

ORDINANCE NO. 2004 - 05

AN ORDINANCE AMENDING ORDINANCE NO. 94-03 (AND ANY SUBSEQUENT ANIMAL CONTROL ORDINANCE OR AMENDMENT THERETO), REGULATING ANIMALS WITHIN THE CITY OF WENDOVER, TOOELE COUNTY, UTAH.

RECITALS

1. The City of Wendover is authorized to adopt and enforce lawful and reasonable ordinances regulating and controlling the activities, conduct and conditions of animals within the city;
2. The City is authorized to provide licensing requirements for animals within the city;
3. The City is authorized to provide criminal penalties for the violations of the City's ordinances.
4. The City deems it necessary to amend its Animal Control Ordinance in order to establish and clarify the City's policy that no more than a two dogs may be maintained at a single family residence.

BE IT ORDAINED BY THE WENDOVER CITY COUNCIL:

Section No. 1 Ordinance Amended. Provisions of the City's Animal Control Ordinance, identified below, are amended to read as follows:

1-102 Definitions.

The following terms, as used in this Chapter, shall have the following meanings:

(15) "Kennel" means and includes any single family residence or premises, or any single commercial establishment, including but not limited to a business establishment, having three or more dogs owned, kept, harbored or maintained on the said premises. As it relates to persons within the City, the word "Kennel" also means and includes any person, or group of persons residing in the same premises who harbors three or more dogs upon or within a single residential premises, where said dogs are more than four (4) months of age.

1-314 Limitation on Number of Dogs at a Single Residential Premises.

It shall be unlawful for any person, or group of persons residing in the same residential premises to own, keep, harbor or maintain more than two dogs at a single residential premises. Any person who violates this section shall, in addition to the criminal penalties imposed by this ordinance, be required to pay the kennel licensing fees required elsewhere under this ordinance.

Section No. 2. Other Ordinances, Rules and Resolutions. All ordinances, rules and resolutions heretofore adopted by the City dealing with animal control, animal licensing, collection of licensing fees, and related matters shall remain in full force and effect to the extent that said regulations are not in conflict with the Animal Control Ordinance adopted by virtue of Section No. 1, above. Any such regulation which conflicts with the Ordinance adopted herein is repealed.

Section No. 3. Severability Clause. The provisions of this Ordinance and all regulations thereunder, are severable. If any provision of this Ordinance is held invalid or unenforceable for any reason, said invalidity or unenforceability shall not affect any other provision of this Ordinance or its application under a different circumstance.

Section No. 4. Effective Date. This Ordinance shall become effective immediately upon passage by the governing body of the City.

21 PASSED AND ADOPTED BY THE WENDOVER CITY COUNCIL THIS
DAY OF JULY, 2004.


STEPHEN B. PERRY
MAYOR

ATTEST:


MARGARET WHEELER
CITY RECORDER

CERTIFICATE OF POSTING ORDINANCE

I, THE DULY APPOINTED AND ACTING RECORDER FOR THE CITY OF WENDOVER, HEREBY CERTIFY THAT COPIES OF THE FOREGOING ORDINANCE NO. 2004-05 WERE POSTED AT THREE PUBLIC PLACES WITHIN THE MUNICIPALITY THIS 16TH DAY OF August, 2004 WHICH PUBLIC PLACES ARE:

1. Fred's Market

2. Wendover City Offices

3. Wendover CIT Post Office
FAxed to THE WENDOVER TIMES

Dated this 16 day of August, 2004.

Margaret L. Wheeler
RECORDER