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**CITY OF LOGAN
ORDINANCE NO. 98-39**

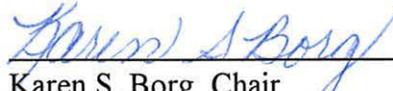
AN ORDINANCE AMENDING LOGAN MUNICIPAL CODE, TITLE 6, "ANIMALS"

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN AS FOLLOWS:

SECTION 1: Logan Municipal Code Title 6, "Animals," which includes four chapters relating to the Division of Animal Control, Animals Generally, Dogs, and Traps and Trapping, is hereby amended as set forth in the attached ordinance revision.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS 3rd DAY OF JUNE, 1998.



Karen S. Borg, Chair

ATTEST:



Lois Price, City Recorder

PRESENTATION TO MAYOR

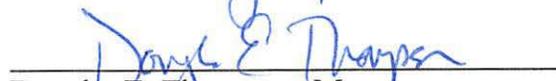
The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 3rd day of June, 1998.



Karen S. Borg, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 23 day of July, 1998.



Douglas E. Thompson, Mayor

Title 6

ANIMALS

Chapters:

- 6.04 Department Division of Animal Control
- 6.08 Animals Generally
- 6.12 Dogs
- 6.16 Traps and Trapping

Chapter 6.04

DEPARTMENT DIVISION OF ANIMAL CONTROL

Sections:

- 6.04.010 Created.
- 6.04.020 Definitions.
- 6.04.030 Supervisor--Duties.
- 6.04.040 Interference with supervisor and deputies.
- 6.04.050 Right of entry.
- 6.04.060 Badges.
- 6.04.070 Impounding.
- 6.04.080 Record of impounded animals.
- 6.04.090 Animal waste--Removal required.
- 6.04.100 Violation of promise to appear--Misdemeanor.

6.04.010 Created.

There is created a department Division of Animal Control. The mayor, with the consent of the municipal council, shall appoint a supervisor of the department Division of Animal Control and such personnel as may be necessary for the work of the department division. (Prior code §4-1-1)

6.04.020 Definitions.

For the purpose of this title, unless it is evident from the context that a different meaning is intended, certain terms used in this chapter are defined as follows:

- A. "At large" or "running at large" ~~when used in reference to dogs~~ means any dog or other animal ~~dog~~ off or away from the premises of the owner, possessor or keeper thereof unless such dog or other animal is under the control of such owner, possessor or keeper, or such person's agent or servant or a member of his or her immediate family by means of a leash, cord, or chain or other comparable restraint ~~is in a cage or confined in a trailer or is otherwise prevented from trespassing on others or their property.~~
- B. "Cat" means any male, female, neutered male or spayed female cat.
- C. "Cat kennel" means a place or premises where three ~~four~~ or more cats at least four months old are raised, kept, housed or boarded. ~~For~~ for commercial purposes.
- D. "Department Division" means the department Division of Animal Control.

E. "Dog" means any male, female, neutered male or spayed female dog of any age unless the context of the sentence requires a different interpretation as in the paragraph on the amount of registration fees, Section 6.12.010.

F. "Dog kennel" means a place or premises where three four or more dogs at least four months old are raised, kept, housed or boarded. ~~For~~ for commercial purposes.

G. "Dog of registration age" means any dog which has attained the age of two ~~two~~ four months.

H. "Domesticated animal" means animals accustomed to live living in or about the habitation of a man humans, including but not limited to, cats, dogs, fowl, horses, swine and goats.

I. "Humane Care & Treatment" means appropriate and essential food and other needs of the animal including veterinary care and adequate protection against extreme weather conditions.

J. "Impounded" means having been received into the custody of the department Division of Animal Control or any authorized agent or representative thereof.

K. "Other animal" or "animal" means all animals other than dogs.

L. "Owner" when applied to the proprietorship of a dog or other animal, means any person, firm, association or corporation owning or keeping or harboring a dog or other animal.

M. "Pound" means any animal shelter, lot, premises or building maintained or authorized by the city for the confinement and care of dogs or other animals seized either under the provisions of this title or otherwise.

~~N. "Stray" or "stray" or "stray animal" means any animal, other than a dog, off or away from the premises of the owner, possessor or keeper thereof, unless such animal is under the control of such owner, possessor or keeper or his agent or servant, or a member of his or her immediate family by means of a leash, cord or chain or is in a cage or confined in a trailer or is otherwise prevented from trespassing on others or their property.~~

~~Θ N.~~ "Supervisor" means the supervisor of the department Division of Animal Control.

