

## Exhibit A

Title 6 - ANIMALS<sup>11</sup>

Footnotes:

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**Editor's note**— Ord. No. 06-01-2015 O1, § 3, adopted June 8, 2015, amended Tit. 6 in its entirety. Former Tit. 6, chs. 6.04—6.48, pertained to similar subject matter and derived from Ord. 12-4-2000A, § 1 (part); Ord. 9-10-2001 § 3 (part); Ord. 12-4-2000A §§ 1—3, 6—8; Ord. 5-21-2007 O-1 § 3 (part).

### Chapter 6.04 - GENERAL PROVISIONS

#### 6.04.010 - Purpose.

This title is for the purpose of protecting and providing for the health, safety, comfort, and convenience of Naples City, Uintah County, and Vernal City and their inhabitants and for the purpose of protecting and providing for the safe and humane care and control of domesticated livestock, household pets, and other animals, within Naples City, Uintah County, and Vernal City, Utah.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.04.020 - Violation—Penalty.

Unless otherwise provided herein, any person violating the provisions of this title shall be deemed guilty of a class B misdemeanor and, upon conviction, shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) and/or imprisonment not to exceed six months in the Uintah County jail. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.04.030 - Definitions.

As used in this Title 6, the following terms mean:

"Abandon" shall have the same definition as Utah Code Ann. § 76-9-301(1)(a)(i).

"Adequate feed" and "Adequate water" shall have the same definition as "Necessary food, water, care or shelter" in Utah Code Ann. § 76-9-301(1)(g).

"Adopt" means to enter into a contract agreement approved by the district's animal shelter for the purpose of acquiring an animal after the legal requirements for holding the animal have been met.

"Administrative control board" collectively refers to the five-member board created by the board of county commissioners of Uintah County and delegated the authority to oversee the operation of the Uintah Animal Control and Shelter Special Service District, as a "board of trustees" or "administrative control board" (hereinafter "the board").

"Aggressive manner of approach" means any animal showing a readiness to attack or do harm.

"Animal" means a live, nonhuman vertebrate creature. Animal does not include a live, nonhuman vertebrate creature if the conduct toward the creature and the care provided to the creature, is in accordance with accepted animal husbandry practices and the creature is:

1. Owned or kept by a zoological park that is accredited by, or a member of the American Zoo and Aquarium Association;
2. Or kept, owned or used for the purpose of training hunting dogs or raptors; or
3. Temporarily in the state as part of a circus or traveling exhibitor licensed by the United States Department of Agriculture under 7 U.S.C. 2133.

See Utah Code Ann. §76-9-301(1)(b)(i).

"Animal at large" means any domesticated animal, whether or not licensed, that is not under restraint.

"Animal boarding establishment" means any establishment that takes in animals for boarding for profit or compensation.

"Animal control officer" means the person or persons as provided in this Title 6 hired by the district to enforce provisions of this title, including the issuance of citations, and the performance of field operations for the safety and well-being of Uintah County inhabitants including its domestic animals, and livestock and the performance of other related duties as directed by the district.

"Animal cruelty" shall mean those acts set forth in Utah Code Ann. § 76-9-301(2).

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

"Animal services" collectively refers to the field operations and shelter services provided by the Uintah Animal Control and Shelter Special Service District.

"Animal shelter" shall have the same definition as Utah Code Ann. § 11-46-102(3).

"Animal shelter manager" means the person hired by the district who is responsible for managing the operation of the Uintah Animal Shelter and its programs.

"Animal under restraint" means any animal under the physical, auditory or visual command and/or control of its owner or person having charge, care, custody or control. A dog shall not be considered under control of the owner unless on a lead, or leash, confined within a vehicle, or within the real property limits of its owner, or not obeying auditory or visual commands.

"Apparent attitude of attack" means a physical posture, manner or stance, shown or exhibited by an animal that is a challenge or threat of attack.

"Authorized agent" means any person having custody of or keeping one or more animals for the owner of the animal. An authorized agent may release an animal to the district on behalf of the owner.

"Baiting" means to lure or set an animal upon another chained or secured animal for sport or for the purpose of capturing another animal, domestic or wild, excluding baiting in accordance with wildlife regulations.

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

"Cages" means individual, portable facilities for containing animals.

"Canine homicide" means the death of a human being which is caused by a dog.

"Cat" means any domesticated feline over the age of four months. Any "cat" under the age of four months is a kitten.

"Cattery" means an establishment for the boarding, breeding, buying, grooming or selling of cats for profit.

"Commercial animal establishment" means pet shops, commercial boarding kennels and other commercial business involved with the sale or kenneling of animals.

"Companion animal" shall have the same definition as Utah Code Ann. § 76-9-301(1)(c).

"Confined" means a condition whereby an animal is restricted to the property of the owner or person having charge, care, control or custody of such animal, by enclosed lot, fence, kennel, cage, coop, stable, leash, cord or length of chain suitable for the type of animal, and so placed that the animal has free access to feed, water and shelter, and further so affixed as to preclude the animal from becoming entangled on any obstruction; and shall permit the animal to stand upright and lie down.

"Dog" means any domesticated *Canis familiaris* over four months of age. Any *Canis familiaris* under four months of age is defined as a puppy.

"Domesticated animal(s)" means animals accustomed to living in or about the habitation of man, including, but not limited to, cats, dogs, fowl, rabbits, and all domesticated livestock; including, but not limited to, horses, mules, asses, burros, cattle, sheep, swine, llamas, emus, ostriches and goats.

"Enclosed lot" means a parcel of land or portion thereof around the perimeter of which a fence or wall, not less than six feet high, and adequate to contain any animal kept therein has been constructed.

"Stray livestock" shall have the same definition as Utah Code Ann. § 4-25-1.

"Exercise yard" means an area enclosed by a fence, not less than six feet high, adequate to contain any animal kept therein, wherein animals are allowed to run and exercise. Every portion of an exercise yard fence shall be separate and removed from any property boundary fence.

"Fatality" means any physical injury to a human being, domestic pet or livestock that results in death.

