

CHAPTER 2. DEFINITIONS

6-2-1. Definitions.

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Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Title, shall have the meanings hereinafter designated:

"Animal" means any live, non-human vertebrate creature, whether wild or domesticated. In the context of provisions regarding dogs and cats, "animal" refers specifically to dogs and cats.

"Animal boarding establishment" means any establishment that takes in animals for boarding for profit.

"Animal grooming parlor" means any establishment maintained for the purpose of offering cosmetological services to animals for profit.

"Animal shelter" and "shelter" means a public or private facility owned or operated by a governmental entity, by an established animal welfare society, or by a veterinarian and used for the care and custody of seized, stray, homeless, quarantined, abandoned, or unwanted dogs and cats.

"Animal at large" means any domesticated dog or cat, whether or not licensed, not under restraint.

"Animal under restraint" means any dog or cat under the control of a person, except that a dog shall not be considered under restraint unless on a leash or lead, within a secure enclosure, or otherwise securely confined.

"Attack" or "attacking" means any menacing action by an animal which places a person or another animal in danger of imminent physical pain or impairment of physical condition. Actual physical contact shall not be required to constitute an attack. Attacking shall include biting, attempting to bite, chasing, tackling, nipping, or otherwise threatening.

"Bite" or "biting" means an animal's use of teeth upon a person or animal whether or not an injury actually results.

"Cat" means any feline of the domesticated types over four months of age. Any feline under four months of age is a kitten.

"Cattery" means a location where a person engages in boarding, breeding, buying, grooming, sheltering, or selling cats.

"Community cat" See Utah Code 11-46-302, as amended.

"Community cat caretaker" See Utah Code 11-46-302, as amended.

"Community cat colony" See Utah Code 11-46-302, as amended.

"Community cat program" See Utah Code 11-46-302, as amended.

"Commander" means the supervisor of the Division of Animal Control.

"Department" means the Tooele City Police Department.

"Division" means the Division of Animal Control, a division of the Tooele City Police Department.

"Dog" means any *canis familiaris* over four months of age. Any *canis familiaris* under four months of age is a puppy.

"Domesticated animal" means an animal accustomed to living in or about the habitation of humans and other animals, including cats dogs, and farm animals.

"Ear-tipping" See Utah Code 11-46-302, as amended.

"Farm animal" See TCC 7-1-5.

"Feral" See Utah Code 11-46-302, as amended.

"Guard dog" means a working dog which is kept under strict control such that it cannot come into direct contact with the public, including in a fenced run or other secure enclosure, or on a leash or lead, and located on a business premises as part of the business premises security.

"Harbor" means keeping, feeding, maintaining, sheltering, exercising ownership of, or caring for an animal.

"Holding facility" means any pet shop, kennel, cattery, grooming, riding school, stable, animal shelter, veterinary hospital, humane establishment, shelter, or any other such facility used for keeping animals.

"Impoundment" means the taking of an animal into the custody of the Shelter, Division, or Department.

"Kennel" means a location where a person engages in boarding, breeding, buying, letting for hire, training for a fee, or selling dogs.

"Leash or lead" means any chain, rope, or other similar device used to restrain an animal.

"Officer" means an Animal Control Division officer and a Department peace officer.

"Person" means an individual and any legal entity, including a corporation, firm, partnership, or trust.

"Pet" means a domesticated animal kept for pleasure rather than utility, including, but not limited to birds, cats, dogs, fish, hamsters, mice, and other animals associated with the human environment. Pet does not include wild animals, exotic animals, farm animals, or livestock unless expressly included under other provisions of this Code.

"Pet shop" means any establishment containing cages or exhibition pens, not part of a kennel or cattery, wherein dogs, cats, birds, or other pets are kept or displayed for sale.

"Provoked," "provoking," or "provocation" means any act by a person towards a dog or any other animal done recklessly, knowingly, or intentionally, to tease, torment, abuse, assault, or otherwise cause a reaction by the dog or other animal, provided however, that any act by a person done with the intention to discourage or prevent a dog or other animal from attacking or biting shall not be considered to be a provocation.

"Quarantine" means the isolation of an animal in a secure enclosure so that the animal is not subject to contact with other animals or unauthorized persons.

"Riding school" and "stable" mean an establishment

which provides boarding or riding instruction for any horse, pony, donkey, mule, or burro, or which offers such animals for hire.

“Service animal” means an animal defined as a service animal by the U.S. Department of Justice, and includes a dog that is individually trained and certified to do work or perform tasks for a person with a disability.

“Sponsor of a community cat colony” See Utah Code 11-46-302, as amended.

"Stray" means any animal at large.

“Supervisor” means an animal shelter manager or officer manager, under the supervision of the commander.

"Wild animal," and "exotic animal" mean any animal which is not commonly domesticated, or which is of a predatory nature that would constitute an unreasonable danger to human life, health, or property if not kept or confined in a safe and secure manner, including those animals which, as a result of their natural condition, cannot be vaccinated effectively for rabies. Those animals, however domesticated, shall include the following:

- (a) Alligators and crocodiles.
- (b) Bears (ursidae).
- (c) Cat family (felidae). All except the commonly accepted domesticated cats, and including cheetah, cougars, leopards, lions, lynx, panthers, mountain lions, tigers, and wildcats.
- (d) Dog family (canidae). All except domesticated dogs, and including wolf, part wolf, fox, part fox, coyote, and part coyote.
- (e) Porcupine (erethizontidae).
- (f) Primate (hominidae). All subhuman primates, including apes, gorillas, monkeys, and lemurs.
- (g) Raccoon (prosyndidae). All raccoons including eastern raccoon, desert raccoon and ring-tailed cat.
- (h) Skunks, except skunks that are de-scented and neutered or spayed.
- (i) Venomous fish and piranha.
- (j) Venomous snakes and lizards.
- (k) Weasels (mustelidae). All weasels, including martens, wolverines, badgers, otters, ermine, mink, mongoose, and ferrets, but excepting domesticated ferrets.

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(Ord. 1988-28,09-07-1988)