

TITLE 5

PUBLIC SAFETY

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CHAPTER 1

GENERAL

Section

- 5.01.101: INTERNATIONAL BUILDING CODE ADOPTED
- 5.01.102: JURISDICTION OF OFFENSES
- 5.01.103: CONTINUING VIOLATION

5.01.101: INTERNATIONAL BUILDING CODE ADOPTED:

All provisions of the International Building Code are hereby adopted in their entirety, including all subsequent amendments, modifications or alterations which may be enacted after the effective date hereof. At such time as said amendment, modification or alteration becomes effective, said amendment, modification or alteration shall be deemed to automatically supersede the prior provision of the International Building Code for the purposes of this section and said amendment, modification or alteration shall be incorporated herein.

5.01.102: JURISDICTION OF OFFENSES:

- (1) A person is subject to prosecution in this town for an offense which he commits while either within or outside the town by his own conduct or that of another for which he is legally accountable if:
 - (a) The offense is committed either wholly or partly within this town;
 - (b) The conduct outside this town constitutes an attempt within this town;
 - (c) The conduct outside this town constitutes a conspiracy to commit an offense within this town and an act in furtherance of the conspiracy occurs in this town; or
 - (d) The conduct within this town constitutes an attempt, solicitation or conspiracy to commit in another jurisdiction an offense under this code and such other jurisdiction.
- (2) An offense is committed partly within this town if either the conduct which is an element of the offense, or the result which is such an element, occurs within this town.
- (3) An offense which is based on an omission to perform a duty imposed by this code is committed within this town regardless of the location of the offender at the time of the omission.

5.01.102: CONTINUING VIOLATION:

In all instances where the violation of these ordinances or any ordinance hereinafter enacted is a continuing violation, a separate offense shall be deemed committed on each day during or on which the violation occurs or continues to occur.

CHAPTER 2 OFFENSES

Section

5.02.101: UTAH CRIMINAL CODE ADOPTED

All criminal provisions of the Utah code are hereby adopted in their entirety, including all subsequent amendments, modifications or alterations which may be enacted after the effective date hereof. At such time as said amendment, modification or alteration becomes effective, said amendment, modification or alteration shall be deemed to automatically supersede the prior provision of the Utah code for the purposes of this section and said amendment, modification or alteration shall be incorporated herein.

CHAPTER 3 MINORS

Section 5.03.101: CURFEW

Section 5.03.102: DAYTIME LOITERING OF JUVENILES ON SCHOOL DAYS

5.03.101: CURFEW:

It shall be unlawful for any person under the age of sixteen (16) years to be or remain in or upon any of the streets, alleys or public places or vacant lots within the town at night between the hours of eleven o'clock (11:00) P.M. and four o'clock (4:00) A.M. the following day, unless such person is accompanied by parent, guardian or other person having legal custody of such minor person or whose employment makes it necessary to be upon the streets during the nighttime after the specified hour and it shall be unlawful for any person under the age of eighteen (18) years to be or remain in or upon any of the streets, alleys or public places or vacant lots within the limits of the town at night between the hours of twelve o'clock (12:00) midnight and four o'clock (4:00) A.M. the following day, unless such person is accompanied by a parent, guardian or other person having the legal custody of such minor person, or whose employment makes it necessary to be upon the streets during the nighttime after said specified hour.

5.03.102: DAYTIME LOITERING OF JUVENILES ON SCHOOL DAYS:

A. Definitions: For the purposes of this section:

ADULT:	Any person not a "juvenile", as defined in this subsection that is eighteen (18) years of age or older or who is sixteen (16) years of age or older and is not subject to the state's compulsory education law.
EMERGENCY:	Includes, but is not limited to, fire, natural disaster, automobile accident, or requirement for immediate medical care for another person.
JUVENILE:	Any person who is subject to the state's compulsory education law or who is eighteen (18) years of age or older and enrolled in public education.

LOITER: Subject to the defenses contained in subsection C of this section and for purposes of this section only, to "loiter" means to be absent from school when school is in session without permission from a parent or school official.

PARENT: A person who is the natural or adoptive parent of a person. "Parent" includes a court appointed guardian or other person eighteen (18) years of age or older authorized by the parent, by a court order, or by a court appointed guardian to have the care and custody of the person.