"Feral" means an animal that is normally domesticated but has reverted to the wild. (See Utah Code Ann. § 23-13-2(16)).

"Fowl" means any domestic birds used as food, including, but not limited to, chickens, ducks, geese, turkeys.

"Guard dog" means a dog used to provide security to a premises, excluding dogs working with law enforcement agencies.

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

"Impound" means to place a domesticated animal, including livestock, into the custody of the animal shelter.

"Inside kennel" means a separate area inside an enclosed kennel and/or building used for the interior housing of dog(s).

"Kennel" means any lot, building, structure, enclosure or premises where four or more dogs over the age of four months are kept for any purpose, including, but not limited to, boarding, breeding, buying, grooming, letting for hire, training for fee, selling or predator control.

"Kennel run" means a fenced, completely enclosed, secured and covered, area with shelter to protect the dog(s) from foul weather, wind and excessive exposure to natural elements and adequate size for the size of the dog and the amount of time contained therein.

"Leash" or "lead" means a cord, rope, strap, chain or device which shall be securely fastened to the collar or harness of a dog or other animal and shall be of sufficient strength to keep such dog or other animal under control.

"Livestock" shall have the definition set forth in Utah Code Ann. § 76-9-301(f).

"Maintain" means to support by providing what is needed to any domestic or feral animal, including, but not limited to, food, water and shelter.

"Menacing manner of approach" means a threatening act or behavior shown or exhibited by an animal.

"Owner" means any person eighteen (18) years of age or older, partnership, corporation, or any other type of entity or association having title to, custody of, responsibility for, keeping, or harboring one or more animals.

"Person" means an individual and any legal entity.

"Pet" means 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. Pet may also include nonvenomous snakes (under five feet in length), nonvenomous lizards and spiders and ferrets.

"Quarantine" means the isolation of an animal in a substantial enclosure, animal shelter or veterinary clinic, so that the animal is not subject to contact with other animals or unauthorized persons.

"Recipient" means any person to whom an animal shelter transfers an animal for adoption or redemption after impoundment.

"Service animal" includes any dog that:

1. Is trained, or is in training, to do work or perform tasks for the benefit of any individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability;
2. Performs work or tasks, or is in training to perform work or tasks, that are directly related to the individual's disability, including:
  - a. Assisting an individual who is blind or has low vision with navigation or other tasks;
  - b. Alerting an individual who is deaf or hard of hearing to the presence of people or sounds;
  - c. Providing nonviolent protection or rescue work;
  - d. Pulling a wheelchair;
  - e. Assisting an individual during a seizure;
  - f. Alerting an individual to the presence of an allergen;
  - g. Retrieving an item for the individual;
  - h. Providing physical support and assistance with balance and stability to an individual with a mobility disability; or
  - i. Helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors.

"Service animal" does not include:

1. An animal other than a dog, whether wild or domestic, trained or untrained; or
2. An animal used solely to provide:
  - a. A crime deterrent;
  - b. Emotional support;
  - c. Well-being;
  - d. Comfort; or
  - e. Companionship.

"Stray" see Estray.

"Substantial bodily injury" means any physical injury to a human being or animal that results in considerable or extensive damage to the body or a body part, including, but not limited to, puncture wounds, lacerations, muscle tears, disfigurement, broken bones, evisceration, infection, permanent disability or impairment, excessive blood loss or amputation.

"Utah Animal Control and Shelter Special Service District", herein referred to as the "district", means the special service district created thru resolution by the Utah County Commissioners, to provide animal control and shelter services to Utah County.

"Urban livestock" see definition in the zoning ordinance of the applicable entity.

"Vicious animal" means an animal which, when unprovoked, without justification, attacks and causes severe injury, substantial bodily harm, or a fatality, to a human being, domestic pet or livestock.

"Wild animal" means any animal that is not defined as a domesticated animal. Those animals include, but are not limited to:

1. Alligators and crocodiles;
2. Bears (ursidae): all bears, including, but not limited to, grizzly bears, brown bears;
3. Cat family (felidae): all except the commonly domesticated cats and including, but not limited to, cheetah, leopards, lions, lynx, panthers, mountain lions, tigers, wildcats, or cougars;
4. Dog family (canidae): all except domesticated dogs and including, but not limited to, wolf, fox, coyote, dingo or hybrids;
5. Porcupine (erethozontidae);
6. Primate (hominidae): all subhuman primates;
7. Raccoon (prosynnidae): all raccoons including, but not limited to, eastern raccoon, desert raccoon, or ring-tailed cat;
8. Skunks;
9. Venomous fish and piranha;
10. Venomous or constrictor snakes and lizards and poisonous spiders;
11. Weasels (mustelidaes): all including, but not limited to, weasels, martens, wolverines, ferrets, badgers, otters, mink or mongooses, except that persons raising members of this family as a business for their pelts shall not be prohibited by this title.
12. Deer, elk, moose, antelope family.

For purposes of ownership and sale of pets, the following are not considered wild animals: nonvenomous snakes (under five feet in length), lizards, spiders and ferrets.

"Willfully provoke" means any deliberate action taken to incite, aggravate, goad, tease, torture, cause, trigger or bring about an adverse reaction from any animal.

"Worry" means to harass by tearing, biting, or shaking with the teeth or chasing any animal.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.05 - ADMINISTRATIVE PROVISIONS

##### 6.05.010 - Powers of animal control officer.

- A. Any person employed by or under contract with the district as an animal control officer shall take an oath of office and is vested with the power and authority to enforce this title.
- B. Animal control officers and any other law enforcement officers are authorized and empowered to apprehend, take with them, and impound any animal found in violation of this title or state law, including, but not limited to, licensable dogs for which no license has been procured in accordance with this title, or any licensed or unlicensed dogs for any other violation thereof or animals being treated cruelly (see Utah Code Ann. § 76-9-305).
- C. Animal control officers and any other law enforcement officers shall attempt to capture any animal found at large in violation of this title and may destroy any animal at large if such action is necessary for public health and safety or that of any domestic pet or livestock.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.05.020 - Duties of animal control officer.

