

LEEDS, UTAH

ANIMAL CONTROL

ORDINANCE

Ordinance Number 2008-10

Adopted this 10th Day of December, 2008.

This document is a complete revision of the Animal Control Ordinance dated December 12, 2007. All portions of the previous Ordinance are replaced by this Ordinance.

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ANIMAL CONTROL

An Ordinance of the Town Council of Leeds, Utah, adopting the Leeds Animal Control Ordinance, relating to all animals within the Town of Leeds.

In order to provide for the health, safety and general welfare of the citizens of Leeds, Utah, the Town Council is committed to establish an Animal Control Ordinance.

WHEREAS, the Town Council is authorized to adopt an Animal Control Ordinance; and

WHEREAS, the Town Council has discussed the changes to the Animal Control Ordinance over several meetings, having public input, and

WHEREAS, the Animal Control Ordinance may address issues, among others, related to the regulating and controlling of animals;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS AS FOLLOWS:

person, to take possession of any animal in violation of this chapter. Any Peace Officer, Animal Control and/or official from the Humane Society, when in the company of a Peace Officer or Animal control Officer, when there is probable cause, may enter onto open premises to investigate any violation of this chapter.

- 2.3. A Peace Officer or Animal Control Officer is empowered to issue citations in regard to acts in violation of the chapter.

3. Interference with Officer Prohibited

- 3.1. It shall be unlawful for any person, after verbal warning, intentionally to interfere with, molest, hinder or obstruct any Peace Officer or any Animal Control Officer in the lawful discharge of his duties as herein prescribed. Any person who does so, directly or indirectly, shall be guilty of a Class B misdemeanor.

4. Retaking Animal Unlawfully

- 4.1. It shall be unlawful for anyone to take any animal out of the possession of anyone lawfully holding the same under the provisions of this chapter, either by stealth, force, fraud, or to intercept or hinder any person lawfully taking up or attempting to take up such animal.

5. Violation

- 5.1. Any violation of the provisions of this chapter either by failing to do those acts required herein or by doing any act prohibited herein shall be subject to verbal and/or written warning or citation.
- 5.2. Where possible upon a first offense, a warning shall be issued. A warning will be accompanied with a copy of the provision of the violated ordinance so as to provide an opportunity to become educated as to the requirements of the ordinance.
- 5.3. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Fines for violations of this chapter shall be imposed according to the court fee schedule.

6. Zoning Restrictions

- 6.1. Animals may be kept within the Town of Leeds only in accordance with the Leeds Land Use and Subdivision Ordinance and the restrictions of each zone as specified in that ordinance.
- 6.2. Small animals may be kept based on the applicable zoning ordinance, and subject to the nuisance and vicious animal provisions of this Ordinance. Conditional use permits must be obtained where required by the zoning ordinance.

10. Lost or Stray Animals

- 10.1. Whenever an animal is found which appears to be lost or strayed, it shall be the duty of the finder to notify the Peace Officer or Animal Control Officer within twenty-four hours.
- 10.2. A person may contact the Town of Leeds with the license tag number and a description of the 'found' dog. The Town official will contact the owner and inform them of the location of the animal.
- 10.3. Any animal turned over to the Peace Officer or Animal Control Officer will have a picture and identifying information about the animal placed on the public bulletin boards at the Town Hall and the Post Office. All efforts will be made by the Officials to locate the owner of the animal.
- 10.4. Any animals turned over to the Peace Officer may be impounded. The owner will be responsible for all impound fees and citations prior to recovery of the animal.

11. Impounding – Animals To Be Impounded

- 11.1. Peace Officers or Animal Control Officers ~~shall~~ ^{may} place all animals which they take into custody in a designated animal impound facility. The following animals may be taken into custody and impounded by the Officer without filing of a complaint:
- 11.2. Any animal being kept or maintained contrary to the provisions of this chapter;
- 11.3. Any animal running at large contrary to the provisions of this chapter;
- 11.4. Any animal which is by this chapter required to be licensed and is not licensed; any animal not wearing a tag shall be presumed to be unlicensed for purposes of this chapter;
- 11.5. Any sick or injured animal whose owner cannot be located;
- 11.6. Any abandoned animal;
- 11.7. Animals which are not vaccinated for rabies in accordance with the requirements of this chapter;
- 11.8. Any animal to be held for quarantine;
- 11.9. Any vicious animal not properly confined;

14. Cats

14.1. The owner or owners of any cat over the age of four (4) months within the Town shall have the cat vaccinated against rabies by a duly licensed veterinarian and shall secure a certificate.

