

**APPLE VALLEY
ORDINANCE O-2022-47**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “9.02.010 Animals Generally” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9.02.010 Animals Generally

It is unlawful for the owner of any cattle, horses, mules, sheep, goats or swine to allow the same to run at large upon the public roads and highways withing the limits of the county, exclusive of the incorporated areas, and any such animals so found may be taken up by any person and impounded as provided by law in case of trespassing animals. This section does not apply to any of the above described animals on "open range", as defined by any governmental entity.

AFTER AMENDMENT

9.02.010 Animals Generally

It is unlawful for the owner of any cattle, horses, mules, sheep, goats or swine to allow the same to run at large upon the public roads and highways withing the limits of the ~~towneounty,~~ ~~exclusive of the incorporated areas,~~ and any such animals so found may be taken up by any person and impounded as provided by law in case of trespassing animals. This section does not apply to any of the above described animals on "open range", as defined by any governmental entity.

SECTION 2: **AMENDMENT** “9.02.070 Diseased Animals” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9.02.070 Diseased Animals

It is unlawful for any person to bring into the limits of the county, exclusive of the incorporated areas, for sale or have in his possession with intent to sell or offer for sale, any animal which has a communicable disease or which has been exposed to or which is liable to carry infection from a communicable disease.

AFTER AMENDMENT

9.02.070 Diseased Animals

It is unlawful for any person to bring into the limits of the towncounty, ~~exclusive of the incorporated areas~~, for sale or have in his possession with intent to sell or offer for sale, any animal which has a communicable disease or which has been exposed to or which is liable to carry infection from a communicable disease.

SECTION 3: **AMENDMENT** “9.02.080 Sale Of Diseased Animals” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9.02.080 Sale Of Diseased Animals

It is unlawful for any person to bring into the unincorporated area of the county for sale or to sell or offer for sale any cattle, sheep, swine, fish, game, fowl or poultry which are diseased, unsound and unwholesome, or which for any reason is unfit for human food.

AFTER AMENDMENT

9.02.080 Sale Of Diseased Animals

It is unlawful for any person to bring into the ~~unincorporated area of the~~ towncounty for sale or to sell or offer for sale any cattle, sheep, swine, fish, game, fowl or poultry which are diseased, unsound and unwholesome, or which for any reason is unfit for human food.

SECTION 4: **AMENDMENT** “9.02.110 Dead Animals” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9.02.110 Dead Animals

The owner of any animal that has died or been killed shall remove or bury the carcass of such animal as soon as reasonably possible, but not more than twenty four (24) hours after the owner learns of its death. This section only applies within the closely inhabited portions of the unincorporated area of the county.

AFTER AMENDMENT

9.02.110 Dead Animals

The owner of any animal that has died or been killed shall remove or bury the carcass of such animal as soon as reasonably possible, but not more than twenty four (24) hours after the owner learns of its death. ~~This section only applies within the closely inhabited portions of the unincorporated area of the county.~~

SECTION 5: **AMENDMENT** “9.03.020 Tag And Collar Required” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9.03.020 Tag And Collar Required

A. Collar and Tag Required: It is unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of the county, exclusive of the incorporated areas, without having affixed to the dog a collar, which shall be worn at all times by the dog, with a tag attached to said collar that provides, at a minimum, a legible and current telephone number of the owner.

B. Removal of Tag Prohibited: It is unlawful for any person to remove a tag from a dog not owned, kept, maintained, or in the temporary or permanent custody of that person.

AFTER AMENDMENT

9.03.020 Tag And Collar Required

A. Collar and Tag Required: It is unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of the ~~town~~county, ~~exclusive of the incorporated areas~~, without having affixed to the dog a collar, which shall be worn at all times by the dog, with a tag attached to said collar that provides, at a minimum, a legible and current telephone number of the owner.

B. Removal of Tag Prohibited: It is unlawful for any person to remove a tag from a dog not owned, kept, maintained, or in the temporary or permanent custody of that person.

