

TITLE 16. ANIMAL CONTROL AND REGULATIONS.

CHAPTER 16-100. GENERAL PROVISIONS.

16-101. Definitions. As used in this ordinance the following terms mean:

- (A) **Animal Control Officer:** The person or persons designated to enforce this ordinance.
- (B) **Animal Establishment:** Any pet shop, grooming shop, animal auction, performing-animal exhibition, kennel/cattery or animal shelter, except this term shall not include veterinary medical facilities, licensed research facilities, facilities operated by government agencies, or licensed animal dealers.
- (C) **Animal Shelter:** Facility designated or recognized by North Logan City for the purpose of impounding and caring for domestic animals. A veterinarian facility may be designated as an animal shelter.
- (D) **At Large:** A domestic animal shall be deemed to be at large when off the property of the owner and not under restraint.
- (E) **Dangerous Animal:** An animal that without justification attacks a person or domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to one (1) or more persons or domestic animals.
- (F) **Domestic Animal:** Any animal commonly kept as a pet in family households in the United States, including, but not limited to, dogs, cats, guinea pigs, rabbits, pigmy pigs, and hamsters; and any animals commonly kept for companion or commercial purposes.
- (G) **Field Cat:** A cat kept primarily out of doors, not as a pet, but instead kept for the control of rodents. Field cats may be exempt from licensing but in doing so are not provided the protection that licensing provides. Owner of field cats are still encouraged to vaccinate and spay/neuter this class of cats as well as cats that are considered more as pets.
- (H) **Fixed Dog Run:** A fenced in and/or covered structure with or without an impervious floor surface used to house or contain a dog(s) in a relatively limited area. Not meant to include merely keeping a dog attached to a line or keeping a dog in a fenced in yard. See CHAPTER 12C-1004. Modifying Regulations, Paragraph (O) for regulations on setbacks for fixed dog runs.
- (I) **Foster Care Provider:** A person or persons designated by the North Logan City after being nominated as such by the Animal Control Officer to provide temporary care of impounded animals.

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- (J) **Humane Manner:** Care of a domestic animal includes, but is not limited to, adequate heat, ventilation, sanitary shelter, and wholesome food and water, consistent with the normal requirements and feeding habits of the animal's size, species, and breed.
- (K) **Kennel/Cattery:** An establishment of three (3) or more dogs or five (5) or more cats and regulated by zoning and a “conditional use permit”. The term “fixed dog run” is used herein to include the term kennel which is normally used to mean a fenced in and/or covered area used to house or contain a dog.
- (L) **Licensing Authority:** The agency or department of North Logan City or any designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under the provisions of this ordinance.
- (M) **Livestock Guarding Dogs:** Dogs kept for the primary purpose of protecting livestock from predatory attacks.
- (N) **Neutered or Spayed:** Rendered permanently incapable of reproduction.
- (O) **Nuisance:** The care and keeping (or lack thereof) of a domestic animal, especially a dog or cat, such that it causes a nuisance. Specific, non-inclusive examples of nuisances are listed in Section 16-209.
- (P) **Owner:** A person having the right of property or custody of an animal or who keeps or harbors an animal or knowingly permits an animal to remain on or about any premises occupied by that person.
- (Q) **Person:** Any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.
- (R) **Pet Shop:** An establishment engaged in the business of buying or selling, at retail, animals for profit-making purposes.
- (S) **Restraint:** An animal shall be considered under restraint if it is in within the real property limits of its owner or secured by a leash or lead.
- (T) **Wild Animal:** Any animal of a species that in natural life is wild.

16-102. Duties of Animal Control Officer. The Animal Control Officer shall perform the following duties:

- (A) Carry out and enforce the provisions of this ordinance.

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- (B) Take into his possession through capture or other methods all animals found running at large contrary to the provisions of this ordinance; and impound and/or dispose of the same in a humane manner as herein provided.
- (C) Enforce the licensing and control of all animals within the municipality as hereafter provided.
- (D) Issue citations and file complaints in the courts against any person, firm, or corporation failing to comply with the provisions of this ordinance and obtain licenses when required there under.
- (E) Provide for a good and sufficient pound in which an animal duly committed to his charge or otherwise impounded by him shall be maintained.
- (F) Enter a description sufficient to provide identification thereof in records kept for that purpose stating the kind of animal and the circumstances under which received or impounded, the costs expended for the maintenance of the animal and amounts received arising out of maintenance or sale of animal.
- (G) Administer the deer control regulations and plans in accordance with Chapter 16-600 and other city ordinances in cooperation with appropriate State officials and other city departments as needed.

(Ord. 14-02)

16-103. Interference With Officer Prohibited. It shall be unlawful for any person to interfere, molest, hinder or obstruct the Animal Control Officer or any of his authorized representatives in the discharge of their duties as herein prescribed.