The animal control officer shall:

- A. Enforce this title, state laws and district policies regarding animal control and perform other responsibilities pursuant thereto.
- B. Provide a monthly report of all activities and submit the same, as well as any other report deemed necessary, to the district's executive director and administrative control board.
- C. See that all animals and animal holding, boarding and shelter facilities in this jurisdiction are licensed, controlled, and permitted in accordance with any applicable laws, ordinances and/or regulations.
- D. Issue citations for violations of this title and state law.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.05.030 - Interference with officer prohibited.

It is unlawful for any person to knowingly, intentionally, or recklessly interfere with, molest, hinder or prevent any animal control officer from performing their duties.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.05.040 - Forfeiture of animal prior to disposition of criminal charges.

- A. The district, prior to final disposition of any criminal charge against any animal's owner, including animals impounded by the district or person having charge, care, custody or control of such animal, may file a petition in a separate proceeding requesting that the court issue an order for the forfeiture of the animal to the district. Forfeiture of an animal means the animal belongs to the district and may be disposed of according to district procedures.
- B. Upon receipt of a petition, pursuant to subsection A., the court shall set a hearing on the petition. The hearing shall be conducted within five days after the filing of the petition or as soon as practicable.
- C. At a hearing, conducted pursuant to subsection 6.05.040B., the district shall have the burden, by preponderance of the evidence, of establishing probable cause that the animal was the subject of or was subjected to a violation of this title. If the court finds that such a violation occurred, the court may order immediate forfeiture of the animal to the district, unless the defendant, within seventy-two (72) hours of the hearing:
  1. Posts a security deposit or bond with the clerk in an amount determined by the court to be sufficient to repay all reasonable and necessary costs incurred, and anticipated to be incurred, by the district in caring for the animal from the date of initial impoundment to the date of trial; or
  2. Demonstrates to the court that proper alternative care has been arranged for the animal.
  3. Notwithstanding subsection C.1., a court may waive, for good cause shown, the requirement that the defendant post a security deposit or bond.
- D. If a security deposit or bond has been posted in accordance with subsection C.1., the district may draw from the security deposit or bond the actual reasonable and necessary costs incurred by the district in caring for the animal until the date of final disposition of the criminal action. If the trial is continued to a later date, any order of continuance shall require the defendant to post an additional

security deposit or bond in an amount determined by the court that shall be sufficient to repay all additional reasonable and necessary costs anticipated to be incurred by the district in caring for the animal until the date of final disposition of the criminal action, and the district may draw from the additional security deposit or bond as necessary.

- E. At the conclusion of the adjudication of the criminal charges, if the defendant is found guilty, the person who posted the security or bond is entitled to a refund of the security or bond in the amount not used for any expenses incurred by the district. If the defendant is found not guilty, then the bond will be refunded to the person posting the bond or security.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.05.050 - Administrative hearing.

A person aggrieved by an administrative decision of an administrative officer arising from the enforcement of this title may request, in writing, an administrative review of that decision before the administrative control board. The appeal shall be filed within fifteen (15) days of the decision by the administrative officer and shall be filed with the administrative control board. The administrative control board will schedule a hearing within thirty (30) days of receipt of the notice of the appeal. The hearing will be pursuant to procedures adopted by the administrative control board.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.05.060 - Administrative fees.

The administrative control board may, by written policy, set forth administrative fees to be charged for violations of this title. These fees shall be in addition to any criminal charges and fines for violation of the title.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.05.070 - Policies and procedures.

The district may also adopt policies and procedures consistent with this title and state law, including policies and procedures regarding disposition of animals.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

### Chapter 6.12 - IMPOUNDMENT

#### 6.12.010 - Unlawful removal from animal impound facility prohibited.

It is unlawful for any person or persons to, without authorization, take or remove by any means any animal out of the district's animal shelter or any designated animal impound facility or site.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.12.020 - Animals to be impounded.

The animal control officer shall place all animals taken into custody in the animal shelter or, at his discretion, another suitable facility when circumstances so require. Animals may be taken into custody by

the animal control officer in accordance with this title and impounded if probable cause exists to show that:

- A. The animal is being kept or maintained contrary to the provisions of this title, including not being licensed;
- B. The animal is running at large contrary to the provisions of this title;
- C. The animal is sick or injured and its owner cannot be identified and/or located;
- D. The animal is abandoned;
- E. The animal is not vaccinated for rabies in accordance with the requirements of this title;
- F. The animal is to be held for quarantine;
- G. The animal is declared to be "potentially dangerous", "dangerous" or "vicious" animal and is not properly confined as required by this title;
- H. The animal is a nuisance as defined by this title (see Section 6.16.010).

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.12.030 - Policies and procedures.

The district will adopt policies and procedures consistent with state law governing impoundment and disposition of animals, notices to be given and fees to be charged for impounded animals.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

Chapter 6.14 - PET STERILIZATION

6.14.010 - Pet sterilization.

Pet sterilization is governed by Utah Code Ann. § 11-46-201 et seq., the Animal Shelter Pet Sterilization Act.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

Chapter 6.16 - NUISANCES

6.16.010 - Designated.

Any owner or person having charge, care, custody, or control of any domestic or feral animal or animals causing a nuisance as defined below shall be in violation of this title and subject to the penalties and/or remedies provided in this title. The following shall be deemed a nuisance:

- A. Any domestic or feral animal which:
  - 1. Causes damage to the property of anyone other than its owner or the person harboring or maintaining it;
  - 2. Is a "potentially dangerous", "dangerous", or "vicious" animal as defined in this title and kept contrary to Section 6.20.110 of this title;
  - 3. Defecates on any public sidewalk, parking lot, 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, maintaining, or having care, charge, control,

custody, or possession of such animal shall immediately remove any such defecation to a proper trash receptacle.

