

ORDINANCE NO. 17-08

AN ORDINANCE AMENDING TITLE 16 - ANIMAL CONTROL AND REGULATIONS
BY AMENDING PORTIONS OF CODE RELATING TO THE LICENSING OF CATS

WHEREAS, the City Council of the City of North Logan, Utah, adopted and passed the Code of Revised Ordinance of the City of North Logan on March 16, 1989, which Code was published and effective on March 20, 1989; and

WHEREAS, said Code included Title 16, Animal Control and Regulations; and

WHEREAS, North Logan City has established a Master Fee Schedule; and

WHEREAS, North Logan City Council now deems that Title 16, and the Master Fee Schedule are in need of revision.

NOW, THEREFORE, pursuant to Section 12A-504 of Title 12 of said code and Section 10-9-205, Utah Code Unannotated, 2007, as amended, and after ten (10) days' notice and a public hearing as required therein, the City Council of the City of North Logan, Utah hereby adopts, passes and publishes the following:

BE IT ORDAINED by the City Council of the City of North Logan, Utah as follows:

SECTION I: Title 16, Chapter 300, Paragraph 301 shall be modified to read:
(highlighted portion changed or added, strike-through deleted)

16-301 Licensing And Rabies Vaccinations

- A. Except as provided in this section, all dogs and cats shall be vaccinated against rabies. Except as provided in this section, no person shall own, keep, or harbor any dog or cat over four (4) months of age within North Logan City unless such dog ~~or cat~~ is vaccinated and licensed. The provisions of this section do not apply to animals owned by a licensed research facility, held in a veterinary medical facility, government operated or licensed animal shelter, or animals being held by an authorized and designated foster care provider.
- B. Application for a license must be made within thirty (30) days after obtaining a dog ~~or cat~~ over four (4) months of age, except that this requirement will not apply to a nonresident keeping a dog ~~or cat~~ within North Logan City for no longer than sixty (60) days. Written application for a dog ~~or cat~~ license shall be made to North Logan City and shall include the name and address of the owner and the name, breed, color, age, and sex of the dog ~~or cat~~ and the date through which the rabies vaccination is valid. Applicants shall pay the prescribed licensing fee and provide proof of current rabies vaccination. The following shall be considered proof of current rabies vaccination:
 1. A rabies vaccination certificate from a licensed veterinarian (a rabies tag alone is not to be considered proof of vaccination);
 2. Verification through a phone call with a licensed veterinarian (or a fax) verifying the rabies vaccination; or
 3. North Logan City records made from either of the above sources that indicate the rabies vaccination is current.
- C. The license period shall begin the date the license is obtained from the city and shall be valid until the date the rabies vaccination certificate expires. The rabies vaccination is typically good for three years for an adult animal and one year for a puppy/kitten. The owner of the dog ~~or cat~~ must obtain the renewed city license for the animal within thirty (30) days of the expiration date of the previous license/rabies vaccination certificate. A late fee equal to half the cost of the applicable license shall be added to the cost of the license if the license is obtained after those thirty (30) days. New residents must apply for a license within thirty (30) days of establishing residency. (Ord. 09-03)

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- D. A license shall be issued after payment of a fee according to the Master Fee Schedule for each dog or cat. Persons who fail to obtain a license as required within the time period specified in this section will be subjected to a late fee equal to half the cost of the applicable license, which late fee shall be added to the basic cost of the license.
- E. License fees shall be waived for dogs serving the disabled or government-owned dogs used for law enforcement. All other animal control provisions shall apply including vaccinations and obtaining/wearing license tags. In these cases the tags would be issued at no cost. (Ord. 09-03)
- F. Upon acceptance of the license application and fee, North Logan City shall issue a durable license tag including an identifying number, year of issuance, city, county, and state, which must be attached to the collar of the dog. ~~It is recommended that licensed cats wear the tag on a collar but this is not required.~~ Dogs with or without an implanted identification "chip" are required to wear the tag to facilitate quick identification by any person. Tags are not transferable. North Logan City shall maintain a record of all licenses issued, and such records shall be available to the Animal Control Officer.
- G. ~~Owners of cats that meet the definition of "field cats" may choose to license or not license those cats.~~ Licensing, Spaying and neutering, and vaccinating of ~~even field~~ cats is strongly encouraged ~~to provide identification of the animal and~~ to discourage proliferation of disease and more unwanted cats. A ~~stray field~~ cat that is causing a nuisance, or is stray, or has been impounded will not be released to its owner until the cat has been vaccinated ~~and licensed~~. A ~~stray field~~ cat that is causing a nuisance or is stray and has been impounded and not claimed by its owner, or adopted, will be euthanized at the expense of the city.