~~P O.~~ "Unregistered dog" means a dog which has not been registered with the department Division of Animal Control and for which the permit for the current year has not been paid, or to which the tags provided for in this title is are not attached.

~~Θ P.~~ "Vaccinated" means any dog over six four months of age which has been vaccinated for the prevention of rabies.

~~R Q.~~ "Vicious or dangerous dog or other animal" means a dog or other animal that has bitten a person without provocation or a dog or other animal that has a known propensity to attack or to bite human beings humans, dog dogs, or other domesticated animal animals. (Prior code §4-1-4)

6.04.030 Supervisor--Duties

The duties of the supervisor are as follows:

A. To act as humane officer in the care of all dogs and animals living within the limits of the city.

B. It shall be the duty of the supervisor of the department Division of Animal Control to carry out and enforce all the provisions of this title, and any amendment thereof and any ordinance later enacted relating to dogs or other animals including the issuance of citations to violators and the exercise of all arrest powers and law enforcement authority as provided by law.

C. To enforce the licensing and control of all dogs in the city as provided in this title.

D. To file complaints in the appropriate court against any person, persons, firm or corporation failing to register any dog as hereinafter provided or who otherwise fail to comply with any of the provisions of this title.

E. To capture and secure all dogs and cats found running at large, contrary to the provisions of this title; to remove such dogs and cats in a humane manner to a pound; to hold dogs and cats impounded with no registration or other tags attached for a period of not less than three working days, and to hold dogs and cats impounded with registration or other tags for a period of not less than five working days, ~~unless previously redeemed~~; to provide suitable shelter, food and water for such dogs for the period impounded; after reasonable attempts to contact the owner, to destroy all dogs or cats remaining in the pound unclaimed and not redeemed at the expiration of the time limit set forth in this section, provided in a humane manner approved by the State Health Department and the city health department provided hereunder, or sell to any person deemed to him to be suitable master of the dog or cat, upon the payment of all registration fees, vaccination fees and adoption fees. ~~impound charges required in this chapter by such person.~~

F. To capture and secure, impound and hold all ~~stray dogs and other~~ at large dogs and domesticated other animals; to provide suitable shelter, food and water for such at large stray dogs and other domesticated other animals remaining in the pound unclaimed or not redeemed; and to issue bills of sale and collect the fees hereinafter provided for any dog or animal sold; and to keep the records and reports required in this chapter.

G. In the performance of his duties, the supervisor and the supervisor's deputies are vested with the power and authority of police officers. Police officers of the city shall, upon request by the supervisor of the department Division of Animal Control, aid said department division in the performance of the duties required under this title.

H. Enforcement. Upon the employment of any deputies and the issuance of any such badges, the recipient thereof shall be duly sworn in as a special animal control officer of the city and is charged with the duty of enforcing this title and all ordinances of the city relating to the care or impounding of animals or for the prevention of cruelty thereto. Such deputy may be deemed a member of the police department. (Prior code §4-1-2)

6.04.040 Interference with supervisor and deputies.

It is unlawful for any person to interfere with, molest, hinder or prevent the supervisor or the supervisor's deputies of the department Division of Animal Control, in the discharge of their duties as prescribed in this chapter. (Prior code §4-1-7)

6.04.050 Right of entry

In the enforcement of any provision of this title any police officer and the supervisor of the department Division of Animal Control or the supervisor's deputies are authorized to enter on the premises of any person to take possession of any ~~fierce, stray, dangerous or vicious dog~~ or animal, dogs or animal at large, dogs or animal which have has committed an act prohibited by city ordinance, ~~or other stray animals~~ when in fresh pursuit of such dog or animal at the time the dog or animal goes onto private property, whether registered or unregistered, and as otherwise provided in this title and by law. (Prior code §4-1-8)

6.04.060 ~~Badges~~

~~A. Badges, Description of. Each person while performing such person's respective duties, shall wear a metallic badge of a size and design to be determined by the supervisor. Each badge shall have imprinted the words "Department of Animal Control," together with the number of such badge.~~

~~B. Badges Recorded in Department. Such badges shall be consecutively numbered. The department shall keep a permanent record of all badges issued, showing the serial number of each, the date of issuance and the name and residence address of the person to whom listed.~~

~~C. Badges, Return to Department. Any person who has been granted the badge as described in this section shall return the same to the supervisor immediately upon cessation of employment.~~

~~(Prior code §4-1-3)~~

Repeal above policy.