16-104. Lawful for Officers To Go On Property. In the enforcement of any provision of this title any police officer or Animal Control Officer is authorized to enter on to the property of any person or entity to take possession of any dangerous or vicious dog or animal, or dog or animal which has committed an act prohibited by city ordinance, when in fresh pursuit of such dog or animal at the time the dog or animal goes onto private property. Any police officer or Animal Control Officer or other individual assisting those officers in the pursuit of, taking of, or capture of an animal, is authorized to enter on to the property of any person or entity to perform duties and responsibilities as part of deer control program (Chapter 16-600 Deer Control Regulations).
(Ord. 14-02)

16-105. Biting Animals Quarantined For Observation. Any animal of a species subject to rabies which is known to have bitten or has been bitten, or injured any person so as to cause an abrasion of the skin shall be placed in confinement under observation of a veterinary hospital or

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the municipal pound and shall not be killed or released until at least ten (10) days after the biting or injury has occurred in order to determine whether or not the animal has rabies. If the animal dies or has been killed, it shall be immediately taken to the state health or other appropriate laboratory to be examined for rabies.

The owner of such quarantined animal, or if the owner cannot be found then the person having custody and control of the animal, shall be responsible for and reimburse the city for any and all costs incurred for such quarantine regardless of whether or not the animal in fact has rabies.

If the animal has not been vaccinated for rabies then it shall be euthanized and taken for testing at an approved laboratory. If the animal has proof of rabies vaccination the owner of such animal may choose to euthanize the animal prior to the 10-day quarantine period and take the animal to the proper agency for the required tests.

16-106. Home Quarantine. When an animal bite has occurred that requires quarantining as defined in the section above, home quarantining may be an alternative. The following criteria need to be considered in making this decision. The animal will be considered for home quarantine only if:

- This is the animal’s first offense;
- The animal is not exhibiting aggressive behavior;
- The bite or attack was minor and not repetitive;
- In the opinion of the Chief of Police or the Animal Control Officer, there is relatively little safety risk to the owner and the public if the home quarantine is allowed;
- The owner/caregiver is capable of confining the animal at home in such a way that it will not be able to stray; and
- The animal is current in its vaccinations for rabies.

If home quarantine is determined by the officer to be an acceptable option, the officer will review the requirements for home quarantining with the owner/care giver. The owner/care giver will be required to sign a document agreeing to abide by such requirements.

16-107. Animal Suffering Prevention. In the event that North Logan City finds animals to be suffering, it shall have the right forthwith to remove or cause to have removed any such animals to a safe place for care at the owner's expense or to euthanize them when necessary to prevent further suffering. Return to the owner may be withheld until the owner shall have made full payment for all expenses so incurred.

(Ord. 03-01)

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CHAPTER 16-200. UNLAWFUL ACTS.

16-201. Trespassing Animals. It is unlawful for any owner or caregiver of any dog or other animal to permit or negligently allow such dog or other animal to run at large or to trespass upon the property of another person.

16-202. Killing or Poisoning Animals Prohibited. It is unlawful for any person to willfully kill any domestic animal belonging to another, or to administer poison to any domestic animal or to expose any poisonous substance with the intent that it shall be taken by any such animal.

16-203. Keeping Animals for Fighting. It is unlawful for any person, firm or corporation to raise, keep or use any animal, for the purpose of fighting or baiting; and for any person to be party to or be present as spectator at any such fighting or baiting of any animal, and for any person, firm, corporation to knowingly permit the use of his building, sheds, rooms, grounds, or premises for these purposes. Law enforcement officers or Animal Control Officers may enter any building or place where there is an exhibition of the fighting or baiting of live animals, or where preparations are being made for such exhibitions, and law enforcement officers may arrest persons there present and take possession of all animals being prepared to fight, engaged in fighting or found for the purpose of fighting, along with all implements and other paraphernalia used in such exhibition. This provision shall not be interpreted to authorize a search or arrest without a warrant when the law requires such.

16-204. Malicious Impounding. It is unlawful for any person to maliciously hide or impound the animal of another.

16-205. Removal of Dead Animals. The owner of any animal that has died or been killed shall remove or bury the carcass of such animal as soon as possible and at least within two (2) days after its death. No horse, cow, ox, or other such large animal shall be buried on the owner's real property without approval to do so from the local health department.

16-206. Trapping of Domestic Animals.

- (A) It is unlawful for any person to trap, set a trap or engage in trapping in North Logan City except under the supervision of the Animal Control Officer. The Mayor may authorize any employees of the City to engage in trapping where it is deemed by the Mayor to be in the best interest of North Logan City.
- (B) The Animal Control Officer may make available humane "live" traps to the public to trap nuisance animals running at large and trespassing on their property.
- (C) It shall be the responsibility of the citizen trapping an animal to notify the Animal Control Officer who will retrieve the contents of the trap and deal with the animal in accordance

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with approved policies.

