

TITLE 6

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Chapter 6.04

ADMINISTRATION AND ENFORCEMENT

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Section 6.04.003 Purpose and intent

It shall be the purpose and intent of the animal control ordinance to protect the right to keep and maintain animals on residential, commercial, and industrial property in Lindon. The animal control ordinance shall provide a reasonable opportunity for the residents of Lindon to maintain animals on their property within the constraints and limits of this provision. It shall also be the purpose of this ordinance to provide regulations, constraints, and limits on the number of animals kept and the manner in which the animals are maintained in order to minimize the impact on neighboring property owners.

(Ord. 99-17, Add, 02/16/2001)

Section 6.04.005 Animal control definitions

For the purpose of this title, unless it is plainly evident from the context that a different meaning is intended, certain terms used herein are defined as follows:

1. "Animal" means bird, reptiles, and mammals other than the genus *Homo sapiens*.
2. "Animal at large" means any domesticated animal, whether or not licensed, not under restraint.
3. "Animal under restraint" means an animal under control of its owner of persons having

charge, care, custody, or control of the owner unless on a leash or lead, confined within a vehicle, or within the fenced real property limits of the owner.

4. "Bite" means an actual puncture, tear, or abrasion of the skin, inflicted by the teeth of an animal.
5. "Cat" means any age feline of the domesticated types.
6. "City" means the incorporated area of Lindon City.
7. "Corral" means a pen or enclosure used for enclosing and confining livestock and not used as a pasture for grazing livestock.
8. "Animal Shelter" means the lot, premises, or buildings maintained for the confinement and care of the animals seized under the provisions of this Title.
9. "Department" means the City Police Department, its agents, and deputies.
10. "Dog" means a *Canis familiaris* of either sex, altered or unaltered, or any other members of the *Canis* genus if owned or kept.
11. "Dog License" means a properly completed and validated "dog license application" issued by the City.
12. "Domesticated animal" means any animal accustomed to live in or about the habitation of man, including but not limited to cats, dogs, and fowl.
13. "Guard Dog" means a working dog which must be kept in a fenced area or other suitable enclosure during business hours, on leash, or under absolute control while working, so it cannot come into contact with the public.
14. "Impounded animal" means any animal taken into custody by the department as provided in this title.
15. "Kennel" means any lot, building structure, enclosure or premises whereupon or wherein three (3) or more dogs over (4) months of age are kept or maintained for any purpose, including boarding, breeding, buying, letting for hire, training for fee or shelling.
16. "Leash" means any rope, leather strap, chain or other material being held in the hand of the person capable of control and actually

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- controlling the animal to which it is tied.
17. "Licensed dog" means a dog wearing its current dog license tag as required by this Title.
 18. "License Tag" means a piece of metal or other durable material inscribed with a date and number which has been issued by the City.
 19. "Neutered" means having had the testicles removed; a castrated animal.
 20. "Owner" means any person, firm, association or corporation, who is either the legal owner, keeper, possessor, or the actual custodian of an animal. Ownership is established by a person registering as owner on a license or other legal document or being a person claiming ownership and taking possession of an animal.
 21. "Pasture" means land or a lot of land used for grazing where plants are grown for the feeding of livestock.
 22. "Quarantine" means the isolation of an animal under the observation of a licensed veterinarian or in the custody of the animal shelter in a substantial enclosure of that the animal is not subject to contact with other animals or unauthorized persons.
 23. "Spayed" means having had the ovaries and uterus removed or extirpated; an ovariectomy.
 24. "Vicious Animal:"
 - a. With a known propensity, tendency, or disposition to attack unprovoked, to cause injury to, or to otherwise endanger the safety of humans or other domestic animals; or
 - b. Which attacks a human being or other domestic animal without provocation.
 - c. Which is trained or used as a fighting animal.
 - d. This provision shall not apply to dogs owned or used by government entity.
 25. "Wild Animals" means any animals of a species that in their natural life are wild, including hybrids and animals which as a result of their natural or wild condition, cannot be vaccinated effectively for rabies. These animals, however domesticated, shall

include but not be limited to:

- a. Alligators and crocodiles;
- b. Bears (Ursidae). All bears, including grizzly bears, brown bears, black bears, etc;
- c. Cat family (Felidae). All except the commonly accepted domesticated cats, and including cheetah, cougar, leopard, lion, lynx, panther, mountain lion, tiger, wildcat, etc;
- d. Dog family (Canidae). All except domesticated dogs and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.
- e. Porcupine (Erethizontidae);
- f. Primate (Non-Human). All subhuman primates.
- g. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ringtail cat, etc;
- h. Skunks;
- i. Venomous fish and piranha;
- j. Venomous snakes and lizards;
- k. Weasels (Mustelidae). All including weasels, martens, wolverines, ferrets, badgers, otters, ermine, mink, mongoose, etc;
- l. Despite the restriction stated above, there shall be an exception granted to persons raising wild animals as defined for their pelts as a legitimate commercial purpose.

The keeping of any wild animal which existed prior to the effective date of this ordinance may be continued, except that if it is discontinued for one (1) year or more it shall then be deemed abandoned and any future keeping of wild animals shall be in conformity with this ordinance.

(Ord. 99-17, Add, 02/16/2001)

Section 6.04.010 Animal control officer--
 Authority.

In the performance of his duties, the animal control officer is vested with the authority to enforce the provisions of this chapter. (Ord. No. 94 (part), 1982: prior code §2-1.)

(Ord. 99-17, Amended, 02/16/2001)

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Section 6.04.020 Animal control officer-- Duties.

