

PARK CITY MUNICIPAL CODE
TABLE OF CONTENTS
TITLE 7 - ANIMAL CONTROL

TITLE 7- ANIMAL CONTROL

CHAPTER 1 - IN GENERAL	7-1
7- 1- 1. DEFINITIONS.....	7-1
7- 1- 2. SUMMIT COUNTY DEPARTMENT OF ANIMAL CONTROL.	7-3
7- 1- 3. POWERS OF SUMMIT COUNTY ANIMAL CONTROL OFFICIALS.	7-3
7- 1- 4. DUTIES OF SUMMIT COUNTY ANIMAL CONTROL OFFICIALS.	7-3
 CHAPTER 2 - LICENSING	7-4
7- 2- 1. DOG LICENSING.	7-4
7- 2- 2. LICENSE TAG.	7-4
7- 2- 3. LICENSING EXCEPTIONS.	7-5
 CHAPTER 3 - VIOLATIONS	7-6
7- 3- 1. UNLAWFUL TO HARBOR STRAY DOGS.	7-6
7- 3- 2. DOGS RUNNING AT LARGE.	7-6
7- 3- 3. DOGS ON UNENCLOSED PREMISES.	7-6
7- 3- 4. FEMALE DOGS IN HEAT.	7-6
7- 3- 5. PLACES PROHIBITED TO DOGS.	7-6
7- 3- 6. DOGS ATTACKING PERSONS AND ANIMALS.	7-7
7- 3- 7. VICIOUS ANIMALS AND VICIOUS DOGS.	7-7
7- 3- 8. NUISANCE.	7-8
7- 3- 9. REVOCATION OF DOG LICENSE.	7-8
7- 3-10. BITES, DUTY TO REPORT.....	7-9
 CHAPTER 4 - CONTROL OF RABIES AND RABID ANIMALS	7-10
7- 4- 1. RABIES VACCINATION REQUIRED FOR DOGS.	7-10
7- 4- 2. DUTIES OF VETERINARIANS AND TAG REQUIREMENTS.	7-10
7- 4- 3. TRANSIENT ANIMAL EXCEPTION.	7-10
7- 4- 4. IMPOUNDMENT OF ANIMAL WITHOUT VALID RABIES VACCINATION TAG.....	7-10
7- 4- 5. REPORTING OF RABID ANIMALS.	7-11

PARK CITY MUNICIPAL CODE
TABLE OF CONTENTS
TITLE 7 - ANIMAL CONTROL

7-4-6.	QUARANTINING AND DISPOSITION OF BITING OR RABID ANIMALS.	7-11
CHAPTER 5 - IMPOUNDING.....		7-13
7-5-1.	ANIMALS TO BE IMPOUNDED.	7-13
7-5-2.	RECORDS TO BE KEPT.	7-13
7-5-3.	DISPOSITION OF ANIMALS.....	7-13
7-5-4.	REDEMPTION.	7-15
7-5-5.	IMPOUND FEES FOR VOLUNTARY RELINQUISHMENT BY OWNER.	7-15
7-5-6.	ANIMAL SHELTER.	7-15
CHAPTER 6 - CRUELTY TO ANIMALS PROHIBITED.....		7-16
7-6-1.	PHYSICAL ABUSE.	7-16
7-6-2.	TRANSPORTING ANIMALS.	7-16
7-6-3.	CARE AND MAINTENANCE.	7-16
7-6-4.	ANIMAL POISONING.	7-16
7-6-5.	INJURY TO ANIMALS BY MOTORISTS.....	7-16
7-6-6.	ANIMALS FOR FIGHTING.....	7-17
7-6-7.	MALICIOUS IMPOUNDING.	7-17
CHAPTER 7 - KENNELS, PET SHOPS ETC. REGULATION.....		7-18
7-7-1.	KENNEL PERMITS.....	7-18
7-7-2.	STANDARDS FOR PERMITTED ESTABLISHMENT.	7-18
7-7-3.	SUSPENSION OR REVOCATION OF PERMIT.	7-18
7-7-4.	EMERGENCY SUSPENSION.	7-19
7-7-5.	INTERFERENCE WITH OFFICERS PROHIBITED.	7-19
CHAPTER 8 - DOMESTICATED ANIMALS.....		7-20
7-8-1.	DOMESTICATED ANIMALS.	7-20
CHAPTER 9 - VIOLATION; SEVERABILITY.....		7-20
7-9-1.	VIOLATION	7-20
7-9-2.	SEVERABILITY	7-20



TITLE 7- ANIMAL CONTROL

CHAPTER 1 - IN GENERAL

7- 1- 1. DEFINITIONS.

(A) **ABANDON/ABANDONED.** The leaving of an animal without adequate provision for the animal's care by its owner.

(B) **AGRICULTURAL ANIMAL OR AGRICULTURAL DOG.** An animal developed or trained to do useful work such as herd other animals.

(C) **ANIMAL.** Every nonhuman species, both domestic and wild.

(D) **ANIMAL BOARDING ESTABLISHMENT.** Any establishment that takes in animals for boarding for profit.

(E) **ANIMAL GROOMING PARLOR.** Any establishment maintained for the purpose of offering cosmetological services for animals for profit.

(F) **ANIMAL SHELTER.** A facility owned and/or operated by a governmental entity or any animal welfare organization that is incorporated within the state of Utah under U.C.A. Section 76-9-305, as amended, and used for the care and custody of seized,

stray, homeless, quarantined, abandoned, or unwanted dogs, cats or other small domestic animals.

