

Town of Alta

Ordinance # 2022-O-2

**AN ORDINANCE AMENDING TOWN CODE TITLE 5, (PUBLIC SAFETY),
CHAPTER 2 (ANIMAL CONTROL), SECTION 3 (DOG LICENSING),
SECTION C (NUMBER), and SECTION d (Class D License)**

WHEREAS, the Town of Alta has an interest in promoting public health, safety, and welfare;

WHEREAS, any dog found within the boundaries of the Town must be licensed by the Town;

WHEREAS, the Town of Alta has an interest in setting the number of annual dog licenses;

WHEREAS, the Town of Alta finds it is more predictable to have a set number of dog licenses;

WHEREAS, the proposed amendments in the best interest of the residents of the Town of Alta;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ALTA, UTAH THAT:

Section I: Amended. Section 5-2-3 is amended as set forth in Exhibit A, the applicable subsections of which are:

C. Number; Classification: Due to the location of the Town within a watershed area, the Town Council shall impose limits on the total number of Class A, B, C, and D dog licenses issued by resolution. The number of licenses shall be reviewed annually and may be increased or decreased upon a finding by the Town Council in regard to licensee compliance and consideration of the watershed. However, in no event shall the number of dog licenses in Class A, B, C, and D collectively exceed ninety-four (94) licenses.

and

(C)(1)(d). Class D Licenses: The Mayor shall have the authority to issue a temporary dog license for demonstrated necessity or extraordinary hardship. Any license issued under this authority shall be reported at the next regularly scheduled Town Council meeting. Any dog licensed under this class must apply for and receive a temporary license, and pay a fee set by resolution.

Section II: Effective Date. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 9th DAY OF March, 2022.

By: TOWN OF ALTA



Mayor, Roger Bourke



Attest:

Piper Lever, Town Clerk

Attached: Exhibit A – Section 5-2-3 DOG LICENSING

Ordinance/summary published on Utah state noticing website on March 10, 2022.

Effective date of Ordinance: March 10, 2022.

EXHIBIT A:

5-2-3: DOG LICENSING:

A. License Required; Renewal: Any dog found within the boundaries of the Town must be licensed by the Town. It shall be unlawful for any person to bring a dog within the boundaries of the Town, whether in a motor vehicle or otherwise, which is not licensed by the Town. All dog owners which receive dog licenses from the Town must renew said licenses annually, except as otherwise provided.

B. Term; Renewal Time Limit: Licenses shall be issued in January and shall be valid through December of each calendar year. If the holder of a dog license wishes to renew a license, he or she shall obtain an application for license renewal from the Town which shall be submitted with the appropriate fee before January 31 of each year. If the application is found to be in order, the license shall be issued. For good cause shown, the Town may accept an application after January 31; however, the fee shall be two hundred percent (200%) of the current licensing fee. In no event shall a license application be accepted after the last day of February in any calendar year. A dog license which is not renewed by the last day of February shall be forfeited.

C. Number; Classification: Due to the location of the Town within a watershed area, the Town Council shall impose limits on the total number of Class A, B, C, and D dog licenses issued by resolution. The number of licenses shall be reviewed annually and may be increased or decreased upon a finding by the Town Council in regard to licensee compliance and consideration of the watershed. However, in no event shall the number of dog licenses in Class A, B, C, and D collectively exceed ninety-four (94) licenses.

1. Classifications: There shall be classes of dog licenses as follows:

a. Class A Licenses: Any full time resident qualifies. For purposes of this license class, a full time resident is one who physically has lived within the Town at least six (6) months (consecutively or cumulatively) during each calendar year and, who is registered to vote in the Town.

b. Class B Licenses: Those who have ownership interests in improved residential or commercial property and live part time in the Town.

c. Class C Licenses: Employees of businesses within the Town who have worked in the Town for a period of at least three (3) consecutive winter or summer seasons and who have demonstrated knowledge of the Town's animal control ordinances are eligible for this license. Said license shall allow the employee to bring the licensed dog to the place of employment on condition that the dog returns home with its owner at the end of the employee's shift. The applicant for this license shall show, in addition to other license requirements, written proof that the owner of the business at which the employee works allows the presence of the dog and has a suitable location for it.

d. Class D Licenses: The Mayor shall have the authority to issue a temporary dog license for demonstrated necessity or extraordinary hardship. Any license issued under this authority shall be reported at the next regularly scheduled Town Council meeting. Any dog licensed under this class must apply for and receive a temporary license, and pay a fee set by resolution.

e. Class E Licenses: The Mayor or his/her designee shall have the authority to issue temporary licenses to rescue dogs or other groups of dogs requiring specialized training.

