

ORDINANCE 23-06

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the Hyrum City Municipal Code, a recodification of municipal ordinances encompassing the Revised Ordinances of Hyrum City and ordinances adopted through July 15, 1993; and

WHEREAS, Title 6 of the Hyrum City Municipal Code sets forth those regulations and conditions governing the keeping and use of certain kinds of animals within the limits of Hyrum City; and

WHEREAS, Chapter Title 6 of the Hyrum City Municipal Code includes specific provisions and conditions regulating the harboring, keeping, and licensing of dogs within the limits of Hyrum City; and

WHEREAS, the Hyrum City Council has concluded, there is a need to update Title 6 to not include a service dog trained to perform a task related to a person's disability in the number of dogs allowed per household.

NOW, THEREFORE, the City Council hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING SECTION 6.12.010 LICENSING AND RABIES VACCINATIONS TO TITLE 6 (ANIMALS) OF THE HYRUM CITY MUNICIPAL CODE TO NOT INCLUDE A SERVICE ANIMAL IN THE NUMBER OF DOGS ALLOWED PER HOUSEHOLD.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 6.12.010 of Title 16 of the Hyrum City Municipal Code is hereby amended to read as follows:

**6.12.010 Licensing and rabies vaccinations.**

Except as provided in this section, no person shall own, keep, or harbor any dog over four (4) months of age within Hyrum City unless such dog is vaccinated and licensed. All dogs shall be vaccinated against rabies. The provisions of this section do not apply to animals owned by a licensed research facility or held in a veterinary medical facility or a licensed government operated animal shelter, a rescue agency or authorized foster care provider.

- A. Application for a license must be made within thirty (30) days after obtaining a dog over four (4) months of age, except that this requirement will not apply to a nonresident keeping a dog within Hyrum City for no longer than thirty (30) calendar days. Temporary dogs must have a valid rabies certificate and are subject to all other ordinances, rules and regulations while in Hyrum City, pursuant to the provisions of this title. The city shall provide applications for a dog license and shall include the name and address of the owner and the name, breed, color, age, and sex of the dog. Applicants also shall pay the prescribed licensing fee and provide proof of current rabies vaccination.
- B. The licensing period shall begin the first day of the calendar year and shall run for one year. License renewal may be applied for within sixty (60) days prior to the expiration date. New residents must apply for a license within thirty (30) days of establishing residency.
- C. A license shall be issued after payment of a fee according to the prevailing fee schedule for each dog. Persons who fail to obtain a license as required within the time period specified in this section will be subjected to a late fee as set forth in the prevailing fee schedule.
- D. Evidence of license for the previous year may be required of all persons desiring to relicense a dog under the provisions of this section. Any person attempting to license a dog that was not properly licensed during the previous year, had passed the age of four (4) months, and had been in the city more than thirty (30) days prior to January 1 of the current year, shall be required to pay:
  - 1. The appropriate license fee for the previous year;
  - 2. The appropriate license for the current year; and
  - 3. The late fee as provided by subsection D of this section.
- E. License fees shall be waived for trained service dogs serving the disabled or government owned dogs used for law enforcement. All other licensing provisions shall apply.
- F. Upon acceptance of the license application and fee, Hyrum City shall issue a durable license tag including

an identifying number, year of issuance, city, county, and state, which must be attached to the collar of the dog. Tags must be worn at all times. Hyrum City shall maintain a record of all licenses issued, and such records shall be available to the animal control officer.

- G. When a resident purchases or otherwise acquires a dog already licensed with Hyrum City for the current year, the new owner may transfer the existing license for a fee in an amount set by resolution of the City Council. This transfer must take place within thirty (30) days from the date of purchase or acquisition or the dog must be re-licensed according to the provisions of this chapter. If the newly acquired dog comes from outside Hyrum City, or its owner has moved into Hyrum City and brought the dog with him, and the dog carries a valid license from another jurisdiction, the new owner may obtain a Hyrum City license by offering proof of rabies vaccination and paying a transfer fee in an amount set by resolution of the City Council. This transfer must take place within thirty (30) days from the date the dog is brought into Hyrum City or the dog must be relicensed according to the provisions of this chapter. (Ord. 92-10 § 1 (part): prior code § 13-242 (O); Ord. 08-06)
- H. Each household may own, keep, harbor or maintain no more than two (2) dogs over the age of four (4) months unless they are a service dog trained to perform a task related to a person's disability, or operating a commercial kennel (see Chapter 20). Other than single family dwellings all other residential buildings will be permitted one (1) dog per dwelling unit, (e.g. Duplex - two (2) dogs total, Fourplex - four (4) dogs total). (Prior Code 18-03)

2. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to

which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

8. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

9. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 3<sup>rd</sup> day of August, 2023.

HYRUM CITY

BY: \_\_\_\_\_  
Stephanie Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder

Posted: \_\_\_\_\_