(G) **BITE.** An actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.

(H) **CATS.** Any age feline of the domesticated types.

(I) **CATTERY.** An establishment for boarding, breeding, buying, grooming or selling cats for profit.

(J) **DIRECTOR OF ANIMAL CONTROL.** The Director of the Summit County Department of Animal Control who is vested with the power and authority to enforce the provisions of this Title.

(K) **DOG.** A canis familiaris over four (4) months of age. Any canis familiaris under four (4) months of age is a puppy.

(L) **DOMESTICATED ANIMALS.** Animals accustomed to live in or about the habitation of man, including but not limited to cats, dogs, fowl, horses, swine, goats, and cattle.

(M) **GUARD DOG**. A working dog which must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control while working, so it cannot come into contact with the public. This restriction does not apply to service dogs for people and governmental entities and dogs used for agricultural purposes.

(N) **HOLDING FACILITY**. Any pet shop, kennel, cattery, groomer, animal shelter, humane establishment, or any other such facility used for holding animals.

(O) **KENNEL**. An establishment having four (4) or more dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee, selling, or agricultural use such as stock herding and guarding.

(P) **LEASH OR LEAD**. Any chain, rope or device used to restrain an animal.

(Q) **NEUTER**. A surgical procedure performed on male animals in which its testicles are removed.

(R) **OWNER**. Any person who is either the legal owner, keeper, possessor or the actual custodian of an animal. Ownership is established by a person registering as owner on a license or other legal document or being a person claiming ownership and taking possession of an animal. Where the 'Owner' is a minor under the age of 18 years, the minor's parent or legal guardian shall be liable for and held responsible for payment

of the minor child's citation, fines and/or late penalties.

(S) **PET**. A domesticated animal kept for pleasure rather than utility, including, but not limited to birds, cats, dogs, fish, hamsters, mice, and other animals associated with man's environment.

(T) **PET SHOP**. Any establishment containing cages or exhibition pens, not part of a kennel or cattery, wherein dogs, cats, birds, or other pets for sale are kept or displayed.

(U) **QUARANTINE**. The isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or unauthorized persons.

(V) **SPAY**. A surgical procedure performed on a female animal in which its ovaries and uterus are removed.

(W) **STRAY**. Any animal at large as explained in Section 7-3-2 of this Title.

(X) **VICIOUS ANIMAL**. Any animal which is dangerous, aggressive, including, but not limited to any animal which has bitten or in any other manner attacked any person or animal.

(Y) **VICIOUS DOG**.

(1) Any dog which, in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places;

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

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

(4) This provision shall not apply to dogs owned or used by governmental entities.

(Z) **WILD ANIMAL.** Animals including raccoons, skunks, coyotes, foxes, bats, the offspring of wild animals crossbred to domestic dogs and cats and any other carnivorous animal.

(AA) **WORRY.** To harass by tearing, biting or shaking with the teeth or without provocation to chase any animal or person or approach any person in an apparent attitude of attack when such person is in a place where he/she has a right to be.

(Amended by Ord. Nos. 07-68; 16-03)

7- 1- 2. SUMMIT COUNTY DEPARTMENT OF ANIMAL CONTROL.

Summit County has created a Department of Animal Control.

7- 1- 3. POWERS OF SUMMIT COUNTY ANIMAL CONTROL OFFICIALS.

(A) The Summit County Director of Animal Control or any person employed by the Summit County Department of Animal Control as an animal control officer shall take the Summit County oath of office and shall be vested with the power and authority to enforce this Title.

(B) The Summit County Director of Animal Control, his/her deputies, assistants, and animal control officers are hereby authorized and empowered to apprehend and take with them and impound any animal found in violation of this Title and including licensable dogs for which no license has been procured in accordance with this Title, or any licensed or unlicensed dogs for any other violations.

(C) In the enforcement of this Title, any peace officer or the Summit County Director of Animal Control, or his/her assistants are authorized to enter onto the open premises of any person to take possession of any dog in violation of this Title.

(Amended by Ord. No. 07-68)

7- 1- 4. DUTIES OF SUMMIT COUNTY ANIMAL CONTROL OFFICIALS.

(A) **SUMMIT COUNTY ANIMAL CONTROL DIRECTOR.** The Summit County Director of Animal Control shall enforce this Title and perform other responsibilities pursuant thereto, supervise

the animal shelter(s) under his or her jurisdiction, keep adequate records of all animals impounded and all monies collected, see that all animals and animal holding facilities in his or her jurisdiction are licensed, controlled and permitted in accordance with any applicable ordinance and/or regulations, establish, in cooperation with the Summit County Health Department and other interested governmental agencies, adequate measures for rabies immunization and control.

(B) SUMMIT COUNTY ANIMAL CONTROL OFFICERS. The Summit County animal control officers shall enforce this Title in all respects pertaining to animal control within the jurisdiction including the care and impounding of animals and prevention of cruelty to animals and carry out all duties prescribed or delegated by the Summit County Director of Animal Control.

(Amended by Ord. No. 07-68)

CHAPTER 2 - LICENSING

7- 2- 1. DOG LICENSING.

(A) All dogs must be licensed each year, except as otherwise provided, to a person of the age of eighteen (18) or older.

