

WEST VALLEY CITY, UTAH
ORDINANCE NO. 19-07

Date Adopted: 03/05/2019

Date Effective: 03/08/2019

**AN ORDINANCE AMENDING SECTION 23-3-107(1) AND
CREATING 23-3-108 OF THE WEST VALLEY CITY
MUNICIPAL CODE TO CREATE A PERMIT THAT WILL
ALLOW RESIDENTS TO HAVE MORE THAN TWO DOGS
OR TWO CATS AT A SINGLE ADDRESS.**

WHEREAS, Title 23 of the West Valley City Municipal Code regulated animals in West Valley City.

WHEREAS, the City Council of West Valley City, Utah recognizes the important role dogs and cats have in the lives of the citizenry and the community.

WHEREAS, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to amend Section 23-3-107 of the West Valley City Municipal Code;

WHEREAS, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to create Section 23-3-108 of the West Valley City Municipal Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah as follows:

Section 1. Repealer. Any provision of the West Valley City Municipal Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Amendment. Section 23-3-107(1)(5) is hereby amended as follows:

23-3-107. HOUSEHOLD PETS.

(1) The following terms, when used in this Section, shall have the following meaning:

a. "Amphibian" means any cold blooded vertebrate of the class Amphibia, such as frogs, toads, newts, or salamanders.

b. "Animal" means any of a kingdom of living being typically differing from plants in

capacity for spontaneous movement and rapid motor response to stimulation.

c. "Arachnid" means any wingless, carnivorous arthropod of the class Arachnida, including spiders and scorpions.

d. "Bird" means any warm blooded vertebrate of the class Aves, such as a cockatiel, parakeet, or canary.

e. "Cat" means a domesticated cat of the species *Felis catus*.

f. "Chicken" means a domestic fowl of the species *Gallus domesticus*.

g. "Dog" means a domesticated dog of the species *Canis familiaris*.

h. "Duck" means a domesticated web-footed swimming bird of the family Anatidae, characterized by a broad, flat bill, short legs, and depressed body.

i. "Ferret" means a domesticated variety of the European Polecat.

j. "Fish" means any cold-blooded, aquatic vertebrate having gills and a body covered with scales.

k. "Hedgehog" means a domesticated hedgehog of the species *Atelerix albiventris*, including the African pygmy hedgehog.

l. "Insect" means any animal of the class Insecta, such as a cricket or grasshopper.

m. "Pot-Bellied Pig" means a Vietnamese or Chinese pot-bellied pig, spayed or neutered, and kept as a household pet, not for livestock or food purposes. Pot-bellied pigs must be less than 150 pounds, and any tusks must either be removed or kept trimmed.

n. "Rabbit" means a rodent-like burrowing mammal of the family Leporidae.

o. "Reptile" means any cold blooded vertebrate of the class Reptilia, such as a turtle or lizard.

p. "Rodent" means an animal of the order Rodentia, such as a hamster or mouse.

(2) Subject to the restrictions of this Section, the following animals may be kept as Household Pets:

a. Amphibians;

b. Arachnids;

c. Birds;

d. Cats;

e. Female chickens;

f. Dogs;

g. Ducks;

- h. Ferrets;
- i. Fish;
- j. Hedgehogs;
- k. Insects;
- l. Pot-Bellied pigs;
- m. Rabbits;
- n. Reptiles; and
- o. Rodents.

(3) Only animals listed in subsection (2) above may be kept as Household Pets. Notwithstanding subsection (2) above, no animal prohibited by federal, state, or local law may be kept as a Household Pet. Notwithstanding subsection (2) above, no poisonous or venomous animal may be kept as a Household Pet.

(4) Notwithstanding subsection (2) above, roosters and crowing hens may not be kept as Household Pets.

(5) Unless otherwise provided under this Title, Household Pets shall be limited to no more than four animals per address, including no more than two cats, no more than two dogs, and no more than two pot-bellied pigs. Kittens and puppies as defined in Section 23-1-102 do not count toward these limits.

(6) All Household Pets shall be maintained, controlled, and cared for as required by federal, state, and local law, including but not limited to the provisions of the West Valley City Municipal Code regarding animal nuisances as set forth in Section 23-5-101.

(7) The provisions of this Section may be enforced as set forth in Title 10, including but not limited to the exercise of the authority set forth in Section 10-1-302 Civil penalties for violation of this Section are set forth in Section 1-2-113.

Section 3. Enactment Section 23-3-108 is hereby enacted as follows:

23-3-108. PET EXCEPTION PERMIT

1) The Animal Control Division may issue a permit to owners of Dogs and Cats to keep up to four (4) Dogs or Cats (but not more than four (4) Household Pets) in a residential area provided:

- a. The owner completes the application and pays all associated fees;

- b. All Dogs and Cats at the address are rendered sterile;
 - c. All Dogs and Cats at the address are microchipped;
 - d. Adequate areas for confinement and shelter are provided; and
 - e. The owners have not been found in violation of this Title or Utah State Code Title 76 Chapter 9 Part 3 within the past twelve (12) months.
- 2) The Pet Exception Permit may be immediately revoked if the owners are found to be in violation of this Title or Utah State Code Title 76 Chapter 9 Part 3.

Section 4. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 5. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED and APPROVED this 5th day of March, 2019.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER