officers, animal control officers, and agents of the health department or Utah State officials for the purpose of compliance inspections.

D. All establishments required to have permits under this title shall be subject to periodic inspections, and the inspector shall make a report of such inspection, which shall be available to the establishment and will be filed with the division.

8.03.300 – Permit Inspection Violations

If a permit inspection reveals a violation of this title, the inspector shall notify the permit holder or operator of such violation by means of issuance of a citation or issuance of a notice of violation and stipulation as provided in this title. If the notice of violation and stipulation is used, the notice shall follow the enforcement provisions of this title. Failure to comply in the specified period of time with any notice issued in accordance with the provisions of this section may result in immediate suspension of the permit.

(Ord. 1461 § 2 (part), 2000)

8.03.310 - Permits—Suspension or revocation—Grounds.

A permit may be suspended or revoked or a permit application rejected on any one or more of the following grounds:

- A. Falsification of facts in a permit application;
- B. Material change in the conditions upon which the permit was granted;
- C. Violation of any provisions of this title or any other law or regulation governing the permittee's establishment, including, but not limited to, noise and/or building and zoning ordinances; or
- D. Conviction on a charge of cruelty to animals.

(Ord. 1461 § 2 (part), 2000)

8.03.320 - Permits—Suspension or revocation—Procedure.

- A. Any permit granted under this title may be suspended or revoked by the division for violations of any of the requirements of this title, and the permittee will be notified thereof. A permittee aggrieved by the suspension or revocation of his/her permit may petition the director or designee for review of such grievance. Upon consideration of such grievance and upon good cause showing, the director or designee may, at his or her sole discretion, uphold or modify the suspension or revocation, or reinstate the permit.

SECTION V. Chapter 8.04 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.04 - ANIMALS REQUIRING A LICENSE

Sections:

8.04.010 - License—Required

A. All cats, dogs, and ferrets must be licensed each year within the proper jurisdiction, except as otherwise provided in this chapter, to an owner within Salt Lake County.

B. Licensure is not valid until proof of rabies vaccination is received by the division(s). Any license that is purchased without a current rabies vaccination shall be withheld until proof of rabies vaccination is received by the division(s). If proof of current rabies vaccination is not received by the division(s) within 30 days, payment shall be forfeited, and a new license fee must be paid.

(Ord. No. 1697, § II, 4-5-2011; Ord. 1461 § 2 (part), 2000)

C. Any person owning any cat, dog, or ferret shall obtain a license for such animal within thirty days after the animal reaches the age of four months, within thirty days of the acquisition of the animal, or within thirty days of residing within the jurisdictions.

(Ord. No. 1697, § III, 4-5-2011; Ord. 1461 § 2 (part), 2000)

#### 8.04.020 - License—Procedure.

A. License applications must be submitted to the appropriate animal control agency. The application shall be accompanied by the prescribed license fee and by a current rabies vaccination certificate. A license shall not be issued for an animal that is not currently vaccinated against rabies.

B. The pet owner is responsible for ensuring that the rabies vaccination remains current throughout the duration of the license period.

C. Rabies vaccinations shall be administered according to the current compendium of animal rabies control.

(Ord. 1461 § 2 (part), 2000)

#### 8.04.030 – Sterilization verification.

No dog, cat, or ferret will be licensed as spayed or neutered without verification that such surgery has been performed.

(Ord. 1461 § 2 (part), 2000)

8.04.040 - License—Fees

License fees are established by the division and maintained in each division's current fee schedule.

(Ord. 1461 § 2 (part), 2000)

8.04.050 - License—Term and renewal.

The license shall be issued for one year and be effective from the date of purchase. The animal must be currently vaccinated against rabies for the duration of the license period.

8.04.060 - License—Tag requirements.

- A. Upon payment of the license fee, the appropriate animal control agency shall issue to the owner a receipt and a tag for each pet licensed. Failure to attach the tag to the collar or harness as provided shall be a violation of this title subject to a civil notice of violation or citation, except that dogs or cats which are kept for show purpose are exempt from wearing the collar and tag while participating in an animal exhibition.
- B. Tags are not transferable from one animal to another. Replacement for lost or destroyed tags shall be allowed upon payment of the replacement tag fee set forth by the division.
- C. Owners may have an identifying microchip implanted in their animals, however, microchips shall not be considered legal licensure, nor take the place of an animal's license.