4. Barks, whines, yowls or howls, or makes other disturbing, disruptive noises in an excessive, continuous or untimely fashion;
  5. Molests, attacks or threatens to attack passersby or chases passing vehicles;
  6. Attacks or worries other domestic animals, livestock or wildlife.
- B. Any owner or person having charge, care, custody or control of more than four cats or dogs or any combination thereof at a single residence or location within a residential zone, within the City of Vernal or the City of Naples, which are over four months of age shall be deemed a nuisance under this title.
- C. Any domestic or feral animals which by virtue of the number maintained, kept or harbored, or the conditions in which they are maintained, kept or harbored, are determined by the animal control officer, or Tri-County Health Department, or an official of any planning and zoning or code enforcement department within Uintah County, to be offensive, or dangerous to the public health, welfare, or safety.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.16.020 - Remedies.

In addition to any criminal charges and penalties provided for herein the district may petition the court for an injunction or an order of abatement of any nuisance.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.18 - DISPOSAL OF DEAD ANIMALS

##### 6.18.010 - Disposal of dead animals.

Disposal of dead animals shall be governed by Utah Code Ann. § 4-31-101 et seq.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.20 - DOGS

##### 6.20.010 - Licensing required.

- A. All dogs must be licensed annually, except as otherwise provided in this chapter, to a person of the age of eighteen (18) years or older.
- B. Any person owning, possessing, or harboring any dog shall obtain a license for such dog within thirty (30) days after the dog reaches the age of four months; or in the case of a dog over four months, within ten days of the acquisition of the dog.
- C. Any person owning, possessing, or harboring four or more dogs over the age of four months shall obtain a kennel permit and/or business license as outlined at Chapter 6.22 herein.
- D. License applications must be submitted annually to the district utilizing a standard form which includes the name, address, and telephone number of the owner and the breed, sex, sterilization status, color, name and age of the dog. The application must be accompanied by a current rabies vaccination certificate and license fees. License fees shall be established by and changed from time to time by a resolution adopted by the board.

- E. No dog will be licensed as spayed or neutered without proof that surgery was performed.
- F. The license shall be effective from the date of purchase through the end of December of the current year, after which the license must be renewed. Licenses for the following year may be purchased within ninety (90) days prior to their expiration date.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.20.020 - License tags.

- A. Upon payment of the license fee, the district shall issue to the owner a tag for each dog licensed. The tag shall have stamped thereon the number of the license. The owner shall attach the tag to the collar or harness of the animal and see that the collar and tag are constantly worn. Failure to attach the tag as provided shall be a violation of this title.
- B. Dog tags are not transferable from one dog to another. No refunds shall be made on any dog license for any reason whatsoever. Replacements for lost or destroyed tags shall be issued upon payment of two dollars to the district.
- 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, animal control officer, or authorized shelter employee, who removes such for medical purposes, cleaning or safety, shall be a violation of this title.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.20.030 - Exemptions from licensing.

- A. The provisions of Sections 6.20.010 and 6.20.020 shall not apply to:
  - 1. Dogs whose owners are nonresidents; temporarily (not to exceed thirty (30) days within a twelve-month period) staying within Uintah County;
  - 2. Individual dogs within a properly licensed dog kennel or other such establishment when such dogs are held for resale;
  - 3. Dogs adopted from the district impound facility that will be relocated outside of the boundaries of Uintah County by owners residing outside the boundaries of Uintah County.
- B. Fees for licensing will 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 governmental agencies in the performance of their duties and which are owned by such agencies.
  - 4. Dogs which are especially trained for search and rescue work and are owned individually or by volunteer groups.
  - 5. Nothing in this section shall be construed so as to exempt any dog from having a current rabies vaccination.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.20.040 - Revocation of dog license.

If the owner of any dog(s) is found to be in violation of this title on three or more different occasions during any twelve-month period, the district may seek a court order providing for the animal control officer to pick up and impound any animal kept by the person under such order. Any animal impounded pursuant to such an order shall be dealt with in accordance with the provisions of this title for impounded animals and the district's policies and procedures.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.020.050 - Guard dogs.

Guard dogs shall be kept in a fenced run or other suitable enclosure during business hours, or on a leash, while working, so as to prevent their contact with persons or property who are legally on the guarded premises. The premises on which a guard dog is maintained shall be posted with a sign, clearly visible, stating that a guard dog is on the premises.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

Chapter 6.21 - ANIMALS

6.21.010 - Animals at large.

- A. Except as provided in subsection B., it is unlawful for the owner or person having charge, care, custody, or control of any animal to allow the animal to run at large or trespass on any private premises of another, or to be unrestrained on any public highway, street, sidewalk, alley, court, public ground or unfenced or otherwise unenclosed lot, or not within a sufficient, confined enclosure within any city or unincorporated Uintah County. The owner or person charged with responsibility for an animal found running at large shall be liable for a violation of this section, regardless of precautions taken to prevent the escape of the animal and regardless of whether or not he knows that the animal is running at large.
- B. Dogs may be at large while in participation in field trials and/or obedience classes organized and sanctioned by recognized dog clubs, while assisting their owner or trainer in legal hunting or herding of livestock, while assisting a peace officer engaged in law enforcement duties, while assisting their owners in search and rescue operations, while assisting their handicapped or disabled owners as a legitimate service dog, or while being trained for the above purposes so long as such dogs are directed with effective sound or gesture control within sight of such individuals to assure that they do not violate any other provisions of this title.
- C. All animals injured or killed in a street shall be considered as running at large, and the animal control officer shall remove all said animals and, at his discretion, take those needing medical attention to a veterinarian or to the animal shelter. The owners of such animals shall be liable for all expense of such veterinary treatment and of the impoundment or disposal.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.21.015 - Estray livestock.

Estray livestock is governed by Utah Code Ann. § 4-25-1 et seq. and Uintah County Ordinance Title 6, Chapter 6.48.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.21.020 - Animals on unenclosed premises.

It is unlawful for any person to chain, stake out, or tether any animal on unenclosed premises in such a manner that the animal may go beyond the property line, premises being construed not to include the parkway and sidewalk in front of the property, regardless of whether such person has permission of the owner of the affected property.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.21.030 - Female animal in heat.

