CITY OF LOGAN, UTAH
ORDINANCE NO. 09-53

AN ORDINANCE AMENDING TITLE 6 OF THE LOGAN MUNICIPAL CODE
ADDING A REQUIREMENT TO REGISTER CATS

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City of Logan to pass ordinances which are reasonably and appropriately related to the objectives of that power, including providing for the public safety, health, morals, and welfare; and

WHEREAS, the City of Logan impounds cats running at large and a registration requirement would assist in returning cats to their owners, would assist in recovering costs for sheltering and humane disposal of stray cats, and would reduce the number of feral cats in the City of Logan.

WHEREAS, the City Council has determined that the following ordinance is in the City of Logan’s best interest,

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH, AS FOLLOWS:

SECTION 1:

6.04.020: DEFINITIONS:

For the purpose of this title, unless it is evident from the context that a different meaning is intended, certain terms used in this chapter are defined as follows:

AT LARGE OR RUNNING AT LARGE: Any dog or other animal off or away from the premises of the owner, possessor or keeper thereof unless such dog or other animal is under the control of such owner, possessor or keeper, or such person's agent by means of a leash, cord, or chain or other comparable restraint.

CAT: Any male, female, neutered male or spayed female cat.

CAT KENNEL: A place or premises where four (4) or more cats at least four (4) months old are raised, kept, housed or boarded for commercial purposes.

CITY PARK: As used in this title only means a tract of land, designated and used by the public for active and passive recreation. A city park includes any constructed walkway into a city park. Sidewalks in the city right of way which border the perimeter of a city park as defined herein are excluded from the definition of a city park. The perimeter of a city park is described as the inside edge of a sidewalk that borders a city park and is adjacent to a city street.

DIVISION: The division of animal control.
DOG: Any male, female, neutered male or spayed female dog.

DOG KENNEL: A place or premises where four (4) or more dogs at least four (4) months old are raised, kept, housed or boarded for commercial purposes.

DOG OR CAT OF REGISTRATION AGE: Any dog or cat which has attained the age of four (4) months.

DOMESTICATED ANIMAL: An animal accustomed to living in or about the habitation of humans, including, but not limited to, cats, dogs, fowl, horses, swine and goats.

HUMANE CARE AND TREATMENT: Appropriate and essential food and other needs of the animal including veterinary care and protection against extreme weather conditions.

IMPOUNDED: Having been received into the custody of the division of animal control or any authorized agent or representative thereof.

OTHER ANIMAL OR ANIMAL: All animals other than dogs.

OWNER: When applied to the proprietorship of a dog or other animal, means any person, firm, association or corporation owning or keeping or harboring a dog or other animal.

POUND: Any animal shelter, lot, premises or building maintained or authorized by the city for the confinement and care of dogs or other animals seized either under the provisions of this title or otherwise.

SUPERVISOR: The supervisor of the division of animal control.

UNREGISTERED DOG OR CAT: A dog or cat which has not been registered with the division of animal control and for which the permit for the current year has not been paid, or to which the tags provided for in this title are not attached.

VACCINATED: Any dog or cat over four (4) months of age which has been vaccinated for the prevention of rabies.

VICIOUS OR DANGEROUS DOG OR OTHER ANIMAL: A dog or other animal that has bitten a person without provocation or a dog or other animal that has a known propensity to attack or to bite humans, dogs, or other domesticated animals.

6.04.030: SUPERVISOR; DUTIES:

The duties of the supervisor are as follows:

A. To act as humane officer in the care of all dogs and animals living within the limits of the city.
B. To carry out and enforce all the provisions of this title, and any amendment thereof and any ordinance later enacted relating to dogs or other animals including the issuance of citations to violators and the exercise of all arrest powers and law enforcement authority as provided by law.

C. To enforce the licensing and control of all dogs and cats in the city as provided in this title.

D. To file complaints in the appropriate court against any person, persons, firm or corporation failing to register any dog or cat as hereinafter provided or who otherwise fail to comply with any of the provisions of this title.

E. To capture and secure all dogs and cats found running at large, contrary to the provisions of this title; to remove such dogs and cats in a humane manner to a pound; to hold dogs and cats impounded with no registration or other tags attached for a period of not less than three (3) working days, and to hold dogs and cats impounded with registration or other tags for a period of not less than five (5) working days; to provide suitable shelter, food and water for such dogs for the period impounded; after reasonable attempts to contact the owner, to destroy all dogs or cats remaining in the pound unclaimed and not redeemed at the expiration of the time limit set forth in this section, provided in a humane manner approved by the state health department and the city health department provided hereunder, or sell to any person deemed to him to be a suitable master of the dog or cat, upon the payment of all registration fees, vaccination fees and adoption fees.