B. Offenses:

1. It is unlawful for any juvenile who is subject to compulsory education to loiter during the hours that school is in session for that juvenile.
2. It is unlawful for a juvenile not enrolled in the public schools of the county or an adult to encourage or assist a student not to attend or return to school unless the absence is excused by a school official or such absence is excused under one of the defenses found in this chapter.

C. Defenses: It is a defense to prosecution under this section:

1. When the juvenile is accompanied by a parent;
2. When the juvenile is on an emergency errand directed by a parent;
3. When the juvenile is going to, or coming from, their place of school approved employment;
4. When the juvenile is going to, or coming from, a medical appointment;
5. When the juvenile has permission to leave the school campus for lunch or a school sponsored activity, or has in their possession a valid, school issued, off campus permit;
6. When the juvenile is going to, or coming from, another education program activity such as DATC, early college or an internship;
7. When the juvenile is attending, or without any detour or stop, going to or returning from, an official school, religious, government sponsored activity supervised by adults and sponsored by the town or county, or a civic organization, the school district, religious, or other government organization.

D. Enforcement Procedure:

1. Upon any violation of subsection B of this section, a peace officer may issue a written warning to the juvenile and may transport the juvenile home or to the school from which the juvenile is absent. The parent shall be advised in writing by law enforcement officials or their designee that the juvenile was warned for a violation of this section. Such written notice shall notify the parents of their responsibility and liability as the juvenile's parents.
2. If a juvenile has been previously warned as set forth in this section, a peace officer will issue a citation for an infraction.
3. When a juvenile has previously been issued a warning and two (2) citations for an infraction as set forth in subsection B1 of this section upon any subsequent violation, a peace officer will issue a citation for a class C misdemeanor to the juvenile to appear in court.

E. Penalty:

1. Penalties under Subsection B1 Of This Section:

- a. A juvenile will be given a written warning on the first violation of subsection B1 of this section.
- b. A juvenile guilty of a second violation of subsection B1 of this section may either pay a fine of fifty dollars (\$50.00) or attend youth court in the county. This violation is considered an infraction.
- c. A juvenile guilty of a third violation of subsection B1 of this section is guilty of an infraction. The fine is one hundred dollars (\$100.00).
- d. A juvenile guilty of subsequent violations of subsection B1 of this section will be fined two hundred fifty dollars (\$250.00) and charged with a class C misdemeanor.
- e. The enforcement procedures and penalties return to the first step upon each new school year.

2. Penalties under Subsection B2 of This Section:

- a. Upon any violation of subsection B2 of this section, the person will be given a written warning. On subsequent violations of this section, a peace officer will issue a citation.
- b. A person guilty of a violation of subsection B2 of this section will be fined one hundred dollars (\$100.00). Subsequent violations will be

charged as a class C misdemeanor with a fine of two hundred fifty dollars (\$250.00).

CHAPTER 4 FIREWORKS

Section

5.04.101:	STATE PROVISIONS ADOPTED BY REFERENCE
5.04.102:	ENFORCEMENT
5.04.103:	SALES
5.04.104:	PUBLIC DISPLAY OR SPECIAL EFFECTS; PERMIT REQUIRED
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5.04.106:	AUTHORITY OF TOWN TO PROHIBIT DISCHARGE
5.04.107:	CONFLICTING PROVISIONS

5.04.101: STATE PROVISIONS ADOPTED BY REFERENCE:

This chapter includes, but is not limited to, sections of the Fire Prevention and Fireworks Act found in Utah Code Annotated title 53, chapter 7, part 2, and sections of the County and Municipal Fireworks Act found in Utah Code Annotated Title 11, Chapter 3, which sections are, by this reference, adopted as town ordinances. Each section of the Fire Prevention and Fireworks Act adopted by this reference shall have a new section number as determined by this present chapter. The following subsections are adopting those provisions by reference.

- A. Definition of Terms: Adopting Utah Code Annotated section 53-7-202.
- B. Restrictions on Sale or Use of Fireworks: Adopting Utah Code Annotated section 53-7-222.
- C. Times for Sale and Discharge of Fireworks: Adopting Utah Code Annotated section 53-7-225.
- D. Exemptions: Adopting Utah Code Annotated sections 11-3-10 and 53-7-221.
- E. Penalties: Adopting Utah Code Annotated sections 11-3-11 and 53-7-226.
- F. State Fire Prevention Board Rules: Rules, specifications, standards or requirements promulgated by the Utah fire prevention board as permitted or required by the various sections of the fire prevention and fireworks act (Utah Code Annotated section 53-7-201 et seq.), are included and adopted as part of this chapter.