16-207. Trapping of Wild and/or Nuisance Animals. The trapping of wild and nuisance animals is regulated by State law and Chapter 16-600 Deer Control Regulations of this code. Residents are encouraged to contact the city's Animal Control Officer for assistance and/or advice regarding wild and/or other nuisance animals. The Animal Control Officer will often be able to assist with the control of such animals. (Ord. 14-02)

16-208. Wild Animal Restrictions. It is unlawful for any person to sell, possess, offer for sale, barter, give away, keep or purchase any vicious wild animal which is fierce, dangerous, noxious or naturally inclined to do harm. An animal shelter, a zoological park, veterinary hospital, humane society shelter, public laboratory, circus, sideshow, amusement park or facility for education of scientific purposes may keep such an animal if protective devices adequate to prevent such animal from escaping or injuring the public are provided. It is unlawful for any person to feed deer within the city limits as specifically regulated in Chapter 16-606-Unauthorized Feeding of Deer. (Ord. 14-02)

16-209. Nuisance Animals. Any owner or person having charge, care, custody or control of an animal(s) causing a nuisance shall be subject to the penalties provided herein. The following list of possible nuisance behaviors or conditions may make such a person liable for causing a nuisance if:

- (A) The animal is allowed to damage, soil, or defile property other than the owner's; or
- (B) The animal is allowed to defecate on property other than the owner's or on public walks and recreation areas, unless such waste is immediately removed and properly disposed of by the owner; or
- (C) The care of (or lack of care for) the animal causes unsanitary, dangerous, or offensive conditions. Such conditions could include but are not limited to foul odors or water containing feces that is allowed to runoff onto property other than the owner's (for example water from the cleaning of pens, or confined fenced in areas, etc.); or
- (D) The animal is allowed to cause a disturbance by excessive barking or other noise making; or
- (E) The animal chases vehicles, or molests, attacks, or interferes with persons or other domestic animals on public property or private property other than the owner's.

(Ord. 03-01)

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CHAPTER 16-300. DOGS AND CATS.

16-301. Licensing and Rabies Vaccinations.

- (A) Except as provided in this section, all dogs and cats shall be vaccinated against rabies. Except as provided in this section, no person shall own, keep, or harbor any dog or cat over four (4) months of age within North Logan City unless such dog or cat is vaccinated and licensed. The provisions of this section do not apply to animals owned by a licensed research facility, held in a veterinary medical facility, government operated or licensed animal shelter, or animals being held by an authorized and designated foster care provider.
- (B) Application for a license must be made within thirty (30) days after obtaining a dog or cat over four (4) months of age, except that this requirement will not apply to a nonresident keeping a dog or cat within North Logan City for no longer than sixty (60) days. Written application for a dog or cat license shall be made to North Logan City and shall include the name and address of the owner and the name, breed, color, age, and sex of the dog or cat, and the date through which the rabies vaccination is valid. Applicants shall pay the prescribed licensing fee and provide proof of current rabies vaccination. The following shall be considered proof of current rabies vaccination: (Ord. 09-03, Ord. 04-03)
- (1) A rabies vaccination certificate from a licensed veterinarian (a rabies tag alone is not to be considered proof of vaccination);
 - (2) Verification through a phone call with a licensed veterinarian (or a fax) verifying the rabies vaccination; or
 - (3) North Logan City records made from either of the above sources that indicate the rabies vaccination is current.
- (C) The license period shall begin the date the license is obtained from the city and shall be valid until the date the rabies vaccination certificate expires. The rabies vaccination is typically good for three years for an adult animal and one year for a puppy/kitten. The owner of the dog or cat must obtain the renewed city license for the animal within thirty (30) days of the expiration date of the previous license/rabies vaccination certificate. A late fee equal to half the cost of the applicable license shall be added to the cost of the license if the license is obtained after those thirty (30) days. New residents must apply for a license within thirty (30) days of establishing residency. (Ord. 09-03)

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- (D) A license shall be issued after payment of a fee according to the Master Fee Schedule for each dog or cat. Persons who fail to obtain a license as required within the time period specified in this section will be subjected to a late fee equal to half the cost of the applicable license, which late fee shall be added to the basic cost of the license. (Ord. 09-03)
- (E) License fees shall be waived for dogs serving the disabled or government-owned dogs used for law enforcement. All other animal control provisions shall apply including vaccinations and obtaining/wearing license tags. In these cases the tags would be issued at no cost . (Ord. 09-03)
- (F) Upon acceptance of the license application and fee, North Logan City shall issue a durable license tag including an identifying number, year of issuance, city, county, and state, which must be attached to the collar of the dog. It is recommended that licensed cats wear the tag on a collar but this is not required. Dogs with or without an implanted identification “chip” are required to wear the tag to facilitate quick identification by any person. Tags are not transferable. North Logan City shall maintain a record of all licenses issued, and such records shall be available to the Animal Control Officer. (Ord. 09-03)
- (G) Owners of cats that meet the definition of “field cats” may choose to license or not license those cats. Licensing, spaying and neutering, and vaccinating of even field cats is strongly encouraged to provide identification of the animal and to discourage proliferation of disease and more unwanted cats. A stray field cat that is causing a nuisance, or is stray, or has been impounded will not be released to its owner until the cat has been vaccinated and licensed. A stray field cat that is causing a nuisance or is stray and has been impounded and not claimed by its owner, or adopted, will be euthanized at the expense of the city.