6.04.070 Impounding.

It shall be the duty of the supervisor and the supervisor's deputies to see that any dog running at large or stray domesticated animal at large is taken up and impounded in the city corporation animal pound, and to take into the supervisor's possession and impound all stray animals and impound the same in the city corporation animal pound. Any such dog or other domesticated animal may be so taken up without the necessity of filing a complaint, and such dogs or other animals shall be disposed of in accordance with the provisions of this title; provided, however, that upon the capture of any registered dog running at large, the dog may be returned to its owner and a citation or complaint may be issued against the owner in lieu of impounding the dog. (Prior code §4-1-5)

6.04.080 Record of impounded animals.

The department ~~division~~ shall keep a record of each animal impounded by it, the date of receipt of such animal, and the date of its disposal; and if redeemed, reclaimed or sold, the name of the person by whom redeemed, reclaimed or purchased and the address of such person and the amounts of all fees received or collected for or because of the impounding, reclaiming or purchasing thereof, together with the number of any tag and the date that any permit exhibited or issued on the redemption or sale of any such animal. (Prior code §4-1-6)

6.04.090 Animal waste--Removal required.

A. The owner or any person having control over or charge of any dog or other animal shall be responsible for the removal of any feces deposited by the such dog or animal ~~or animals~~ in any public place, including but not limited to sidewalks, streets, planting strips, parking lots, parks, recreational areas or on private property not in the ownership or control of the person having control or purporting to have control over or charge of the such dog or animal ~~or animals~~.

B. Any person violating the foregoing subsections shall be guilty of an infraction and shall be subject to a fine of not less than fifteen dollars nor more than fifty dollars. (Prior code §4-1-6.1)

6.04.100 Violation of promise to appear--Misdemeanor.

A. Any person wilfully violating his or her written promise to appear in court, given as provided in this title, is guilty of a class B misdemeanor regardless of the disposition of the charge upon when which she or he was originally arrested.

~~B. A written promise to appear in court may be complied with by an appearance by counsel.~~

~~(Prior code §4-1-9)~~

Chapter 6.08

ANIMALS GENERALLY

Sections:

ARTICLE I. UNLAWFUL ACTS

6.08.010 Vicious animals running at large--Capture and destruction or quarantine--Violation--Penalty.

6.08.020 Poisoning.

6.08.030 Inhumane treatment.

6.08.040 Selling diseased animals.

6.08.050 Animal fights prohibited.

6.08.060 Trespass of animals.

6.08.065 Number of dogs and or cats per residence.

ARTICLE II. RABID ANIMALS

6.08.070 Reporting.

6.08.080 Rabies contacts.

6.08.090 Animals quarantined for observation.

ARTICLE I. UNLAWFUL ACTS

6.08.010 Vicious animals running at large--Capture and destruction or quarantine --Violation--Penalty

A It is a unlawful for any person owning or having custody or control of any dog or other animal known by such person to be vicious or dangerous to permit or negligently allow it to run at large loose or within the premises or such person in such a manner as to cause injury to any person, dog or another other animal.

B. Any vicious dog or other animal running at large or loose within the premises of the owner or person having custody or control of such dog or other animal where it is reasonably likely to endanger the life or limb of or cause injury to any person lawfully entering such premises, shall immediately be captured by the supervisor, the supervisor's deputies or any police officer and humanely destroyed or quarantined as provided in Section 6.08.090.

C. If the capture of such dog or other animal cannot be accomplished without serious risk or harm to the supervisor, the supervisor's deputies or police officers, such dog or other animal may be destroyed by any police officer where found by the safest and most appropriate means available. It shall be the duty of the owner or person having custody or control of any vicious dog or other animal, upon request, to assist in the capture of such dog or other animal.

