

ORDINANCE 2019-21

AN ORDINANCE AMENDING THE REGULATIONS RELATED TO THE NUMBER OF ANIMALS WHICH CAN BE KEPT, MAINTAINED, HARBORED OR CARED FOR ON ANY PREMISIS WITHOUT ADDITIONAL LAND USE APPROVALS

WHEREAS; North Ogden City desires to allow for responsible animal ownership; and

WHEREAS; North Ogden City has received requests for amendments to the number of dogs kept in a single family residence; and

WHEREAS; The City has reviewed information about problems associated with the number of animals in residential units; and

WHEREAS; The City desires to make an adjustment to the number of animals which can be kept in a residential unit.

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City Code be amended as follows.

SECTION 1: North Ogden Code 6-1 shall be amended as follows

The Definition for Kennel in 6-1-1: Definitions - shall be amended to read:

KENNEL: Any property upon which more than three (3) dogs over six (6) months of age are kept.

Subsection G in 6-1-10: Prohibited Acts and Activities – shall be amended to read:

G. Limits On Dogs And Cats: It is unlawful for any person to keep, maintain, harbor or care for more than 4 pets total, but no more than three (3) dogs in any dwelling unit, single-family home or place of business. The prohibition above does not apply to:

1. Dogs and cats less than three (3) months of age;
2. Pet stores or other businesses licensed to sell live animals;
3. Kennels or other businesses licensed to board more animals on a temporary basis.
4. Therapy Animal kept in accordance with this chapter.
5. Violation of this subsection G is an infraction.

Subsection F in 6-1-3: ANIMAL LICENSING AND PERMITS – shall be amended to read:

1. Keeping any animal other than a household pet (as defined in CCNO 6-1-1) within the residential areas of the city unless such animal is a qualifying service, therapy dog or "active police service dog" as defined in CCNO 6-1-1 and obtains and possesses an appropriate permit and business license as described hereunder:
 - a. A permit as described in subsection L, "Other Animal Related Businesses Including Service Dog And Therapy Dog Related Businesses", of this section; and
 - b. A business license as described in CCNO 4-1.
 - c. Recognized therapy animal related businesses are limited to use of therapy dogs and may only be kept and/or operated by a professional person who is currently and properly licensed by the Utah division of occupational and professional licensing as a clinical social worker, psychiatrist, medical doctor, marriage and family therapist, physician's assistant, or nurse practitioner. Proof of such current licensing shall be required at the time of application for a permit and for any permit renewal under this subsection.
 - d. Keeping of therapy dogs or therapy dogs in training or operation of a therapy animal related business by any persons who do not meet the above stated professional licensing requirements shall be strictly governed by other animal ordinances contained in this code as they apply generally to animal owners including limits on animal ownership numbers.
2. Keeping "domesticated animals" (as defined in CCNO 6-1-1) outside of the RE-20 and R-1-8(AG) zones of the city.
3. Keeping any dangerous animal in the city, except as permitted in subsection I of this section or CCNO 6-1-6A.
4. Capturing any "wild animal" (as defined in CCNO 6-1-1) in the city, except that residents may trap wild animals that have become a nuisance under the supervision of an animal control officer.
5. Keeping swine (including potbellied pigs) at any location in the city.
6. Keeping any "wild animal" (as defined in CCNO 6-1-1) in the city.
7. Operating an animal boarding establishment without first obtaining:
 - a. An animal board permit as described in subsection G of this section; and
 - b. A business license as described in CCNO 4-1.
8. Keeping, care for, ownership, or possession of four (4) or more dogs over six (6) months of age in the city without a kennel permit as described in subsection H of this section unless otherwise authorized under the exceptions described in subsection F14 or M of this section. Furthermore, it is unlawful at any household address for any person or persons to keep or possess a total of five (5) or more dogs over six (6) months of age including any combination of pets (limited to 4 pets per household address), any licensed therapy dogs and active police

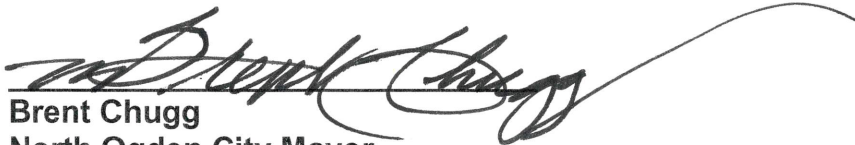
service dogs. In the event any person or persons at any household address owns, possesses or keeps any dogs as pets, such pet dogs shall count when calculating the total number of dogs (pet dogs, therapy dogs and active police service dogs) that may be permitted at any household or address.

9. Operating a pet shop without first obtaining:
 - a. A pet shop permit as described in subsection I of this section; and
 - b. A business license as described in CCNO 4-1.
10. Operating an animal grooming parlor without first obtaining:
 - a. An animal grooming parlor permit as described in subsection J of this section; and
 - b. A business license as described in CCNO 4-1.
11. Operating a riding school or stable without first obtaining:
 - a. A riding school or stable permit as described in subsection K of this section; and
 - b. A business license as described in CCNO 4-1.
12. Breeding dogs in a residential area without first obtaining:
 - a. A dog breeder permit as described in subsection L of this section; and
 - b. A business license as described in CCNO 4-1 if the dogs will be sold for a profit.
13. Operating any other animal related business without obtaining:
 - a. A permit as described in subsection L of this section; and
 - b. A business license as described in CCNO 4-1.
14. Keeping, care for, ownership, or possession of a combined total of five (5) or more therapy dogs or therapy dogs in training and dogs kept, cared for, owned or possessed as pets, over six (6) months of age in any zone in the city without a kennel permit as described in subsection H of this section.

SECTION 2: This ordinance shall take immediate effect.

PASSED and ADOPTED this 24th day of September, 2019.

North Ogden City:

A handwritten signature in black ink, appearing to read "Brent Chugg", written over a horizontal line. The signature is fluid and cursive, extending to the right with a long, sweeping tail.

Brent Chugg
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay	
Council Member Barker:	<u> X </u>	<u> </u>	
Council Member Cevering:	<u> X </u>	<u> </u>	
Council Member Stoker:	<u> X </u>	<u> </u>	
Council Member Swanson:	<u> X </u>	<u> </u>	
Council Member Turner:	<u> </u>	<u> </u>	excused
(In event of a tie vote of the Council):			
Mayor Chugg	<u> </u>	<u> </u>	

ATTEST:



S. Annette Spendlove
S. Annette Spendlove, MMC
City Recorder