2. Allocation; Drawing: The Town Council may allocate new and forfeited licenses to one or more of the above classes. If more applicants than licenses exist for any class, a random drawing shall be held to determine license recipients. If licenses are issued after January of any given year, the licensee shall be required to pay the full license fee for the year. The aforementioned actions and rules governing said actions shall be established through resolutions passed by the Town Council.

D. Form Of Application; Rabies Certificate; Fee: License applications must be submitted annually to the administrative staff, utilizing a standard form which requests owner's name and address, dog's name, sex, color and age, and rabies vaccination information. The application shall be accompanied by the prescribed license fee and by a current rabies vaccination certificate. Rabies vaccinations shall be given by a licensed veterinarian. The applicant shall also sign a written statement signifying that they shall abide by the regulations outlined in this chapter, and all Salt Lake Valley health department and Salt Lake City watershed rules and regulations.

E. Violation; Forfeiture: Any licensed dog whose owner does not fulfill the requirements of any of the above dog license classifications, shall forfeit said license and watershed tag.

F. Fees; Proof Of Sterilization: Fees shall be assessed annually by resolution. No dog shall be licensed as spayed or neutered without proof that sterilization was performed.

G. Number Permitted: No person at any one household or business within the town shall at any time retain more than one class A, B, or C license, in any combination.

H. Unlicensed Dogs Prohibited; Exception: No unlicensed dogs are allowed in the town except those exemptions set forth in subsection K of this section. Any owner or caretaker of a dog who brings an unlicensed dog into the jurisdiction is subject to a watershed fine.

I. Planned Unit Developments; Condominium Properties: If any applicant for a dog license lives within a planned unit development or condominium property, said applicant for any of the above dog licenses must submit, with the application, written verification from the property manager of said development that the issuance of a dog license does not violate regulations governing said property.

J. License Tag:

1. Upon payment of the license fee, the administrative staff may issue to the owner a town tag and a watershed tag. Each tag shall have stamped thereon a tag number and the current year. The owner shall attach the tags to the collar or harness of the animal and see that the collar and tags are constantly worn. Failure to attach the tags as provided shall be in violation of this subsection.

2. Dog tags are not transferable from one dog to another. No refunds shall be made on any dog license fee for any reason whatsoever. Replacements for lost or destroyed tags shall be issued upon payment of a fee as established by resolution of the town council, to the administrative staff.

3. Any person removing or causing to be removed the collar, harness or tags from any licensed dog without the consent of the owner or keeper thereof, except a licensed veterinarian or peace officer who removed such for medical or other reasons, shall be in violation of this subsection.

4. Upon the death of a licensed dog, the owner must notify the town administrative staff within ninety (90) days after the death. The owner must inform the department of the name, sex, age of the dog and the circumstances of its death. The owner shall have one hundred eighty (180) days after the death of the dog in which to obtain a new dog and license. If the owner does not obtain a new dog within one hundred eighty (180) days, the owner forfeits the town tag and watershed tag and must apply for future tags as outlined in this section.

K. Exemptions To Licensing:

1. The fee provisions of this section and licensing requirement shall not apply to:

a. A Service Animal as defined by the Americans with Disabilities Act (ADA) (29 CFR 35.136).

b. Dogs required for search and rescue operations or extraordinary circumstances for which the town marshal requires additional assistance for public safety as allowed by the mayor or town marshal on a temporary basis.

2. The town recognizes the need for avalanche dogs to help with public safety. Avalanche dogs licensed to Alta Ski Lift Company shall not be counted with the total number of dogs being licensed. However, they shall be licensed with the town and shall be required to follow all regulations and requirements of this chapter. The number of avalanche dogs licensed with the town shall be determined by agreement between the town and the Alta Ski Lift Company. The town further recognizes the need for training opportunities for rescue dogs or other dogs requiring specialized training. Before conducting training exercises within or entering the town, all such dogs shall first obtain a permit from the Salt Lake City department of public utilities-watershed division, and then a class E license from the town.

3. Nothing in this subsection shall be construed so as to exempt any dog from having a current rabies vaccination.

L. Revocation Of Dog License: If the owner of any dog is found to be in violation of this chapter for a third time, the town marshal or his deputies or an animal control officer, shall have the dog immediately impounded and the license shall be revoked.