D. Penalty provisions pertaining to violations of this code are found in Chapter 1.16.

(Amended during 1989 codification; prior code §4-2-1)

6.08.020 Poisoning.

It is unlawful for any person or persons to wilfully and maliciously administer or cause to be administered poison of any sort whatsoever to any dog or other domesticated animal, the property of another, with the intent to injure or destroy such dog or other domesticated animal or to wilfully or maliciously place any poison or poisoned food where the same is accessible to any dog or other domesticated animal. (Prior code §4-22)

6.08.030 Inhumane treatment.

The owner of any dog or other animal shall provide humane care and treatment for such dog or animal, and failure ~~so to~~ to so provide shall constitute an abandonment of such dog or animal sufficient to empower the department Division of Animal Control to impound such dog or other animal immediately; and, after notice and hearing ~~and hearing~~, to revoke such owner's permit ~~for a dog or other animal~~ and to impound such dog or other animal. It is unlawful for any person to torture, starve, cruelly beat, ill treat, lame or otherwise inflict extreme cruelty upon any dog or other animal within the limits of the city, whether belonging to himself or to another person. (Prior code §4-2-3)

6.08.040 Selling diseased animals.

It is unlawful for any person to bring into the city for sale or have in her or his possession with the intent to sell or offer for sale or sell any dog or animal having a communicable disease, or which has been exposed to or which is liable to carry infection from a communicable disease. (Prior code §4-2-4)

6.08.050 Animal fights prohibited.

It is unlawful for any person to organize, promote, sponsor, allow or attend get up, open, maintain, sell tickets to or attend or to aid in getting up, exhibiting, opening or maintaining any bull, bear or cock fight, or fight between any dogs or other animals, within the limits of the city. (Prior code §4-2-5)

6.08.060 Trespass of animals.

It is unlawful for the owner, keeper, or a person in charge of any dog or other animal, ~~including the owner, or person in charge, of fowl or of domestic fowl such as turkeys, ducks, geese or chickens~~, to suffer or permit or negligently allow such dogs or other animals ~~animals negligently or otherwise to break out of their enclosure or to otherwise permit or suffer the same to roam at large and wander~~ or be herded or driven upon the streets or upon the premises of other persons, or to damage gardens, lawns or other premises. (Prior code §4-2-6)

6.08.065 Number of dogs and/or cats per residence.

No person or persons at any one residence, within the jurisdiction, shall at any one time own or license more than three four dogs and/or three four cats, with no combination exceeding six, except as otherwise provided in this title. Individuals who have been approved by the supervisor or supervisor's deputies as foster care providers for dogs or animals are exempt from this ordinance.

ARTICLE II. RABID ANIMALS

6.08.070 Reporting.

Any person having knowledge of the location whereabouts of a dog or other animal known to have or suspected of having rabies shall report the information facts immediately to the Division of Animal Control city health officer. The health officer Division of Animal Control shall also likewise be notified of any person, dog or other animal bitten by a rabid dog or other animal, or dog or other animals suspected of rabies. It shall be the duty of any physician within the city upon the treatment of any person bitten by any dog or other animal to immediately report the name and address of such person to the city health officer and to the city Animal Control department Division. (Prior code §4-2-7)

6.08.080 Rabies contacts.

A. Any dog or other animal, which is bitten by or has had intimate contact with a known animal which is suspected of being rabid, or which has been in intimate contact with a rabid animal shall be vaccinated and shall be isolated in a suitable place approved by the city health department and the department Division of Animal Control for a period of not less than thirty days or it shall be destroyed at the option of the owner.

B. Any dog or other animal, unless vaccinated, which is bitten by an animal known to have rabies shall either be vaccinated for rabies and isolated in a suitable place approved by the city health department and the department Division of Animal Control for a period of not less than six months or it may shall be destroyed at the option of the owner. (Prior code §4-2-8)

6.08.090 Animals quarantined for observation.

A dog or other animal which is known to have bitten or otherwise injured any person so as to cause an abrasion of the skin, or any suspected rabid dog or other animal, may will be placed in confinement under observation at a veterinary hospital and shall not be killed or released until at least ten days after the confinement. Upon the onset of symptoms suggestive of rabies, such dog or other animal shall be killed. If the dog or other animal dies or has been killed, its head shall be removed and packed in wet ice and immediately taken to the State Health it shall immediately be taken to the current authorized laboratory to be examined for rabies. No person shall fail, refuse or neglect to allow the city health officer or the department Division of Animal Control to make an inspection or examination thereof at any time during such period. No such dog or other animal shall be removed from the place of quarantine until the ten-day confinement period mentioned in this section has passed and without written permission from a Utah-licensed veterinarian. (Ord. 87-49 §1, 1987: prior code §4-2-9)

