

5-1-2: DEFINITIONS:

As used in this chapter, the following terms shall have the meanings herein described:

ANIMAL: Any live, vertebrate creature, domestic or wild, except livestock.

ANIMAL CONTROL OFFICER: A person or persons designated by the city to enforce the provisions of this chapter, including collection of licensing and permit fees and the performance of other delineated duties. Said officer shall, where feasible, meet the qualifications set forth in Utah Code Annotated.

ANIMAL SHELTER: Any facility operated by a humane society or municipal agency or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

ANIMAL UNDER RESTRAINT: Any animal under the control of its owner or under the control of the person having charge, care, custody or control of the animal. A dog shall not be considered under control of the owner unless on a leash or lead, confined within a vehicle, or restrained within the real property limits of the owner by a fence or line.

ATTACK: Any attempted biting or action by an animal which places a person or another animal in danger of imminent bodily harm. Actual physical contact shall not be required to constitute an attack.

AUCTIONS: Any place or facility where animals are regularly bought, sold or traded, except for those facilities otherwise defined in this chapter. This definition does not apply to individual sales of animals by owners.

CIRCUS: A commercial variety show featuring animal acts for public entertainment.

COMMERCIAL ANIMAL ESTABLISHMENT: Any pet shop, grooming shop, auction, riding school or stable, zoological park, circus, performing animal exhibition or kennel.

ENCLOSURE: A fence or structure of at least six feet (6') in height, forming or causing an enclosure suitable to confine a potentially vicious/dangerous dog in conjunction with other measures which may be taken by the owner or keeper, such as tethering of the potentially vicious/dangerous dog.

EUTHANASIA/HUMANE KILLING: Killing by any instantaneous and/or painless method.

GROOMING SHOP: A commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.

GUARD DOG: A working dog that must be kept in a fenced run or other suitable enclosure during business hours, or on a leash or under absolute control, so it cannot come into contact with the public.

KENNEL: Any land or building wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, selling or keeping three (3) or more dogs or cats of the age of four (4) months old or older.

LICENSE: A document or tag evidencing a license granted by the city.

LICENSING AUTHORITIES: The city, by and through its clerical personnel and/or animal control officer.

LIVESTOCK: Cows, horses, pigs, sheep and any other animal commonly kept for its meat, hide, milk, eggs, hair or fur, for riding purposes or for profit, not including dogs, cats or animals commonly used as pets.

LIVESTOCK AT LARGE: Any branded or unbranded livestock that move about without restraint or confinement, roving or rambling at will.

OWNER: Any person, partnership or corporation owning, keeping or harboring one or more animals, or any said person, partnership or corporation who allows another person, partnership or corporation to keep or harbor one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for three (3) consecutive days or more.

PERFORMING ANIMAL EXHIBITION: Any spectacle, display, act or event other than circuses, in which performing animals are used.

PET: Any animal kept for pleasure rather than utility.

PET SHOP: Any person, partnership or corporation whether operating separately, or in connection with another business enterprise, except for a licensed kennel, that buys, sells or boards any species of animal other than livestock or farm animals.

PROVOKED: Any deliberate act by a person toward a dog or any other animal done with the intent to tease, abuse, assault or otherwise cause a reaction by the dog or other animal; provided, however, that any act by a person done with the intent to discourage or prevent a dog or other animal from attacking, shall not be considered to be a provocation.

PUBLIC NUISANCE OR NUISANCE ANIMALS: Any animal or animals which:

A. Is a "vicious/dangerous animal", as defined in this section.

B. Molests a passerby or chases a passing vehicle.

C. Attacks another domestic animal.

D. Is determined by the animal control officer to be a public nuisance by virtue of being offensive or dangerous to the public health, welfare or safety.

E. Trespasses on school grounds, parks or private property other than that of the owner.

F. Barks, whines or howls in an excessive, continuous or untimely fashion.

REGISTRATION: Notation of license in the public record of the animal control officer.

VETERINARY HOSPITAL: Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

VICIOUS/DANGEROUS ANIMAL: Any animal which is dangerously aggressive or uncontrollable, including, but not limited to, any animal which has bitten or in any other manner attacked any person or animal. Any animal by its unique nature or breeding which has known propensities to be aggressive toward any person or animal.

VICIOUS/DANGEROUS DOG: Any dog which, in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the streets, sidewalks or any public grounds or place; or any dog with a known propensity, tendency or disposition to attack, to cause injury, or to otherwise endanger the safety of human beings or animals; or any dog which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property.

WILD ANIMAL: Any animal which can normally be found in the wild state.

ZOOLOGICAL PARK: Any facility, other than a pet shop or kennel, displaying or exhibiting one or more species of nondomesticated animals operated by a person, partnership, corporation or government agency. (1995 Code § 11-1-2; amd. 2003 Code)