Any person or persons having charge, care, custody, or control of any female animal in heat shall, in addition to restraining such animal from running at large, cause such animal 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 animals, except for planned breeding.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.21.040 - Places prohibited to animals.

It is unlawful for any person to take or permit any animal, whether loose or on a leash or in arms, or any type of carrier, kennel or cage 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, except for service animals, or dogs working with law enforcement agencies.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.21.045 - Unlawful to harbor stray animals.

It is unlawful for any person, except a licensed animal welfare society, to harbor or keep any lost, abandoned, or stray animal longer than seventy-two (72) hours. Whenever any animal shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the animal control officer within seventy-two (72) hours, and the officer shall impound the animal as herein provided.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.21.050 - Animals attacking persons and animals.

- A. **Attacking Animals.** It is unlawful for any animal to attack, or attempt to attack, chase, or worry any person, any domesticated animal, any domesticated livestock, or any species of hoofed protected wildlife, or to attack domestic fowl.
- B. **Owner Liability.** The owner or person having charge, care, custody or control of an animal that is in violation of subsection A. of this section shall be guilty of a class B misdemeanor and shall also be strictly liable for any damages to any person injured or to the owner of any animal(s) or livestock injured or destroyed thereby. If the animal causes the death of a human being, then the provisions of Utah Code Ann. § 76-9-304 will apply.
- C. **Defenses.** The following shall be defenses to a violation of subsection A.:
  - 1. The animal was properly confined on the premises; or
  - 2. The animal was deliberately or maliciously provoked or threatened; or
  - 3. The animal was being used by law enforcement officers in the performance of their duties; or

4. The threat, injury, or death was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the animal, or was committing a willful trespass or other tort upon the premises or property owned or occupied by the owner of the animal; or
  5. The animal was responding to pain or injury, or was protecting itself, its owner, custodian or member of its household, kennel or offspring unless the animal or its owner or custodian was involved in illegal activity; or
  6. The injury or damage to a domestic animal was sustained while the dog was working as a hunting dog, herding dog, or predator control dog on the property of or under the control of its owner or custodian, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog;
- D. Animals May be Killed. Any person may kill an animal while it is committing any of the acts specified in subsection A. of this section or while such animal is being pursued thereafter, unless it is a dog being used by law enforcement officers in the performance of their duties.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.21.060 - "Potentially dangerous" or "vicious" animals.

A. Potentially Dangerous.

1. Any animal(s) may be declared "potentially dangerous" by the animal control officer, if when unprovoked or without justification, while either at large or restrained, on one or more separate occasions, engages in any behavior that would lead a reasonable person to feel the need to defend themselves, someone else, or any domestic pet or livestock.
2. An animal may not be determined "potentially dangerous" if its actions were found to be justified, pursuant to Section 6.21.050, subsection C., defenses, in this title.
3. If an animal control officer declares an animal to be "potentially dangerous", a citation will be issued to the owner of the animal and the district will petition the court for a hearing for the court to determine whether the animal is "potentially dangerous" and subject to the provisions of this title regarding "potentially dangerous" animals.

B. Any animal may be declared "vicious" by the animal control officer if:

1. When unprovoked, without justification, while either at large or restrained, it attacks and causes substantial bodily harm or a fatality, as defined in Section 6.04.030 of this title, to a human being; or
2. When unprovoked, without justification, while either at large or restrained, it attacks and causes severe injury, substantial bodily harm or a fatality, as defined in Section 6.04.030 of this title, to another animal that is not at large or that is not otherwise in violation of this title; or
3. It is used in the commission of a crime by its owner or custodian; or
4. It is determined to be "potentially dangerous" which, after its owner or person having charge, care, custody or control of such animal has been notified of this determination, violates Section 6.21.050 or is kept, confined, restrained or housed in violation of Section 6.21.070 of this title.
5. An animal may not be determined "vicious" if its actions were found to be justified, pursuant to Section 6.21.050, subsection C., defenses, of this title.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.21.070 - Ownership of "potentially dangerous" or "vicious" animals.

- A. Animals which have been declared "potentially dangerous" or "vicious", as determined in Section 6.21.060 of this title, may only be kept, confined or housed within Uintah County, Vernal City, and Naples City, if the following conditions and requirements are met:
1. There is no previous judgment or conviction against such animal(s) within any jurisdiction of Uintah County, the State of Utah or any other state; and
  2. There are no prior convictions against the owner or person having charge, care, custody or control of such animal(s), or any other animal(s), for "potentially dangerous", "dangerous" or "vicious" animal violations, within any jurisdiction of Uintah County, the State of Utah or any other state; and
  3. Such animal(s) are not in violation of Section 6.32.010 of this title; and
  4. The owner or person having charge, care, custody or control of such animal(s) must be eighteen (18) years of age or older; and
  5. The owner or person having charge, care, custody or control of such animal(s) must be physically living on the property that such animal(s) are confined to; and
  6. The property must be adequately posted with conspicuous warning signs and telephone numbers for the owner or person having charge, care, custody or control of such animal(s); and
  7. If said property is a rental, written consent of the owner or landlord of said property must be obtained to house such animal(s);
  8. Such animal(s) is in a fenced lot; and
  9. Such animal(s) cannot be left unattended for more than a twelve-hour period; and
  10. Such animal(s) cannot be kept or placed in the rear of an open vehicle; and
  11. Such animal(s) shall not be left unattended while in a vehicle; and
  12. Such animal(s) are not permitted to be at or in any public events, exhibitions or parades; and
  13. The owner provides proof of liability insurance that provides coverage for damages caused by the animal in an amount of not less than one hundred thousand dollars (\$100,000.00) per incident.
- B. The owner or person having charge, care, custody or control of such animal(s) shall have a minimum period of thirty (30) days in which to comply with the following requirements to keep, confine, restrain or house "potentially dangerous" or "vicious" animal(s) and to provide proof of compliance to the district:
1. The enclosure is adequate and secure enough to ensure that the animal(s) cannot bite, or harm anyone or any animal by overreaching the top of, digging out from under, jumping over, pushing over, reaching through or escaping from completely any kennel, fence barrier or other enclosure; and
  2. The enclosure is of a size sufficient to permit the animal(s) to stand upright and to exercise reasonably; and
  3. The walls, siding and/or roof of the enclosure or fence barrier are constructed of either chain link fencing no less than ten-gauge, or solid concrete block with a heavy-duty gate; and
  4. The gate(s) to such enclosure is padlocked or otherwise secured at all times.
  5. The animal is restrained when the door to the enclosure, including a dwelling, is open.
- C. Bites or Injuries. The defenses provided for in subsection 6.21.050C. shall not apply when any person is on the private property of a person who has chosen to keep, confine or house a "potentially dangerous" or "vicious" animal and said animal bites or injures in any way the said person, whether a guest, invitee or licensee, whenever such person is lawfully on the property of the owner or person having charge, care, custody or control of such animal(s)