F. To capture and secure, impound and hold all at large dogs and other animals; to provide suitable shelter, food and water for such at large dogs and other animals remaining in the pound unclaimed or not redeemed; to issue bills of sale and collect the fees hereinafter provided for any dog or animal sold; and to keep the records and reports required in this chapter.

6.08.065: NUMBER OF DOGS AND/OR CATS PER RESIDENCE:

No person or persons at any one residence, within the jurisdiction, shall at any time own or license more than four (4) dogs or four (4) cats, with no combination exceeding six (6), except as otherwise provided in this title. Individuals who have been approved by the supervisor or supervisor's deputies as foster care providers for dogs or animals are exempt from this section.

Chapter 6.12
DOGS AND CATS

6.12.010: REGISTRATION AND PERMIT REQUIRED

All dogs and cats four (4) months of age or over kept, harbored or maintained by any person in the limits of the city shall be registered with the division of animal control and a permit shall be issued upon the payment of fees as set forth in the schedule through the division of animal control.
A. All dogs and cats must be licensed each year, except as otherwise provided in this chapter, to a person of the age of eighteen (18) years or older.

B. The owner shall, at the time of application for each permit or license, state his or her name and address and the sex, breed and color of each dog and cat owned and kept by the owner and for each neutered male dog and cat or spayed female dog and cat the owner shall present a certificate from a veterinarian showing the date of such operation. The owner of any dog or cat which was under the age of four (4) months at the time of registration shall present to the animal control officer within fifteen (15) days after the dog or cat reaches the age of four (4) months a certificate from a veterinarian stating that the dog or cat for which the license has been issued has been vaccinated for the prevention of rabies, otherwise registration for such dog or cat shall be void. The owners of all dogs and cats four (4) months of age or over must at the time of registration present a certificate from a veterinarian stating the dog for which the permit is being bought has been vaccinated for the prevention of rabies. Such certificate must give the last date of vaccination, and the number of the vaccination tag issued by the veterinarian at the time of vaccination. The permit fee shall cover one year from date issued.

C. Any owner who fails to properly register his or her dog or cat as required by this chapter shall be guilty of an infraction. Any citation issued to an owner for failure to properly register his or her dog or cat will be dismissed upon the owner providing proof to a city animal control officer within fourteen (14) days of receiving citation that he or she has properly registered the dog or cat.

D. Licensing/Registration exemptions:

(1) Individual dogs or cats within a properly licensed cat or dog kennel.

(2) Dogs or cats validly licensed in another jurisdiction of the United States shall not be kept within the City of Logan for a continuous period of longer than 30 days, or a total of more that 60 days in any one year period without registering as set forth in this chapter.

6.12.020: REGISTRATION DATE:

The owner of any newly acquired dog or cat of registration age or any dog or cat which attains registration age shall make application for a permit and an official registration tag for such dog or cat within ten (10) days after such acquisition or age attainment.

6.12.050: TAGS; ISSUANCE; USE; EXEMPTION:

Upon payment of the permit fee, the department shall issue to the owners a certificate and metallic tag for each dog or cat. The shape or color of the tag shall be changed every year and shall have stamped thereon the year issued, the words "Logan City" and the tag number corresponding with the tag number of the certificate. Every owner shall be required to provide each dog or cat with a collar or harness to which the permit tag must be affixed, and shall see that the collar and tag are constantly worn. Dogs or cats which are used for show purposes are exempted from wearing the collar and tag during any showings. Dogs or cats enclosed within commercial kennels are exempted from wearing
the collar and tag when confined within their kennels. Cats that are kept in the home are
exempted from wearing the collar and tag when confined.

6.12.060: TAGS; DUPLICATE:

Duplicate dog and cat tags will be issued upon payment of one dollar ($1.00) three
dollars ($3.00) for each tag so issued to replace any original tag which has been lost or
destroyed, upon filing an affidavit of loss or destruction by the person who secured the
original tag.

6.12.070: TAGS; NOT TRANSFERABLE:

A. Dog and cat tags shall not be transferable from one dog or cat to another, and no
refunds shall be made on any dog or cat registration fee for any reason whatsoever.