16-302. Permits for Animal Establishments.

- (A) No person shall operate an animal establishment without first obtaining a permit in compliance with this section.
- (B) The permit period shall begin with the first day of the calendar year and shall run for one (1) year. Renewal applications for permits may be made within sixty (60) days prior of the expiration date. Application for a permit to establish a new animal establishment under the provisions of this ordinance may be made at any time.
- (C) Annual permits shall be issued upon payment of the applicable fees as found in the Prevailing Fee Schedule.
- (D) A person who maintains a kennel/cattery of three (3) or more dogs or five (5) or more

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cats must pay an annual kennel/cattery permit renewal fee and must license each dog or cat individually.

- (E) Under the provisions of this ordinance, no permit fee shall be required of any Animal Shelter or Foster Care Provider. All other provisions shall apply.
- (F) No person or persons at any one residence within North Logan City shall at any time own or license more than two (2) dogs or four (4) cats, with no combination exceeding five, except otherwise provided in this ordinance.

16-303. Issuance and Revocation of Permits and Licenses.

- (A) North Logan City may revoke any permit or license issued under this ordinance if the person holding the permit or license refuses or fails to comply with this ordinance, the regulations promulgated by North Logan City or any other law governing the protection and keeping of animals.
- (B) If an applicant is shown to have withheld or falsified any material information on the application, North Logan City may refuse to issue or may revoke a permit or license.
- (C) It shall be a condition of issuance of any permit for an animal establishment that North Logan City shall be permitted to inspect any and all animals and the premises where such animals are kept at any reasonable time during normal business hours. Where a permit is revoked for any cause, or pending appeal of any such action, North Logan City shall have power of entry on the premises and into all areas where animals are being kept. A person denied a permit may not reapply for a period of at least thirty (30) days. Each application shall disclose any previous denial or revocation and shall be accompanied by the fee as set forth in the Prevailing Fee Schedule.

16-304. Owner responsibility.

- (A) All dogs shall be kept under restraint.
- (B) No dog or cat shall be abandoned, neglected, or allowed to cause a nuisance. The owner of every dog or cat shall be held responsible for every behavior of such dog or cat under the provisions of this ordinance.
- (C) Livestock guarding dogs shall be exempt from nuisance regulations when performing duties protecting livestock on premises owned or controlled by the owner.
- (D) Dog and cat owners shall ensure that their dog or cat carries identification at all times in the form of a license tag or a registered microchip implant, or other means to allow easy

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determination of the owners.

16-305. Impoundment.

- (A) Any dog found running at large or cat suspected of causing a nuisance as defined in this ordinance shall be impounded by the Animal Control Officer and confined in a humane manner. Immediately upon impounding a dog or cat the Animal Control Officer shall make every reasonable effort to notify the owner and inform such owner of the conditions whereby custody of the animal may be regained. Dogs and cats not claimed by their owners within a period of three (3) working days in which the shelter is open to the public shall become the property of North Logan City and will fall under the jurisdiction of the Animal Control Officer.
- (B) When a dog is found running at large, or when a cat suspected of causing a nuisance as defined in this ordinance is caught, and the Animal Control Officer verifies its ownership, the officer may exercise the option of serving the owner with a citation in lieu of impounding the animal if it is the animal's first offense. The owner of a dog or cat, which has been impounded three (3) times within a two-year period, will be issued a citation and required to make a personal appearance before the judge.
- (C) Disposal of an animal by any method specified here in does not relieve the owner of liability for violations and any accrued charges.

16-306. Redemption.

- (A) Any dog or cat impounded may be redeemed by the owner/caregiver thereof within three (3) working days upon payment of an impound fee as listed in the Prevailing Fee Schedule plus any additional costs incurred in caring for the impounded animal. If any such dog or cat has been previously impounded within the previous twenty-four (24) months, the impoundment fee shall be increased as listed in the Prevailing Fee Schedule. Payment of impoundment fees is not considered to be in lieu of any fine, penalty, or license fees.
- (B) The owner/caregiver of an impounded dog or cat may redeem their animal by the following procedure:
 - (1) Owner/caregiver will report to the North Logan City office to request the redemption of the animal.
 - (2) An authorized city employee will locate the proper impound ticket and the daily board charges incurred as per the Prevailing Fee Schedule. (The City employee may also call the impound facility to obtain the correct daily board charges.)