(B) Any person owning, possessing or harboring any dog within Summit County shall obtain a license for such animal within thirty (30) days after the dog reaches the age of four (4) months, within ten (10) days of the acquisition of such dog or presence of such dog within Summit County. For a dog under the age of six (6) months, the Summit

County Department of Animal Control may accept certification from a licensed veterinarian that the owner has deposited funds for spaying or neutering, then the dog may be licensed at the reduced fee. Said initial license shall be effective for one (1) year from the date of purchase and must be renewed annually thereafter.

(C) License renewal applications must be submitted annually to the Summit County Department of Animal Control, utilizing a standard form, which requests name, address and telephone number of the applicant and the breed, sex, color and age of the animal; the form also asks for pertinent information regarding rabies vaccinations. The

application shall be accompanied by the prescribed license fee and by a current rabies vaccination certificate. Rabies vaccinations and certificates therefore, must be obtained every three (3) years, from either a licensed veterinarian or an authorized Summit County animal control officer.

(D) Dog licenses will be issued in accordance with fees as established by Summit County.

No dog shall be licensed as spayed or neutered without satisfactory proof that such surgery was performed on said dog.

(E) The license shall be effective one (1) year from the date of purchase after which a late fee may be imposed. Licenses for the following year may be purchased within thirty (30) days prior to the expiration date.

(F) No person or persons at any one residence within the jurisdiction shall at any one time own or license more than three (3) dogs in any combination except as otherwise provided. Any person owning, possessing or harboring four (4) or more dogs must obtain a kennel permit from the Summit County Department of Animal Control.

(Amended by Ord. No. 07-68)

7- 2- 2. LICENSE TAG.

(A) Upon payment of the license fee, the Summit County Department of Animal Control shall issue to the owner a certificate and tag for each dog licensed. The tag shall have stamped on the license number corresponding with the tag number on the certificate. The owner shall attach the tag to

the collar or harness of the animal and see that the collar and the tag are constantly worn. Failure to attach the tag as provided shall be in violation of this Title, except in that dogs which are kept for show purposes are exempt from wearing the collar and tag.

(B) Dog tags are not transferable from one dog to another. No refunds shall be made on any dog license fee for any reason whatsoever. Replacements for lost or destroyed tags shall be issued upon payment of the required fee to the Summit County Department of Animal Control.

(C) Any person removing or causing to be removed, the collar, harness, or tag from any licensed dog without the consent of the owner or keeper thereof, except a licensed veterinarian or animal control officer who removes such for medical and other reasons, shall be in violation of this Title.

7- 2- 3. LICENSING EXCEPTIONS.

(A) The provisions of Sections 7-2-1 and 7-2-2 herein shall not apply to:

(1) Licensed dogs whose owners are non-residents temporarily, up to 30 days, within the jurisdiction; licensed dogs whose owners remain within the jurisdiction longer than thirty (30) days may transfer to the local license upon payment of the required fee and proof of current rabies vaccination.

(2) Individual dogs within a properly licensed dog kennel or other

such establishment when such dogs are held for resale or agricultural use.

(B) The fee provisions of Section 7-2-2 shall not apply to:

(1) Seeing-eye dogs properly trained to assist blind persons if such dogs are actually being used by blind persons to assist them in moving from place to place.

(2) Hearing dogs properly trained to assist deaf persons if such dogs are actually used by deaf persons to aid them in responding to sounds.

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

(C) Nothing in this section shall be construed so as to exempt any dog from having a current rabies vaccination.

CHAPTER 3 - VIOLATIONS

7- 3- 1. UNLAWFUL TO HARBOR STRAY DOGS.

It shall be unlawful for any person, except an animal welfare society incorporated within the State of Utah, to harbor or keep any lost or stray dog. Whenever any dog shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the Summit County Animal Control Department

within 24 hours, and the Department shall impound the dog.

(Amended by Ord. No. 07-68)

7- 3- 2. DOGS RUNNING AT LARGE.

A. Under Restraint: It shall be unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog at any time to run at large. Except as provided in subsection B of this Section, a

dog shall be considered under restraint of the owner and therefore not “at large” when:

1. On a leash or lead;
2. The dog is under the control of its owner through the use of an electronic dog collar, provided that the owner maintains voice and sight control as outlined in subsection B(1) of this Section and carries a physical leash or lead with them at all times;
3. Confined within a vehicle;
4. Within the real property limits of the owner;
5. Within the real property limits of another with the express permission of the property owner;
6. The dog is an agricultural dog actively working; or
7. The dog is hunting with its owner; or
8. The dog is within the boundaries of a designated off leash dog area adopted by ordinance or otherwise formally approved by the City, or a homeowners’ association within the jurisdiction.

(B) Off Leash Areas:

1. Voice and Sight Control: With respect to subsection (A)(8) of this Section, dogs within the boundaries of a designated off leash dog area must be managed through the use of “voice and sight control” defined as control of the behavior of a dog which is not leashed or otherwise physically restrained by its owner sufficient that the dog does not, without regard to circumstances or distractions:

- a. Charge, chase, or otherwise display aggression toward any person or behave toward any person in a manner that a reasonable person would find harassing or disturbing;
- b. Charge, chase or otherwise display aggression toward any animal;
- c. Chase, harass or disturb wildlife or livestock;
- or
- d. Fail to come to and stay with the owner immediately upon command by such person.

2. Off Leash Dog Area

Regulations: The following shall be prohibited or illegal within the boundaries of any off leash dog area within the jurisdiction:

- a. Failure of an owner of any dog within the boundaries of an off leash dog area to carry a leash or lead no longer than six (6) feet in length for each dog. Electronic dog collars may not substitute for a physical leash or lead.
- b. An owner having more than four dogs simultaneously unleashed.
- c. Failure of an owner to exercise voice and sight control at all times.

- d. Failure of an owner to properly clean up and dispose of dog waste.
- e. Bringing a female dog in season (heat) into an off leash dog area.
- f. Failure of a dog to be properly licensed per Section 7-2-1 of this Title and to wear a license tag per Section 7-2-2 of this Title
- g. Failure to follow any other posted off leash dog area rules and regulations.

(C) Sensitive Areas: Park City recognizes that there are certain sensitive places where dogs should be on leash at all times. Dogs may only be allowed off leash in areas formally designated as off leash areas. Dogs must remain on leash within one hundred fifty feet (150') of an off leash public trailhead.

(D) Liability: The owner of any dog found running at large shall be strictly liable for a violation of this section regardless of the precautions taken to prevent the escape of the dog and regardless of whether or not he/she knows that the dog is running at large.

(Amended by Ord. No. 07-68; 16-03)

7- 3- 3. DOGS ON UNENCLOSED PREMISES.

It shall be unlawful for any person to chain, stake out, or tether any dog on any unenclosed premises in such a manner that the animal may go beyond the property line

unless such person has permission of the owner of the affected property.

7- 3- 4. FEMALE DOGS IN HEAT.

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

7- 3- 5. PLACES PROHIBITED TO DOGS.

(A) It shall be unlawful for any person to take or permit any dogs, whether loose or on a leash or in arms, in or about any establishment or place of business where food or food products are sold or displayed, including, but not limited to restaurants, grocery stores, meat markets, and fruit or vegetable stores.

(B) It shall be unlawful for any person keeping, harboring or having charge or control of any dog to allow said dog to be within the following described areas:

- (1) Any watershed area so designated by ordinance or otherwise legally appointed, either now existing or to be defined in the future.

(2) Any construction site of a building, building improvement, road, utility, or other construction site during any time when actual construction or excavation activity is taking place.

(3) No owner or person shall cause or permit any dog owned by him/her or under his/her control or custody to enter any designated area where a sign or signs are posted bearing the legend "No Dogs Allowed", or other words to that effect.

(4) This section shall not apply to dogs provided for in Section 7-2-3(B).

(Amended by Ord. No. 07-68)

7-3-6. DOGS ATTACKING PERSONS AND ANIMALS.

(A) **ATTACKING DOGS.** It shall be unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog to attack, chase or worry any person, any domestic animal, or any species of protected wildlife, or to attack domestic fowl. "Worry" as used in this section shall mean to harass by tearing, biting or shaking with the teeth, or without provocation to chase or approach any person in an apparent attitude of attack when such person is in a place where he/she has a right to be.

(B) **OWNER LIABILITY.** The owner in violation of Section (A) above shall be strictly liable for violation of this section. In

addition to being subject to prosecution under (A) above, the owner of such dog shall also be liable in damages to any person injured or to the owner of any animal(s) injured or destroyed.

(C) **DEFENSES.** The following shall be considered in mitigating the penalties or damages or in dismissing the charge:

(1) That the dog was properly confined on the premises.

(2) That the dog was deliberately or maliciously provoked.

(D) **DOGS MAY BE KILLED.** Any person may kill a dog while it is committing any of the acts specified in (A) above or while such dog is being pursued.

(Amended by Ord. No. 07-68)

7-3-7. VICIOUS ANIMALS AND VICIOUS DOGS.

(A) It shall be unlawful for the owner of any vicious animal or vicious dog, as those terms are defined herein, to permit such animal to go or be off the premises of the owner unless such animal is under restraint as defined in Section 7-3-2 (A) of this Title, and properly muzzled so as to prevent it from injuring any person or property.

(B) The Summit County Director of Animal Control shall seek a court order for destruction of or muzzling of any vicious animal that is under restraint as defined in Section 7-3-2 (A) of this Title, yet cannot be controlled by reasonable restraints and

cannot be effectively controlled by its owner or person having charge, care, or control of such animal.

(Amended by Ord. No. 07-68; 16-03)

7- 3- 8. NUISANCE.

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

- (A) Any animal which:
 - (1) causes damages to the property of anyone other than its owner;
 - (2) is a vicious animal as defined herein and kept contrary to Section 7-3-7 above;
 - (3) causes unreasonable fouling of the air by odors;
 - (4) causes unsanitary conditions in enclosures or surroundings;
 - (5) defecates on any public sidewalk, park, or building, or on any private property without the consent of the owner of such private property, unless the person owning, having a proprietary interest in, harboring or having care, charge, control, custody or possession of such animal shall remove any such

defecation to a proper trash receptacle;

(6) barks, whines or howls or makes other disturbing noises in an excessive, continuous or untimely fashion;

(7) attacks other domestic animals; or

(8) is determined by the Summit County Department of Animal Control or the City-County Health Department to be offensive or dangerous to public health, safety or welfare.

(B) Animals which, by virtue of the number maintained, are determined by the Summit County Department of Animal Control or the City-County Health Department to be offensive or dangerous to the public health, welfare or safety.

(Amended by Ord. No. 07-68)

7- 3- 9. REVOCATION OF DOG LICENSE.