8.04.070 - License—Exemptions.

- A. The licensing provisions of this chapter shall not apply in the following circumstances:
  - 1. The dog, cat, or ferret is properly licensed in another jurisdiction and the owner thereof is within the jurisdiction temporarily, for a period not to exceed thirty consecutive days. If the owner shall be within the jurisdiction temporarily, but for a period longer than thirty consecutive days, he/she may transfer the dog, cat or ferret to the local license required by this chapter.

2. Individual dogs, cats, or ferrets housed within a properly permitted facility or other such establishment when such animals are held for resale.
- B. The fee provisions of this chapter shall not apply to dogs 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, cat or ferret located within the county from having a current rabies vaccination.

#### 8.04.080 Penalties for non-compliance

A person in violation of the license requirements mandated by this section shall be subject to a civil notice of violation or a misdemeanor citation. Each day of violation of this section shall be a separate offense.

(Ord. 1461 § 2 (part), 2000)

#### 8.04.100–Pet limits. (Renumbered from 8.04.190)

A. Dog, Cat, and Ferret Limits. There is no limitation on the numbers of dogs, cats, and ferrets that can be owned by a resident, provided that all dogs and cats are properly licensed and cared for, and not bred excessively or irresponsibly so as to constitute a nuisance. Owners are required to prevent their animals from causing, and shall abate, any nuisances caused by animals including, but not limited to, noise and odor, and follow all provisions of this title.

B. Rabbit limits. No person or persons at any one residence shall allow rabbits to breed excessively or irresponsibly as to constitute a nuisance. Rabbit owners must follow all provisions of this title. Rabbits are exempt from licensing requirements.

#### 8.04.200 Community Cats

A. Community cats, feral cats, or cats with no discernable identification, may be sterilized, vaccinated against rabies, ear-tipped, and returned to the location where they congregate, in accordance with Utah State Code 11-46-301. Such cats are exempt from licensing requirements.

B. Animal Control agencies may track feral and unowned community cats, using microchips or other means of tracking.

C. The director (or designee) has the discretion to determine the disposition of a community cat.

(Ord. 1461 § 2 (part), 2000)

SECTION VI. Chapter 8.05 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.05 - RABIES CONTROL

Sections:

8.05.010 - Dog, cat, and ferret rabies vaccination requirements.

A. The divisions abide by the National Compendium of Animal Rabies Prevention and Control with regards to rabies vaccination, quarantine, and prevention protocols.

B. The owner or person having charge, care, custody, and control of a ferret, cat, or dog four months of age or older shall have such animal vaccinated against rabies and shall thereafter ensure that such animal is revaccinated as often as is required to maintain the animal in a current rabies vaccination status. Unvaccinated ferrets, dogs or cats over four months of age acquired by the owner or moved into the jurisdiction must be vaccinated within thirty days of acquisition or arrival.

(Ord. 1461 § 2 (part), 2000)

8.05.020 - Impoundment of animals without valid vaccination tags.

- A. Any unvaccinated animal may be reclaimed by its owner prior to disposition of such animal under the procedures set forth in this title by payment of all fees attributable to said animal's apprehension and impoundment and by the owner posting a rabies deposit as set by the division. Such deposit may be recovered by owner upon showing proof of rabies vaccination within seventy-two hours of release.
- B. The division has authority to quarantine any dog, cat, or ferret that bites a person or another animal, regardless of the animal's appearance of health.
- C. Animals other than dogs, cats, or ferrets that might have exposed a person to rabies shall be reported to the appropriate animal control agency immediately.

(Ord. 1461 § 2 (part), 2000)

8.05.030 - Rabid animal reports.

- A. Any person having knowledge of the presence or whereabouts of an animal known to have been exposed to or reasonably suspected of having rabies and any person having knowledge of an animal or person exposed to a wild or domestic carnivorous mammal or bat shall report such knowledge and all pertinent information available to the appropriate animal control agency and/or Salt Lake County Health Department. Any person having custody of such animal shall confine the animal pending direction from the appropriate animal control agency or health department.
- B. It is a violation of this title for an owner, or other person having the care, custody, and control of an animal known, suspected, or deemed to have been exposed to rabies as set forth in this section to fail to surrender such animal immediately upon demand by any peace officer, animal control officer, or officer of the Salt Lake County Health Department or Utah State Department of Health.