Chapter 6.12

DOGS

Sections:

6.12.010 Registration and permit required.

6.12.020 Registration date.

- 6.12.030 Revoking permits.
- 6.12.040 Registration--Exemptions.
- 6.12.050 Tags--Issuance--Use--Exemption.
- 6.12.060 Tags--Duplicate.
- 6.12.070 Tags--Not transferable.
- 6.12.080 Tags--Unlawful to remove.
- 6.12.090 Vaccination required.
- 6.12.100 Vaccination tag to be attached to dog.
- 6.12.110 Unlawful to harbor stray dogs.
- 6.12.120 Redemption or sale of impounded dogs.
- 6.12.130 Female dogs in heat.
- 6.12.140 Kennels--Permits.
- 6.12.150 Kennels--License.
- 6.12.160 Kennel infractions.
- 6.12.170 Kennel inspection.
- 6.12.180 Dogs running at large.
- 6.12.190 Dogs which disturb neighborhood.
- 6.12.200 Exhibiting permit required when.
- 6.12.210 Impounding time limit--Poundmaster may destroy dogs when.
- 6.12.220 Places where dogs are prohibited.
- 6.12.230 City officers may kill dogs when.

6.12.010 Registration and permit required

All dogs ~~over six months of age~~ four months of age or over kept, harbored or maintained by any person in the limits of the city shall be registered with the department Division of Animal Control and a permit shall be issued upon the payment of fees as set forth in the schedule through the Division of Animal Control. the following fees:

- A. ~~Neutered male and spayed female dogs: six dollars for each dog;~~
- B. ~~Male dogs which have not been neutered: ten dollars for each dog;~~
- C. ~~Female dogs which have not been spayed: ten dollars for each dog;~~
- D. ~~If the owner registers and pays the license fee for the dog before the first day of March or within ten days after the dog attains registration age, the license fee shall be one-half of the amounts listed in subsections A through C of this section (i.e., three dollars for neutered male and spayed female dogs, five dollars for male dogs which have not been neutered and five dollars for female dogs which have not been spayed).~~

A. All dogs must be licensed each year, except as otherwise provided in this chapter, to a person of the age of eighteen years or older.

B. The owner shall, at the time of application for each permit or license, state his or her name and address and the sex, breed and color of each dog owned and kept by the owner and for each neutered male dog or spayed female dog the owner shall present a certificate from a veterinarian showing the date of such operation. The owner of any dog which was between under the ages age of two four months and ~~six months~~ at the time of registration shall present to the animal control officer within fifteen days after the dog reaches the age of six four months a certificate from a veterinarian stating that the dog for which the license has been issued has been vaccinated for the prevention of rabies, otherwise registration for such dog shall be void. The owners of all

dogs ~~six~~ four months of age or over must at the time of registration present a certificate from a veterinarian stating the dog for which the permit is being bought has been vaccinated for the prevention of rabies. Such certificate must give the last date of vaccination, and the number of the vaccination tag issued by the veterinarian at the time of vaccination. The permit fee shall cover one year from the date issued. ~~the calendar year in which the permit was issued expiring on the thirty-first day of December of the year of issuance regardless of the date thereof.~~

C. Any owner who fails to properly register his or her dog as required by this chapter shall be guilty of an infraction. Any citation issued to an owner for failure to properly register his or her dog will be dismissed upon the owner providing proof to a city animal control officer within 14 days of receiving citation that he or she has properly registered the dog ~~to a city animal control officer within ten~~ fourteen days of receiving the citation. (Ord. 90-74, §1, 1990; prior code §4-3-1)

6.12.020 Registration date.

~~Commencing with the effective date of the ordinance codified in this chapter and annually thereafter, the owner of any dog shall pay the permit fees required in this chapter. Such permit fee being payable from the first day of January to the first day of March of each year inclusive. The owner of any newly acquired dog of registration age or any dog which attains registration age shall make application for a permit and an official registration tag for such dog within ten days after such acquisition or age attainment. (Prior code §4-3-2)~~

6.12.030 Revoking permits.

The supervisor of the department Division of Animal Control may revoke any permit if the person holding the permit refuses or fails to comply with the provisions of this title or any state or local law governing cruelty to animals or the keeping of animals. Any person whose permit is revoked shall within ten days thereafter humanely dispose of all dogs being owned, kept or harbored by such person and no part of the permit fee shall be refunded. (Prior code §4-3-3)