- D. Death, Sale, Transfer, or Permanent Removal; Notice. If any "potentially dangerous" or "vicious" animal(s) dies or is sold, transferred or permanently removed from any town or city within Uintah County, or Uintah County itself, where the owner or person having charge, care, custody or control of such animal resides, such person shall notify the district of the changed condition and new location of the animal(s) in writing within two business days.
- E. Prohibition of Owning, Possessing, Controlling, or Having Custody. The owner or person having charge, care, custody or control of a "potentially dangerous" or "vicious" animal may be prohibited by the district from owning, possessing or having custody of any animal for a period of up to three years when it is found that the "potentially dangerous" or "vicious" animal was not effectively restrained and controlled by such person; and that ownership or possession of an animal by that person created a significant threat to the public health, safety and welfare, as well as that of domestic pets and livestock. The owner or person having charge, care, custody or control of a "potentially dangerous" or "vicious" animal, if it disagrees with the decision of the district, may request an administrative hearing under Section 6.05.050.
- F. Off Premises. It is unlawful for the owner or person having charge, care, custody, or control of a "potentially dangerous" or "vicious" animal to permit such animal to go or be off the premises of the owner having charge, care, custody or control, unless such animal is under restraint and properly muzzled or constrained as to prevent it from injuring any person, other animal or property.
- G. Destruction of Animal. Every "potentially dangerous" or "vicious" animal that is not or cannot be effectively controlled by its owner or person having charge, care, custody or control of such animal so that it will not injure any person, animal or property is a hazard and a nuisance to the public safety and the district may seek a court order for the destruction of the animal.
- H. Officer Decision. If the animal control officer believes that any "potentially dangerous" or "vicious" animal is an immediate danger to person, animals or property, the animal control officer may immediately impound the animal and give notice to the owner or custodian of the animal. The owner or custodian of the animal shall have five business days to file a petition with the court for a hearing. If no such petition is filed then the animal will be destroyed.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.21.080 - Penalty.

Any violation of this chapter shall be a class B misdemeanor, unless it is a violation of Utah Code Ann. § 76-9-304 or another Utah Code section with a higher penalty, then the provisions and penalties of that statute shall apply instead of this section.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.22 - KENNELS

##### 6.22.030 - Requirements.

- A. Zoning Ordinance. Any person desiring to have a kennel must consult and comply with applicable zoning ordinances and other applicable ordinances of the city or county where the kennel is located.
- B. Females. Breeding and selling kennels will have a maximum number of five females. All breeding of animals shall be in a fully enclosed building with an attached exercise yard.
- C. Land Owner. All dogs in a kennel shall be licensed to and owned by the property owner except for veterinarians and commercial boarding kennels.

- D. License. Commercial kennel enterprises shall have a current and valid business license issued by the entity where the kennel is located. Such license is required to be displayed and readily available for inspection by any authorized person.
- E. Animal Health. Any individual applying to operate a kennel must provide proof from a veterinarian that all the animals and facilities used for such purposes have been checked out and determined to be sanitary and disease free. Dogs that are brought into this state from any other state must have a health clearance and a copy must accompany the application.
- F. Prior Conviction. No person who has been convicted of cruelty to animals or possession of a dangerous or vicious animal shall be issued a permit or license to operate a commercial kennel establishment.
- G. Records. A kennel record must be kept available for inspection by any authorized person. Such record shall show:
  - 1. The name of the owner of the animal;
  - 2. Current address and telephone number of the animal's owner;
  - 3. The date the animal entered the kennel;
  - 4. The reason for the animal being placed in the kennel (i.e., boarding, sale, breeding, grooming);
  - 5. A description of the animal (species, age, breed, sex and color);
  - 6. Copies of current license and valid vaccination certificates on all dogs entering a kennel over the age of four months.
- H. Inspection. All areas of the kennel runs, exercise yards, food storage, and buildings shall be subject to inspection by animal control officers annually or more frequently as may be required.
- I. Notice. A sign showing an emergency contact name, address, and phone number must be posted in a conspicuous place at the front exterior of the properties utilized for kennels.
- J. Repair of Facilities. All facilities for the kennel shall be kept in good repair, painted (or appropriate siding) and compatible with the surrounding neighborhood buildings.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.22.040 - Physical facilities.

The intent of these requirements is to see that all animals receive proper care, that animals are being treated kindly, humanely, fed properly, and their surroundings are being kept in a sanitary and disease-free condition.

- A. General.
  - 1. All facilities shall be so constructed and be of such material as to be maintained in a sanitary and disease-free condition.
  - 2. All facilities shall have adequate drainage and be maintained in a sanitary and disease-free manner. Adequate and sanitary means of disposing of droppings and excrement shall be provided.
  - 3. All facilities shall be vermin, insect and rodent free and properly ventilated to provide fresh air, prevent drafts and remove odors.
  - 4. Except where animals are caged, kennels shall provide a minimum of twenty-six (26) square feet of area per animal. This includes kennel runs and exercise yards.
  - 5. Heating and cooling should be provided as required for the animal with sufficient natural light to allow observation of animals, sanitary conditions and disease control.