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- (3) The owner/caregiver will pay North Logan City for all impound fees, fines, and daily board charges. The City will then issue the owner/caregiver an itemized paid receipt listing all charges paid for.
 - (4) Owner/caregiver will then present the paid receipt at the impound facility and request the redemption of the dog or cat. Owner will pay the impound facility for all expenses incurred for any veterinarian care, vaccinations, spaying, neutering, or other charges.
 - (5) The impound facility will then release the animal to the owner/caregiver and bill North Logan City for the daily board charges incurred for the dog or cat.
- (C) Any dog or cat confined for rabies, quarantine, evidence or other purposes may be redeemed by the owner, following the confinement period, and upon payment of all costs incurred in caring for the animal as specified in paragraph B above.
- (D) No dog or cat required to be licensed or vaccinated under this ordinance may be redeemed until provisions for such licensing and vaccinations have been fulfilled.

16-307. Adoption. No dog or cat shall be released for adoption (except on a temporary basis to an authorized and designated Foster Care Provider) without the animal being spayed or neutered. Charges for adopting an animal shall be assessed to cover any costs incurred by the city or the veterinarian in boarding the animal and/or otherwise preparing the animal for its adoption. Those charges shall include, as applicable, vaccination fees, licensing fees, boarding charges, and any other applicable costs incurred. The charges to reimburse these costs shall constitute the adoption fee.

16-308. Euthanization. Any animal not redeemed or rescued within three (3) working days may be euthanized. Any animal deemed by a competent licensed veterinarian to be feral (unowned) and dangerous, sick, injured, suffering, a nuisance, or a hazard to public health may be euthanized immediately.

(Ord. 03-01)

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CHAPTER 16-400. DANGEROUS DOGS.

16-401. Definitions. As used in this chapter the following terms mean:

- (A) **Dangerous Dog:** means any dog which without justification attacks a person or domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to one or more persons or domestic animals. A dog's breed shall not be considered in determining whether or not it is "dangerous". No dog may be declared "dangerous" if:
- (1) The dog was protecting or defending a person within the immediate vicinity of the dog from an attack or assault;
 - (2) At the time the person was committing a crime or offense upon the property of the owner, or custodian, of the dog;
 - (3) The person was teasing, tormenting, abusing or assaulting the dog, or in the past had teased, tormented, abused or assaulted the dog;
 - (4) The dog was attacked or menaced by a domestic animal, or the domestic animal was on the property of the owner, or custodian, of the dog;
 - (5) The dog was responding to pain or injury, or protecting itself, its domain or its offspring;
 - (6) The person or domestic animal was disturbing the dog's natural functions such as sleeping or eating.

Neither growling nor barking, nor both, shall alone constitute grounds upon which to find a dog to be "dangerous."

- (B) **Attack:** means aggressive physical contact initiated by the dog.
- (C) **Serious Injury:** means any physical injury consisting of broken bones or a permanently disfiguring laceration requiring either multiple stitches or cosmetic surgery.
- (D) **Domestic Animal:** means any animal commonly kept as a pet in family households in the United States, including, but not limited to, dogs, cats, guinea pigs, rabbits, pigmy pigs, and hamsters; and any animals commonly kept for companion or commercial purposes.

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16-402. Owner Responsibility. Every "dangerous" dog or cat, as determined by the Animal Control Officer, shall be confined by its owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.

16-403. Actions Allowed by Persons Against a Dangerous Dog.

- (A) If any dog shall attack a person or domestic animal who was peaceably conducting himself in any place where he may lawfully be, any person, for the purpose of preventing imminent injury or further injury, may use such force as is required to stop the attack.
- (B) A police officer or Animal Control Officer acting pursuant to his statutory duties may, where the threat of serious injury to a person or domestic animal is imminent and unjustified, use such force as is required to prevent such injury.

16-404. Judicial Hearing Procedure.

- (A) Any person may make a complainant of an alleged "dangerous dog" as that term is defined herein to the Animal Control Officer or a police officer of North Logan City. Such officer(s) shall immediately inform the complainant of his right to commence a judicial hearing as provided for in Paragraph B, immediately below, and if there is reason to believe the dog is a "dangerous" dog, the officer shall forthwith commence such judicial hearing himself.
- (B) Any person may, and any police officer, or Animal Control Officer acting within the scope of his statutory duties, shall make a complaint under oath or affirmation of an alleged "dangerous" dog as that term is defined herein to any municipal judge or justice. Thereupon, the judge or justice, shall immediately determine if there is probable cause to believe the dog is a "dangerous" dog and, if so, shall issue an order to any police officer pursuant to his statutory duties or Animal Control Officer directing such officer to immediately seize such dog and hold same pending judicial determination as herein provided. Whether or not the judge or justice, finds there is probable cause for such seizure, he shall, within five (5) working days and upon written notice of not less than three (3) days to the owner of the dog, hold a judicial hearing on the complaint.
- (C) Where a dog is determined pursuant to clear and convincing evidence at a duly constituted hearing to be "dangerous," the judge or justice, shall require the owner of said animal to register such animal with North Logan City, and to provide prompt notification to North Logan City of any changes in the ownership of the animal; names, addresses and telephone numbers of new owners; any change in the health status of the animal; any further instance of attack; any claims made or lawsuits brought as a result of further instances of attack, or the death of the animal. In addition, the judge or justice, may require any or all of the following, but items 5 and 6, may only be imposed where there

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has been serious injury to a person.