(Ord. 1473 (part), 2001; Ord. 1461 § 2 (part), 2000)

8.05.040 - Animals exposed to rabies.

Any animal potentially exposed to rabies virus by a wild or domestic carnivorous mammal or a bat that is not available for testing shall be regarded as having been exposed to rabies.

(Ord. 1473 (part), 2001: Ord. 1461 § 2 (part), 2000)

8.05.050 Penalties for non-compliance

A person in violation of the requirements mandated by this section shall be subject to a civil notice of violation or a misdemeanor citation. Each day of violation of this section shall be a separate offense.

SECTION VII. Chapter 8.06 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.06 - ANIMAL VIOLATIONS

Sections:

8.06.010 – Nuisance

- A. An owner or person having charge, care, custody, or control of an animal or animals creating a nuisance as provided in this section shall be guilty of allowing a nuisance in violation of this title and subject to the penalties provided in this title.
- B. (Renumbered from Chapter 8.01.010) An animal is considered a "public nuisance animal" if it:
1. Is repeatedly found at large;
  2. Damages the property of anyone other than its owner;
  3. Repeatedly molests or intimidates neighbors, pedestrians, or passersby by lunging at fences, chasing, or acting aggressively towards such persons, unless provoked by such persons;
  4. Chases vehicles;

5. Makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other noise which causes unreasonable annoyance, disturbance, or discomfort to neighbors or others, that occurs between the hours of 10:00 PM and 7:00 AM, or occurs non-stop for 30 minutes or more, regardless of time of day;
6. Causes fouling of the air by odors and thereby creates unreasonable annoyance or discomfort to neighbors or others;
7. Causes unsanitary conditions in enclosures or surroundings where the animal is kept;
8. If the handler is not currently in possession of a bag or instruments for cleaning up the dog's waste;
9. Defecates on any public sidewalk, park or building, on a public trail or public trailhead, or on any private property without the consent of the owner of such private property, unless the handler of such animal currently has in his or her possession a bag or instruments for cleaning up the dog's waste and the handler immediately removes the animal's feces for disposal in a proper trash receptacle. Bags of animal feces may not be left on a trail, park, or sidewalk for later removal;
10. Has been found by a court, or by any administrative agency lawfully established under Utah law or by an administrative hearing conducted under the provisions of these ordinances, to be a public nuisance under any provisions of these ordinances or of Utah law;
11. Cannot be effectively controlled by its owner or handler.
12. Is a female animal in heat and attracts by scents or comes into contact with other animals of the same species.

C. (Renumbered from Chapter 8.01.010) The fact, or evidence of the fact, that the circumstances alleged to have caused the animal to be a nuisance are the inherent or natural behavior of the

animal, or that the action of the owner or animal are otherwise legal, shall not negate or excuse a charge of nuisance.

D. A person guilty of allowing a nuisance animal in violation of this section shall be subject to a civil notice of violation or a misdemeanor citation. Each violation of this section shall be a separate offense.

8.06.020 – Animal running at large

A. It is unlawful for the owner or handler of any animal to allow such animal at any time to run at large. Dogs shall be considered running at large when off the property of their owner or handler unless a leash or tether is affixed to the dog at one end and the owner or handler at the other end capable of handling such dog or dogs, unless in a designated off-leash area. The owner or handler of an animal shall be strictly liable for damages to persons or property committed by such animal, and shall hold the divisions harmless from said damages or injury.

B. A person guilty of allowing a dog running at large in violation of this section shall be subject to a civil notice of violation or a misdemeanor citation. Each violation of this section shall be a separate offense.

8.06.030 - Animal trespass. (Renumbered from 8.04.140)

A. It is unlawful for the owner or handler of an animal to allow such animal to trespass on the property of another, and shall be strictly liable for damages to persons or property committed by such animal, and shall hold the divisions harmless from said damages or injury.

B. A person guilty of allowing a trespassing animal in violation of this section shall be subject to a civil notice of violation or a misdemeanor citation. Each violation of this section shall be a separate offense.

