

CHAPTER 5. NUISANCE ANIMALS

6-5-1. Repealed. (Ord. 1996-03, 02-07-1996)

6-5-2. Repealed. (Ord. 1996-03, 02-07-1996)

6-5-3. Nuisance animals.

6-5-4. Repealed. (Ord. 2003-28, 12-17-2003)

6-5-5. Repeated offenses.

6-5-6. Penalties.

6-5-1. Repealed.

(Ord. 1996-03, 02-07-1996)

6-5-2. Repealed.

(Ord. 1996-03, 02-07-1996)

6-5-3. Nuisance animals.

Any owner or person having charge, care, custody, or control of an animal or animals causing a nuisance as defined below shall be in violation of this Chapter and subject to the penalties provided herein. The following shall be deemed a nuisance:

(1) Any animal which:

(a) causes damage to the property of anyone other than its owner;

(b) causes unreasonable fouling of the air by odors;

(c) causes unsanitary conditions in its enclosures or surroundings;

(d) creates a breeding place for flies or other insects;

(e) defecates on any public sidewalk, park strip, park, or building, or on any private property without the consent of the owner of such private property, unless the person owning, harboring, or having care, charge, custody, or control of such animal shall bag and remove immediately such defecation to a proper trash receptacle;

(f) barks, whines, howls, or makes other noises in an excessive, continuous, disturbing, or untimely fashion;

(g) unreasonably disturbs passersby or chases passing vehicles;

(h) is in violation of Chapter 5-6b (Aggressive Animals);

(i) engages in actions during any 12-month period resulting in 3 or more criminal convictions.

(2) Any animals which, by virtue of the number maintained, are determined by an officer or the Tooele County Health Department to be offensive or dangerous to the public health, welfare, and safety.

(Ord. 2020-33, 08-27-2020) (Ord. 2017-07, 03-15-2017)

(Ord. 2003-28, 12-17-2003) (Ord. 1996-03, 02-07-1996)

6-5-4. Repealed.

(Ord. 2003-28, 12-17-2003)

6-5-5. Repeated offenses.

(1) A dog or cat owner shall forfeit to the City all dogs and cats that, individually or collectively, gave rise to violations of Title 6 for which convictions entered on 3 or more separate occasions during a 12-month period

against persons owning, harboring, or having charge, care, custody, or control of those dogs or cats. Upon the third conviction, the City Attorney's Office may petition a court of competent jurisdiction to compel forfeiture. After the court enters the appropriate order, the Division shall impound all dogs and cats that gave rise to the convictions. Any dog or cat impounded pursuant to this Section shall be dealt with in accordance with the provisions of this Title for impounded animals, except that the owner or the owner's agent shall not be allowed to redeem the impounded animal or animals under any circumstances.

(2) An owner of a nuisance-causing animal other than a dog or a cat shall eliminate the nuisance. Upon the third nuisance conviction and/or abatement, the City Attorney's Office may petition a court of competent jurisdiction to compel permanent removal of the animal from the Tooele City corporate limits.

(Ord. 2023-32, 08-03-2023) (Ord. 2017-07, 03-15-2017)

(Ord. 2008-11, 11-05-2008) (Ord. 2003-28, 12-17-2003)

(Ord. 1996-03, 02-07-1996) (Ord. 1981-14, 05-25-1981)

6-5-6. Penalties.

(1) Every person who violates any provision of Section 6-5-3 is guilty of a class C misdemeanor.

(2) Each and every day that a violation of Section 6-5-3 continues shall constitute a separate offense. (Ord. 2017-07, 03-15-2017) (Ord. 2003, 12-17-2003) (Ord. 1996-03, 02-07-1996)