If the owner of any dog is found to be in violation of this Title on three or more different occasions during any twelve (12) month period, the Director of Animal Control may revoke for a period of one (1) year any dog license such person may possess and providing for the Summit County Animal Control Department to pick up and impound any dog kept by the person under such order. Any dog impounded pursuant to such an order shall be dealt with

in accordance with the provisions of this Title for impounded animals except that the person under the order of revocation shall not be allowed to redeem the dog under any circumstances.

(Amended by Ord. No. 07-68)

7- 3-10. BITES, DUTY TO REPORT.

(A) Any person having knowledge of any individual or animal having been bitten by an animal of a species subject to rabies shall report the incident immediately to the Summit County Department of Animal Control.

(B) The owner of an animal that bites a person and any person bitten by an animal shall report the bite to the Summit County Department of Animal Control or the Health Department within twenty-four (24) hours of the bite, regardless of whether or not the biting animal is of a species subject to rabies.

(C) A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report the fact that he/she has rendered professional treatment to the Summit County Department of Animal Control of the City-County Health Department within twenty-four (24) hours of his/her first professional attendance. He or she shall report the name, sex and address of the person bitten as well as the type and location of the bite. If known, he/she shall give the name and address of the owner of the animal that inflicted the bite, and any other facts that

may assist the Summit County Department of Animal Control in ascertaining the immunization status of the animal.

(D) Any person treating an animal bitten, injured or mauled by another animal shall report the incident to the Summit County Department of Animal Control. The report shall contain the name and address of the owner of the wounded, injured or bitten animal, the name and address of the owner, a description of the animal, which caused the injury, and the location of the incident.

(E) Any person not conforming to the requirements of this section shall be in violation of this Title.

CHAPTER 4 - CONTROL OF RABIES AND RABID ANIMALS

7- 4- 1. RABIES VACCINATION REQUIRED FOR DOGS.

The owner or person having the charge, care, custody and control of a dog or cat four months of age or over shall have said animal vaccinated within thirty (30) days after it reaches said age. Unvaccinated dogs over four (4) months of age acquired by the owner or moved into the jurisdiction must be vaccinated thereafter every thirty-six (36) months with a modified virus rabies vaccine approved by the Summit County Health Department. Cats shall be vaccinated every thirty-six (36) months. This provision shall not apply to veterinarian or kennel operators temporarily maintaining on their premises animals owned by others.

(Amended by Ord. No. 07-68)

7- 4- 2. DUTIES OF VETERINARIANS AND TAG REQUIREMENTS.

(A) It shall be the duty of each veterinarian when vaccinating any animal for rabies to complete a certificate of rabies vaccination, in duplicate, which includes the following information:

- (1) Owner's name and address;
- (2) Description of animal, breed, sex, markings, age, name;
- (3) Date of vaccination;
- (4) Rabies vaccination tag number;
- (5) Type of rabies vaccine administered; and
- (6) Manufacturer's serial number of vaccine.

(B) A copy of the certificate shall be distributed to the owner and original retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies of the certificate for the interval between vaccinations specified in this section. Additionally a numbered serialized metal or durable plastic rabies vaccination tag shall be securely attached to the collar or harness of all dogs. A dog not wearing such tag shall be deemed to be unvaccinated and may be impounded and dealt with pursuant to this Title.

(Amended by Ord. No. 07-68)

7- 4- 3. TRANSIENT ANIMAL EXCEPTION.

The provisions of this Title with respect to vaccination shall not apply to any animal owned by a person temporarily remaining in the jurisdictions for less than thirty (30) days. Such animals shall be kept under strict supervision of the owner. It shall be unlawful to bring any animal into the jurisdiction which does not comply with animal health laws and import regulations.

7- 4- 4. IMPOUNDMENT OF ANIMAL WITHOUT VALID RABIES VACCINATION TAG.

(A) Any vaccinated animal impounded because of a lack of rabies vaccination tag may be reclaimed by its owner by furnishing proof of rabies vaccination and payment of all impoundment fees prior to release.

(B) Any unvaccinated animal may be reclaimed by payment of impound fees and by obtaining a rabies vaccination within seventy-two (72) hours of release.

(C) Any dog not reclaimed prior to the period shall be disposed of pursuant to provision of Section 7-5-3.

(Amended by Ord. No. 07-68)

7- 4- 5. REPORTING OF RABID ANIMALS.

Any person having knowledge of the whereabouts of an animal known to have been exposed to, or suspected of having

rabies; or of an animal or person bitten by such a suspect animal, shall notify the Summit County Department of Animal Control, the Summit County Health Department or the State Division of Health.

7- 4- 6. QUARANTINING AND DISPOSITION OF BITING OR RABID ANIMALS.

(A) An animal that has rabies or shows signs of having rabies, and every animal infected with rabies or that has been exposed to rabies shall be reported by the owner as is set forth above and shall immediately be confined in a secure place by the owner. The Summit County Director of Animal Control has the discretion to allow the dog owner to secure the dog or to require the dog owner to surrender the dog to the Summit County Department of Animal Control.

(B) The owner of any animal of a species subject to rabies, which has bitten shall surrender the animal to an authorized official upon demand. Any person authorized to enforce this Title may enter upon private property to seize the animal; if the owner refuses to surrender the animal, the officer shall immediately obtain a search warrant authorizing seizure and impoundment of the animal.

