

ORDINANCE 196

AN ORDINANCE REPEALING ORDINANCE #178 OF ELSINORE CITY CODE AND ENACTING A REVISED
ORDINANCE 196 - REGULATING ANIMALS WITHIN THE JURISDICTION.

WHEREAS, THE CITY OF ELSINORE IS ATTEMPTING TO IMPROVE THE CITY OF ELSINORE THROUGH REASONABLE
REGULATION OF ANIMALS, AND

WHEREAS, MODIFICATION OF EXISTING ORDINANCES TO PROMOTE UNIFORMITY AND INCREASE EFFECTIVENESS
OF ENFORCEMENT IS NECESSARY;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ELSINORE AS FOLLOWS:

SECTION 1: GENERAL ANIMAL AND LIVESTOCK REGULATIONS

- A. PREMISES CONFINING ANIMALS AND FOWL-NEAT AND SANITARY CONDITIONS REQUIRED.
 - 1. WHEREVER ANIMALS, INCLUDING FOWL AND PIGEONS, MAY BE TETHERED, CORRALLED, CONFINED AND SHELFTERED OR FED, THE PREMISES SHALL BE MAINTAINED IN A NEAT AND SANITARY CONDITION SO THAT NO NUISANCE DUE TO UNSIGHTLINESS, ODOR OR PEST BREEDING OR HARBORAGE SHALL BE CAUSED BY SUCH ANIMALS OR PREMISES.
 - 2. ALL BARNS OR STABLES INTENDED FOR A PRESENTLY USED SHELTER FOR LIVESTOCK WHICH ARE NOW ERECTED AND MAINTAINED OR MAY BE ERECTED, CONSTRUCTED, ALTERED OR REPAIRED WITHIN THE JURISDICTION SHALL CONFORM TO THE REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCE, THE BUILDING CODE, AND ALL OTHER APPLICABLE LAWS OF THE JURISDICTION.
- B. ABANDONING SICK, DISEASED OR DISABLED ANIMALS.
 - 1. IT IS UNLAWFUL FOR ANY PERSON TO ABANDON OR TO TURN OUT AT LARGE ANY SICK, DISEASED OR DISABLED ANIMAL, BUT SUCH ANIMAL SHALL, WHEN RENDERED WORTHLESS BY REASON OF SICKNESS OR OTHER DISABILITY, BE DISPOSED OF BY THE OWNER THEREOF IN THE MANNER AS PROVIDED IN SECTION 1: C.
- C. DISPOSAL OF ANIMALS.
 - 1. IT IS UNLAWFUL FOR THE OWNER OF ANY ANIMAL OR FOWL THAT DIE OR ARE KILLED WITHIN THE JURISDICTION TO FAIL TO REMOVE OR BURY THE CARCASS OF SUCH ANIMAL WITHIN TWO (2) DAYS AFTER ITS DEATH; DISPOSAL SHALL BE IN FULL COMPLIANCE WITH HEALTH DEPARTMENT REGULATIONS.
- D. CRUELTY TO ANIMALS.
 - 1. EXCEPT AS AUTHORIZED BY LAW, IT SHALL BE UNLAWFUL FOR ANY PERSON TO WILLFULLY OR MALICIOUSLY KILL, INJURE, MAIM, DISFIGURE, TORTURE, BEAT, MUTILATE, BURN OR SCALD, OVERDRIVE, OR OTHERWISE CRUELLY SET UPON ANY ANIMAL. EACH SUCH ACT SHALL CONSTITUTE A SEPARATE VIOLATION AND SHALL BE GUILTY OF A CLASS B MISDEMEANOR.
 - 2. IT SHALL BE UNLAWFUL FOR ANY PERSON TO HOBBLE LIVESTOCK IN SUCH A WAY AS TO CAUSE INJURY OR DAMAGE TO THE ANIMAL.
 - 3. IT SHALL BE UNLAWFUL FOR ANY PERSON TO CARRY OR TO CONFINED ANY ANIMALS IN OR UPON ANY VEHICLE IN A CRUEL OR INHUMANE MANNER, INCLUDING BUT NOT LIMITED TO, CARING OR CONFINING SUCH ANIMAL WITHOUT ADEQUATE VENTILATION.
 - 4. EVERY OPERATOR OF A MOTOR VEHICLE OR SELF-PROPELLED VEHICLE WITHIN THE CITY SHALL, IMMEDIATELY AND FULLY COMPLY WITH ALL REQUIREMENTS SET FORTH IN UCA SECTION 41-6-30 CONCERNING INJURING, STRIKING, MAIMING OR RUNNING DOWN ANY ANIMAL.

5. FIGHTS: IT IS UNLAWFUL FOR ANY PERSON WITHIN THE JURISDICTION TO, IN ANY MANNER, WHATSOEVER, ENCOURAGE OR URGE ANY ANIMAL TO FIGHT OR URGE THEM ON AFTER THEY COMMENCE TO FIGHT.
 6. IT SHALL BE UNLAWFUL TO FAIL TO PROVIDE NECESSARY FOOD, CARE OR SHELTER FOR AN ANIMAL INCLUDING VETERINARY CARE AND ADEQUATE SHELTER AGAINST EXTREME WEATHER CONDITIONS.
- E. EXCESSIVE NOISE
1. IT IS UNLAWFUL TO HARBOR OR KEEP ANY ANIMAL WHICH DISTURBS THE PEACE BY LOUD NOISES AT ANY TIME OF THE DAY OR NIGHT. IT SHALL NOT BE A VIOLATION OF THIS SECTION IF THE EXCESSIVE NOISE IS CAUSED DUE TO A PERSON TRESPASSING OR THREATENING TO TRESPASS UPON PRIVATE PROPERTY IN OR UPON WHICH THE ANIMAL IS SITUATED.
- F. ANIMALS RUNNING AT LARGE
1. IT SHALL BE UNLAWFUL FOR THE OWNER OR CUSTODIAN TO ALLOW ANY ANIMAL TO BE AT LARGE AT ANY TIME WITHIN THE JURISDICTION.
- G. IMPOUND
1. THE ANIMAL CONTROL OFFICER MAY APPREHEND AND IMPOUND ANY ANIMAL FOUND AT LARGE WITHIN THE JURISDICTION. ANY PERSON APPREHENDING ANY ANIMAL RUNNING AT LARGE ON HIS/HER PROPERTY MAY DELIVER THE SAME TO ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER, WHICH ANIMAL MAY BE IMPOUNDED IN THE ANIMAL SHELTER. ANY ANIMAL PLACED IN THE ANIMAL SHELTER SHALL BE REDEEMED OR EUTHANIZED (THIRD PICK UP RULE SECTION 2-B)
 2. ANY ANIMAL IMPOUNDED AT AN ANIMAL SHELTER SHALL BE HELD FIVE (5) WORKING DAYS IF IT HAS A CURRENT YEAR'S LICENSE TAG. AFTER FIVE (5) WORKING DAYS, IF THE ANIMAL IS NOT CLAIMED, IT SHALL BE SOLD, ADOPTED, OR EUTHANIZED.
 3. ANY ANIMAL IMPOUNDED AT AN ANIMAL SHELTER SHALL BE HELD THREE (3) WORKING DAYS IF IT HAS NO CURRENT YEAR'S LICENSE TAG. AFTER THREE (3) WORKING DAYS, IF THE ANIMAL IS NOT CLAIMED, IT SHALL BE SOLD, ADOPTED, OR EUTHANIZED.
 4. ANY ANIMAL VOLUNTARILY RELINQUISHED TO THE ANIMAL CONTROL OFFICER OR AN ANIMAL SHELTER BY THE CUSTODIAN THEREOF FOR DESTRUCTION OR OTHER DISPOSITION NEED NOT BE KEPT FOR THE MINIMUM HOLDING PERIOD BUT MAY BE EUTHANIZED IMMEDIATELY.
 5. THE ANIMAL CONTROL OFFICER OR POLICE OFFICER SHALL HAVE THE SOLE DISCRETION TO DETERMINE SERIOUS INJURY OR DISEASE THAT WILL REQUIRE EUTHANASIA PRIOR TO THREE (3) WORKING DAYS IN ACCORDANCE WITH SECTION 77-24-1.5 2B OF THE UTAH CODE ANNOTATED, 1953, AS AMENDED.
 6. ANY WILD ANIMAL PLACED IN THE ANIMAL SHELTER MAY BE DISPOSED OF IMMEDIATELY.
- H. DETENTION OF ANIMALS
1. IT IS UNLAWFUL FOR ANY PERSON TO DETAIN OR HOLD THE ANIMAL OF ANOTHER WITHOUT NOTIFYING THE ANIMAL CONTROL OFFICER OR LAW ENFORCEMENT AGENCY AND SURRENDERING THE ANIMAL UPON REQUEST.
- I. KEEPING CERTAIN ANIMALS UNLAWFUL
1. IT SHALL BE UNLAWFUL FOR ANY PERSON TO KEEP OR HARBOR ANY ANIMAL WHICH IS PROHIBITED TO BE KEPT OR HARBORED BY SECTION 23-13-4. 23-20-4 OF THE UTAH CODE.
- J. INTRASEIZURE OF ANIMALS
1. IN ENFORCEMENTS OF THIS CHAPTER, ANY ANIMAL CONTROL OFFICER OR PEACE OFFICER MAY ENTER INTO THE OPEN PREMISES OF ANY ANIMAL WHICH IS REASONABLY DEEMED BY THE OFFICER TO BE IN VIOLATION OF THIS ORDINANCE. REPRESENTATIVES OF THE SHERIFF, ANIMAL CONTROL OFFICERS OR ANY OTHER DESIGNATED REPRESENTATIVE OF THE COUNTY OR MUNICIPALITY MAY ENTER ANY PREMISES WHERE ANIMALS ARE MAINTAINED FOR INVESTIGATION OR INSPECTION WITH THE PERMISSION OF THE OWNER OR A DULY EXECUTED WARRANT IN ORDER TO DETERMINE IF THE PREMISES ARE BEING USED, KEPT, OR MAINTAINED IN VIOLATION OF THIS OR ANY OTHER CITY OR COUNTY ORDINANCE. THIS SECTION DOES NOT PERMIT ANY PERSON TO ENTER A PRIVATE DWELLING EXCEPT WHERE