CHAPTER 5 ANIMAL CONTROL

Section

5.05.101:	ADMINISTRATION
5.05.102:	DEFINITIONS
5.05.103:	LICENSE AND REGISTRATION OF DOGS
5.05.104:	DOGS AT LARGE
5.05.105:	DANGEROUS AND/OR VICIOUS ANIMALS
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5.05.109:	IMPOUNDMENT
5.05.110:	ENFORCEMENT
5.05.111:	CITATION FOR MISDEMEANOR
5.05.112:	PENALTY

5.05.101: ADMINISTRATION:

The town council or authorized agent shall resolve dog related disputes within the corporate limits of the town.

5.05.102: DEFINITIONS:

The following words and phrases used in this chapter shall have the following meanings unless a different meaning clearly appears from the context:

ADDITIONAL PET:	Any dog in addition to the amount allowed per household.
ANIMAL SHELTER:	Any facility owned and operated by a government entity or any animal welfare organization, which is incorporated within the state of Utah, for the purpose of preventing cruelty to animals, and used for the care and custody of seized, stray, homeless, quarantined, abandoned or unwanted dogs, cats or other domestic animals.
AT LARGE:	A dog shall be considered to be “at large” when it is off the owner’s property and not under immediate control by means of a

durable restraint device capable of keeping the dog restrained.

BITE:

Any actual puncture, tear or abrasion of the skin inflicted by the teeth of an animal.

DANGEROUS ANIMAL:

Any animal that, according to the records of the town or county police agency:

A. Has inflicted serious injury on a human being, with or without provocation, on public or private property

B. Has killed or injured a domestic animal, with or without provocation, while off the owners' property;

C. Has previously been found to be "potentially dangerous", the owner having received notice of such, and it is witnessed and documented that the animal aggressively bites, attacks or endangers the safety of humans or domestic animals;

D. The animal is found to be in violation of any restrictions placed upon the animal pertaining to a potentially dangerous animal, as designated in this chapter.

DOG:

Any canine over six (6) months of age. Any canine under six (6) months of age is a puppy.

DOMESTIC ANIMAL:

Animals accustomed to living in or about the habitation of man, including, but not limited to, cats, dogs, rabbits, fowl, horses, swine, goats, sheep, mules, donkeys, llamas and cattle.

NONCOMFORMING:

Anyone in conflict with this chapter as to the number of dogs, upon its enactment.

OFFICER:

The entity, person or persons contracted or appointed by the mayor and town council to give citations and impound dogs, as needed.

OWNER:	Any person or persons, association, firm or corporation owning, keeping or harboring a dog.
POTENTIALLY DANGEROUS ANIMAL:	Any animal that, with or without provocation, chases or approaches a person upon the streets, sidewalks or any public grounds, in a threatening or menacing fashion, or apparent attitude of attack, or any animal with a known propensity, tendency or disposition to attack, with or without provocation. In addition a “potentially dangerous animal” is any animal that, because of witnessed and documented action, is believed capable of causing injury, or otherwise posing a threat to the safety of humans or domestic animals.
QUARANTINE:	The isolation of an animal in a substantial enclosure, so the animal is not subject to contact with other animals or unauthorized persons.
RESTRAINT DEVICE:	Any chain, leash, cord, rope or other device commonly used to restrain an animal.
VICIOUS ANIMAL:	Any animal which: <ul style="list-style-type: none"> A. Has inflicted serious injury on a human being, with or without provocation, on public or private property; B. Has killed or injured a domestic animal, with or without provocation, on public or private property; C. Has previously been found to be a “dangerous animal”. The owner having received notice of such and the animal again bites, attacks or endangers the safety of humans or domestic animals; or it is witnessed and documented that the animal is in violation of restrictions placed upon the animal pertaining to a potentially dangerous or dangerous animal, pursuant to section 5.05.105 of this chapter.

WORRY:

To harass by tearing, biting or shaking with the teeth, with or without provocation.

5.05.103: LICENSE AND REGISTRATION OF DOGS:

A. License and Registration:

1. License Required: It is unlawful for any person to own, keep, harbor, board or maintain a dog within the town limits, without registering and obtaining a license for such dog, available from the town recorder or other person designated by the mayor and town council.