- (1) Indoors, when not alone, the dog must be under the control of a person eighteen (18) years or older. Provisions for the dog to be outdoors must also be made.
- (2) Outdoors and unattended, the dog must be kept within a locked fenced area from which it cannot escape.
- (3) When outdoors the dog must be attended and kept within a fenced area from which it cannot escape.
- (4) When outdoors the dog must be attended and kept on a leash no longer than six (6) feet and under the control of a person eighteen (18) years of age or older.
- (5) When outdoors the dog must be attended and muzzled. Such muzzle shall not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.
- (6) Outdoors and unattended, the dog must be confined to an escape-proof fixed dog run of the following description:
 - (a) Such fixed dog run shall allow the dog to stand normally and without restriction, and shall be at least two and one half (2.5) times the length of the dog, and shall protect the dog from the elements.
 - (b) Fencing materials shall not have openings with a diameter of more than two (2) inches, and in the case of wooden fences, the gaps shall not be more than two (2) inches.
 - (c) Any gates within such fixed dog run or structure shall be lockable and of such design as to prevent the entry of children or the escape of the animal, and when the dog is confined to such fixed dog run and unattended such locks shall be kept locked.
 - (d) The fixed dog run may be required to have double exterior walls to prevent the insertion of fingers, hands or other objects.
- (7) Placement of a sign or signs of a description and in places directed by the judge or justice, advising the public of the presence and tendencies of said animal.
- (8) Attendance by the dog and its owner/caregiver at training sessions conducted by a certified applied animal behaviorist, board certified veterinarian behaviorist or

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other recognized expert in the field and completion of training or any other treatment as deemed appropriate by such expert. The owner of the dog shall be responsible for all costs associated with the evaluation and training ordered under this section.

- (9) Neutering or spaying of the dog at the owner's expense, unless medically contraindicated.
 - (10) That the dog be permanently identified by tattooing or by injecting an identification microchip, using standard veterinary procedures and practices, identification number and the identification of the person performing the procedure to be registered with North Logan City.
- (D) If a further incident of attack occurs under such circumstances that the dog, after a judicial hearing as described above, is determined to be a "dangerous dog" the judge or justice, may impose or re-impose any applicable directives listed above; additionally, humane destruction of the dog may be ordered, but only where further incident involves serious injury to a person.

16-405. Penalty. The violation of any section of this ordinance shall be a Class B Misdemeanor.

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CHAPTER 16-500. Animal Rights Regulations.

16-501. Animal Rights Defined. Animal Rights as used in this chapter and the city's zoning ordinance shall mean the keeping, maintaining, or boarding of typical farm animals for family food production, commercial agriculture, or recreational use. May include but is not limited to keeping the following: horses, cattle, llamas, donkeys, mules, sheep, goats, chickens, turkeys, ducks, geese, rabbits, pheasants, pigeons, or peacocks. Household pets (see definition in Chapter 12A-200) are also permitted in all residential zones.

16-502. Numbers of Animals Permitted. Animals may only be kept within city limits where permitted under the provisions of this title and in accordance with zoning regulations. The animal equivalent units (AEUs) earned per acre and the animal equivalent units attributed to each animal from Table 16-1 shall combine to determine the maximum numbers of animals which may be kept on any property. The amount of area used to determine the number of acres and hence animals is any lot or grouping of contiguous lots termed herein as a parcel. A parcel large enough to meet the minimum parcel size in accordance with Table 16-1 is required to keep any large animal. For example a parcel with less than 0.75 acres in an R-1 zone would not be permitted any large animals but a 0.75 acre parcel would allow two large animals (0.75 acres X 3.00 AEUs per acre = 2.25 AEUs). The animals in each type of classification shall, in general, be in accordance with the following lists. Animals not listed below, animals which are not considered household pets, and animals which are not otherwise restricted may be kept in accordance with this section in numbers consistent with their approximate size compared to the animals listed below.

1. Large Size Animal - Cattle, horse, mule, donkey
2. Medium Size Animal - Sheep, goat, llama, Shetland pony, ostrich
3. Large Fowls - Turkey, geese, peacocks
4. Small Animals, Fowl - Chickens, pigeons, pheasants, ducks, rabbits

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Zone	Adult Animal Equivalent Units (AEUs) Per Acre	Minimum Parcel Size to Be Permitted any Large Animal
Agriculture & Forest Recreation (A & FR)	4.00	0.75 Acre
Residential Estate Zone (RE)	4.00	0.75 Acre
All Other Zones	3.00	0.75 Acre

Animal Class	Adult Animal Equivalent Units Per Animal	Numbers Of Animals Per AEU
Large Size Animal	1.00	1.00
Medium Size Animal	0.50	2.00
Large Fowls	0.10	10.00
Small Animals, Fowl	0.05	20.00

Table 16-1

16-503. Additional Quotas for Young Animals and Animals Kept for Less than a Full Year. Twice the above permitted number of animals may be kept if one or both of the following conditions exist. Animals kept only for periods not to exceed seven months during a calendar year will only count at half the adult animal unit equivalent rate. Animals which are less than one year old in the *Large Size Animal* and the *Medium Sized Animal* categories as listed in Table 16-1 will only count at half the adult animal unit equivalent rate. Animals less than a year old and kept less than seven months will not be credited for both conditions (i.e. four times the normal rate), only the credit for young animals or the credit for keeping animals less than seven months may be taken.