NECESSARY TO RESCUE AN ANIMAL OR PURSUANT TO THE EXECUTION OF A SEARCH WARRANT.

2. IF AN ANIMAL IS SUMMARILY IMPOUNDED WITHOUT THE KNOWLEDGE OF THE OWNER OR CUSTODIAN, A NOTICE THAT THE ANIMAL HAS BEEN IMPOUNDED SHALL BE GIVEN TO THE OWNER OR CUSTODIAN OF THE ANIMAL, IF THE SAME IS KNOWN, BY ATTACHING THE NOTICE TO THE DOOR AT THE RESIDENCE THEREOF, OR BY MAILING A NOTICE TO THE LAST KNOWN ADDRESS OF THE OWNER OR CUSTODIAN.
3. IF NO RESPONSE IS RECEIVED TO THE NOTICE OF SUMMARY IMPOUNDMENT WITHIN THE TIME FRAMES ESTABLISHED BY THE RULES AND REGULATIONS OF THE ANIMAL SHELTER SUCH ANIMAL SHALL BE EUTHANIZED AS AN ABANDONED ANIMAL.

K. ANIMAL BITES.

1. IT SHALL BE UNLAWFUL FOR ANY ANIMAL TO BITE OR ATTACK ANY PERSON OR DOMESTIC ANIMAL. IT IS NO DEFENSE THAT THE ANIMAL IS CHAINED OR CONFINED IF THE CHAINING OR CONFINING IS ON PUBLIC OR PRIVATE PROPERTY WHERE THE PUBLIC HAS ACCESS TO BE ON SUCH PROPERTY.
2. IT IS UNLAWFUL FOR ANY PERSON TO KEEP, OWN, HARBOR, OR HAVE THE CONTROL OF ANY FIERCE OR DANGEROUS ANIMAL. IT IS PRIMA FACIE EVIDENCE THAT AN ANIMAL IS A FIERCE OR DANGEROUS ANIMAL IF IT BITES OR ATTACKS A PERSON OR DOMESTIC ANIMAL. ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER MAY APPREHEND SUCH ANIMAL AND MAY CAUSE IT TO BE IMPOUNDED AT THE ANIMAL SHELTER.
3. DELIBERATE OR MALICIOUS PROVOCATION MAY BE CONSIDERED BY THE FACT FINDER IN DETERMINING CULPABILITY.

L. DEFECATION AND UNRINATION.

1. IT IS UNLAWFUL TO ALLOW AN ANIMAL TO DEFECATE OR URINATE UPON PRIVATE PROPERTY NOT OWNED BY THE PERSON OWNING OR IN CONTROL OF SUCH ANIMAL.
2. THE OWNER OR CUSTODIAN OF ANY ANIMAL SHALL BE RESPONSIBLE FOR THE REMOVAL OF ANY DEFECATION DEPOSITED BY SUCH ANIMAL ON PUBLIC PROPERTY, RECREATION AREAS, OR PRIVATE PROPERTY NOT OWNED BY THE PERSON OWNING OR IN CONTROL OF SUCH ANIMAL.

M. INTERFERENCE WITH OFFICER.

1. IT SHALL BE UNLAWFUL FOR ANY PERSON TO INTERFERE WITH, MOLEST, HINDER OR PREVENT ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER IN THE DISCHARGE OF THEIR DUTIES AS HEREIN PRESCRIBES.
2. ANY PERSON WHO SHALL HINDER, DELAY, INTERFERE WITH OR OBSTRUCT ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER WHILE ENGAGED IN CAPTURING, SECURING OR TAKING TO THE ANIMAL SHELTER ANY ANIMAL OR ANIMALS LIABLE TO BE IMPOUNDED, OR WHO SHALL BREAK UPON OR IN ANY MANNER DIRECTLY OR INDIRECTLY AID, COUNSEL OR ADVISE THE BREAKING OPEN OF ANY ANIMAL CONTROL VEHICLE OR OTHER VEHICLE USED FOR THE COLLECTING OF ANY SUCH ANIMALS SHALL BE DEEMED GUILTY OF A CLASS B MISDEMEANOR.

N. QUARANTINE OF ANIMALS.

1. WHENEVER ANY ANIMAL ATTACKS OR BITES A PERSON, THE OWNER, OF THE ANIMAL SHALL IMMEDIATELY NOTIFY THE SHERIFF'S OFFICE, WHICH SHALL CAUSE THE ANIMAL TO BE IMPOUNDED OR OTHERWISE QUARANTINED FOR A PERIOD OF TEN (10) DAYS. AT THE END OF THE TEN-DAY QUARANTINE, UPON A VETERINARIAN'S EXAMINATION THAT SUCH ANIMAL IS FREE FROM RABIES, THE ANIMAL MAY BE RELEASED TO THE OWNER IF ALL OTHER REGULATIONS HAVE BEEN SATISFIED. THE EXPENSES INCURRED IN THE INSPECTION OF SUCH ANIMAL SHALL BE PAID BY THE OWNER OR PERSON IN CONTROL OF SUCH ANIMAL, IN ADDITION TO ANY OTHER FINES OR CHARGES DUE. SUCH EXPENSES SHALL BE PAID PRIOR TO THE RELEASE OF THE ANIMAL. IF THE ANIMAL DIES WITHIN THE TEN-DAY QUARANTINE PERIOD, ITS BRAIN SHALL BE SENT TO THE

STATE DEPARTMENT OF HEALTH FOR EXAMINATION OF RABIES. IT IS UNLAWFUL FOR AN OWNER OR KEEPER TO FAIL TO REPORT ANY ATTACK OR BITE.

SECTION 2: DOGS

A. LICENSING.

1. ANY PERSON OWNING A DOG WITHIN THE JURISDICTION SHALL LICENSE THE DOG PURSUANT TO THE FOLLOWING PROVISIONS.
 - a. REGISTRATION-REQUIRED-DOGS ONLY. IT IS UNLAWFUL FOR ANY PERSON TO OWN, KEEP OR HARBOR A DOG OVER THE AGE OF THREE (3) MONTHS WITHIN THE COUNTY WITHOUT MAKING APPLICATION TO THE COUNTY OR CITY WITH JURISDICTION FOR THAT PURPOSE AND PAYING TO THE COUNTY OR CITY THE ANNUAL REGISTRATION FEE. THE LICENSING DUE DATE IS MARCH 1ST OF EACH YEAR.
 - b. A LATE FEE SHALL BE IMPOSED UNLESS A NEW LICENSE IS PURCHASE PRIOR TO THE EXPIRATION OF THE CURRENT LICENSE. LICENSES FOR THE FOLLOWING YEAR MAY BE PURCHASED WITHIN (60) DAYS PRIOR TO THE EXPIRATION DATE.
 - c. ALL LICENSES AND LATE FEES REQUIRED BY THIS SECTION SHALL BE IN THE AMOUNTS ESTABLISHED BY THIS ORDINANCE.
 - d. IT SHALL BE THE DUTY OF THE ANIMAL CONTROL OFFICER TO REGISTER ANY DOG ON APPLICATION OF THE OWNER OR KEEPER AND TO ISSUE A REGISTRATION RECEIPT AND METALLIC REGISTRATION TAG SHALL BE VALID AND IN FORCE FROM THE DATE ISSUED UNTIL THE EXPIRATION DATE.
 - e. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO DOGS WHOSE OWNERS ARE NONRESIDENTS TEMPORARILY WITHIN THE JURISDICTION FOR THIRTY (30) DAYS OR LESS, NOR TO DOGS BROUGHT INTO THE CITY FOR THE PURPOSE OF PARTICIPATION IN ANY SHOW.
 - f. INFORMATION REQUIRED FOR REGISTRATION. BEFORE RECEIVING A REGISTRATION RECEIPT AND METALLIC REGISTRATION TAG, EACH OWNER MUST STATE AT THE TIME OF APPLICATION FOR SUCH A PERMIT, THE NAME AND ADDRESS OF THE OWNER, SEX, BREED, AGE AND COLOR OF EACH DOG TO BE REGISTERED. THE OWNER MUST ALSO PROVIDE A PHOTO OF SAID DOG OR BRING THE DOG IN SO THAT A PHOTO MAY BE TAKEN. THE OWNER MUST ALSO PRESENT A CERTIFICATE FROM A VETERINARIAN STATING THAT THE DOG HAS BEEN VACCINATED FOR THE PREVENTION OF RABIES. SUCH CERTIFICATE MUST GIVE THE LAST DATE OF VACCINATION AND THE NUMBER OF THE VACCINATION TAG USED BY THE VETERINARIAN AT THE TIME OF VACCINATION AND THE TYPE OF VACCINE ADMINISTERED AND THE DATE WHEN THE NEXT VACCINATION IS DUE. IT IS UNLAWFUL FOR THE OWNER TO MISREPRESENT THE AGE OF ANY DOG FOR THE PURPOSE OF AVOIDING THE PAYMENT OF THE LICENSE REQUIRED BY THIS SECTION.
 - g. COLLAR-TAG ATTACHMENT. IT SHALL BE THE DUTY OF THE OWNER OR KEEPER OF ANY DOG SO REGISTERED TO PROVIDE A SUITABLE COLLAR FOR SUCH A DOG TO WEAR AND TO ATTACH THERETO THE METALLIC REGISTRATION TAG HAVING A NUMBER CORRESPONDING WITH THE CERTIFICATE OF REGISTRY INSCRIBED THEREON. ALL DOGS NOT SO REGISTERED AND COLLARED AS PRESCRIBED BY THIS CHAPTER MY BE IMPOUNDED BY THE ANIMAL CONTROL OFFICER OR ANY POLICE OFFICER OR OTHER DESIGNATED OFFICAL OF THE JURISDICTION.
 - h. REMOVAL OF COLLAR AND REGISTRATION TAG. IT IS UNLAWFUL FOR ANY PERSON OTHER THAN THE OWNER TO REMOVE THE COLLAR FROM ANY DOG TO WHICH COLLAR HAS BEEN ATTACHED THE METALLIC REGISTRATION TAG HEREIN REQUIRED, OR TO REMOVE SAID METALLIC REGISTRATION TAG FROM THE COLLAR TO WHICH IT HAD BEEN ATTACHED.

- i. THE OWNER OF ANY DOG OF REGISTRATION AGE SHALL MAKE APPLICATION FOR PERMIT AND OBTAIN A PERMIT TAG FOR SUCH DOG WITHIN TEN (10) DAYS AFTER ACQUISITION OR AGE ATTAINMENT.
- j. LICENSE FEES SHALL APPLY AS FOLLOWS (*FEES MAY BE CHANGED BY RESOLUTION BY THE TOWN COUCL.)

A. DOG, INTACT	\$35.00
B. DOG SPAYED/NEUTERED	\$10.00
C. TRANSFER OF LICENSE	\$5.00
D. REPLACEMENT TAG FEE	\$5.00
E. 4 TH DOG FEE	\$150.00
- k. LICENSING AND FEE EXEMPTIONS.
 - A. THE PROVISIONS OF SECTION 2-a-1 SHALL NOT APPLY TO:
 - 1. SEEING EYE DOGS PROPERLY TRAINED TO ASSIST BLIND PERSONS, IF SUCH DOGS ARE ACTUALLY BEING USED BY BLIND PERSONS TO ASSIST THEM IN MOVING FROM PLACE TO PLACE.
 - 2. HEARING DOGS PROPERLY TRAINED TO ASSIST DEAF PERSONS IF SUCH DOGS ARE ACTUALLY USED BY DEAF PERSONS TO AID THEM IN RESPONDING TO AN AUDITORY STIMULUS.
 - 3. DOGS SPECIFICALLY TRAINED TO ASSIST OFFICIALS OF GOVERNMENTAL AGENCIES IN THE PERFORMANCE OF THEIR DUTIES AND WHICH ARE OWNED BY SUCH AGENCIES.
 - B. NOTHING IN THIS SECTION (10)(A) SHALL BE CONSTRUED TO EXEMPT ANY DOG FROM HAVING A CURRENT RABIES VACCINATION.
- B. REVOCATION OF LICENSE-DOGS
 - 1. IF THE OWNER OF ANY DOG IS CONVICTED OF A VIOLATION OF THIS CHAPTER ON TWO OR MORE DIFFERENT OCCASIONS DURING ANY TWELVE (12) MONTH PERIOD INVOLVING THE SAME DOG, THE LICENSE OF THE DOG INVOLVED SHALL BE REVOKED. ANY LICENSE WILL NOT BE REISSUED UNTIL VIOLATIONS HAVE BEEN RESOLVED. THE ANIMAL CONTROL OFFICER OR OTHER POLICE OFFICER SHALL BE AUTHORIZED TO IMMEDIATELY IMPOUND AND PICK UP ANY DOG WHOSE LICENSE HAS BEEN REVOKED. ANY DOG IMPOUNDED FOLLOWING REVOCATION OF ITS LICENSE SHALL BE DEALT WITH IN ACCORDANCE WITH THE PROVISIONS OF THE JURISDICTION ORDINANCES FOR IMPOUNDED DOGS. UNDER NO CONDITIONS SHALL THE DOG BE ALLOWED TO BE BROUGHT BACK INTO THE JURISDICTION.
- C. DOGS RUNNING AT LARGE.
 - 1. IT SHALL BE UNLAWFUL FOR ANY DOG TO BE AT LARGE AT ANY TIME WITHIN THE JURISDICTION. ONCE A LICENSE HAS BEEN REVOKED FOR A DOG, THAT DOG CANNOT BE LICENSED AGAIN IN THE JURISDICTION.
- D. FEMALE DOGS IN ESTRUS RUNNING AT LARGE.
 - 1. THE OWNERS OR CUSTODIANS OF FEMALE DOGS SHALL CAUSE SUCH DOGS, WHEN IN HEAT/SEASON, TO BE PENNED OR ENCLOSED IN SUCH A MANNER AS TO PRECLUDE OTHER DOGS FROM ATTACKING SUCH FEMALE DOG OR FROM BEING ATTRACTED TO SUCH FEMALE DOG. IT SHALL BE UNLAWFUL FOR THE OWNER OR CUSTODIAN OF ANY FEMALE DOG TO CAUSE, PERMIT, OR ALLOW SUCH A DOG TO BE AT LARGE, OR TO ENTER UPON A STREET OR SIDEWALK WHILE SUCH FEMALE DOG IS IN ESTRUS. IF THE FEMALE DOG CANNOT BE CONTROLLED BY THE OWNER DURING THE ESTRUS, SUCH DOG MAY BE IMPOUNDED BY THE ANIMAL CONTROL OFFICER.
- E. CRUELTY TO DOGS.
 - 1. EXCEPT AS AUTHORIZED BY LAW, IT SHALL BE UNLAWFUL FOR ANY PERSON TO WILLFULLY OR MALICIOUSLY KILL, INJURE, MAIM, DISFIGURE, TORTURE, BEAT, MUTILATE, BURN OR SCALD, OVERDRIVE OR OTHERWISE CRUELLY SET UPON ANY DOG. EACH SUCH ACT SHALL CONSTITUTE A SEPARATE VIOLATION AND SHALL BE GUILTY OF A CLASS B MISDEMEANOR.

2. IT SHALL BE UNLAWFUL FOR ANY PERSON TO CARRY OR TO CONFINED ANY DOG IN OR UPON ANY VEHICLE IN A CRUEL OR INHUMAN MANNER, INCLUDING, BUT NOT LIMITED TO, CARRYING OR CONFINING SUCH DOG, WITHOUT ADEQUATE VENTILATION.
 3. EVERY OPERATOR OF A MOTOR VEHICLE OR SELF-PROPELLED VEHICLE WITHIN THE JURISDICTION SHALL IMMEDIATELY UPON INJURING, STRIKING, MAIMING, OR RUNNING DOWN ANY DOG, FULL COMPLY WITH ALL REQUIREMENTS SET FORTH IN UCA SECTION 41-6-30
 4. FIGHTS. IT IS UNLAWFUL FOR ANY PERSON WITHIN THE JURISDICTION TO, IN ANY MANNER, WHATSOEVER, ENCOURAGE OR URGE ANY DOG OR DOGS TO FIGHT OR URGE THEM ON AFTER THEY COMMENCE TO FIGHT.
 5. FAILURE TO PROVIDE NECESSARY FOOD, WATER, SHELTER AND CARE.
- F. DOG BITES.
1. IT SHALL BE UNLAWFUL FOR ANY DOG TO BITE OR ATTACK ANY PERSON OR DOMESTIC ANIMAL, IT IS NO DEFENSE THAT THE DOG IS CHAINED OR CONFINED IF THE CHAINING OR CONFINING IS ON PUBLIC OR PRIVATE PROPERTY WHERE THE PUBLIC HAS ACCESS TO BE ON SUCH PROPERTY.
 2. IT IS UNLAWFUL FOR ANY PERSON TO KEEP, OWN, HARBOR, OR HAVE THE CONTROL OF ANY FIERCE OR DANGEROUS DOG. IT IS PRIMA FACIE EVIDENCE THAT A DOG IS A FIERCE OR DANGEROUS DOG IF IT BITES OR ATTACKS A PERSON OR DOMESTIC ANIMAL. ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER MAY APPREHEND SUCH DOG AND MAY CAUSE IT TO BE IMPOUNDED AT THE ANIMAL SHELTER.
 3. DELIBERATE OR MALICIOUS PROVOCATION MAY BE CONSIDERED BY THE FACT FINDER IN DETERMINING CULPABILITY.
- G. INTRASEIZURE OF DOGS.
1. WHENEVER A POLICE OFFICER OR AN ANIMAL CONTROL OFFICER SHALL HAVE A PROBABLE CAUSE TO BELIEVE THAT A DOG HAS BEEN ABANDONED, ALTHOUGH CONFINED UPON PRIVATE PROPERTY, OR IS A VICIOUS DOG, THE OFFICER SHALL BE AUTHORIZED TO IMMEDIATELY SEIZE THE DOG AND MAY IMPOUND THE SAME IN THE ANIMAL SHELTER AND SUCH PREMISES THAT DOG MAY BE KEPT FOR SUCH PURPOSE.
 2. IF A DOG IS SUMMARILY IMPOUNDED WITHOUT THE KNOWLEDGE OF THE OWNER OR CUSTODIAN, A NOTICE THAT THE DOG HAS BEEN IMPOUNDED SHALL BE GIVEN TO THE OWNER OR CUSTODIAN OF THE DOG, IF THE SAME IS KNOWN, BY ATTACHING THE NOTICE TO THE DOOR AT THE RESIDENCE THEREOF OR BY MAILING A NOTICE TO THE LAST KNOWN ADDRESS OF THE OWNER OR CUSTODIAN.
 3. IF NO RESPONSE IS RECEIVED TO THE NOTICE OF SUMMARY IMPOUNDMENT WITHIN THE TIME FRAMES ESTABLISHED BY THE RULES AND REGULATIONS OF THE ANIMAL SHELTER, SUCH DOG SHALL BE EUTHANIZED AS AN ABANDONED DOG.
 4. A DOG SUMMARILY IMPOUNDED AS PROVIDED IN THIS SECTION MAY BE RECOVERED BY THE OWNER COMPLYING WITH THE REGULATIONS OF THE ANIMAL SHELTER. IF, IN A SUBSEQUENT COURT PROCEEDING, THE DOG IS DETERMINED NOT TO BE ABANDONED, VICIOUS OR NUISANCE, THE DOG SHALL BE RELEASED TO THE OWNER OR CUSTODIAN WITHOUT ANY CHARGE.
- H. DOG NOISE DISTURBANCE.
1. EXCESSIVE NOISE. IT IS UNLAWFUL FOR ANY PERSON TO HARBOR, KEEP OR OWN WITHIN THE JURISDICTION ANY DOG WHICH BARKS, WHINES, HOWLS, OR MAKES OTHER DISTURBING NOISES IN AN EXCESSIVE, CONTINUOUS, OR UNCEASING FASHION DAY OR NIGHT. ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER MAY APPREHEND SUCH DOG AND MAY CAUSE IT TO BE IMPOUNDED IN THE ANIMAL SHELTER. A SECOND CONVICTION OF THIS SECTION BY THE SAME DOG WITHIN A TWELVE-MONTH PERIOD SHALL BE GROUNDS FOR REMOVAL OF THE DOG FROM THE JURISDICTION, WHICH DOG WILL NOT BE ALLOWED TO RETURN.
- I. DEFECATION AND URINATION
1. IT IS UNLAWFUL TO ALLOW A DOG TO DEFECATE OR URINATE UPON PRIVATE PROPERTY NOT OWNED BY THE PERSON OWNING OR IN CONTROL OF SUCH DOG UPON PUBLIC PROPERTY. THE OWNER OR CUSTODIAN OF ANY DOG SHALL BE RESPONSIBLE FOR THE REMOVAL OF ANY DEFECATION DEPOSITED BY SUCH DOG ON PUBLIC PROPERTY, RECREATION AREAS, OR PRIVATE PROPERTY NOT OWNED BY THE PERSON OWNING OR IN CONTROL OF SUCH DOG.

2. KENNELS AND RUNS. IT IS UNLAWFUL FOR THE OWNER OR OCCUPANT OF ANY PREMISES ON WHICH A KENNEL, RUN OR OTHER STRUCTURE OR AREA FOR HOUSING OR KEEPING OF DOGS IS SITUATED, TO ALLOW SUCH KENNEL, RUN OR OTHER STRUCTURE OR AREA OF THE PREMISES TO BECOME UNSANITARY, UNCLEAN, OR TO EMIT UNDUE STENCH OR ODOR. THE OWNER OR OCCUPANT OF ANY PREMISES PERMITTING ANY SUCH CONDITION TO EXIST THAT DOES NOT ABATE SUCH CONDITION WITHIN 24 HOURS AFTER NOTICE SHALL BE ISSUED A CITATION. IF SUCH A NOTICE IS GIVEN, THE CONDITION MUST REMAIN ABATED ON A PERMANENT BASIS. ADDITIONAL NOTICES SHALL NOT BE NECESSARY PRIOR TO THE ISSUANCE OF A CITATION.
- J. DETENTION OF DOGS
 1. IT IS UNLAWFUL FOR ANY PERSON TO DETAIN OR HOLD THE DOG OF ANOTHER WITHOUT NOTIFYING THE ANIMAL CONTROL OFFICER OR LAW ENFORCEMENT AGENCY.
- K. ABANDONING SICK, DISEASED, OR DISABLED DOGS
 1. IT IS UNLAWFUL FOR ANY PERSON TO ABANDON OR TO TURN OUT AT LARGE ANY SICK, DISEASED OR DISABLED DOG, BUT SUCH DOG SHALL, WHEN RENDERED WORTHLESS BY REASON OF SICKNESS OR OTHER DISABILITY, BE DISPOSED OF BY THE OWNER THEREOF IN THE MANNER AS PROVIDED IN SECTION 2, L, 1.
- L. DISPOSAL OF DOGS.
 1. IT IS UNLAWFUL FOR THE OWNER OF ANY DOG THAT DIES OR IS KILLED WITHIN THE JURISDICTION, TO FAIL TO REMOVE OR BURY THE CARCASS OF SUCH DOG WITHIN TWO (2) DAYS. DISPOSAL SHALL BE IN FULL COMPLIANCE WITH HEALTH DEPARTMENT REGULATIONS.
- M. QUARANTINE OF DOGS.
 1. WHENEVER ANY DOG ATTACKS OR BITES A PERSON, THE OWNER OF THE DOG SHALL IMMEDIATELY NOTIFY LAW ENFORCEMENT WHICH SHALL CAUSE THE DOG TO BE IMPOUNDED OR OTHERWISE QUARANTINED FOR A PERIOD OF TEN (10) DAYS. AT THE END OF THE TEN-DAY QUARANTINE PERIOD, THE DOG MAY BE RELEASED FROM QUARANTINE TO THE OWNER, BUT NOT SOLD OR ADOPTED UPON A VETERINARIAN'S EXAMINATION THAT SUCH DOG IS FREE FROM RABIES. THE EXPENSES INCURRED IN THE INSPECTION FOR SUCH DOG SHALL BE PAID BY THE OWNER OR PERSON IN CONTROL OF SUCH DOG, IN ADDITION TO ANY OTHER FINES OR CHARGES DUE. SUCH EXPENSES SHALL BE PAID PRIOR TO THE RELEASE OF THE DOG. IF THE DOG DIES WITHIN THE TEN-DAY QUARANTINE PERIOD, ITS BRAIN SHALL BE SENT TO THE STATE DEPARTMENT OF HEALTH FOR EXAMINATION FOR RABIES.
- N. INTERFERENCE WITH OFFICER.
 1. IT SHALL BE UNLAWFUL FOR ANY PERSON TO INTERFERE WITH, MOLEST, HINDER OR PREVENT ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER IN THE DISCHARGE OF THEIR DUTIES AS HEREIN PRESCRIBED.
 2. ANY PERSON WHO SHALL HINDER, DELAY, INTERFERE WITH OR OBSTRUCT ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER WHILE ENGAGED IN CAPTURING, SECURING OR TAKING TO THE ANIMAL SHELTER ANY DOG OR DOGS LIABLE TO BE IMPOUNDED, OR WHO SHALL BREAK OPEN OR IN ANY MANNER DIRECTLY OR INDIRECTLY AID, COUNSEL OR ADVISE THE BREAKING OPEN OF ANY ANIMAL CONTROL VEHICLE OR OTHER VEHICLE USED FOR THE COLLECTING OF ANY SUCH ANIMALS SHALL BE DEEMED GUILTY OF A CLASS B MISDEMEANOR.
- O. DOGS IN PROHIBITED AREAS.
 1. IT SHALL BE UNLAWFUL FOR ANY PERSON TO TAKE OR TO PERMIT ANY DOG, WHETHER LOOSE OR ON A LEASH OR IN ARMS, IN OR ABOUT ANY ESTABLISHMENT OR PLACE OF BUSINESS WHERE FOOD OR FOOD PRODUCTS ARE SOLD OR DISPLAYED, INCLUDING BUT NOT LIMITED TO RESTAURANTS, GROCERY STORES, MEAT MARKETS, FOOD OR VEGETABLES STORES; AND IT SHALL BE UNLAWFUL FOR ANY PERSON TO ALLOW ANY DOG TO ENTER OR BE IN ANY PLACE OF WORSHIP DURING PUBLIC SERVICES; AND IT SHALL BE UNLAWFUL FOR ANY PERSON TO ALLOW ANY DOG TO ENTER IN OR BE UPON ANY PUBLIC PARK OR CEMETERY WHERE IT IS POSTED THAT NO DOGS ARE ALLOWED.
 2. AN EXCEPTION TO THIS SECTION SHALL BE FOR ANY DOG TRAINED AND USED FOR PHYSICALLY HANDICAPPED PERSONS, SUCH AS DOGS FOR THE BLIND OR HEARING IMPAIRED.

P. ALLOWABLE NUMBER OF DOGS.

1. NO MORE THAN THREE (3) DOGS WHICH ARE THREE (3) MONTHS OF AGE OR OLDER SHALL BE KEPT AT ANY RESIDENCE OR COMMERCIAL ESTABLISHMENT AT ANY TIME (SECTION 8), (SECTION 4)

Q. IMPOUND.

1. ANY DOG IMPOUNDED AT ANY ANIMAL SHELTER SHALL BE HELD FIVE (5) WORKING DAYS IF IT HAS A CURRENT YEAR'S LICENSE TAG. AFTER FIVE (5) WORKING DAYS, IF THE DOG IS NOT CLAIMED, IT SHALL BE SOLD, ADOPTED, OR EUTHANIZED.
2. ANY DOG IMPOUNDED AT AN ANIMAL SHELTER SHALL BE HELD THREE (3) WORKING DAYS IF IT HAS NO CURRENT YEAR'S LICENSE TAG. AFTER THREE (3) WORKING DAYS, IF THE DOG IS NOT CLAIMED, IT SHALL BE SOLD, ADOPTED, OR EUTHANIZED.
3. ANY DOG VOLUNTARILY RELINQUISHED TO THE ANIMAL CONTROL OFFICER OR AN ANIMAL SHELTER BY THE OWNER OR CUSTODIAN THEREOF FOR THE DESTRUCTION OR OTHER DISPOSITION NEED NOT BE KEPT FOR THE MINIMUM HOLDING PERIOD BUT SHALL BE EUTHANIZED IMMEDIATELY.
4. THE ANIMAL CONTROL OFFICER OR POLICE OFFICER SHALL HAVE THE SOLE DISCRETION TO DETERMINE SERIOUS INJURY OR DISEASE THAT WILL REQUIRE EUTHANASIA PRIOR TO THREE (3) WORKING DAYS IN ACCORDANCE WITH SECTION 77-24-1.5 2(b) UCA AS AMENDED.

SECTION 3: RABIES CONTROL

A. RABIES CONTROL

1. A REPORT OF BITES. ALL PERSONS BITTEN, AND THE PARENTS OR GUARDIANS OF MINOR CHILDREN BITTEN BY A DOG, CAT, SKUNK, FOX, BAT, COYOTE, BOBCAT, OR OTHER ANIMAL KNOWN TO CONSTITUTE A SERIOUS THREAT OF RABIES SHALL NOTIFY THE ANIMAL CONTROL OFFICER IMMEDIATELY THEREAFTER. PHYSICIANS TREATING SUCH BITES AND OTHER PERSONS HAVING THE KNOWLEDGE OF SUCH BITES SHALL ALSO BE REQUIRED TO MAKE SUCH NOTIFICATION.
2. REPORT OF SUSPECTED RABID ANIMALS. ANY PERSON WHO OBSERVES OR HAS KNOWLEDGE OF AN ANIMAL WHICH SHOWS SYMPTOMS OF RABIES OR WHICH ACTS IN A MANNER WHICH WOULD LEAD TO A REASONABLE SUSPICION THAT IT MAY HAVE RABIES SHALL NOTIFY THE ANIMAL CONTROL AND COMPLY WITH APPROPRIATE LAWS AND REGULATIONS REGARDING SUSPECTED CASES OF RABIES AS DIRECTED BY THE STATE OR CITY-COUNTY-HEALTH DEPARTMENTS.
3. ISOLATION OF BITING OR SUSPECTED RABID ANIMALS. UPON THE REASONABLE ORDER OF THE ANIMAL CONTROL OR PUBLIC HEALTH OFFICER, A BITING OR SUSPECTED RABID ANIMAL SHALL BE ISOLATED, AT THE OWNER'S EXPENSE IF OWNED, IN STRICT CONFINEMENT UNDER PROPER CARE AND UNDER THE OBSERVATION OF A LICENSED VETERINARIAN IN AN ANIMAL SHELTER OR VETERINARY HOSPITAL IN A MANNER APPROVED BY THE ANIMAL CONTROL OFFICER.
4. EXAMINATION OF HEAD. ANY BITING OR SUSPECTED RABID ANIMAL MAY BE HUMANELY EUTHANIZED IMMEDIATELY, AND SUCH ANIMAL'S UNDAMAGED AND PROPERLY PACKAGED AND PROPERLY REFRIGERATED HEAD, SHALL BE DELIVERED PROMPTLY TO AN APPROVED MEDICAL FACILITY HAVING THE CAPABILITY OF PERFORMING TESTS TO DEMONSTRATE THE PRESENCE OF RABIES.
5. RELEASE. TEN (10) DAYS AFTER THE DAY OF INFLECTION OF A BITE BY AN ANIMAL, SUCH ANIMAL MAY BE RELEASED TO ITS OWNER AFTER A LICENSED VETERINARIAN HAS EXAMINED THE ANIMAL AND IN HIS/HER OPINION FOUND IT NOT TO HAVE HAD RABIES IN A TRANSMITTABLE STAGE ON THE DAY OF INFLECTION OF THE BITE. NON-IMMUNIZED ANIMALS SHALL BE VACCINATED FOR RABIES BEFORE RELEASE.
6. ANIMALS POSSIBLY EXPOSED TO RABIES. ANY ANIMAL OF A SPECIES SUBJECT TO RABIES WHICH HAS BEEN BITTEN BY A KNOWN RABID ANIMAL, OR WHICH HAS BEEN IN INTIMATE CONTACT WITH SUCH AN ANIMAL, SHALL BE ISOLATED, AT THE OWNER'S EXPENSE IF OWNED, IN STRICT CONFINEMENT IN A PLACE AND MANNER APPROVED BY THE ANIMAL CONTROL OFFICER AND OBSERVED BY A LICENSED VETERINARIAN FOR A PERIOD OF SIX (6) MONTHS, OR EUTHANIZED. NOTWITHSTANDING THE FOREGOING, THE FOLLOWING ALTERNATIVE IS PERMITTED IN CASES OF DOGS AND CATS. IF THE DOG

OR CAT HAD BEEN VACCINATED AGAINST RABIES AT LEAST THIRTY (30) DAYS PRIOR TO THE SUSPECTED EXPOSURE WITH A TYPE OF VACCINE PRODUCED UNDER U.S.D.A. LICENSE AND WITHIN THE TIME PERIOD APPROVED BY THE STATE VETERINARIAN, THE DOG OR CAT MAY BE RE-VACCINATED AND ISOLATED IN STRICT CONFINEMENT IN A PLACE AND MANNER APPROVED BY THE ANIMAL CONTROL OFFICER AND OBSERVED BY A LICENSED VETERINARIAN FOR A PERIOD OF THIRTY (30) DAYS, AT OWNER'S EXPENSE.

B. VACCINATION REQUIRED

1. DOG, FERRET AND CAT OWNERS SHALL OBTAIN A RABIES VACCINATION FOR EACH DOG, FERRET, OR CAT THEY OWN, KEEP, HARBOR OR HAVE CUSTODY OF, WITHIN TEN (10) DAYS AFTER IT BECOMES THREE MONTHS OF AGE, OR WITHIN TEN (10) DAYS AFTER OBTAINING ANY DOG, FERRET, OR CAT OVER THREE MONTHS OF AGE. IT SHALL BE UNLAWFUL FOR ANY PERSON OR PERSONS TO OWN, KEEP, HARBOR OR POSSESS OR TO HAVE IN HIS OR HER CARE, CHARGE OR CUSTODY, ANY DOG, FERRET, OR CAT THREE MONTHS OF AGE OR OVER UNLESS SUCH DOG, FERRET, OR CAT HAS A CURRENT AND VALID RABIES VACCINATION ADMINISTERED BY ANY DULY QUALIFIED AND LICENSED VETERINARIAN, WITH A RABIES VACCINE APPROVED BY THE STATE DEPARTMENT OF HEALTH FOR USE IN DOGS, FERRETS, AND CATS. SUCH VACCINATION SHALL BE REPEATED AT INTERVALS SPECIFIED BY THE STATE DEPARTMENT OF HEALTH IN ORDER TO MAINTAIN ADEQUATE IMMUNITY.
2. IN ADDITION TO THE CURRENT YEARS LICENSE, THE VACCINATION TAG SHALL BE ATTACHED TO OR OTHERWISE WORN BY THE DOG. IT SHALL BE UNLAWFUL FOR ANY PERSON OR PERSONS TO REMOVE OR CAUSE TO BE REMOVED THE VACCINATION TAG FROM ANY DOG WITHOUT CONSENT OF THE OWNER, KEEPER, OR HARBORER THEREOF. THE VACCINATION TAG SHALL NOT BE TRANSFERRABLE FROM ONE DOG TO ANOTHER.

SECTION 4: 4TH DOG ALLOWANCE

- A. NO MORE THAN THREE (3) DOGS WHICH ARE THREE (3) MONTHS OF AGE OR OLDER SHALL BE KEPT ON ANY PREMISES AT ANY TIME. THIS PROVISION **SHALL NOT APPLY** TO A FOURTH (4) DOG, IF OWNER OR CUSTODIAN HAS PAID THE ANNUAL FEE FOR SAID DOG. SECTION A. a. 10.
- B. APPLICATION. ELSINORE RESIDENTS MAY OWN A FOURTH (4) DOG BY APPLYING AT THE ELSINORE TOWN OFFICE. THE 4TH DOG FEE MUST BE PAID IN FULL BY MARCH 1ST OF THE CURRENT YEAR. A 4TH DOG MUST ALSO HAVE THE CURRENT YEARS LICENSING.
- C. RESIDENTS OF ELSINORE THAT ARE THE OWNERS OF MORE THAN FOUR (4) DOGS, THAT WERE LICENSED FOR THE CURRENT YEAR OF 2019, WILL BE ALLOWED TO KEEP THEIR DOGS UNTIL SAID DOG(S) PASS AWAY OR ARE GIVEN AWAY. THE 4TH DOG FEE WILL BE REQUIRED UNTIL THE OWNER HAS REDUCED THE NUMBER OF DOGS OWNED TO LESS THAN FOUR (4). ON JANUARY 1ST, 2030, NO MORE THAN FOUR (4) DOGS WILL BE ALLOWED ON ANY PREMISES WITHIN THE JURISDICTION.

SECTION 5: CATS

- A. ALLOWABLE NUMBER OF CATS
 1. NO MORE THAN FOUR (4) CATS WHICH ARE THREE (3) MONTHS OF AGE OR OLDER SHALL BE KEPT AT ANY RESIDENCE OR COMMERCIAL ESTABLISHMENT AT ANY TIME.
- B. ANIMALS RUNNING AT LARGE
 1. IT SHALL BE UNLAWFUL FOR THE OWNER OR CUSTODIAN TO ALLOW ANY CAT TO BE AT LARGE AT ANY TIME WITHIN THE JURISDICTION
 2. UNRESTRAINED CATS, WHETHER FERAL, STRAY OR ABANDONED ARE CONSIDERED A NUISANCE AND MAY BE REMOVED BY ANY ANIMAL CONTROL OFFICER.
- C. IMPOUND
 1. THE ANIMAL CONTROL OFFICER MAY APPREHEND AND IMPOUND ANY CAT FOUND AT LARGE WITHIN THE JURISDICTION. ANY PERSON APPREHENDING ANY CAT RUNNING AT LARGE ON HIS/HER PROPERTY MAY DELIVER THE SAME TO ANY POLICE OFFICER OR ANIMAL CONTROL OFFICER, WHICH ANIMAL MAY BE IMPOUNDED IN THE ANIMAL SHELTER. ANY CAT PLACED IN THE ANIMAL SHELTER SHALL BE REDEEMED OR EUTHANIZED (THIRD PICK UP RULE SECTION 2-B)

2. ANY CAT IMPOUNDED AT THE ANIMAL SHELTER SHALL BE HELD FIVE (5) WORKING DAYS IF IT HAS IDENTIFICATION. AFTER FIVE (5) WORKING DAYS, IF THE ANIMAL IS NOT CLAIMED, IT SHALL BE SOLD, ADOPTED, OR EUTHANIZED.
 3. ANY CAT IMPOUNDED AT AN ANIMAL SHELTER SHALL BE HELD THREE (3) WORKING DAYS IF IT DOES NOT HAVE IDENTIFICATION. AFTER THREE (3) WORKING DAYS, IF THE ANIMAL IS NOT CLAIMED, IT SHALL BE SOLD, ADOPTED, OR EUTHANIZED.
 4. ANY CAT VOLUNTARILY RELINQUISHED TO THE ANIMAL CONTROL OFFICER OR AN ANIMAL SHELTER BY THE CUSTODIAN THEREOF FOR DESTRUCTION OR OTHER DISPOSITION NEED NOT BE KEPT FOR THE MINIMUM HOLDING PERIOD BUT MAY BE EUTHANIZED IMMEDIATELY.
 5. THE ANIMAL CONTROL OFFICER OR POLICE OFFICER SHALL HAVE SOLE DISCRETION TO DETERMINE SERIOUS INJURY OR DISEASE THAT WILL REQUIRE EUTHANASIA PRIOR TO THREE (3) WORKING DAYS IN ACCORDANCE WITH SECTION 77-24-1.5 2B OF THE UTAH CODE ANNOTATED, 1953, AS AMENDED.
- D. LICENSING
1. LICENSING OF CATS WITHIN ELSINORE TOWN IS NOT REQUIRED.
 2. CATS WILL BE REQUIRED TO HAVE IDENTIFICATION IN THE FORM OF A TAG OR MICROCHIP.
 3. ANY CAT WITHOUT IDENTIFICATION WILL BE CONSIDERED FERAL, STRAY OR ABANDONED.

SECTION 6: SPECIAL REGULATIONS

- A. ANIMAL RELATED BUSINESSES
1. ALL ANIMAL RELATED BUSINESSES MUST PRESENT THEIR BUSINESS TO THE ELSINORE TOWN COUNCIL FOR CONSIDERATION.
 2. ALL ANIMAL RELATED BUSINESSES, IF APPROVED BY THE COUNCIL, MUST STILL COMPLY TO ALL THE LAWS IN ORDINANCE 196 AS WELL AS THE LAWS IN ORDINANCE 193
- B. GUARD DOGS
2. IT SHALL BE UNLAWFUL FOR ANY PERSON TO OWN, TRAIN OR REHAB A GUARD DOG WITHIN ELSINORE TOWN LIMITS. IT IS UNLAWFUL FOR ANY PERSON TO HIRE THE USE OF A GUARD DOG WITHIN ELSINORE TOWN LIMITS.

SECTION 7: ADMINISTRATION AND ENFORCEMENT

- A. ADMINISTRATION.
1. ANIMAL CONTROL SERVICES FOR THE UNINCORPORATED PORTION OF THE COUNTY OF SEVIER SHALL BE UNDER THE DIRECTION AND SUPERVISION OF THE SHERIFF OR SEVIER COUNTY. WITHIN THE LIMIT OF THE CITIES AND TOWNS, THE CITY/TOWN COUNCILS MAY CONTRACT WITH THE SHERIFF FOR THE SERVICES OF HIS OFFICERS AND FOR THE USE OF IMPOUND FACILITIES. THE SHERIFF MAY DESIGNATE A DIRECTOR OF ANIMAL CONTROL TO BE RESPONSIBLE FOR THE ADMINISTRATION OF THIS ORDINANCE.
- B. DUTIES OF ANIMAL CONTROL
1. ENFORCE THIS TITLE AND PERFORM OTHER RESPONSIBILITIES INHERENT THERETO.
 2. SUPERVISE SEVIER COUNTY ANIMAL SHELTER
 3. KEEP RECORDS OF ALL ANIMALS IMPOUNDED AT SAID SHELTER.
 4. KEEP ACCOUNTS OF ALL MONEYS COLLECTED AND RECEIVED.
 5. ESTABLISH, IN COOPERATION WITH SEVIER COUNTY HEALTH DEPARTMENT AND OTHER INTERESTED GOVERNMENTAL AGENCIES, MEASURES FOR THE CONTROL OF AN IMMUNIZATION FOR RABIES.
- C. ENFORCEMENT, GENERALLY
1. THE SHERIFF, EACH ANIMAL CONTROL OFFICER, AND ANY PEACE OFFICER ARE RESPONSIBLE FOR ENFORCING THE PROVISIONS OF THIS TITLE AND OTHER PROVISIONS OF APPLICABLE STATE LAW.
- D. AUTHORITY
1. THE SHERIFF, HIS DESIGNATED DIRECTOR, HIS AUTHORIZED DEPUTIES AND THE AUTHORIZED ANIMAL CONTROL OFFICERS OF THE MUNICIPALITIES ARE EMPOWERED TO APPREHEND, TRANSPORT, AND IMPOUND ANY ANIMAL FOUND IN VIOLATION OF THIS ORDINANCE, INCLUDING LICENSABLE

- ANIMALS FOR WHICH NO LICENSE HAS BEEN PROCURED, OR ANY LICENSED OR UNLICENSED ANIMAL FOR ANY OTHER VIOLATION THEREOF, AND ISSUE CRIMINAL CITATIONS AND/OR NOTICE OF VIOLATION OF THIS SECTION.
2. BADGES OF AUTHORITY SHALL BE ISSUED BY THE COUNTY SHERIFF OR MUNICIPALITY, AND THE RECIPIENT THEREOF SHALL BE DULY SWORN IN AS AN ANIMAL CONTROL OFFICER.
- E. RIGHT OF ENTRY FOR ENFORCEMENT
1. IN ENFORCEMENT OF THIS TITLE, ANY ANIMAL CONTROL OFFICER OR PEACE OFFICER MAY ENTER INTO THE OPEN PREMISES OF ANY PERSON TO SECURE OR TAKE POSSESSION OF ANY ANIMAL WHICH IS REASONABLY DEEMED BY THE OFFICER TO BE IN VIOLATION OF THIS TITLE.
 2. REPRESENTATIVES OF THE SHERIFF, ANIMAL CONTROL OFFICERS OR ANY OTHER DESIGNATED REPRESENTATIVE OF THE COUNTY OF MUNICIPALITY MAY ENTER ANY PREMISES WHERE ANIMALS ARE MAINTAINED FOR INVESTIGATION OR INSPECTION WITH THE PERMISSION OF THE OWNER OR A DULY EXECUTED WARRANT IN ORDER TO DETERMINE IF THE PREMISES ARE BEING USED, KEPT, OR MAINTAINED IN VIOLATION OF THIS OR ANY OTHER CITY OR COUNTY ORDINANCE.
 3. THIS SECTION DOES NOT PERMIT ANY PERSON TO ENTER A PRIVATE DWELLING EXCEPT WHERE NECESSARY TO RESCUE AN ANIMAL OR PURSUANT TO THE EXECUTION OF A SEARCH WARRANT.
- F. INVESTIGATION
1. THE PUBLIC HEALTH OFFICER, ANIMAL CONTROL OFFICER, AND ANY PEACE OFFICER MAY ENTER PRIVATELY OWNED LAND TO INVESTIGATE REPORTS OF VICIOUS ANIMALS, RABIES, AND OTHER CONTAGIOUS ANIMAL DISEASES AND INVESTIGATE VIOLATIONS OF THIS ORDINANCE.
- G. PENALTIES
1. A PERSON CONVICTED THE FIRST TIME FOR AN OFFENSE WITHIN THIS SECTION FOR WHICH A SPECIFIC PENALTY IS NOT STATED IS GUILTY OF A CLASS C MISDEMEANOR. SECOND AND SUBSEQUENT OFFENSES SHALL CONSTITUTE CLASS B MISDEMEANORS.

SECTION 8: DEFINITIONS

FOR THE PURPOSE OF THIS TITLE, UNLESS IT IS PLAINLY EVIDENT FROM THE CONTEXT THAT A DIFFERENT MEANING IS INTENDED, THE FOLLOWING DEFINITIONS SHALL APPLY:

- ANIMAL - MEANS ANY LIVE, VERTEBRATE CREATURE, DOMESTIC OR WILD.
- ANIMAL AT LARGE - MEANS ANY ANIMAL WHETHER OR NOT LICENSED, NOT UNDER RESTRAINT.
- ANIMAL CONTROL OFFICER - MEANS ANY PERSON DESIGNATED BY THE STATE OF UTAH, COUNTY OR A MUNICIPAL GOVERNMENT AS A LAW ENFORCEMENT OFFICER WHO IS QUALIFIED TO PERFORM SUCH DUTIES UNDER THE LAWS OF THIS STATE.
- ANIMAL SHELTER - MEANS THE FACILITY OPERATED BY A HUMANE SOCIETY OR POLITICAL SUBDIVISION OF THE STATE OF UTAH, FOR THE PURPOSE OF IMPOUNDING OR CARING FOR ANIMALS HELD UNDER THE AUTHORITY OF THIS ORDINANCE OR STATE LAW.
- ANIMAL UNDER RESTRAINT - MEANS AN ANIMAL ON A LEASH OR LEAD WHICH IS HELD BY A PERSON OR ATTACHED TO A STATIONARY OBJECT OR CONFINED WITHIN A VEHICLE OR CONFINED UPON THE REAL PROPERTY OF THE OWNER OR CUSTODIAN.
- ATTACK - MEANS ANY BITING OR ATTEMPTED BITING OR OTHER ACTION BY AN ANIMAL WHICH PLACES A PERSON OR ANOTHER ANIMAL IN DANGER OR IMMINENT BODILY HARM. ACTUAL PHYSICAL CONTACT SHALL NOT BE REQUIRED TO CONSTITUTE AN ATTACK. ATTACK MAY INCLUDE JUMPING UPON, CHASING, NIPPING, OR OTHERWISE THREATENING.
- CAT - MEANS ANY AGE FELINE OF THE DOMESTIC TYPES.
- CUSTODIAN - MEANS ANY PERSON HAVING THE CHARGE, CARE, CUSTODY OR CONTROL OF AN ANIMAL WHICH HE/SHE DOES NOT OWN.
- DOG - MEANS ANY CANIS FAMILIARIS
- DOMESTICATED ANIMAL - MEANS ANY ANIMAL ACCUSTOMED TO LIVE IN OR ABOUT THE HABITATION OF HUMANS, INCLUDING, BUT NOT LIMITED TO, CATS, DOGS, FOWL, HORSES, SWINE, CATTLE, SHEEP AND GOATS.