2. When to Apply: The license may be applied for any time after January 1, and up to February 28 of any year.

3. Time Limit to Register: All dogs brought into the town shall require registering and licensing within thirty (30) days after they enter the town, or within thirty (30) days after reaching the age of six (6) months.

4. Late Fee: Persons who fail to obtain a license, as required within the time period specified in this section, will be subject to an additional licensing "late fee".

5. Information Required: The owner shall state at the time of application for license, the owner's name and address, and the dog's name, sex, breed and color.

6. Proof of Spay or Neuter; Exception:

A. No dog shall be licensed as spayed or neutered without proof that the surgery has been performed.

B. An exception is allowed if a written statement is received from a licensed veterinarian stating that the animal in question cannot, for a stated reason, have the surgery performed, or that the animal is of such an age that the surgery would not alter the outcome.

7. Rabies Inoculation; Exception:

A. Proof that the dog has a current rabies inoculation shall be present at the time the license is applied for. Proof must be in writing and must include the name and signature of the licensed veterinarian who administered the vaccine. Exception: If a written statement is received from the licensed veterinarian stating that the animal in question cannot, for stated reasons, have a rabies inoculation.

B. Rabies vaccinations become invalid after two (2) years from the date of vaccination, unless otherwise shown on the rabies certificate. Vaccinations expiring January through June of the license year will be required to be brought current prior to licensing. Exception: If a written statement is received from a licensed veterinarian stating that the vaccination will be valid through the current calendar year.

B. Fees for Dog Licensing:

1. Payment Required: The town shall issue no dog license until the required fee, as set forth in the town fee schedule, is paid.
2. Term of License; Expiration: The license fee shall cover the calendar year in which it was issued; expiring on December 31 of the year of issuance, regardless of the date when issued.

C. Tag and Collar:

1. Requirements: Upon payment of the license fee, the owner shall be issued a license certificate and a numbered metal tag for each dog so licensed. The tag shall change each year and shall have stamped thereon the year for which it was issued. Every dog owner, except those operating a boarding kennel or other such establishment, shall provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn.
2. Duplicate license: In case a dog tag is lost or destroyed, the town recorder, upon presentation of the license for the current year, will issue a duplicate.
3. Nontransferable; Refunds: Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of the death of the dog or the owner leaving the town, before expiration of the license period.
4. Unlawful to Deprive: It shall be unlawful to deprive a registered dog of its collar and/or tag.
5. Nuisance Declared: Any dog without a collar with the registration tag attached or which had not been registered, is hereby declared a public nuisance and shall be immediately impounded.

D. Number of Dogs per Residence:

1. Specified: No person or persons at any one residence within the jurisdiction of this chapter, shall at any one time own, keep or harbor, board, license or maintain more than two (2) dogs, six (6) months or older.

2. Permits Required: Any person maintaining, keeping, harboring or boarding four (4) or more dogs, six (6) months or older, within the town limits shall be required to have an additional dog permit. Payment of the annual additional dog permit fee shall entitle such owner to license up to six (6) dogs annually. All applications for said permits shall be submitted in writing upon printed forms provided by the town officer. Upon approval, the town recorder shall issue a permit upon payment of the required fee, as set forth in the town fee schedule, which is subject to amendment by the town council by resolution. The regular license fee shall also be charged for each dog. Owners shall be subject to all provisions of this chapter.

5.05.104: DOGS AT LARGE:

It shall be unlawful for any dog to be allowed, either negligently or with specific intent, to run “at large”, as defined in section 5.05.102 of this chapter. Any dog so found is hereby declared to be a nuisance and a menace to the public health and safety, and shall be taken up and impounded as provided herein. Whenever possible, the owner shall be notified. The owner or keeper may be cited.

5.05.105: DANGEROUS AND/OR VICIOUS ANIMAL:

A. Possession of Potentially Dangerous Animal: Any person who owns or maintains a potentially dangerous animal shall use all reasonable means at his/her disposal to restrict a potentially dangerous animal from injuring any person or other animal. The town may from time to time impose specific restrictions regarding the housing of potentially dangerous animals.

B. Failure to Properly Confine Potentially Dangerous Animal; Penalty: Any owner of any potentially dangerous animal who willfully allows it to go at large or who fails to hold the same in the manner specified for such an animal, by the town is guilty of a class B misdemeanor, subject to penalty as provided in section 1.04.101 of this code.

C. Possession of Dangerous Animal:

1. Any dangerous animal while on the owner’s property must be securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure for a dangerous animal shall have secure sides and top and shall also provide protection from the elements for the animal. The pen or structure shall be such that the animal cannot burrow or dig under the sides of the enclosure.

2. Dangerous animals, when outside the enclosure, must be under the immediate control of a responsible adult by means of an adequate “restraint device”, as

defined in section 5.05.102 of this chapter, and muzzled. The muzzle shall be made in such a manner that it will not cause injury to the animal or interfere with its vision or respiration, but shall prevent it from biting any person or animal.

3. The officer may take into immediate possession any dangerous animal if the officer determines:

A. That the animal is not maintained in proper enclosure; or

B. That the animal is outside of the owner's dwelling or outside of a proper enclosure and not under physical restraint; or

C. If there are any further violations of any legal restrictions previously placed on such animal provided in this section.

D. Declaration and Disposal of Vicious Animals: If the officer determines, as a result of a witnessed incident, that an animal is potentially a danger or dangerous and finds that the animal is in violation of such restrictions as the town has deemed necessary for the safety of persons and/or animals in the community, the animal may be declared a vicious animal. The officer may immediately take possession of the vicious animal and place said animal in a proper quarantine facility and thereafter destroy the animal in an expeditious and humane manner if the owner or custodian, after having received notice of such, fails to make a request in writing to the quarantine facility to delay said action.

1. Holding Period; Request for Hearing: It is determined that a proper holding period for any vicious animal shall be three (3) working days. In the event the owner or custodian of the vicious animal fails to request, in writing, a formal hearing within the three (3) day holding period the holding facility is authorized to destroy the vicious animal in a humane manner. The holding period shall be extended to meet state and local regulations for quarantine for animals needing rabies evaluation.

2. Hearing: Any owner or custodian who files a written request shall be afforded a hearing before the town council. It shall be the responsibility of the town council to determine whether the animal should be returned to the owner or custodian to be destroyed.

A. At any hearing under this subsection, the officer making the declaration of a vicious animal shall appear and testify, under oath, regarding the facts which led to the required findings. The officer shall be subject to cross examination by the owner, custodian or authorized representative.

B. The officer may also present any additional evidence or sworn testimony supporting his/her decision. The owner or custodian of the animal may likewise present evidence or sworn testimony in support of his/her position. The hearing shall be informal, but shall be recorded.

C. The animal shelter shall not order the destruction of the animal until a decision is rendered and the town council notifies the shelter, in writing, of a decision.

5.05.106: NUISANCE ANIMALS:

A. Animals Declared Nuisance; Penalty: Any person having custody of a dog shall exercise proper care and control of his/her animal in order to prevent it from becoming a public nuisance. Any owner or possessor of an animal who keeps such animal contrary to the provisions of this section shall be guilty of a Class C misdemeanor and subject to penalty as provided in section 1A.04.101 of this code. An animal shall be deemed to be a “public nuisance” if the animal

1. Causes damage to, damages or destroys property of anyone other than the animal’s owner.
2. Causes unreasonable odors.
3. Causes unsanitary conditions.
4. By loud, continued or frequent barking, howling or yelping, shall annoy, disturb or endanger the health and welfare of any person or neighborhood, attested to by more than one complaint.
5. Chases any person, vehicle, bicycle or other animal that is properly restrained.
6. Bites, attacks, chases or worries a person or domestic animal. The owner in violation of this provision shall be strictly liable for damages to any person injured or to the owner of any animal injured or destroyed thereby. Exception: A dog shall not be considered a public nuisance under this provision if it bites a person who is wrongfully assaulting the dog or the dog’s owner, or if it bites a person upon the premises owned or occupied by the dog’s owner after being provoked by that person.
7. Scatters garbage.
8. Urinates or defecates on property of another.
9. Is an animal which has been impounded for being at large, or its owner or possessor has been convicted for a dog being at large on three (3) separate occasions within a twelve (12) month period.
10. Is an animal previously declared potentially dangerous or dangerous and is found in violation of restrictions placed on that dog by the town.

11. If the dog trespasses on private property of a person other than the dog's owner.

B. Abatement of Public Nuisance Animals:

1. "Abatement" shall be defined to include either relocating or euthanizing the animal.

2. When it reasonably appears to the town that an animal is a "public nuisance", as defined in subsection A of this section, and that such nuisance should be abated, the officer shall first attempt to get written consent of the animal's owner to abate the animal.

3. If the animal owner's consent cannot be readily obtained, the town may file with the governing court a charge of maintenance of a public nuisance. The charge shall set forth the facts, according to the best information, indicating that the owner is maintaining a public nuisance, and the nuisance should be abated. Until such time as the owner may be summoned to appear before the court, the animal may be impounded, and held pending a decision by the court.

4. If the charge is denied, a hearing will be set pursuant to the normal procedure of the governing court. If the court finds that the charge of maintaining a public nuisance has been proven, the court shall issue an order setting out the method of abatement.

5. Abatement, by relocation, shall not be an option if the animal represents a continuing threat or serious harm, such as in the case of a vicious dog.

6. If relocation is ordered, the court may set whatever conditions are necessary to guarantee that the animal shall not constitute a nuisance in the future.

7. In the event the court determines that, in fact, the animal is a public nuisance, the owner shall pay the cost of all impoundment fees, maintenance fees, or any other fees may be incurred by the town as a result of such impoundment.

5.05.107: RABIES CONTROL AND ANIMAL BITE:

A. Vaccination Requirements: All dogs shall be vaccinated by a duty licensed veterinarian or at a rabies clinic. Every dog shall be revaccinated every two (2) years thereafter (see also subsection 5.05.103A7b of this chapter). Any unvaccinated dog over six (6) months of age, adopted or brought into the jurisdiction, must likewise be vaccinated initially. Thereafter valid protection must be maintained.

B. Impoundment of Animals without Valid Rabies Vaccination Tag:

1. An owner may reclaim any vaccination animal impounded because of lack of a rabies vaccination tag by furnishing proof of a rabies vaccination, within seventy two (72) hours of release.
2. Any unvaccinated animal may be reclaimed prior to disposal by payment of impound fees and by obtaining or providing proof of a rabies vaccination, within seventy two (72) hours of release.
3. Any animal not reclaimed within the prescribed period of time shall be disposed of pursuant to this chapter

C. Rabid Animal Reports: Any person having knowledge of the whereabouts of an animal known to have been exposed to or suspected of having rabies, or of an animal or person bitten by such a suspected animal, shall notify town or county health department

D. Quarantine and Disposition of Biting Animal:

1. An animal that has rabies or shows signs of having rabies and every animal bitten by another animal affected with rabies or that has been exposed to rabies shall be reported by the owner as set forth in subsection C of this section, and shall immediately be confined in a secure place by the owner. The owner shall turn over the animal in question to the town officer or designated agent upon demand.
2. The owner of any animal that has been bitten by another animal known to be capable of harboring the rabies virus shall surrender the animal to an authorized official upon demand. Any person authorized to enforce this chapter may enter upon private property to seize the animal if the owner refuses to surrender the animal (see subsection 5.05.110A of this chapter).
3. Any animal 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 fourteen (14) days by the animal shelter. The owner of the animal shall bear the cost of confinement. The animal shelter shall be the normal place for such quarantine, but other arrangements, including confinement by the owner, may be made by the officer if the animal has current rabies vaccinations at the time the bite is inflicted or if there are other special circumstances justifying an exemption. A person who has custody of an animal under quarantine shall immediately notify the town if the animal shows any sign of sickness or abnormal behavior, or if the animal escapes confinement. It is unlawful for any person who has custody of a quarantined animal to fail or refuse to allow an officer or representative of the health department to make an inspection or examination during the period of quarantine.

4. If the animal dies within fourteen (14) days from the date of the bite, the person having custody shall immediately notify the officer in order that they may have the head immediately removed and delivered to the state health department.

5. If at the end of the fourteen (14) day period an investigating officer of the town or animal shelter examines the animal and finds no sign of rabies, the animal may be released to the owner. In the case of a stray it shall be disposed of as provided in this chapter.

6. In the case of an unvaccinated animal known to have been bitten by a known rabid animal, such bitten or exposed animal shall be immediately destroyed.

E. Bites; Duty to Report:

1. Any person having knowledge of any individual or dog having been bitten by an animal subject to rabies shall report the incident immediately to the Wasatch County sheriff department.

2. The owner of the dog that bites a person and any person bitten by a dog shall report the bite the Wasatch County sheriff department within twenty four (24) hours of the bite.