8.06.040 - Animals prohibited or restricted in designated areas. (Renumbered from Chapter 8.04.170)

- A. It is unlawful for any person keeping, harboring, or having charge or control of any dog to allow such dog to be within protected watershed areas. Use of watershed areas is governed by the appropriate land use ordinances.
- B. All dogs shall be under physical restraint in parks and recreational areas, unless otherwise established as an approved off-leash period of time and in an off-leash area.
- C. Unless otherwise established, dogs shall be under physical restraint in all developed areas, which include but are not limited to: residential neighborhoods; streets; sidewalks; areas that result in concentrated use, including campgrounds, picnic areas, playgrounds, parking lots, and ski resorts.
- D. A person guilty of allowing an animal into a restricted area in violation of this section shall be subject to a civil notice of violation or a misdemeanor citation. Each violation of this section shall be a separate offense.

8.06.050 - Harboring animals. (Renumbered from 8.04.120)

- A. It is unlawful for any person to assume and maintain control of a lost or stray animal except as to contain and immediately notify the appropriate animal control agency.
- B. A person guilty of keeping or harboring any animal in violation of this section shall be subject to a civil notice of violation or a misdemeanor citation. Each violation of this section shall be a separate offense.

8.06.060 Staking and Tethering (Renumbered from 8.04.150)

- A. It is unlawful for any person to chain, stake, or tether any animal on any unenclosed premises in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.
- B. It is unlawful for any person to chain, stake, or tether any animal on any premises in a manner that prevents the animal from having access to food, water, or shelter.

C. It is unlawful for any person to chain, stake, or tether any animal in a public place unless the owner or handler of the animal is continually present and the animal is properly restrained so that the animal poses no threat of contact with a person engaged in a normal and expected activity.

D. It is unlawful for an owner or handler of an animal to chain, stake, or tether an animal in any manner that would cause injury or damage to the animal, or when restriction of freedom of movement would endanger an animal. A tether must be of sufficient length to provide the dog with adequate space. Each animal tethered in violation of this section shall constitute a separate offense.

F. A person guilty of chain, staking, or tethering any animal in violation of this section shall be subject to a civil notice of violation or a misdemeanor citation. Each violation of this section shall be a separate offense.

#### 8.06.070 – Staking and Tethering—Exemptions.

The provisions of Section 8.06.060 will not apply in the following circumstances:

A. The owner or handler has been mandated by the division to keep the dog properly restrained at all times by the use of a tether or other means of containment.

B. The owner or handler has a dog that is registered as a dangerous animal under the permitting section of these ordinances.

C. The owner or handler has attached the dog to a running line, pulley or trolley system equipped with a harness. The dog shall not be tethered to the running line, pulley or trolley system by means of a choke collar, choke chain or pinch collar.

D. The owner or handler has tethered the dog pursuant to the requirements of a park, camping or recreational area.

E. The owner or handler has tethered the dog while actively engaged in the business of sheepherding or herding cattle, sheep, or other livestock or conduct that is directly related to the business of cultivating agriculture products if the restraint is reasonably necessary for the safety of the dog.

F. The owner or handler is actively engaged in a lawful licensed hunting activity.

8.06.080 - Control and fencing of livestock.

A. It is unlawful for an owner or handler of livestock to allow, either negligently or willfully, the same to run at large or trespass, or be herded, pastured, or to otherwise enter upon the land of another person without the consent of that person.

B. The owner or handler of livestock shall construct adequate fencing for livestock and shall maintain such fencing to prevent livestock animals' escape from the owner's or handler's premises.

C. Stallions shall be confined in a fenced enclosure with a minimum fence height of eight feet.

D. Failure by an owner or handler to erect and maintain the fencing required by this section, thus permitting the escape of, or injury to persons, property or other domesticated animals, shall be a violation of this title. A person guilty of violation of this section shall be subject to a civil notice of violation or a misdemeanor citation. Each violation of this section shall be a separate offense.

8.06.100 - Dangerous animals.

All animals designated as dangerous require a dangerous animal permit and owners must follow all of the requirements therein. Any animal deemed as dangerous by the appropriate animal control agency are required to follow all of the provisions of this title, regardless of whether or not a dangerous animal permit is currently held. A person guilty of violation of this section shall be subject to a misdemeanor or felony. Each violation of this section shall be a separate offense.

8.06.110 - Prohibitions relating to wild animals—Exceptions.