6.12.040 Registrations--Exemptions.

Any dog of either sex which has not reached the age of two ~~four~~ months or any dog kept or maintained exclusively in a licensed kennel shall not be required to be registered and a permit secured, ~~provided, however, that as to Dogs in the following classifications, although registering of the same shall be required, no permit fee shall be charged;~~

A. Any dog which has been duly or properly trained or is in training to assist the blind, deaf, or disabled and is now acting in that capacity;

B. Any dog which has been duly or properly trained and placed in custody of a police officer and is being used in police department work. (Prior code §4-3-4)

6.12.050 Tags--Issuance--Use--Exemption.

Upon payment of the permit fee, the department shall issue to the owners a certificate and metallic tag for each dog. The shape or color of the tag shall be changed every year and shall have stamped thereon the year issued, the words "Logan City" ~~Corporation Dog Tag~~ and the tag number corresponding with the tag number of the certificate. Every owner shall be required to provide each dog with a collar or harness to which the permit tag must be affixed, and shall see that the collar and tag are constantly worn. Dogs which are used for show purposes are

exempted from wearing the collar and tag during any showings. Dogs enclosed within commercial kennels are exempted from wearing the collar and tag when confined within their kennels. (Prior code §4-3-5(part))

6.12.060 Tags--Duplicate.

Duplicate dog tags will be issued upon payment of one dollar for each tag so issued to replace any original tag which has been lost or destroyed, upon filing an affidavit of loss or destruction by the person who secured the original tag. (Prior code §4-3-5 (part))

6.12.070 Tags--Not transferable.

A. Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog registration fee for any reason whatsoever.

B. The original certificate issued, as above provided, shall be retained by the owner or harbinger of the registered dog for inspection by the authorized representative of the department division of animal control. (Prior code §4-3-5(part))

6.12.080 Tags--Unlawful to remove.

No person shall remove or cause to be removed the collar or metallic tag from any registered dog without the consent of the owner, keeper or harbinger thereof. (Prior code §4-3-5(part))

6.12.090 Vaccination required.

A. All dogs over ~~six~~ four months of age, kept, harbored or maintained by any person in the city shall be vaccinated for rabies and ~~paravirus~~ by a licensed veterinarian and registered for rabies and ~~paravirus~~ shots. The vaccination shall cover a period of three years from and after the time the vaccination is given, or for a period as shall be directed by the department Division of Animal Control.

B. Any dog brought into the city, whose owners are nonresidents temporarily within the city for thirty days or less, shall be subject to the provisions of this chapter, but may comply with Section 6.12.010 by registering with the department Division of Animal Control the certificate of health for such dog, or other competent proof of vaccination. All nonresident dog owners-in the city for more than thirty days must comply with Section 6.12.010. (Prior code §4-3-6)

6.12.100 Vaccination tag to be attached to dog.

A. Every owner shall be required to provide each dog with a collar, as provided under Sections 6.12.050 through 6.12.080, to which, together with the current year's dog tag, the vaccination tag shall be attached.

6.12.110 Unlawful to harbor stray dogs.

It is unlawful for any person to harbor or keep within the city any lost or at large strayed-dog. Whenever any dog shall be found which appears to be lost or at large strayed, it shall be the duty of the finder to notify the department Division of Animal Control, which shall impound the dog and dispose of the same as herein provided for under the provisions for the disposition of a dog impounded or running at large contrary to the terms of this chapter. If there shall be attached to such dog a registration tag for the then current fiscal year, the department shall notify the person to whom such permit was issued, at the address in the permit. (Prior code §4-3-8)

6.12.120 Redemption or sale of impounded dogs.

A Any dog impounded as a registered or unregistered dog may be redeemed and taken from such pound by the owner thereof, or by an authorized person, by exhibiting to the supervisor or person in charge of the pound a certificate of registry from another city, town or county if the dog involved is normally kept in such an area outside the city, showing that the permit fee for the current year has been paid, and upon paying the person in charge of the pound an impounding fee of fifteen dollars for the first time and an additional ten dollars for each time thereafter, and after three times the dog may be destroyed.