3. A physician or other medical personnel who renders professional treatment to a person bitten by a dog shall report the fact that he/she has rendered professional treatment to the Wasatch County sheriff department within twenty four (24) hours of the 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 dog that inflicted the bite, and any other facts that may assist the Wasatch County sheriff department.

4. Any person treating an animal bitten, injured or mauled by another animal shall report the incident to the Wasatch County sheriff department. 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 that caused the injury, and the location of the incident.

5. Any person not conforming to the requirements of this subsection shall be in violation of this chapter.

5.05.108: NONCONFORMING OWNERS:

An owner who is “nonconforming”, will stay as such until such time that they come into compliance by reducing the number of dogs due to death, selling or giving away of their current dogs, after such time they will be held to the terms of this chapter.

5.05.109: IMPOUNDMENT:

A. Shelter Provided: the town has contracted with Wasatch County animal shelter where impounded animals will be adequately housed and fed.

B. Authorized; Conditions:

1. All animals taken into custody shall be placed in an adequate shelter which the town has contracted for this purpose.

2. The following animals may be taken into custody and impounded as deemed necessary

A. Any dog being kept or maintained contrary to the provisions of this chapter

B. Any dog running at large, with any reasonable means used to immobilize.

C. Any dog which is not licensed. A dog not wearing a tag shall be presumed to be unlicensed for the purpose of this section.

D. Any abandoned or neglected dog whose safety may be threatened should the animal not be readily placed into protective custody.

E. Dogs which are not vaccinated for rabies in accordance with the requirements of this chapter.

F. Any animal needing to be quarantined.

G. Any potentially dangerous or dangerous animal not properly confined as required by this chapter.

C. Redemption of Animals:

1. The owner of an impounded animal or this authorized representative may redeem such animal before disposition, provided he/she pays:

A. The impound fees;

B. The daily board charges;

C. Any veterinary costs incurred during the impoundment period;

D. Transportation fee, if any;

E. Any other expenses incurred to impound an animal in accordance with state or local laws.

2. Fees for impound and boarding shall be set from time to time by the agency contracted for impounding of animals by the town.

D. Terms of Impoundment, Destruction and Disposal Of Animals:

1. Animals shall be impounded for a minimum of three (3) working days before further disposition.

2. Reasonable effort shall be made to notify the owner of any animal wearing a license or other identification during that time. Notice shall be deemed given when sent to the last known address of the listed owner.

3. Any animal voluntarily relinquished to the animal control facility by the owner thereof for destruction or other disposition need not be kept for the minimum holding period before release or other disposition, as herein provided.

4. All animals, except those quarantined or confined by court order or those subject to Utah Code Annotated section 4-25-4, which are held longer than the minimum impoundment period and all animals voluntarily relinquished to the impound facility, may be destroyed. Any healthy dog may be sold at the discretion of the animal shelter.

5. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention may, at the discretion of the animal shelter, be released to the care of a veterinarian with or without the consent of the owner.

6. When, in the judgment of the animal shelter, it is determined that an animal should be destroyed for humane reasons or to protect the public from imminent danger to person or property, such animal may be destroyed without regard to any time limitation otherwise established in this chapter and without a court order.

5.05.110: ENFORCEMENT:

A. Right of Entry: In the enforcement of this chapter, all officers designated by the town council and mayor are hereby authorized to enter onto the open premises of any person or entity to take possession of any animal in violation of this chapter.

B. Interference with Officer Prohibited: It shall be unlawful for any person to interfere, molest, hinder or obstruct the officer or any of this authorized representatives in the discharge of their duties as herein prescribed.

C. Investigation: The Wasatch County sheriff department or the officers may enter upon privately owned land to investigate reports of vicious animals, rabies and other contagious animal disease and to investigate violations of and enforce the provisions of this chapter.

5.05.111: CITATION FOR MISDEMEANOR:

A. The town council, designated officer or any public official charged with the enforcement of laws of this town, in lieu of taking a person into custody, may issue and deliver a citation requiring any person subject to arrest or prosecution on a misdemeanor charge to appear at the court of the magistrate before whom the person could be taken pursuant to law, if the person had been arrested.

B. If a citation is issued, the town council or designated officer shall issue one copy to the person cited and shall within five (5) days file a duplicate copy with the court specified in the citation.

5.05.112: PENALTY:

Unless otherwise specifically provided, a violation of any provision of this chapter shall be punished as a class B misdemeanor.