



# ORDINANCE

## NUMBER 17-276

**AN ORDINANCE AMENDING SECTION 13-242 OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) AS AMENDED, (“DELTA CITY ORDINANCES”) PERTAINING TO THE LICENSING AND REGISTRATIONS OF DOGS WITHIN DELTA CITY.**

The City Council of the City of Delta, Utah (referred to herein as the “City Council”), recites the following as the basis for enacting this Ordinance:

- A. Utah Code Ann. § 10-8-65 and other sections of the Utah Code authorizes Delta City to regulate dogs and other animals within City limits;
- B. The City Council has determined it to be in the best interest of the residents of Delta City to adjust the licensing dates and fees for dogs to be kept within City limits;
- C. By Resolution, the City Council has adopted and regularly updates the Delta City Consolidated Fee Schedule setting out fees charged by the City;
- D. The City Council has determined that it would be beneficial to clarify the criminal classification for violation of dog licensing requirements of Delta City; and
- E. The City Council finds this ordinance to be in the best interest of the public health, safety and welfare of Delta City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Delta, Utah:

Section 1. Adoption of Completely Amended 13-242. Title 13-242 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended in its entirety as shown in **Exhibit A** which is attached to and incorporated in this ordinance.

Section 2. Effective Date. This ordinance shall become effective upon publication.

Section 3. Publication. This ordinance, or a summary thereof, is ordered published in the Millard County Chronicle-Progress, a newspaper having general circulation within the city of Delta, Utah.

Section 4. Severability. In the event that any provision of this ordinance less than the entire ordinance is held invalid by a court of competent jurisdiction, this ordinance shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this ordinance.

Section 5. Repeal of Conflicting Ordinances. To the extent that any ordinances, resolutions or policies of the City of Delta conflict with the provisions of this ordinance, it is hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the 7th day of September, 2017, by the following Vote:

	Aye	Nay	Abstain	Absent
Robert W. Banks	_____	_____	_____	_____
Kiley J. Chase	_____	_____	_____	_____
J. Travis Keel	_____	_____	_____	_____
John W. Niles	_____	_____	_____	_____
Betty Jo Western	_____	_____	_____	_____



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 GAYLE K. BUNKER  
 MAYOR

\_\_\_\_\_  
 GREGORY JAY SCHAFER, MMC  
 CITY RECORDER

**Exhibit "A"**

13-242. LICENSE AND REGISTRATION REQUIRED.

- A. It shall be an infraction for any person to keep, harbor or maintain any dog six (6) or more months old unless such dog has been registered and licensed in the manner herein provided.
- B. Application for registration and licensing shall be made to the Treasurer or such other person as the City Council may authorize to receive such applications.
- C. A dog license shall be issued by the Treasurer or such other person as the City Council may authorize.
- D. No dog license shall be issued by Delta City until the fee required herein is paid. Fees shall be charged as set by resolution
- E. The fee due and payable shall be due July 1 and shall be delinquent after August 1 of each year. A penalty of 25 percent shall be added to delinquent payments.
- F. Anyone owning, keeping, harboring or maintaining three or more dogs over the age of three -months shall be considered operating a dog kennel and shall be required to pay an annual kennel license fee as set by resolution.
- G. The owner shall state at the time application is made for such license, his name and address and the sex, breed and color of each dog owned or kept by him. The license fee shall cover the calendar year in which the license was issued, expiring on the 30<sup>th</sup> day of June following the year of issuance, regardless of the date when issued.
- H. The provisions of this section shall not be intended to apply to dogs whose owners are nonresidents temporarily brought within Delta City; nor to dogs brought to Delta City for the purpose of participating in any dog show, nor to commercial kennels.
- I. Dogs used as guides for blind persons and commonly known as Seeing Eye dogs shall be licensed and registered as other dogs hereinabove provided; except that the owner or keeper of such dog shall not be required to pay any fee therefor.