15. Weaner Pigs

15.1. Weaner pigs shall be permitted in areas zoned for animals, per the Land Use Ordinance.

15.2. Setbacks for pens for weaner pigs shall be the same as required for other small animals.

15.3. All pens shall be cleaned regularly, a minimum of three (3) times a week.

15.4. No mud bogs shall be allowed in the pens. All pens shall have drainage to keep water from pooling within the pen.

15.5. Other conditions as may be imposed by the planning commission relative to specific sites and/or conditional use applications.

16. Animals Running At Large

16.1. It shall be unlawful for the owner or person having charge, care, custody or control of any animal (includes fowl), to allow such animals or at any time to run at large. It will be unlawful for the owner of any animal to permit such animal to go upon or be upon the private property of any person without the permission of the owner or person entitled to the possession of such private property. Any animal at large shall be in violation of this section regardless of the precautions taken to prevent the escape of the animal and to prohibit it from running at large.

17. Animals on Unenclosed Premises

17.1. It shall be unlawful for any person to chain, stake out, or tether any dog, cattle, horse, sheep, goat or domestic fowl on any unenclosed premise in such a manner that the animal may go beyond the property line unless such person has permission of the owner of the affected property.

18. Female Dogs in Heat

18.1. Any owner or person having charge, care, custody or control of any female dog in heat shall, in addition to restraining such dog from running at large, take care to confine the dog so as to prevent it from attracting by scent or coming into contact with other dogs except for planned breeding.

- 20.3. All animal bites must be reported to a Peace Officer and/or an Animal Control Officer. The officer will make record of all animal bites according to Police Procedure. If any animal attacks or bites a person or animal, such animal may be immediately impounded by the Peace Officer and/or Animal Control Officer without court order and held at owner's expense pending court action. Any such animal shall be deemed a vicious animal; or the Officer shall seek a court order for destruction of the animal. Parties owning such animals shall, if possible, be notified immediately of the animal's location by the Officer. This section shall not limit any other section in this chapter.
- 20.4. Upon the trial of any offense under this section, the court may upon conviction , order the Officer or other authorized person to put the dog to death or may order such other disposition of the dog as will protect the inhabitants of the town.

21. Nuisance Animals

21.1. Any owner or person having charge, custody or control of or caring for or feeding an animal or animals causing a nuisance as defined below shall be in violation of this ordinance and subject to the penalties herein. Any animal falling under one or more of the following shall be deemed a nuisance:

21.1.1. Causes damage to the property of anyone other than its owner;

21.1.2. Is a vicious animal as defined herein;

21.1.3. Causes unreasonable noise by ^{excessive} barking, howling, or braying;

21.1.4. Causes unreasonable fouling of the air by odors;

21.1.5. Causes unsanitary conditions in enclosures or surroundings;

21.1.6. Defecates on any public sidewalk, park, or building, or on any private property without the consent of the owner of such private property unless the person owning, having a proprietary interest in, harboring or having care, charge, control, custody or possession of such animal shall remove any such defecation to proper trash receptacle.

21.1.7. Any animal which disturbs or endangers the health and welfare of any person or neighborhood by loud, continued, or frequent noise or by noxious or offensive odors.

21.2. A violation of this section shall be a Class C misdemeanor and such is hereby declared to be a nuisance, and each day a violation is permitted to exist or continue shall constitute a separate offense.



TOWN OF LEEDS

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CERTIFICATE OF POSTING

I, Debbie Shakespeare, duly appointed and acting Clerk/Recorder for the Town of Leeds,
hereby certify that the forgoing ordinance 2008-10
was passed by the Leeds Town Council on the 10th day of December, 2008,
and that copies of the foregoing ordinance were posted at three public places within the Town
this 11th day of December 2008, which public places were:

Leeds Town Hall
Leeds Post Office
Leeds Market

Dated this 11th day of December 2008.

Debbie Shakespeare
Debbie Shakespeare, Clerk/Recorder