16-302 Permits For Animal Establishments

- A. No person shall operate an animal establishment without first obtaining a permit in compliance with this section.
- B. The permit period shall begin with the first day of the calendar year and shall run for one (1) year. Renewal applications for permits may be made within sixty (60) days prior of the expiration date. Application for a permit to establish a new animal establishment under the provisions of this ordinance may be made at any time.
- C. Annual permits shall be issued upon payment of the applicable fees as found in the Prevailing Fee Schedule.
- D. A person who maintains a kennel/cattery of three (3) or more dogs ~~or five (5) or more cats~~ must pay an annual kennel/cattery permit renewal fee and must license each dog ~~or cat~~ individually.
- E. ~~Catteries are not allowed in North Logan City.~~
- F. Under the provisions of this ordinance, no permit fee shall be required of any Animal Shelter or Foster Care Provider. All other provisions shall apply.
- G. No person or persons at any one residence within North Logan City shall at any time own ~~or license~~ more than two (2) dogs or four (4) cats, with no combination exceeding five, except otherwise provided in this ordinance.

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16-303 Issuance And Revocation Of Permits And Licenses

- A. North Logan City may revoke any permit or license issued under this ordinance if the person holding the permit or license refuses or fails to comply with this ordinance, the regulations promulgated by North Logan City or any other law governing the protection and keeping of animals.
- B. If an applicant is shown to have withheld or falsified any material information on the application, North Logan City may refuse to issue or may revoke a permit or license.
- C. It shall be a condition of issuance of any permit for an animal establishment that North Logan City shall be permitted to inspect any and all animals and the premises where such animals are kept at any reasonable time during normal business hours. Where a permit is revoked for any cause, or pending appeal of any such action, North Logan City shall have power of entry on the premises and into all areas where animals are being kept. A person denied a permit may not reapply for a period of at least thirty (30) days. Each application shall disclose any previous denial or revocation and shall be accompanied by the fee as set forth in the Prevailing Fee Schedule.

16-304 Owner Responsibility

- A. All dogs shall be kept under restraint.
- B. No dog or cat shall be abandoned, neglected, or allowed to cause a nuisance. The owner of every dog or cat shall be held responsible for every behavior of such dog or cat under the provisions of this ordinance.
- C. Livestock guarding dogs shall be exempt from nuisance regulations when performing duties protecting livestock on premises owned or controlled by the owner.
- D. Dog and cat owners shall ensure that their dog or cat carries identification at all times in the form of a license tag or a registered microchip implant, or other means to allow easy determination of the owners.

16-305 Impoundment

- A. Any dog found running at large or cat suspected of causing a nuisance as defined in this ordinance shall be impounded by the Animal Control Officer and confined in a humane manner. Immediately upon impounding a dog or cat the Animal Control Officer shall make every reasonable effort to notify the owner and inform such owner of the conditions whereby custody of the animal may be regained. Dogs and cats not claimed by their owners within a period of three (3) working days in which the shelter is open to the public shall become the property of North Logan City and will fall under the jurisdiction of the Animal Control Officer.
- B. When a dog is found running at large, or when a cat suspected of causing a nuisance as defined in this ordinance is caught, and the Animal Control Officer verifies its ownership, the officer may exercise the option of serving the owner with a citation in lieu of impounding the animal if it is the animal's first offense. The owner of a dog or cat, which has been impounded three (3) times within a two-year period, will be issued a citation and required to make a personal appearance before the judge.
- C. Disposal of an animal by any method specified here in does not relieve the owner of liability for violations and any accrued charges.