(C) Any animal of a species subject to rabies that bites a person or animal or is suspected of having rabies may be seized and quarantined for observation for a period of not less than ten (10) days by the Summit County Department of Animal Control and/or the Health Department. The owner of the animal shall bear the cost of

confinement. The animal shelter shall be the normal place for quarantine, but other arrangements, including confinement by the owner, may be made by the Director of Animal Control and/or the Director of Health if the animal had a current rabies vaccination at the time the bite was inflicted or if there are other special circumstances justifying an exception. A person who has custody of an animal under quarantine shall immediately notify the Summit County Department of Animal Control if the animal shows any signs of sickness or abnormal behavior, or if the animal escapes confinement. It shall be unlawful for any person who has custody of a quarantined animal to fail or to refuse to allow a health or animal control officer to make an inspection or examination during the period of quarantine. If the animal dies within ten (10) days from the date of the bite, the person having custody shall immediately surrender the dog to the Summit County Department of Animal Control. If, at the end of the ten (10) day quarantine period, the Summit County Director of Animal Control examines the animal and finds no sign of rabies, the animal may be released to the owner or in the case of a stray, it shall be disposed of as provided in Section 7-5-3.

(D) UNVACCINATED BITTEN ANIMALS.

(1) In the case of an unvaccinated animal species subject to rabies, which is known to have been bitten by a known rabid animal, said bitten or exposed animal should be immediately destroyed.

(2) If the owner is unwilling to destroy the bitten or exposed animal, the animal shall be immediately isolated and quarantined for six (6) months under veterinary supervision, the cost of such confinement to be paid in advance by the owner. The animal shall be destroyed if the owner does not comply herewith.

(E) **VACCINATED BITTEN ANIMALS.**

(1) If the bitten or exposed animal has been vaccinated, the animal shall be revaccinated within twenty-four (24) hours and quarantined for a period of forty-five (45) days following revaccination; or

(2) If the animal is not revaccinated within twenty-four (24) hours, the animal shall be isolated and quarantined under veterinary supervision for six (6) months.

(3) The animal shall be destroyed if the owner does not comply with this subsection.

(F) It shall be unlawful for any person to remove any such animal from the place of quarantine without written permission of the Summit County Department of Animal Control. It is unlawful for any person to permit, or suffer to escape, any such animal from its place of quarantine or impoundment.

(G) If any animal bites or attacks a person or animal two times or more in a

twelve (12) month period, such animal may be immediately impounded by the Summit County Department of Animal Control without court order and held at owner expense pending court action. Any such animal shall be deemed a vicious animal, and the Summit County Director of Animal Control may seek a court order as provided in Section 7-3-7 for destruction of the animal. Parties owning such animal shall, if possible, be notified immediately of the animal's location by the Summit County Department of Animal Control.

(Amended by Ord. No. 07-68)

CHAPTER 5 - IMPOUNDING

7- 5- 1. ANIMALS TO BE IMPOUNDED.

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

- (A) Any animal being kept or maintained contrary to the provisions of this Title;
- (B) Any animal running at large contrary to the provisions of this Title;
- (C) Any animal, which is by this Title required to be licensed and is not licensed. An animal not wearing a tag shall be presumed to be unlicensed for purposes of this section.
- (D) Sick or injured animals whose owner cannot be located;
- (E) Any abandoned animal;
- (F) Animals, which are not vaccinated for rabies in accordance with the requirements of this Title;
- (G) Any animal to be held for quarantine; and
- (H) Any vicious animal not properly confined as required by Section 7-3-7 herein.

(Amended by Ord. No. 07-68)

7- 5- 2. RECORDS TO BE KEPT.

Complete records shall be kept for all impounded animals and shall include the following information:

- (A) Description of the animal, including tag number;
- (B) Manner and date of impound;
- (C) Location of the pickup and name of the officer picking up the animal;
- (D) Manner and date of disposal;
- (E) Name and address of the redeemer or purchaser;
- (F) Name and address of any person relinquishing an animal to the impound facility;
- (G) All fees received; and
- (H) All expenses accruing during impoundment.

(Amended by Ord. No. 07-68)

7- 5- 3. DISPOSITION OF ANIMALS.

- (A) Licensed animals shall be impounded for a minimum of five (5) working days before further disposition, except as otherwise provided herein. Reasonable effort shall be made to notify the owner of any animal wearing a license or

other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner. Any animal voluntarily relinquished to the Summit County animal control facility by the owner therefore for destruction or other disposition need not be kept for the minimum holding period before release or other disposition as herein provided.

(B) No dog or cat shall be released for adoption until such dog or cat is spayed or neutered unless payment for such spaying or neutering is deposited with the Summit County Department of Animal Control and the person to whom the dog or cat is released agrees, in writing, to cause such dog or cat to be spayed or neutered. Such agreement shall provide that the purchaser will have the dog or cat spayed or neutered within 120 days of the date of purchase. Failure to spay or neuter such dog or cat shall be deemed a breach of the adoption contract and shall result in its termination, return of the dog or cat, and forfeiture of all amounts paid to Summit County Department of Animal Control. All adoptions are conditional until the animal is spayed or neutered.

(C) All dogs, except for those quarantined or confined by court order, held longer than the minimum impound period, and all dogs voluntarily relinquished to the impound facility may be destroyed or sold as the Summit County Director of Animal Control shall direct. Any healthy dog may be sold to any person desiring to purchase such animal for a price to be determined by the Summit County Director of Animal Control but not to exceed the fee set by

Summit County, plus license, rabies vaccination, and/or spaying or neutering fees, if required.