- B. Cages.
  - 1. Cages shall be for indoor use only.
  - 2. Cage length and width shall exceed the animal's length from the base of the tail to the tip of the nose by at least six inches.
  - 3. Cage height shall exceed the animal's height by at least four inches.
  - 4. Small puppies may be caged together using their combined length according to the above formula.
  - 5. Caged animals must be provided an exercise yard that is used on a daily basis.
- C. Indoor Facilities.
  - 1. Indoor kennel facilities shall provide a minimum area of six square feet per animal.
  - 2. Indoor kennel facilities of less than seven square feet per animal shall supplement the facilities dedicated to the keeping of dogs with an exercise yard or kennel run.
  - 3. Indoor kennel facilities shall be fully enclosed providing windbreaks, roofing and adequate shelter from the weather.
  - 4. Indoor kennel facilities shall be constructed of material which contains the sound one foot away from the kennel at any direction such that at no time the sound level exceeds fifty-five (55) decibels (dBA) as measured by meter.
- D. Outdoor Facilities.
  - 1. Outdoor facilities shall be provided with windbreaks, roofing, and shelter adequate to protect the animals from the weather.
  - 2. Privacy or exclusionary fencing will be provided.
- E. Kennel Runs and Exercise Yards. All kennel runs and exercise yards shall be fenced with a fence at least six feet high with a minimum of ten-gauge wire and two-inch steel posts set on no greater than ten-foot spans. Other types of fencing may be required and/or approved on a case-by-case basis by the district.
- F. Special Interest Groups. Special interest groups, such as rescue groups, and/or representatives of such, shall not be exempt from these regulations.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.22.050 - Care and keeping of kenneled animals.

- A. Animals that are caged shall be removed from their cages daily and be provided with an exercise yard for their use for such periods as is appropriate for the size, age and condition of the animal.
- B. Diseased animals shall be maintained in suitable and separate cages or kennels apart from healthy animals. These animals shall be treated by a veterinarian or the kennel shall have consulted with a veterinarian regarding the animal and is following the direction of the veterinarian. The district shall be notified and proper proof provided that appropriate care is being given.
- C. Kennels in operation shall not be left unattended for a period in excess of twenty-four (24) hours.
- D. All animals shall be supplied with good and wholesome food and fresh water in quantities sufficient for the feeding habits of such animal. All food and water containers shall be secured so as to keep it from being tipped over.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

## Chapter 6.24 - SALE OF ANIMALS

### 6.24.010 - Rabbits or fowl.

Rabbits or fowls shall not be artificially dyed or colored. Nothing in this provision shall be construed to prohibit the raising of such rabbits and fowl by a private individual for his personal use and consumption, provided that he shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his possession.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

### 6.24.020 - Pet turtles.

It is unlawful for any pet shop to raise or sell or for any person to possess any *Pseudemys ScriptaElgans*, or *P. Troostii* family Testudinida.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

### 6.24.030 - License required for commercial animal establishments.

- A. License Required. No person shall operate a commercial animal establishment, animal shelter, or kennel without first obtaining a business license in accordance with the provisions of the Uintah County Business License Ordinance, the Vernal City Business License Code, or the Naples City Business License Code.
- B. Inspection of Premises. It shall be a condition of the issuance of any license that the licensing authority, animal control officer, humane officer, or any peace officer shall be permitted to inspect all animals and the premises on which the animals are kept at any time, and shall, if permission for such inspection is refused, revoke the license of the refusing owner.
- C. Cruelty to Animals. No person who has been convicted of cruelty to animals shall be issued a business license to operate any commercial animal establishment.
- D. Vicious Animals. No person who has been convicted of owning, keeping, harboring or maintaining a "vicious" animal shall be issued a business license to operate any commercial animal establishment.
- E. Disposition of Animals. Any person whose license is revoked shall, within ten days thereafter, humanely dispose of all animals owned, kept or harbored by such person and no part of the license fee shall be refunded.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

### 6.24.040 - Unlawful sale or display of cats or dogs in public places.

It shall be unlawful for any person to display for the purpose of sale, sell, deliver, offer for sale, barter, auction, give away or otherwise dispose of a dog or a cat upon a street, sidewalk, public park, public right-of-way or other public place. The term public place shall include, but is not limited to, streets, highways, parks, areas exterior to shops or businesses, parking lots, carnivals, sidewalks and flea markets. This prohibition does not apply to organizations, such as animal rescue groups, animal shelters, or humane societies licensed by the State of Utah.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

### 6.24.050 - Unlawful sale of wild animals.

It is unlawful for any person to sell, offer for sale, barter, give away, keep or purchase any wild animal as defined in Section 6.04.030 of this title, except that a zoological park, veterinary hospital, humane society shelter, public laboratory, circus, sideshow, amusement show or facility for education or scientific purposes may keep such an animal if protective devices, and security adequate enough to prevent such animal from escaping or injuring the public are provided and if required state and/or federal permits are obtained.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.28 - CRUELTY TO ANIMALS

##### 6.28.010 - State law.

Animal cruelty shall be defined by and enforced according to Utah Code Ann. §§ 76-9-301 through 76-9-307.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.30 - COMPANION ANIMAL HOARDING

##### 6.30.010 - Companion animal hoarding.

- A. A person is guilty of companion animal hoarding when he or she owns, possesses, or has charge, care, custody or control of companion animals and fails to, or is unable to, provide what he or she is required to provide under Chapter 6.28, cruelty to animals, and Chapter 6.22, kennels, of this title; or
- B. Keeps the companion animals in an overcrowded living environment likely to endanger their health or safety; or
- C. Fails to maintain his or her living environment in a sanitary condition such as to pose a serious risk to the health or safety of the companion animals and/or people living in that environment. Failure to provide a sufficiently sanitary living environment may be evidenced by conditions such as excessive feces, urine, dirt, garbage or lack of basic services that make a home habitable such as heat, hot water, ventilation or electricity; or
- D. Displays an inability to recognize or understand the nature of, or has a reckless disregard for, the conditions under which the companion animals and/or people are living and the deleterious impact they have on the companion animal's and/or people's health, safety and well-being.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