B. In the case of a dog over the age of six four months which has not been vaccinated for rabies, such vaccination shall be done and paid for by the owner or keeper before such dog shall be released from the pound.

C. All impounded dogs not redeemed within the appropriate limit shall be sold for the best price obtainable at either public or private sale or shall be destroyed in a humane manner. ~~or released for experimental purposes as provided by law.~~

D. Fees chargeable for licensing or registering an impounded dog are six dollars for a spayed female or neutered male, twenty dollars for male dogs not neutered, and twenty dollars for unspayed females.

E. All moneys received from such sales shall be paid to the city treasurer for deposit in the general fund. In the event that the purchaser of a dog is a resident of another city requiring dog licenses, the animal control officer may release the dog to such buyer provided the name, address and dog license number of the city in which the owner resides are recorded prior to the release of such dog, without the necessity of a duplicate registration in the city if such purchaser pays the boarding fees for the dog; and provided, that if the dog is over the age of six four months it shall be vaccinated for rabies at the buyer's expense before the dog is released from the pound. (Prior code §4-3-9)

~~6.12.130~~ ~~Female dogs in heat.~~

~~A. The owners of a female dog shall cause such dog, when in season, to be penned or enclosed in such a manner as to preclude other dogs from attacking such female dog or being attracted to such female dog so as to create a public nuisance.~~

~~B. It is unlawful for the owner or person having possession, charge, custody or control of any female dog to cause, permit or negligently allow the same to stray or run, or in any other manner to be at large, in or upon the street or sidewalk, when such female dog is in copulating season. (Prior code §4-3-10)~~

6.12.140 Kennels--Permits.

A. Required. No person shall operate or maintain a dog kennel or a cat kennel without first obtaining a permit from the department Division of Animal Control

B. All applications for permits to operate or maintain a dog kennel or a cat kennel shall be submitted in writing upon printed forms provided for such purposes by the department Division of Animal Control. The application shall first be referred to the city building inspector and upon the city building inspector's approval to the city health department for its inspection of the premises where such aforesaid kennel is located. (Prior code §4-3-11)

6.12.150 Kennels--License

A. It is unlawful for any person or persons individually or jointly to maintain or operate a dog or cat kennel without a kennel license.

B. Any person conducting, operating or maintaining a dog or cat kennel shall pay to the city for the privilege of conducting, operating or maintaining such dog or cat kennel an annual fee as set forth and kept by the Division of Animal Control, of twenty-five dollars, in addition to the individual registration fees for the dogs. in addition to obtaining a regular business license unless otherwise exempted. (Prior code §4-3-12)

6.12.160 — Kennel infractions.

~~Whenever the department finds or discovers any infractions of any rule or regulations promulgated as provided for in this chapter by the city health department, it shall upon receipt of such notice immediately notify the owner or keeper of such kennel to appear before the municipal council at a day and time certain to show cause why the permit should not be revoked for such infraction. (Prior code §4-3-13)~~

6.12.170 Kennel inspection.

It shall be the duty of the department Division of Animal Control to periodically inspect all registered kennels to see that the provisions of this chapter pertaining to the sanitation and care of such places are being observed. (Prior code §4-3-14)

6.12.180 Dogs running at large.

A. It shall be the absolute responsibility of every owner, possessor or person who keeps any dog to prevent it from running at large upon the private premises of others, or upon the streets, alleys, sidewalks, vacant lots, school yards or other unenclosed places in the city. The fact that such dog runs at large by reason of some other person's actions, failure to act or by other event or circumstance shall not be a defense to prosecution under this section.

B. It is unlawful for any person to own, harbor or keep a dog which runs at large upon the private premises of others, or upon the streets, alleys, sidewalks, vacant lots, school yards, public property or other unenclosed places in the city.

C. It is unlawful for any person to permit a dog to run at large.

D. ~~A dog shall be deemed to be running at large when off or away from the premises of the owner or keeper unless such dog is in the immediate presence of the owner or the owner's agent, servant or a member of the owner's family and under the actual physical control by means of a leash, cord or chain not in excess of ten feet in length. Procuring a permit and tag shall not authorize the running at large of the dog. (Prior code §4-3-15)~~

6.12.185 Staking dogs improperly on unenclosed premises.

It is unlawful for any person to chain, stake out, or tether any dog on any unenclosed premises in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.