(D) Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention may, in the discretion of the Summit County Director of Animal Control, be released to the care of a veterinarian with the consent of the owner.

(E) The Summit County Director of Animal Control has the discretion to destroy an animal without regard to any time limitations otherwise established herein and without court order under the following circumstances:

(1) In the judgment of the Summit County Director of Animal Control, the animal should be destroyed for humane reasons;

(2) In the judgment of the Summit County Director of Animal Control, the animal should be destroyed to protect the public from the imminent danger to persons or property; or

(3) In the judgment of the Summit County Director of Animal Control, the animal is a vicious animal and is considered either at large or abandoned by its owner or person having charge, care, custody, or control.

(Amended by Ord. No. 07-68)

7- 5- 4. REDEMPTION.

(A) The owner of any impounded animal or his authorized representative may redeem such animal before disposition provided he/she pays:

- (1) The impound fee;
- (2) The daily board charge;
- (3) Veterinary costs incurred during the impound period, including rabies vaccination;
- (4) License fee, if required.

(B) Redemption fees shall be as established by Summit County.

(Amended by Ord. No. 07-68)

7- 5- 5. IMPOUND FEES FOR VOLUNTARY RELINQUISHMENT BY OWNER.

Whenever any dog or cat is voluntarily relinquished by the owner thereof to the animal control facility for destruction or other disposition as provided by Section 7-5-4 of this Title, a donation may be given by such owner for each dog, for each litter of dogs, for each cat, or for each litter of cats so relinquished.

(Amended by Ord. No. 07-68)

7- 5- 6. ANIMAL SHELTER.

(A) The governing authority shall provide suitable premises and facilities to be used as an animal shelter where impounded small animals can be adequately kept. They shall purchase and supply food and supply humane care for impounded animals.

(B) The governing authority shall provide for the painless and humane destruction of dogs and other animals required to be destroyed by this Title or by the laws of the State of Utah.

(C) The governing authority may furnish, when necessary, medical treatment for such animals as may be impounded pursuant to this Title.

CHAPTER 6 - CRUELTY TO ANIMALS PROHIBITED

7- 6- 1. PHYSICAL ABUSE.

It is unlawful for any person to willfully or maliciously kill, maim, disfigure, torture, beat with a stick, chain, club or other object, mutilate, burn or scald, overdrive or otherwise cruelly set upon any animal. Each offense shall constitute a separate violation. An exemption will exist for agricultural animals that are branded, ear marked, or otherwise marked for identification purposes.

(Amended by Ord. No. 07-68)

7- 6- 2. TRANSPORTING ANIMALS.

It is unlawful for any person to carry or confine any animal in or upon any vehicle in a cruel or inhumane manner, including but not limited to, carrying or confining such animal without adequate ventilation or for an unusual length of time.

(Amended by Ord. No. 07-68)

7- 6- 3. CARE AND MAINTENANCE.

It shall be the duty of any person to provide any animal in his charge or custody, as owner or otherwise, with adequate food, drink, care, which shall include veterinary care and shelter.

7- 6- 4. ANIMAL POISONING.

Except as provided in Section 7-5-6, it shall be unlawful for any person by any means to make accessible to any animal, with intent to cause harm or death, any substance, which has in any manner been treated or prepared with any harmful or poisonous substance. This provision shall not be interpreted so as to prohibit the use of poisonous substances for the control of vermin in the furtherance of the public health when applied in such a manner as to reasonably prohibit access to other animals.

(Amended by Ord. No. 07-68)

7- 6- 5. INJURY TO ANIMALS BY MOTORISTS.

(A) Every operator of a motor or other self-propelled vehicle upon the streets of the jurisdiction shall immediately upon injuring, striking, maiming or running down any domestic animal give such aid as can reasonably be rendered. In the absence of the owner, he or she shall immediately notify the Summit County Department of Animal Control, furnishing requested facts relative to the injury.

(B) It shall be the duty of such operator to remain at or near the scene until such time as the appropriate authorities arrive, and upon the arrival of the authorities, the operator shall immediately identify himself to the authorities. Alternatively, in the absence of the owner, a person may give aid by taking the animal to the animal control facility or other appropriate facility and notifying the Summit County Department of Animal Control. Such animal may be taken

in by the animal control facility and dealt with as deemed appropriate under the circumstances.

(C) Emergency vehicles are exempted from the requirements of this provision.

(Amended by Ord. No. 07-68)

7- 6- 6. ANIMALS FOR FIGHTING.

(A) It shall be unlawful for any person, firm, or corporation to raise, keep or use any animal, fowl or bird for the purpose of fighting or baiting; and for any person to be a party to or be present as spectator at any such fighting or baiting of any animal or fowl; and for any person, firm or corporation to knowingly rent any building, shed, room, yard, ground or premises for any such purposes as aforesaid, or to knowingly suffer or permit the use of his/her buildings, sheds, rooms, yards, grounds or premises for the purposes aforesaid.

(B) Law enforcement officers or the Summit County Department of Animal Control officials may enter any building or place where there is an exhibition of fighting or baiting of a live animal, or where preparations are being made for such an exhibition, and the law enforcement officers may arrest persons there present and take possession of all animals engaged in fighting, along with all implements or applications used in such exhibition. This provision shall not be interpreted to authorize a search or arrest without a warrant such is required by law.

