

ORDINANCE NO. 09-07-04-2

WHEREAS the Wayne County Commission believes it is in the best interest of the citizens of Wayne County to regulate the possession of animals within Wayne County; IT IS HEREBY ORDAINED AS FOLLOWS:

1. No animal within the boundaries of Wayne County shall be allowed to run loose, unless it is on real property that the animal owner owns, leases or otherwise has permission to use. The following exceptions apply to this restriction:

- a. The animal is in a vehicle;
- b. The animal is under the immediate control of a person.

2. No person is allowed to possess a vicious animal within the boundaries of Wayne County unless the animal is restrained, confined or muzzled so that it cannot attack or fight any person or other animal. A vicious animal is one that has the known propensity to attack, bite, growl, or snarl at a person or other animal.

3. No owner of an animal that is within the boundaries of Wayne County shall allow the animal to disturb the peace and quiet enjoyment of any other person.

4. The owner of any animal and any other person who, at the time of a violation of this Ordinance, is responsible for the care of the animal involved in the violation is guilty of a Class C Misdemeanor for each violation and may be punished in accordance with the prescribed penalties under Utah law for Class C Misdemeanors. Repeat offenses constitute Class B Misdemeanors.

5. If there is substantial evidence that any animal within Wayne County has attacked a person or other animal, the sheriff, a deputy or other proper law enforcement officer may destroy the animal if the law enforcement officer reasonably believes the animal may in the future attack another person or other animal.

6. If an animal is attacking another person, another person's animal, or another person's property within the boundaries of Wayne County, the victim or any other person reasonably acting to protect another person or another person's property may destroy the animal.

7. If there is substantial evidence that any animal has been allowed to run loose or to disturb the peace in violation of this Ordinance, the sheriff, deputy or other law enforcement officer may impound the offending animal if the law enforcement officer reasonably believes the animal may, in the future, repeat the offense. If within five (5) days after the animal is impounded the owner has not obtained an order from the justice court judge of Wayne County or other appropriate court ordering the release of the animal, the animal may be destroyed. In addition to fines that may be imposed pursuant to this Ordinance the owner of any animal that is

impounded must pay an impound fee of Ten Dollars (\$10.00) for each day the animal is impounded.

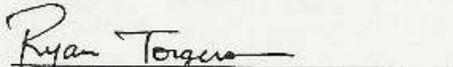
8. This Ordinance does not apply to livestock which are defined as cattle, horses, sheep, chicken or pigs.

ENACTED THIS 7 DAY OF Sept, 2004, upon a majority vote of the Wayne County Commission.

WAYNE COUNTY

By   
Wayne County Commission

Attest:

  
Court Clerk