6.12.190 Dogs which disturb neighborhood.

A. It is unlawful for any person to own, keep or harbor within the city limits any dog which

by barking, howling or otherwise, disturbs the peace and quiet of any neighborhood or person or which becomes a public nuisance.

B. For the purpose of this section, any dog which excessively, continuously or untimely barks, molests passersby, chases vehicles, habitually attacks or destroys other domestic animals, trespasses upon school grounds or trespasses upon private property in such a manner as to damage property, shall be deemed a nuisance. (Prior code §4-3-16)

6.12.200 Exhibiting permit required when.

It is unlawful for any person keeping or harboring a dog for which a permit is required by this chapter to fail to exhibit the registration certificate or permit tag or rabies tag upon demand by the supervisor or deputies of the department Division of Animal Control in the discharge of their duties. (Prior code §4-3-17)

6.12.210 Impounding time limit--Poundmaster may destroy dogs when.

It is unlawful for the poundmaster to destroy; or cause to or allow to be destroyed any dog impounded and registered with the department Division of Animal Control until the expiration of the impounding time limit, except in the case where the poundmaster may impounds or receives a dog severely injured, or which has a contagious disease other than rabies; and if in the poundmaster's judgment the dog is suffering and recovery is doubtful, then the poundmaster may destroy the dog after reasonable attempts to contact the owner. (Prior code §4-3-18)

6.12.220 Places where dogs are prohibited.

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

B. It is unlawful for any person to allow any dog to enter or be in any place of worship during public services.

C. It is unlawful for any person to take or permit any dog whether loose or on a leash in or on any school grounds unless permitted by a school official, or in ~~or on~~ any city park where eating or picnicking is permitted.

D. It is unlawful for any person to take or permit any dog to enter upon the premises or areas of theaters, concerts or of public assemblies.

E. It is unlawful to leave any dog unattended in a vehicle unless the dog is tied, caged or otherwise restrained by an adequate enclosure.

F. Exemption --For trained guide dogs or other dogs trained for disabled individuals, guide dogs in training, and police service dogs. (Prior code §4-3-19)

6.12.230 City officers may kill dogs when.

The animal control officer or a police officer may kill a dog while it is attacking, chasing or threatening worrying any person, other dog, domestic fowls or other animals, or while such dog is being pursued after so attacking any a person, other dog, domestic fowl or animal. (Prior code §4-3-20)

Chapter 6.16

TRAPS AND TRAPPING

Sections:

- 6.16.010 Definitions.
- 6.16.020 Trapping--Prohibited.
- 6.16.030 Violation.
- 6.16.040 Exception.

6.16.010 Definitions.

For purposes of this chapter, the following terms shall have the meanings set out in this section:

- A. "Set" means to caulk, open or put a trap in such a condition that it would clamp closed when any object touches a triggering device or to place a trap which has been opened or fixed so that it would close upon the triggering device being touched wherein a person, bird or animal could become caught therein.
- B. "Snare" means any apparatus consisting of a noose for catching part of a body which constricts the airway of any person, bird or mammal.
- C. "Trap" means a clamp-like apparatus which is utilized to catch animals, objects, persons or birds when, after being set and the triggering device being activated, clamp-like jaws are designed to come together with force as to clamp upon the animal, object, person or bird activating the triggering device. (Ord. 90-12 §1(part), 1990)

6.16.020 Trapping--Prohibited.

It is unlawful for any person to set a trap or snare within the limits of Logan City. (Ord, 90-12 §1(part), 1990)

6.16.030 Violation.

- A. Every person who sets a trap or snare within the limits of Logan City is guilty of a Class B misdemeanor.
- B. Each trap or snare is an individual and separate offense. (Ord. 90-12 §1(part), 1990)

6.16.040 Exception.

- A. The provisions of this chapter shall not apply to those persons who are engaged in the trapping of unprotected rodents, i.e., mice, rats, muskrat, on their owned or leased property; provided, however, that if such persons use "traps" as defined in this chapter, they must first notify the city department of animal control of the purpose and location of such traps.
- B. The provisions of this chapter shall not apply to the Logan City department Division of Animal Control or their agents who are charged with the responsibility of animal control or to state or federal government officers or their agents who are charged with wildlife management; provided, that those agencies must make notification to the department Division of Animal Control when these devices are necessary in the performance of their duty and of the location of these devices. (Ord. 90-12 §1(part), 1990)

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