7- 6- 7. MALICIOUS IMPOUNDING.

It shall be unlawful for any person maliciously to secrete or impound the animal of another.

**CHAPTER 7 - KENNELS, PET SHOPS
ETC. REGULATION**

7-7-1. KENNEL PERMITS.

(A) Any person wishing to operate or maintain a kennel, cattery, pet shop or groomery must first obtain a kennel license from the Summit County Department of Animal Control. Said kennel license shall be issued upon payment of the fee and a statement from the Summit County Planning Department or appropriate city official that a kennel is a permitted use under the zoning regulations in effect for the area of the proposed kennel.

(B) A valid kennel license shall be posted in a conspicuous place in each establishment and said license shall be considered as appurtenant to the premises and not transferable to another location. The licensee shall notify the Summit County Department of Animal Control within thirty (30) days of any change in his establishment or operation, which may affect the status of his license. In the event of a change in ownership of the establishment, the licensee shall notify the Summit County Department of Animal Control immediately. Licenses shall not be transferable from one owner to another.

(C) Any license issued pursuant to this section shall automatically expire on December 31st, immediately following date of issue. During the first three (3) months of each year the licensee shall apply for a renewal of the license and pay the required fee. Any application made after March 31, except an application for a new

establishment opening subsequent to that date, shall be accompanied by a late application fee in addition to the regular permit fee.

(D) **LICENSE FEES.** License fees shall be as established by Summit County.

(Amended by Ord. No. 07-68)

**7-7-2. STANDARDS FOR
PERMITTED ESTABLISHMENT.**

The Summit County Department of Animal Control shall promulgate rules and regulations governing the operation of kennels, catteries, groomers, pet shops. Such rules and regulations shall provide for the type of structures, buildings, pens, cages, runways or yards required for the animal sought to be kept, harbored or confined on such premises; the manner which food, water and sanitation facilities will be provided to such animals; measures relating to the health of said animals, the control of noise and odors, and the protection of person or property adjacent premises; and other such matters as the Summit County Director of Animal Control shall deem necessary. Such rules and regulations shall have the effect of law, and violation of such rules and regulations shall be deemed a violation of this Title and grounds for revocation of a permit issued by the Summit County Department of Animal Control.

**7-7-3. SUSPENSION OR
REVOCATION OF PERMIT.**

(A) **GROUND.** A permit may be suspended or revoked or a permit

application rejected on any one or more of the following grounds:

- (1) Falsification of facts in a permit application;
- (2) Violation of any of the provisions of this Title or any other law or regulation governing the establishment including noise; or
- (3) Conviction on a charge of cruelty to animals.

(B) **PROCEDURE.** If an inspection of kennels, catteries, groomeries, pet shops, reveals a violation of this Title, the inspector shall notify the permit holder or operator of such violation by means of an inspection report form or other written notice. The notification shall:

- (1) Set forth the specific violation(s) found;
- (2) Establish a specific and reasonable period of time for the correction of the violations found;
- (3) State that failure to comply with any notice issued in accordance with the provisions of this Title may result in immediate suspension of the permit.

7-7-4. EMERGENCY SUSPENSION.

(A) Notwithstanding the other provisions of this Title, when the inspecting officer finds unsanitary or other conditions in the

operation of kennels, catteries, groomeries, pet shops, or a similar establishment, which in his judgment, constitute a substantial hazard to public health, he may, without warning or hearing, issue a written notice to the permit holder or operator citing such condition specifying the corrective action to be taken. Such order may state that the permit is immediately suspended and all operations are to be discontinued. Any person to whom such an order is issued shall comply immediately therewith. Any animals at such a facility may be confiscated by the Summit County Department of Animal Control and impounded or otherwise provided for according to the provisions of this Title.

(B) **NOTICE.** Notice provided for under this section shall be deemed to have been properly served when the original of law inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the records of the Summit County Department of Animal Control.

7-7-5. INTERFERENCE WITH OFFICERS PROHIBITED.

It is unlawful for any person to do any act which hinders, delays, interferes with or obstructs an animal control officer while engaging in the discharge of their duties, including furnishing false information to such.

CHAPTER 8 - DOMESTICATED ANIMALS

7- 8- 1. DOMESTICATED ANIMALS.

It is unlawful for the owner or person having charge, care, or custody of any domesticated animal to allow such to be at large contrary to the provisions of the Title. Domestic animals include horses, cattle, sheep, pigs, goats, etc.

(Amended by Ord. No. 16-03)

CHAPTER 9 – VIOLATION; SEVERABILITY

7- 9- 1. VIOLATION.

Any person violating the provisions of this Title either by failing to do those acts required herein or by doing any act prohibited herein, shall be subject to fine in an amount not to exceed that fine as established by Summit County, or imprisoned in the County jail not to exceed ninety (90) days, or both such fine and imprisonment or such further fines and imprisonments provided for Class "C" misdemeanor pursuant to §76-3-101, et seq. U.C.A. 1953, as amended. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. In addition, Summit County may also pursue civil remedies for any violation of this Title.

(Amended by Ord. No. 07-68)

7- 9- 2. SEVERABILITY.

If any provision, clause, sentence, or paragraph of this Title or the application to any person or circumstance shall be held to be invalid, such invalidity shall not affect the other provisions or applications of this Title which can be given effect independent from the invalid provision or application, and to this end of the provision of this Title are hereby declared to be severable.

(Created by Ord. No. 07-68)