- A. It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor or purchase any wild animal, as defined in Title 50 of the Code of Federal Regulations or any other law or regulation; or which is otherwise a dangerous animal or a nuisance as defined in this title.
- B. The prohibitions of subsection A of this section shall not apply to a person, animal shelter, zoological park, veterinary hospital, 501(c)(3) animal welfare shelter, public laboratory, circus, sideshow, amusement show, or facility for education or scientific research if such organizations are otherwise licensed or permitted as provided in this title, and such animals are restrained or confined in such a manner as to prevent their escape and/or injury to the public.

8.06.200 Attacks by animals (Renumbered from Chapter 8.04.180)

- A. It is unlawful for the owner or person having care, custody, or control of any animal to allow such animal to attack, chase, harass, intimidate by barking or baring of teeth, growl, bite, shake or tear with the teeth; or approach in an apparent attitude of attack; or any aggressive behavior towards any human, domesticated animal, any species of hoofed wildlife protected by any law or ordinance, or any pet or companion animal.
- B. The owner in violation of subsection A of this section shall be strictly liable for any violation of this section. A person guilty of violation of this section shall be subject to a misdemeanor or felony. Each violation of this section shall be a separate offense. In addition to being subject to prosecution under subsection A of this section, the owner of such animal shall also be liable in damages to any person injured or to the owner of any animal(s) injured or destroyed thereby. Any penalty imposed as a result of prosecution of a person under subsection A of this section shall be in addition to any penalties or liabilities imposed upon such person by any other law or ordinance.
- C. The following may be considered in mitigating the penalties or damages, or in dismissing a charge brought under subsection A of this section:
1. That the animal was properly confined on the premises; or

2. That the animal was deliberately or maliciously provoked.

D. Any person may take protective action towards an animal, up to taking its life, while it is committing any of the acts specified in subsection A of this section to protect him/herself, or members of the public from any threat of death or personal injury then being posed by the animal.

8.06.210 - Animal bites—Reporting requirements.

A. If an owned animal fights, bites, or attacks another owned animal and it results in a civil or criminal violation, and/or extensive veterinary care needed, the incident must be reported to the appropriate animal control agency within twenty-four hours, regardless of whether the biting animal is of a species subject to rabies.

B. A physician, or other medical personnel, who renders professional treatment to a person bitten by an animal shall report that fact to the appropriate animal control agency within twenty-four hours of his/her first professional attendance.

C. A veterinarian or other person who treats an owned animal that has been bitten, injured, or mauled by another animal with extensive veterinary care shall report that fact to the appropriate animal control agency within twenty-four hours unless, regardless of whether the biting animal is of a species subject to rabies.

D. Any person not conforming with the reporting requirements of this section shall be in violation of this title and shall be subject to a civil notice of violation or a misdemeanor citation. Each violation of this section shall be a separate offense.

SECTION VIII. Chapter 8.07 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.07 - CRUELTY TO ANIMALS

8.07.010 - Care and maintenance responsibility. It is unlawful for an owner or handler of an animal to neglect its needs or withhold food, drink, veterinary care, grooming, adequate space and shelter from such animal, which is reasonably necessary to maintain such animal in good health, in comfort, and keep it safe from potential hazards. Cruelty offenses include, but are not limited to:

- A. Hobbling. Hobbling livestock or other animals by any means that may cause injury or damage to any animal.
- B. Abandonment. Abandoning any animal.
- C. Vehicle confinement. Leaving or confining an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal. An animal control officer or authorized representative is authorized to take all steps that are reasonably necessary for the removal of the animal from the vehicle, following appropriate division procedures.
- D. Persons transporting an animal in the open bed of a vehicle must physically restrain the animal in such a manner as to prevent the animal from jumping or falling out of the vehicle and causing injury to itself or others.
- E. Physical Abuse. Killing without legal justification, maiming, disfiguring, torturing, beating, whipping, mutilating, burning or scalding, overdriving, or in any manner treating any animal in a cruel or malicious manner.
- F. Poisoning. Knowingly or recklessly making accessible to any animal, or with intent to cause harm or death, any substance which has in any manner been treated or prepared with any harmful or poisonous substances. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin in furtherance of the public health, when applied in such a manner as to reasonably prohibit access to other animals.

- G. Steel-jaw or snare traps. Using steel-jaw traps or snare traps to trap animals in any residential neighborhood, unless permitted by the Division of Wildlife Resources.
- H. Provocation. Provoking or intentionally harassing any animal, which is being kept, housed or confined in compliance with this ordinance.
- I. Coloring. Artificially dying or coloring any animal under six months of age.
- J. Proper veterinary care. Allowing a diseased or disabled animal to live in pain while neglecting proper veterinary care, including humane euthanasia if warranted.