16-504. Regulations Regarding Feeding and Housing Animals. Where permitted under the provisions of this title, any large and medium sized animals are to be fed and corralled at least forty-five feet from the owner’s dwelling and ninety feet from any neighbor’s dwelling as measured from the closest point of the corral or enclosure to the closet point of the dwelling. These restrictions only apply to the permanent corral, stable, shed, barn or other protected or

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restricted area wherein the animal is fed and housed and not to the temporary grazing of livestock in pastures that are separate from a residential parcel.

16-505. Prohibited Animals. It is prohibited, whether on a temporary or a long-term basis, to keep the following either under the provisions of this chapter or as household pets:

- a) Hogs or pigs. All except pot-bellied pigs kept as household pets.
- b) Alligators and crocodiles
- c) Bears (ursidae). All bears including grizzly bears, brown bears, black bears, etc.
- d) Cat Family (felidae). All except the commonly accepted domesticated cats, and including cheetah, cougar, leopard, lion, lynx, panther, mountain lion, tiger, wildcat, etc.
- e) Dog Family (canidae). All except domesticated dogs, and including wolf, fox, coyote, dingo, etc.
- f) Porcupine (erehizontidae).
- g) Primate (hominidae). All sub-human primates.
- h) Raccoon (prosynnidae). All raccoons including eastern raccoon, desert raccoon, ring-tailed cat, etc.
- i) Skunks
- j) Venomous fish and piranha
- k) Venomous snakes, lizards or other venomous reptiles,
- l) Weasels (muselidae). All including weasels, martens, wolverines, badgers, otters, ermine, mink, mongoose, etc. Except ferrets may be kept as household pets. Additionally, all fur bearing animals in “fur farms” are also prohibited.
- m) Any otherwise prohibited wild animals such as big game animals which are restricted by state or federal law.

16-506. Continuance of Non-Conforming Livestock Operations. Refer to Chapter 12C-210 for specific regulations regarding non-conforming uses; provided, however, that the prohibitions in Section 16-505 (Prohibited Animals) shall apply immediately and shall not be subject to Chapter 12C-200 exceptions.

16-507. Transferring The Animal Rights For Another Piece of Property. The right to keep animals on a parcel is not transferable to another parcel.

16-508. Prohibitions On The Keeping of Animals Where Such Keeping Causes Excessive Soil Erosion or Dust. The keeping of animals is not allowed when such keeping causes

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excessive soil erosion or dust by reason of overgrazing or the trampling or other destruction of ground cover by the animals. Whether irrigation water is available or not, in areas where overgrazing, trampling or other destruction of ground cover by the keeping of animals results in the loss of the ground cover, which causes excessive soil erosion, dust or odors; such keeping of animals shall be considered a public nuisance. The maximum number of animals which may be kept in such areas shall be in accordance with this Chapter, but shall be further restricted to a number which does not cause the loss, trampling or other destruction of ground cover and resultant excessive soil erosion, dust, or odors.

(Ord. 97-12)

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CHAPTER 16-600. Deer Control Regulations

16-601. Purpose of Chapter. The regulations hereinafter set forth in this chapter are intended to help regulate the excessive population of deer within the city boundaries. It is recognized that deer naturally inhabit the area but too many deer living in the city can be dangerous to traffic, a nuisance to home owners and their landscaping and gardens and can be unhealthy and harmful to the deer themselves. The control of the urban deer herd is accomplished through a combination of a variety of separate actions including but not limited to: 1) a deer trapping and relocating or culling program, 2) allowing residents to protect their property from deer by allowing reasonable deer fences to be constructed if residents desire to do so, and 3) regulating unauthorized feeding of deer within the city limits. The violation of any of the provisions of the ordinances in Chapter 16-600 shall be an infraction.