B. The original certificate issued, as above provided, shall be retained by the owner or
harborer of the registered dog or cat for inspection by the authorized representative of the
division of animal control.

6.12.080: TAGS; UNLAWFUL TO REMOVE: No person shall remove or cause to be
removed the collar or metallic tag from any registered dog or cat without the consent of
the owner, keeper or harborer thereof.

6.12.090: VACCINATION REQUIRED:

A. All dogs and cats over four (4) months of age, kept, harbored or maintained by any
person in the city shall be vaccinated for rabies by a licensed veterinarian and registered
for rabies shots. The vaccination shall cover a period of three (3) years from and after the
time the vaccination is given, or for a period as shall be directed by the division of animal
control.

B. Any dog or cat brought into the city, whose owners are nonresidents temporarily
within the city for thirty (30) days or less, shall be subject to the provisions of this
chapter, but may comply with section 6.12.010 of this chapter by registering with the
division of animal control the certificate of health for such dog, or other competent proof
of vaccination. All nonresident dog or cat owners in the city for more than thirty (30)
days must comply with section 6.12.010 of this chapter.

6.12.100: VACCINATION TAG TO BE ATTACHED TO DOG OR CAT:

Every owner shall be required to provide each dog or cat with a collar, as provided under
sections 6.12.050 through 6.12.080 of this chapter, to which, together with the current
year's dog or cat tag, the vaccination tag shall be attached.

6.12.120: REDEMPTION OR SALE OF IMPOUNDED DOGS AND CATS:

A. Any dog or cat impounded as a registered or unregistered dog or cat may be redeemed
and taken from such pound by the owner thereof, or by an authorized person, by
exhibiting to the supervisor or person in charge of the pound a certificate of registry from
another city, town or county if the dog or cat involved is normally kept in such an area outside the city, showing that the permit fee for the current year has been paid, and upon paying the person in charge of the pound an impounding fee of fifteen dollars ($15.00) for the first time and an additional ten dollars ($10.00) for each time thereafter, and after three (3) times the dog or cat may be destroyed.

B. In the case of a dog or cat over the age of four (4) months which has not been vaccinated for rabies, such vaccination shall be done and paid for by the owner or keeper before such dog or cat shall be released from the pound.

C. All impounded dogs and cats not redeemed within the appropriate limit shall be sold for the best price obtainable at either public or private sale or shall be destroyed in a humane manner.

D. Fees chargeable for licensing or registering an impounded dog are six dollars ($6.00) ten dollars ($10.00) for a spayed female or neutered male, twenty dollars ($20.00) twenty five dollars ($25.00) for male dogs not neutered, and twenty dollars ($20.00) twenty five dollars ($25.00) for unspayed females.

E. Fees chargeable for licensing or registering an impounded cat are three dollars ($3.00) for a spayed female or neutered male, fifteen dollars ($15.00) for male cats not neutered and female cats unspayed.

E-E. All monies received from such sales shall be paid to the city treasurer for deposit in the general fund. In the event that the purchaser of a dog or cat is a resident of another city requiring dog licenses, the animal control officer may release the dog or cat to such buyer provided the name, address and dog or cat license number of the city in which the owner resides are recorded prior to the release of such dog, without the necessity of a duplicate registration in the city if such purchaser pays the boarding fees for the dog or cat; and provided, that if the dog or cat is over the age of four (4) months it shall be vaccinated for rabies at the buyer's expense before the dog or cat is released from the pound.

6.12.160 SHELTERING AND FOSTERING OF ANIMALS IN THE CITY

Individuals who want to maintain a pound, shelter or provide foster care for animals in the city must register with the Supervisor of the Animal Control Department. No person or persons approved for maintaining a pound, sheltering, or fostering animals may have any more animals than provided for in 6.08.065. An inspection of the residence will be done by the animal control department to insure that providers under this section have the ability to provide humane care treatment of animals before approval is granted.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.
ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS _____ DAY OF
___________ 2009, BY THE FOLLOWING VOTE:

AYES:

NAYS:

ABSENT:

________________________________________
/s/ Laraine Swenson, Chair

ATTEST:
/s/ Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the
Mayor for approval or disapproval this ______ day of June, 2009.

________________________________________
/s/ Laraine Swenson, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this ______ day of June, 2009.

________________________________________
/s/ Randy Watts, Mayor