8.07.020 If the owner or handler violates any of the cruelty offenses listed in 8.07.010, such person shall be in violation of this title and shall be subject to a civil notice of violation, or misdemeanor, or felony. Each violation of this section shall be a separate offense.

8.07.030 - Injury to animals by motorists—Duty to stop and assist.

- A. The operator of a motor vehicle or other self-propelled vehicle shall, in the event such vehicle should strike and injure or kill any domesticated animal, give reasonable aid and assistance or protection to such animal, provided he or she can do so without placing himself or herself at unreasonable risk, and, in the absence of the animal's owner, call and report the facts pertaining to the incident to the appropriate animal control agency and/or law enforcement and follow the instructions provided.
- B. As an alternative to complying with the requirements set forth above, in the absence of the animal's owner, the motor vehicle operator may transport the animal to a veterinarian for treatment of the injuries. The animal control agency shall not be responsible for the cost of treatment unless it has accepted responsibility after the operator's compliance with any of the requirements of this section.
- C. This section shall not apply to operators of emergency vehicles if such vehicles are being operated in response to a bona-fide emergency situation at the time the animal is struck. Emergency vehicle operators who strike an animal during a response to a bona-fide emergency situation shall notify the appropriate animal control agency of the incident as soon as is practicable thereafter.

D. If the motorist fails to comply with the requirements above, such person shall be in violation of this title and shall be subject to a civil notice of violation. Each violation of this section shall be a separate offense.

SECTION IX. Chapter 8.08 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.08 – IMPOUNDMENT

8.08.010 - Animal shelter and facilities.

A. Divisions shall be responsible to provide suitable premises and facilities to be used as an animal shelter where impounded animals can be kept. The divisions shall provide and supply food and provide appropriate medical care for impounded animals and keep a complete record of the animals impounded.

B. Divisions shall provide for the humane euthanasia of dogs, cats, ferrets and other animals for which destruction is authorized by this title or by the laws of the state of Utah, in accordance with current standards established by the American Veterinary Medical Association.

C. Divisions may furnish, at the discretion of division personnel, when necessary, medical treatment to animals impounded pursuant to this title. Prior consent for such treatment from the owners of such animals shall not be required.

D. Divisions shall be entitled to recover from the owner of any affected animal the cost of the care and keeping, medical treatment, and euthanasia provided or performed under the authority of this title.

(Ord. 1461 § 2 (part), 2000)

8.08.020 - Impoundment authorized—When.

- A. An animal control officer may impound or leave an animal in the custody of its owner or handler, according to such officer's discretion, whenever such animal is found to be in circumstances which violate the requirements of this title. If left in the custody of the owner or handler, such owner or handler shall nevertheless be required to respond to any civil or criminal penalty issued by the animal control officer.
- B. Any animal found to be in violation of this title may be impounded by an animal control officer without the filing of a criminal complaint or obtaining a prior order from a court of competent jurisdiction.
- C. The circumstances set forth in this chapter are not intended to be a complete list of those in which the division, and its animal control officers, may impound an animal without a prior order from a court of competent jurisdiction; and such officers are authorized to act as necessary to maintain peace and safety under the requirements of this title and under the requirements of law.

8.08.030 - Term of impoundment

- A. Animals shall be impounded for a minimum of five business days before further disposition. Reasonable efforts shall be made to notify the owner, if an owner is identifiable. 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.
- B. All animals, except those quarantined or confined by court order, or those defined as stray in accordance with the Utah Code, which are held longer than the minimum impound period, and all animals voluntarily relinquished, may be subject to destruction, adoption, or any outcome as approved by the director or designee and in accordance with this title.
- C. Any animal impounded requiring medical attention may, at the discretion of the director or designee, undergo medical care from division staff or released to the care of a veterinarian with or without the consent of the owner. An owner will be responsible for any such fees associated with veterinary care.

D. When, in the judgment of the director, it is determined that an animal should be destroyed for humane reasons or to protect the public from imminent danger to persons or property, such animal may be destroyed without regard to any time limitations otherwise established in this title, and without court order.

