

ORDINANCE NO. 2024-01

**AN ORDINANCE OF WEBER COUNTY AMENDING  
TITLE 6 CHAPTER 4 OF THE WEBER COUNTY CODE OF ORDINANCES**

**WHEREAS**, the Weber County Animal Control Department provides animal control services for unincorporated areas of Weber County and for many municipalities within Weber County; and

**WHEREAS**, Title 6 “Comprehensive Animal Control” of the Weber County Code of Ordinances was created “...to provide for comprehensive animal control regulations to govern the county/city and protect life and property” (Weber County Code of Ordinances 6-1-2 “Purpose and Intent”); and

**WHEREAS**, the Weber County Animal Control Department desires to update Weber County Code of Ordinances Title 6 Chapter 4 “Conduct and Prohibited Acts” to in effort to provide clear direction on the abatement of potentially dangerous and dangerous animals; and

**NOW THEREFORE**, the Board of County Commissioners of Weber County ordains as follows:

Title 6 Chapter 4 “Conduct and Prohibited Acts” shall be amended in-part to read as follows:

**Section 6-4-13 shall be amended to read as follows:**

**Sec 6-4-13 Nuisance Animals**

All persons having custody of any animal or animals shall exercise proper care and control over such animal or animals in order to prevent said animal or animals from becoming a nuisance animal.

- (a) An animal shall be deemed to be a nuisance if such animal:
- (1) Causes damage to the property of anyone other than its owner.
  - (2) Causes unreasonable odor.
  - (3) Is in unsanitary condition in its being or habitat.
  - (4) Is diseased.
  - (5) Is in heat and uncontrolled.
  - (6) Makes unreasonable barking, whining, howling, or disturbing noises.
  - (7) Chases vehicles, people, or livestock.
  - (8) Has previously been found at-large by animal control on three separate occasions within a 12-month period.

**Section 6-4-14 shall be amended to read as follows:**

**Sec 6-4-14 Abatement of Nuisance Animals or Potentially Dangerous Animals**

Animals determined by the director or designee to be a nuisance under section 6-4-13(a) or potentially dangerous under 6-1-3 may be abated by animal control as follows;

- (a) Either relocate or euthanize the animal after obtaining written consent from the owner.
- (b) If written consent from the animal owner cannot be readily obtained, the director may file a complaint with the local justice court seeking abatement of the animal. The complaint shall:
  - 1. Set forth the facts as determined by animal control.
  - 2. Indicate that the owner is maintaining a nuisance or potentially dangerous animal.
  - 3. State the nature of the nuisance.
  - 4. State the recommended abatement measure sought by animal control.
- (c) Until such time as abatement can be taken voluntarily or ruled upon by the court, the nuisance animal(s) may be impounded by animal control. In a justice court proceeding the justice court may:
  - 1. Deny the complaint and rule on the disposition of the animal.
  - 2. Approve the complaint and rule on the method of abatement along with any rules and restrictions relating to the same in the interest of public health and safety.
- (d) In the event the court determines that the animal is a nuisance or a potentially dangerous animal, the owner shall reimburse animal control for impoundment fees incurred during the course of the proceeding.

**Section 6-4-15 shall amended to read as follows:**

**Sec 6-4-15 Abatement of Dangerous Animals.**

Animals determined by the director or designee to be a dangerous animal under section 6-1-3 shall be abated by animal control as follows:

- (a) Euthanize the animal after obtaining written consent from the owner.
- (b) If written consent from the animal owner cannot be readily obtained, the director or designee shall file a complaint with the local justice court seeking abatement of the animal. The complaint shall:
  - 1. Set forth the facts as determined by animal control.
  - 2. Indicate that the owner is maintaining a dangerous animal.
  - 3. State the nature of the danger.
  - 4. State the recommended abatement measure sought by animal control. Abatement by relocation is not a viable option under this section.
- (c) Until such time as abatement can be taken voluntarily or ruled upon by the court, the dangerous or potentially dangerous animal(s) shall be impounded by animal control. In a justice court proceeding the justice court may:
  - 1. Deny the complaint and rule on the disposition of the animal.

2. Approve the complaint and rule on the method of abatement along with any rules and restrictions relating to the same in the interest of public health and safety.
- (d) In the event the court determines that the animal is dangerous or potentially dangerous, the owner shall reimburse animal control for impoundment fees incurred during the course of the proceeding.

**Section 6-4-16 shall be amended to read as follows:**

**Sec 6-4-16 Possession of a Potentially Dangerous or Dangerous Animal**

Any person who owns or maintains a potentially dangerous animal shall use all reasonable means at his or her disposal to restrict the potentially dangerous animal from injuring any other person or animal. Animal control may impose specific restrictions regarding the keeping of potentially dangerous animals.

Any dangerous animal may only be kept confined indoors, or in a secure fenced kennel-type enclosure that is locked.

- (a) The secure fenced kennel-type enclosure must be:
  1. Designed to prevent the entry of children.
  2. Designed to prevent the animal from escaping.
  3. Have secure sides, top, and foundation that prevent burrowing or digging under.
  4. Provide protection from the elements for the animal.
- (b) When the dangerous animal is outside its enclosure, the animal must be under immediate control of a responsible adult by means of a restraint device and must also be muzzled. The muzzle shall be made in such a manner that it will not cause injury to the animal or interfere with the animal's vision or respiration, but shall prevent it from biting any person or animal.

**Section 6-4-17 shall be amended to read as follows:**

**Sec 6-4-17 Impounding A Potentially Dangerous Or Dangerous Animal**

If an animal control officer responds to a call for service for an animal that meets the definition of a potentially dangerous animal or a dangerous animal they shall:

- (a) Impound the animal.
- (b) Shall abate a dangerous animal in accordance with 6-4-15.
- (c) May abate a potentially dangerous animal in accordance with 6-4-14.

Any owner of any potentially dangerous or dangerous animal found at-large or who fails to comply with this chapter is guilty of a class B misdemeanor.

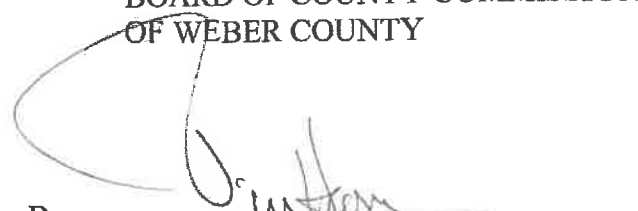
**The definition of vicious animal be removed from Section 6-1-3 (Definitions)**

**Remove Section 6-5-5 (Declaration and Disposal of Vicious Animals).**

This Ordinance shall be effective 15 days after publication in the Standard Examiner.

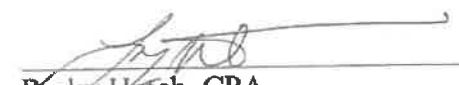
PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this 9<sup>th</sup> day of  
~~November~~ 2023  
January.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY

By   
Commissioner Froerer, Chair

Commissioner Harvey voted Aye  
Commissioner Bolos voted Aye  
Commissioner Froerer voted Aye

ATTEST:

  
for Ricky Hatch, CPA  
Weber County Clerk/Auditor