SECTION 6: **AMENDMENT** “9.03.050 Strays” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9.03.050 Strays

It shall be unlawful for any person to harbor or keep within the limits of the county, exclusive of the incorporated areas, any lost or strayed dog. Whenever any dog shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the county sheriff's office, which shall notify the person/entity who the county has contracted with to impound the dog for running at large contrary to the terms of this article. If there shall be attached to such dog a tag, or other form of identification, the county sheriff's office or the poundmaster shall notify the person to whom such tag identifies.

AFTER AMENDMENT

9.03.050 Strays

It shall be unlawful for any person to harbor or keep within the limits of the ~~town~~county, ~~exclusive of the incorporated areas~~, any lost or strayed dog. Whenever any dog shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the county sheriff's office, which shall notify the person/entity who the county has contracted with to impound the dog for running at large contrary to the terms of this article. If there shall be attached to such dog a tag, or other form of identification, the county sheriff's office or the poundmaster shall notify the person to whom such tag identifies.

SECTION 7: **AMENDMENT** “9.03.060 Rabies Vaccination” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9.03.060 Rabies Vaccination

Rabies vaccination is required for dogs and cats. Every owner of any dog or cat over the age of four (4) months within the limits of the county, exclusive of the incorporated areas, shall have the dog or cat vaccinated against rabies by a duly licensed veterinarian, shall secure from the veterinarian a certificate thereof, and shall attach to the collar or harness, which such person is required to place upon the animal, a tag showing that such vaccination has been done; provided, that the county commission may, by resolution, provide that the owners of any dog or cat may themselves purchase serum and vaccinate their own dogs or cats. The resolution shall also prescribe the conditions with which the owner must comply to obtain the tag hereinafter required.

AFTER AMENDMENT

9.03.060 Rabies Vaccination

Rabies vaccination is required for dogs and cats. Every owner of any dog or cat over the age of four (4) months within the limits of the ~~town~~county, ~~exclusive of the incorporated areas,~~ shall have the dog or cat vaccinated against rabies by a duly licensed veterinarian, shall secure from the veterinarian a certificate thereof, and shall attach to the collar or harness, which such person is required to place upon the animal, a tag showing that such vaccination has been done; provided, that the county commission may, by resolution, provide that the owners of any dog or cat may themselves purchase serum and vaccinate their own dogs or cats. The resolution shall also prescribe the conditions with which the owner must comply to obtain the tag hereinafter required.

SECTION 8: **AMENDMENT** “9.03.070 Dogs And Cats Required To Have Rabies Shot” of the Apple Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9.03.070 Dogs And Cats Required To Have Rabies Shot

It shall be unlawful for the owner of any dog or cat to suffer, allow or permit such animal to be or go upon any sidewalk, street, alley or public place within the limits of the county, exclusive of the unincorporated areas, without first having had such animal vaccinated against rabies. Every dog shall be vaccinated every two (2) years against rabies and every cat shall be vaccinated every twelve (12) months with a modified rabies virus vaccine. It shall also be unlawful for any such animal to be without a tag thereon showing that such animal has been vaccinated.

AFTER AMENDMENT

9.03.070 Dogs And Cats Required To Have Rabies Shot

It shall be unlawful for the owner of any dog or cat to suffer, allow or permit such animal to be or go upon any sidewalk, street, alley or public place within the limits of the ~~town~~county, ~~exclusive of the unincorporated areas~~, without first having had such animal vaccinated against rabies. Every dog shall be vaccinated every two (2) years against rabies and every cat shall be vaccinated every twelve (12) months with a modified rabies virus vaccine. It shall also be unlawful for any such animal to be without a tag thereon showing that such animal has been vaccinated.

SECTION 9: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 10: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 11: EFFECTIVE DATE This Ordinance shall be in full force and effect from October 19, 2022.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Frank Lindhardt	_____	_____	_____	_____
Council Member Andy McGinnis	_____	_____	_____	_____
Council Member Barratt Nielson	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Robin Whitmore	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Frank Lindhardt, Mayor,, Apple Valley