16-602. Definitions:

- (1) Deer - Mule Deer. Applies also to White-Tailed deer if present.
- (2) Deer Fence - A fence constructed with certain features including its material and height, and placed in such location and height to discourage deer from crossing it to gain access to a piece of property intended to be protected. A deer fence need not be made out of deer fencing material, in whole or in part, to be considered a deer fence.
- (3) Deer Fencing Material - Fencing material either specifically designed for controlling and barricading deer and other predators or more standard fencing material equally capable of doing so. Such material may be installed as either a stand-alone deer fence or the deer fencing material may be added to other fences and/or fencing material. The following types of materials are approved as deer fencing material:
 - (A) Plastic/Polyresin Deer Fencing in earth or neutral colors (green, black, or brown)
 - (B) Galvanized or Stainless Steel Wire Fencing made of 14 gauge wire or larger.
 - (C) PVC-Coated Steel Fencing in earth or neutral colors (green, black, or brown) made of 16 gauge wire or larger.
 - (D) Vinyl Fencing

The following fencing materials are non-exclusive examples of materials not approved as deer fencing material:

- (A) Contractor Sand/Snow fence (Usually orange)
- (B) Galvanized Steel Hardware Cloth
- (C) Poultry netting

16-603. Deer Trapping Program. The Chief of Police may authorize, at his own discretion, and the Animal Control Officer shall administer, a Deer Trapping Program within the City.

- (1) The trapping of deer shall be allowed in the City only in accordance with the Deer Trapping Program established by the City and any other required regulations and authorizations from applicable State regulatory agencies.

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- (2) The Deer Trapping Program shall be administered by a regulating document to be approved by resolution of the City Council and shall include, as a minimum, the following:
- (A) The manner by which those to be handling the trapped deer are selected and trained; and
 - (B) The manner by which the trapped deer are to be relocated or culled and by whom; and
 - (C) The manner by which the number and sex of deer to be relocated or culled are to be determined; and
 - (D) The manner by which the locations for the traps are to be selected; and
 - (E) The manner by which the City will be protected from liability, lawsuit and/or other harm done by this program, as much as reasonably possible; and
 - (F) The manner by which this program will be financed.

16-604. Deer Control Fencing Regulations.

- (1) Deer Fences Allowed. Fences may be installed higher than six feet only if their purpose is designated as a deer fence and provided such fences comply with the requirements of this chapter. Any deer fence that is six feet (6') or more in height, shall require a building permit and its installation verified to be correct by a city official authorized to do so. The following types and combinations of fencing are permitted as deer fences:
- (A) Any fence or fencing material if the height of the fence is six feet (6') or less.
 - (B) Any fence over six feet in height provided that any portion of the fence above the six foot height is either:
 - 1. constructed with Deer Fencing Material as defined in paragraph 16-601 (3), or
 - 2. constructed of material similar to the bottom part of the fence provided that such fencing material can be shown to be at least as strong as the any of the fencing material listed in paragraph 16-601 (3) and constructed to not cause a safety hazard for a deer; and
 - 3. in either case constructed such that at least 50% of the face of the fence above six feet (6') is open. In other words, "privacy fences" or the privacy portions of fences are only allowed to a height of six feet (6').
 - (C) Deer fences up to eight feet (8') in total height may only be located to the rear of the front set back line for the lot. The front set back line for the lot shall be that line that is established by the land use zone for the subject property.
 - (D) Deer fences up to ten feet (10') in total height may be located on residential lots by conditional use permit.
- (2) Deer Fence Construction. Deer fencing material must be securely supported by posts or attached to existing fencing and shall be installed in accordance with the manufacturer specifications. The measurement of the height of the deer fence shall be measured from the ground and include the height of any fence to which it may be attached. Deer fencing material may not be attached to trees.
- (3) Deer Fence Maintenance. Deer fencing and its installation shall be maintained in good condition and subject to periodic inspection by a designated city officer to ensure that it has not

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deteriorated, come loose or has otherwise become a visual nuisance or hazard to people or animals.

16-605. Unauthorized Feeding of Deer. The attracting and feeding of deer within the City limits results in the deposit of refuse, debris, fecal matter and other offensive substances and in the attraction of predatory wildlife. It also creates traffic hazards, property damage, and nuisance and annoyance of other persons. Unless otherwise expressly permitted by law, no person shall deposit, place, distribute or leave any fruit, grain, hay, vegetable, salt, or other food, of any kind or nature, with the intent to attract or feed deer on public or private lands.

- (1) A property owner shall immediately remove any materials placed on their property by others in violation of this section.
- (2) There shall be a rebuttable presumption that the placement of fruit, grain, hay, vegetable, minerals, salt, or other food in aggregate volume of more than one-half gallon at a height of less than six feet (6') off the ground, or in any drop feeder, automatic feed, or similar device regardless of height, is for the purpose of feeding deer in violation of this section. Naturally growing plants, gardens, residue maintained as a mulch pile, and bird feeders designed or placed to limit access to deer, are not prohibited under this section.
- (3) The provisions of this Ordinance shall not apply to any resident or agent of the City authorized to implement a wildlife management program and who possesses the necessary permits from the State of Utah, nor shall it apply to any public officer or public employee in the performance of his duties. The provisions of this Ordinance shall not apply to the feeding of domestic animals.
- (4) The Chief of Police or the Animal Control Officer may authorize temporary feeding for the purposes of counting the deer population, baiting deer traps, or other public purposes.
- (5) City officials shall issue a written warning for the first offense under this section. Thereafter, offences shall be subject to standard procedures for ordinance violators. The violation of this ordinance shall be an infraction.

(Ord. 14-02)