##### 6.30.020 - Surrender or forfeiture of animals.

When a person is convicted of companion animal hoarding, the court, in addition to fines and penalties, may order the following:

- A. That the defendant surrender or forfeit ownership of the animals whose treatment was the basis of conviction or plea to the district's animal shelter;
- B. That the defendant reimburse the district's animal shelter for the reasonable costs incurred to care for, feed, provide necessary veterinary care for and house any animal that is surrendered or forfeited pursuant to this section;
- C. That the defendant be prohibited from owning companion animals for a period of time deemed reasonable by the court.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.32 - URBAN LIVESTOCK

##### 6.32.010 - Urban livestock.

Urban livestock shall be defined and governed by the local zoning and other ordinances of each entity.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.36 - RABIES

##### 6.36.010 - Rabies vaccination required for dogs and cats.

The owner or person having the charge, care, custody, and control of a four months of age or older cat or dog shall have the animal vaccinated by a licensed veterinarian within thirty (30) days after it reaches such age and twelve (12) months thereafter. Any dog or cat older than one year shall be vaccinated once every thirty-six (36) months. Any person permitting any such animal to habitually be on or remain, or be lodged, kept, confined or housed, or fed within such person's house, yard, or premises shall be responsible for the vaccination. This provision shall not apply to a veterinarian temporarily maintaining on their premises animals owned by another.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

##### 6.36.020 - Duties of veterinarian 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 and phone number;
  2. Description of animal (species, breed, sex, markings, age, name);
  3. Date of vaccination and expiration date of same;
  4. Rabies vaccination tag number;
  5. Type of rabies vaccine administered;
  6. Manufacturer's serial number of vaccine.
- B. A copy of the vaccination certificate shall be distributed to the owner and the original retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies of the certificate for the time period between vaccinations as specified in this section. Additionally, a metal or durable plastic rabies tag, serially numbered, shall be securely attached to the collar or harness of the animal. An animal not wearing such a tag is in violation of this chapter.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

##### 6.36.030 - Transient animal—Exception.

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

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.36.040 - Impoundment of animal without valid rabies vaccination tag.

- A. Any vaccinated animal impounded because of a lack of a rabies vaccination tag may be reclaimed by its owner within five business days of impounding by furnishing proof of rabies vaccination and by payment of all impoundment fees prior to release.
- B. Any unvaccinated animal may be reclaimed provided that the owner of such animal agrees in writing to have such animal vaccinated for rabies within thirty (30) days after claiming such animal and furnishes written proof to the district that the animal has been vaccinated within the thirty-days' period. Failure to have such animal vaccinated within thirty (30) days after agreeing in writing to do so shall be deemed to be a violation of this title.
- C. Any animal not reclaimed shall be disposed of as provided in the district's policies and procedures.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.36.050 - 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 any animal or person bitten by such a suspect animal, shall notify the animal control officer or the district within twenty-four (24) hours.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.36.060 - Quarantining and disposition of biting or rabid animals.

- A. An animal that has rabies or shows signs of having rabies, and every animal bitten by another animal infected with rabies or that has been exposed to rabies shall be reported by the owner or person having charge, care, custody or control as set forth above and shall immediately be confined in a secure place by the owner. The owner shall turn over the animal to the animal control officer upon demand.
- B. If the owner or person having charge, care, custody or control, refuses to surrender the animal, the animal control 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 days by the animal control officer. The owner or person having charge, care, custody or control 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 or person having charge, care, custody or control may be made by the animal control officer 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 charge, care, custody or control of an animal under quarantine shall immediately notify the animal control officer if the animal shows any signs of sickness or abnormal behavior, or if the animal escapes confinement. It is unlawful for any person who has charge, care, custody or control of a quarantined animal to fail or 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 days from the date of the bite, the person having charge, care, or custody or control shall immediately notify the Tri-County Health Department and Animal Control, and/or immediately have the head removed by a licensed veterinarian and delivered to the state health laboratory to be examined for rabies. If, at the end of the ten-day period the animal control officer and/or a licensed veterinarian 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 the district's policies and procedures.

#### Unvaccinated Bitten Animals.

1. In the case of an unvaccinated animal subject to rabies which is known to have been bitten by a known rabid animal, such bitten or exposed animal shall be immediately destroyed, except as hereinafter provided.
2. If the owner or person having charge, care, custody or control is unwilling to destroy the bitten or exposed animal, the animal shall be immediately isolated and quarantined for six months under veterinary supervision, the cost of such confinement to be paid in advance by the owner or person having charge, care, custody or control. If the owner or person in charge, care, custody or control of the animal is unwilling to pay the cost of confinement in advance, then the district may seek a court order to have the animal immediately destroyed.

#### 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 thirty (30) days following revaccination.
2. If the animal is not revaccinated within twenty-four (24) hours, the animal shall be isolated and quarantined under veterinary supervision for six months, the cost of such confinement to be paid in advance by the owner or person having charge, care, custody or control.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.36.070 - Removal of quarantined animal.

It is unlawful for any person to remove any such animal from the place of quarantine without written permission of the animal control officer.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### Chapter 6.37 - DUTY TO REPORT BITES

#### 6.37.010 - Required.

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 animal control officer.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.37.020 - Report by owner.

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

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

#### 6.37.030 - Report by physician.

A physician or other medical personnel who renders professional treatment to a person bitten by an animal shall report to the animal control officer the fact that he has rendered professional treatment within

twenty-four (24) hours of his first professional attendance. He shall report the name, sex, and address of the person bitten, as well as the type and location of the bite. If known, he shall give the name and address of the owner of the animal that inflicted the bite and any other facts that may assist the animal control officer in ascertaining the immunization status of the animal.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)

6.37.040 - Report by person treating a bitten animal.

Any person treating an animal bitten, injured, or mauled by another animal shall report the incident to the animal control officer. 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 and description of the animal which caused the injury, and the location of the incident.

(Ord. No. 06-01-2015 O1, § 3, 6-8-2015)