- EUTHANIZE – MEANS HUMANE DESTRUCTION OF AN ANIMAL ACCOMPLISHED BY A METHOD APPROVED BY THE MOST RECENT REPORT OF THE AMERICAN VETERINARY MEDICAL ASSOCIATION PANEL OF EUTHANASIA THAT RESULTS IN UNCONSCIOUSNESS AND IMMEDIATE DEATH, OR BY A METHOD THAT CAUSES PAINLESS LOSS OF CONSCIOUSNESS AND DEATH DURING SUCH LOSS OF CONSCIOUSNESS.
- GUARD DOG – MEANS ANY DOG THAT WILL DETECT AND WARN ITS HANDLER THAT AN INTRUDER IS PRESENT OR NEAR AN AREA THAT IS BEING SECURED AND WILL ATTACK A HUMAN PURSUANT TO TRAINING ON ITS HANDLER’S COMMAND. A GUARD DOG SHALL BE CONTROLLED BY AN ENCLOSURE, OR ON A LEASH OR UNDER ABSOLUTE CONTROL WHILE WORKING SO IT CANNOT COME INTO CONTACT WITH THE LAWFUL PUBLIC.
- HANDLER – IS ANY PERSON WHO HAS PHYSICAL CONTROL OR RESPONSIBILITY FOR THE SAME OF ANY ANIMAL AT ANY GIVEN TIME.
- HOUSEHOLD PET – MEANS ANY ANIMAL OR FOWL ORDINARILY PERMITTED IN A HOUSE AND KEPT FOR COMPANY OR PLEASURE AND NOT FOR PROFIT, SUCH AS: DOGS, CATS, CANARIES, FISH, HAMSTERS, MICE, AND OTHER ANIMALS ASSOCIATED WITH HUMAN ENVIRONMENTS. HOUSEHOLD PETS SHALL NOT INCLUDE WILDLIFE, LIVESTOCK, POULTRY OR ANY ANIMALS WHICH ARE CAPABLE OF INFLECTING HARM OR DISCOMFORT OR ENDANGERING THE HEALTH, SAFETY OR WELFARE OF ANY PERSON OR PROPERTY.
- KENNEL – MEANS ANY PREMISES WHERE MORE THAN THREE DOGS OR CATS ARE RAISED, KEPT, HOUSED, OR BOARDED; OR ANY PREMISES WHEREIN ANY PERSON ENGAGES IN THE BUSINESS OF BOARDING, BREEDING, BUYING, LETTING FOR HIRE, TRAINING FOR A FEE OR SELLING DOGS.
- LEASH OR LEAD – MEANS ANY CHAIN, ROPE, OR DEVICE USED TO RESTRAIN AN ANIMAL.
- LICENSED DOG – IS A DOG WEARING A CURRENT DOG LICENSE TAG AS ISSUED BY SEVIER COUNTY ANIMAL CONTROL OR ANY MUNICIPALITY.
- NEUTERED – DESCRIBES AN ANIMAL WHICH HAS HAD ITS REPRODUCTIVE ORGANS (TESTICLES OR UTERUS AND OVARIES) REMOVED.
- OWNER – SHALL BE PRESUMED TO HAVE THE ULTIMATE RESPONSIBILITY FOR THE PHYSICAL CONTROL OF THE ANIMAL. AN OWNER MAY LEGALLY DIVEST HIM/HERSELF OF SUCH RESPONSIBILITY BY TRANSFERRING PHYSICAL CONTROL TO A LEGALLY RESPONSIBLE ADULT (OVER 18 YEARS), SUCH PERSON SHALL BE THE HANDLER.
- PET (COMPANION ANIMAL) – MEANS ANY ANIMAL OF A SPECIES THAT HAS BEEN DOMESTICATED TO LIVE IN OR ABOUT THE HABITATION OF HUMANS, IS DEPENDENT ON HUMANS FOR FOOD AND SHELTER, AND IS KEPT BY ITS OWNER FOR PLEASURE RATHER THAN UTILITY AND/OR COMMERCIAL PURPOSES.
- PET SHOP – MEANS ANY ESTABLISHMENT, NOT PART OF A KENNEL, CONTAINING CAGES OR EXHIBITION PENS WHEREIN DOGS, CATS, BIRDS OR OTHER PETS FOR SALE ARE KEPT OR DISPLAYED.
- PROVOKED – MEANS ANY DELIBERATE ACT BY A PERSON TOWARDS A DOG OR ANY OTHER ANIMAL DONE WITH THE INTENT TO TEASE, TORMENT, ABUSE, ASSULT OR OTHERWISE CAUSE A REACTION BY THE DOG OR ANIMAL. HOWEVER, ANY ACT DONE BY A PERSON WITH THE INTENT TO DISCOURAGE OR PREVENT A DOG OR OTHER ANIMAL FROM ATTACKING SHALL NOT BE CONSIDERED PROVOCATION.
- QUARANTINE – MEANS THE ISOLATION OF AN ANIMAL IN A SUBSTANTIAL ENCLOSURE SO THAT THE ANIMAL IS NOT SUBJECT TO CONTACT WITH OTHER ANIMALS OR UNAUTHORIZED PERSONS.
- SPAYED – DESCRIBES THE ANIMAL WHICH HAS HAD ITS OVARIES AND UTERUS REMOVED, AN OVARIOHYSTERECTOMY.
- VETERINARIAN – MEANS ANY PERSON PROPERLY LICENSED UNDER THE LAWS OF THE STATE OF UTAH TO PRACTICE VETERINARY MEDICINE.
- VETERINARY CLINIC – MEANS ANY ESTABLISHMENT MAINTAINED AND OPERATED BY A LICENSED VETERINARIAN FOR SURGERY, DIAGNOSIS, OR TREATMENT OF DISEASES AND INJURIES OF ANIMALS.
- VICIOUS ANIMAL – IS AN ANIMAL 1) WITH A KNOWN PROPENSITY, TENDENCY OR DISPOSITION TO ATTACK UNPROVOKED, TO CAUSE INJURY TO, OR TO OTHERWISE ENDANGER THE SAFETY OF HUMANS OR OTHER DOMESTIC ANIMALS; 2) WHICH ATTACKS A HUMAN BEING OR OTHER DOMESTIC ANIMAL WITHOUT PROVOCATION; OR 3) WHICH IS TRAINED OR USED TO FIGHT OR TO ATTACK HUMANS.

- WILD ANIMALS – MEANS ALL ANIMALS COMMONLY ACCEPTED AS BEING “WILD” AND INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING, NO MATTER HOW DOMESTICATED THEY MAY BE:

- (A) ALLIGATORS AND CROCODILES
- (B) BEARS (URSIDAE)
- (C) CAT FAMILY (FELIDAE), EXCEPT THE COMMONLY ACCEPTED DOMESTICATED CATS.
- (D) COYOTES, FOXES AND WOLVES
- (E) PORCUPINE (ERCTHIZONTIADE)
- (F) NONHUMAN PRIMATES (HOMINIDAE)
- (G) RACCOON (PROCYONIDAE)
- (H) SKUNKS
- (I) VENOMOUS SNAKES OR VENOMOUS LIZARDS
- (J) WEASELS (MUSTELIDAE) INCLUDING MARTENS, WOLVERINES, BLACK-FOOTED FERETS, BADGERS, OTTERS, ERMINE, MINK, MONGOOSE, ETC.

FOR PURPOSE OF THIS SECTION, ANIMALS THAT ARE KEPT COMMERCIAL OR RANCHED SHALL NOT BE WILD ANIMALS.

ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED. IF ANY SECTION, SUBSECTION OR CLAUSE OF THIS ORDINANCE SHALL BE DEEMED TO BE UNCONSTITUTIONAL OR OTHERWISE INVALID, THE VALIDITY OF THE REMAINING SECTIONS, SUBSECTIONS AND CLAUSES SHALL NOT BE AFFECTED THEREBY.

APPROVED AND ENACTED THIS _____ DAY OF _____, 2019.

KEVIN MOORE, MAYOR

ATTESTED:

JEANE WOOD, RECORDER