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16-306 Redemption

- A. Any dog or cat impounded may be redeemed by the owner/caregiver thereof within ~~three~~ five (5) working days upon payment of an impound fee as listed in the Prevailing Fee Schedule plus any additional costs incurred in caring for the impounded animal. If any such dog or cat has been previously impounded within the previous twenty-four (24) months, the impoundment fee shall be increased as listed in the Prevailing Fee Schedule. Payment of impoundment fees is not considered to be in lieu of any fine, penalty, or license fees.
- B. The owner/caregiver of an impounded dog or cat may redeem their animal by the following procedure:
1. Owner/caregiver will report to the North Logan City office to request the redemption of the animal.
 2. An authorized city employee will locate the proper impound ticket and the daily board charges incurred as per the Prevailing Fee Schedule. (The City employee may also call the impound facility to obtain the correct daily board charges.)
 3. The owner/caregiver will pay North Logan City for all impound fees, fines, and daily board charges. The City will then issue the owner/caregiver an itemized paid receipt listing all charges paid for.
 4. Owner/caregiver will then present the paid receipt at the impound facility and request the redemption of the dog or cat. Owner will pay the impound facility for all expenses incurred for any veterinarian care, vaccinations, spaying, neutering, or other charges.
 5. The impound facility will then release the animal to the owner/caregiver and bill North Logan City for the daily board charges incurred for the dog or cat.
- C. Any dog or cat confined for rabies, quarantine, evidence or other purposes may be redeemed by the owner, following the confinement period, and upon payment of all costs incurred in caring for the animal as specified in paragraph B above.
- D. No dog ~~or cat~~ required to be licensed or vaccinated under this ordinance may be redeemed until provisions for such licensing and vaccinations have been fulfilled.

16-307 Adoption

No dog ~~or cat~~ shall be released for adoption (except on a temporary basis to an authorized and designated Foster Care Provider) without the animal being spayed or neutered. Charges for adopting an animal shall be assessed to cover any costs incurred by the city or the veterinarian in boarding the animal and/or otherwise preparing the animal for its adoption. Those charges shall include, as applicable, vaccination fees, licensing fees, boarding charges, and any other applicable costs incurred. The charges to reimburse these costs shall constitute the adoption fee.

16-308 Euthanization

Any animal not redeemed or rescued within five (5) working days may be euthanized. Any animal deemed by a competent licensed veterinarian or the city's animal control officer to be feral (unowned) and dangerous, sick, injured, suffering, or a hazard to public health may be euthanized immediately.

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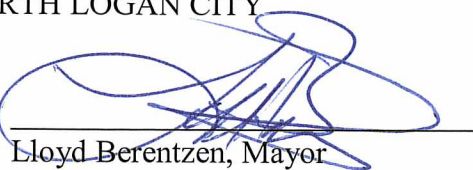
SECTION II: SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION III: EFFECTIVE DATE. In the opinion of the City Council of North Logan, it is necessary that this ordinance take effect immediately; therefore, this Ordinance shall take effect immediately upon its passage and first posting as provided by law.

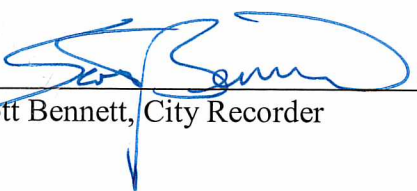
ADOPTED AND PASSED by the City Council of the City of North Logan, Utah, this 1st day of November, 2017.

NORTH LOGAN CITY

By:


Lloyd Berentzen, Mayor

ATTEST:


Scott Bennett, City Recorder

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CERTIFICATE OF DUE POSTING

I, SCOTT BENNETT, City Recorder of North Logan, Utah, hereby certify that I, on the 2 nd day of November, 2017, in the City of North Logan, Cache County, State of Utah, posted the foregoing Ordinance No. 17-XX in a likely manner, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

1. North Logan City Offices, 2076 North 1200 East
2. North Logan City Library, 475 East 2500 North
3. North Park Police Department, 575 East 2500 North

WITNESS my hand this 2 nd day of November, 2017.



City Recorder