8.08.040 - Redemption of animals

A. The owner of any impounded animal or his/her authorized representative (a legally responsible adult of age eighteen or more) may redeem such animal within the holding period specified in this title, provided he/she pays all applicable and enforceable fees, costs for veterinary care and other services rendered, and meets all requirements of this title. Any animal not reclaimed prior to the period specified in this title shall become property of the appropriate animal control agency.

B. All animals shall be microchipped upon redemption.

C. Failure to redeem an impounded animal as provided above shall constitute abandonment of the animal.

(Ord. 1461 § 2 (part), 2000)

8.08.050 - Impounded animals—Not released for research or medical testing.

No live animal may be released from impoundment or the facility for research or medical testing purposes. The director or designee may deny an adoption or rescue request if the director or designee reasonably believes that the animals may be used for research or medical testing purposes.

(Ord. No. 1685, § I, 10-12-2010)

8.08.060 - Sterilization of adopted and impounded animals.

A. A dog or cat adopted from any municipality shall be sterilized.

B. Upon the second impoundment of any animal within a 24-month period and prior to its release, the animal shall be released only upon (1) proof that the animal has been sterilized; (2) by payment of a

sterilization deposit, or (3) upon the sterilization of the animal. Compliance with other requirements established by Utah Code § 11-46-200 et seq. is also necessary. Payment of all fees by owner and compliance of this title shall be required prior to release.

C. Upon the third impoundment of any animal, the director or designee may require the animal's sterilization prior to its release.

(Ord. 1461 § 2 (part), 2000)

SECTION X. Chapter 8.09 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

Chapter 8.09 – ENFORCEMENT AND PENALTIES

8.09.010- Violation of title—Penalties.

A. Any person who violates any mandate or prohibition contained in this title shall be penalized according to the provisions of this title or the provisions of Section 1.12.010 of these ordinances.

B. Any notice of violation issued pursuant to this title shall subject the person to a penalty prescribed in the division fee schedule which is established in accordance with Section 3.42.040 of these ordinances.

(Ord. 1596 § 2, 2006; Ord. 1461 § 2 (part), 2000)

8.09.020 - Issuance of criminal citations—Notice of violations and stipulation.

A. An animal control officer or division-authorized designee is authorized to issue a criminal citation to any person upon a charge of violating any provisions of this title. The form of the citation, and proceedings to be handled upon the basis of the citation, shall conform to the provisions of the Utah Code of Criminal Procedure

B. An animal control officer or division-authorized designee is authorized to issue a notice of violation, in lieu of issuance of the criminal citation, to any person upon a charge of violating any provisions of

this title. 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 shall set forth a compliance date by which the violator must comply with the remedial requirements. It shall also set forth a waiver provision; providing that the person to whom the notice of violation is issued waives all rights to contest the charge made against him/her in the notice of violation and further waives the rights to a trial or hearing upon the charges. The notice of violation shall also include the amount of any escalating fees to be paid to the division by the person charged in the notice of violation. Nonpayment of the fees, or failure to comply with the notice of violation and stipulation by the deadline set as the compliance date may result in the issuance of a criminal citation to or filing criminal charges against the person charged. Each violation of this code may be subject to a separate citation or notice of violation.

C. There is no appeal from the notice of violation and stipulation procedure. Failure by the person charged to comply with the provisions of the notice of violation and stipulation settlement agreement will result in the issuance of a criminal citation or charges or at the option of the director, or the director's designee, the settlement agreement may be enforced in court as provided in Section 8.09.030

(Ord. No. 1663, § V, 1-5-2010; Ord. 1596 § 3, 2006; Ord. 1461 § 2 (part), 2000)

8.09.030 – Court Orders.

Pursuant to state laws and rules of procedure, court orders pursuant to this title shall be obtained upon

- A. The director or designee petitioning the court for the desired action;
- B. The petition for the action and providing notice, together with supporting affidavits, to be served on the party against whom the action is taken in accordance with state laws and rules of procedure.

(Ord. 1461 § 2 (part), 2000)

8.09.040 - Pick up orders.

The director or designee may petition the court for a "pick-up order" for an animal within the premises or under the control of a person who is in violation of this title. This process may be used for, but is not limited to, picking up animals pursued but not captured by an animal control officer, nuisance animals or for any other violation of these ordinances.

8.09.050 Repeated animal violations -- Owner debarment.

A. Any person who owns or has custody of animals and has been issued a civil notice or violation or criminal citation more than two times in a five-year period may be debarred from receiving a license under Chapter 8.04 of these ordinances.

B. Notice of debarment shall be served on the person in a written order issued by the director or designee. Debarment may be for a period of up to five years.

C. Any person who has been debarred and who owns or; has custody of an animal requiring licensure under Chapter 8.04 in violation of a debarment order is guilty of a class B misdemeanor.

8.09.060 Seizure and disposition—Written evaluation criteria.

A. An animal that has been classified as dangerous that bites or attacks a person or another animal may be seized by the appropriate animal control agency in accordance with standard and objective written criteria prepared by the division in accordance with the requirements of this ordinance.

B. The division shall prepare written criteria or standards to objectively evaluate the facts and circumstances surrounding a bite or other attack by an animal. The evaluation criteria shall include bite or attack severity, observed animal behavior, animal history, animal owner's background or history, and such other circumstances as may be appropriate, based on current professional standards. Aggravating and mitigating circumstances for each evaluation criteria shall be rated on a numerical scale in such a way that all circumstances and facts may be

objectively calculated in determining the severity of the animal attack, the nature of the animal's behavior, and the appropriate response by the division.

C. Evaluation criteria developed in the division's written forms may be used to give direction to animal services, based on a numerical score, to determine what type of action shall be taken, including the issuing of a citation, filing criminal charges, animal impound, and animal destruction.

D. Written evaluation standards or criteria established under this section must be in writing. They may be amended from time to time as appears to be best supported by experience and professional standards.

(Ord. 1596 § 4, 2006; Ord. 1461 § 2 (part), 2000)

SECTION XI. Chapter 8.10 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is hereby repealed.

SECTION XII. Chapter 8.11 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is hereby repealed.

SECTION XIII. Chapter 8.12 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is hereby repealed.

SECTION XIV. Chapter 8.13 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is hereby repealed.

SECTION XV. Chapter 8.14 of Title 8 of the Salt Lake County Code of Ordinances, 2001, is hereby repealed.

SECTION XVI. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

**APPROVED AND ADOPTED** in Salt Lake City, Salt Lake County, Utah, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_, Chairperson

ATTEST:

\_\_\_\_\_  
Sherrie Swensen  
Salt Lake County Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
\_\_\_\_\_,  
Deputy District Attorney

Date: \_\_\_\_\_

Voting:

Council Member Bradley \_\_\_\_\_  
Council Member Bradshaw \_\_\_\_\_  
Council Member Burdick \_\_\_\_\_  
Council Member DeBry \_\_\_\_\_  
Council Member Ghorbani \_\_\_\_\_  
Council Member Granato \_\_\_\_\_  
Council Member Jensen \_\_\_\_\_  
Council Member Newton \_\_\_\_\_  
Council Member Snelgrove \_\_\_\_\_

Vetoed and dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By \_\_\_\_\_  
Mayor Jennifer Wilson or Designee

(Complete as Applicable)

Veto override: Yes \_\_\_\_ No \_\_\_\_ Date \_\_\_\_\_  
Ordinance Published in newspaper: Date \_\_\_\_\_  
Effective date of ordinance: \_\_\_\_\_

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 2019, the County Council of Salt Lake County adopted Ordinance No. \_\_\_\_\_, which amends Title 8 of the Salt Lake County Code of Ordinances, 2001. The amendments relate to the authority and procedures of the animal services division and make changes to reflect current practices and desired changes to the standards, rules, and practices of the division, including added definitions; regulation of commercial dog walkers; new enforcement and penalties, and related provisions.

SALT LAKE COUNTY COUNCIL

\_\_\_\_\_  
Max Burdick, Chairperson

ATTEST:

\_\_\_\_\_  
Sherrie Swensen  
Salt Lake County Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Ryan Lambert,  
Deputy District Attorney

Date: \_\_\_\_\_

Voting:

Council Member Bradley	_____
Council Member Bradshaw	_____
Council Member Burdick	_____
Council Member DeBry	_____
Council Member Ghorbani	_____
Council Member Granato	_____
Council Member Jensen	_____
Council Member Newton	_____
Council Member Snelgrove	_____

A complete copy of Ordinance No. \_\_\_\_\_ is available in the office of the Salt Lake County Clerk, 2001 South State St., N2100A, Salt Lake City, Utah.