The animal control officer or his deputy shall perform such duties as are or may hereafter be imposed upon him by ordinance in reference to the collection of the dog tax within the city. He shall make a full and complete report of his official doings to the city council through the recorder monthly and he shall pay into the city treasury all fees received or collected by him in his official capacity. (Ord. No. 94 (part), 1982: prior code §2-24.)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.04.030 Animal control officer-- Responsibility.

The animal control officer or deputy thereof, assigned to duties which include the enforcement of animal control laws shall be responsible for enforcing the provisions of this title. (Ord. No. 94 (part), 1982: prior code §2-2(A).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.04.040 Citation authority.

Each of the individuals referred to in Section 6.04.030 shall have the power to issue citations for violations of this title and to swear to complaints for such violations when appropriate. (Ord. No. 94 (part), 1982: prior code §2-2(B).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.04.050 Investigation authority.

The animal control officer, public health officer and any peace officer, may enter upon privately owned land to investigate reports of vicious animals, rabies, or other contagious animal diseases, and to investigate violations of this chapter. (Ord. 94 (part), 1982: prior code §2-2(C).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.04.060 Right of entry.

In the enforcement of any of the provisions of this title, the animal control officer or his deputy may enter upon the premises of any person to take possession of registered or unregistered, fierce,

dangerous, or vicious animals when in fresh pursuit of such animal at the time said animal goes into private property or to abate any public nuisance as outlined in Section 6.04.080. (Ord. 94 (part), 1982: prior code §2-2 (D).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.04.070 Hindering and obstructing enforcement unlawful.

It is unlawful for any person to interfere with, molest, hinder or prevent the animal control officer from discharging his duties. Any person who shall hinder, delay, interfere with or obstruct the animal control officer while engaging in capturing, securing or taking to the animal shelter any animal or animals to be impounded, or who shall break open or in any manner directly or indirectly aid, counsel, or advise in the breaking open of any animal shelter or vehicle used for holding, collecting or conveying any animals to the shelter shall be deemed guilty of a misdemeanor. (Ord. No. 94 (part), 1982: prior code §2-2(E).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.04.080 Declaration of nuisance.

The introduction, possession or maintenance of any animal, or the allowing of any animal to be in violation of this title, is in addition to being a misdemeanor, declared to be a public nuisance. The animal control officer and his deputy are empowered and authorized to abate such public nuisance by any means reasonable including but not limited to the impounding of such animal in an appropriate shelter, the taking of such animal by humane means for impoundment, or the destruction of the animal or animals involved. (Ord. 94 (part), 1982: prior code §2-2 (F).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.04.090 Restrictions prohibited.
The keeping of animals as permitted by this title shall not be restricted or prohibited in any manner by neighborhood organizations, homeowners associations, or private citizens in specific neighborhoods and subdivisions through the use

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and implementation of conditions, covenants, and restrictions (C.C.&R's) or other types of restrictive legal documents entered into after March 1, 2003. Such practices undermine the City's ability to "provide for the keeping of animals in all new residential developments either on the subject property or on neighboring parcels. (See the Lindon City Community Vision Statement as found in the Lindon City General Plan). Neighborhood organizations and/or homeowners associations which have adopted and implemented conditions, covenants, and restrictions or other types of restrictive legal documents which restrict the right to possess, keep, and maintain animals as permitted by Lindon City Animal Control Ordinance are strongly encouraged to reconsider such C.C.&R's and/or other restrictive documents and bring them into compliance with this provision.(Ord. no. 2003-4, Adoption, 03/04/2003)

Section 6.04.100 Violation--Penalty.

1. Any person violating any of the provisions of this title shall be guilty of a Class B misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months or by both such fine and imprisonment.
2. Unless otherwise proscribed under this code, all offenses designated as Class B misdemeanors shall be punished by a fine not to exceed the sum of one thousand dollars or by imprisonment for a period not longer than six months, or by both such fine and imprisonment.
3. Unless otherwise proscribed under this code, all offenses designated as Class C misdemeanors shall be by a fine in a sum not to exceed seven hundred fifty dollars, or by imprisonment for a period not longer than ninety days, or by both such fine and imprisonment.
4. Unless otherwise proscribed under this code, all offenses designated as infractions shall be punished by a fine not to exceed the sum of seven hundred fifty dollars. (Prior code §2-

2(G).)

(Ord. 97-1, Amended, 08/16/2000)

Chapter 6.08

ANIMAL REGULATIONS GENERALLY

Sections:

6.08.010	Conditions of animal ownership.
6.08.020	Disturbing the peace.
6.08.030	Inspections and enforcement - public nuisance
6.08.040	Abandoning sick or disabled animals
6.08.050	Removal and disposition of dead animals
6.08.060	Rendering assistance to animals
6.08.070	Cruelty to animals.
6.08.080	Poisoning animals.
6.08.090	Encouraging fighting.
6.08.100	Injuries and communicable diseases.
6.08.110	Malicious impounding.
6.08.120	Livestock
6.08.130	Number of animals
6.08.140	Electric fencing

Section 6.08.010 Conditions of animal ownership.

Animals or keepers must comply with the following conditions of animal ownership, and the animal control officer may require as a condition of licensing such owners and keepers to sign a contract agreeing to comply with such conditions:

1. Animals shall be restrained or confined as required by law.
2. Animals shall be humanely treated at all times.
3. Vaccinations, licenses, and permits shall be obtained as required by law.
4. Animal premises shall be kept sanitary and shall not constitute a fly breeding reservoir, source of offensive odors or of human or animal disease.
5. Animals and animal premises shall not be permitted to disturb the peace or constitute a public nuisance or hazard, nor shall animals be permitted to go onto the property of another without the consent of said property owner or occupant. (Ord. 94 (part), 1982: prior code §2-4.)

(Ord. 99-17, Amended, 02/16/2001)

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Section 6.08.020 Disturbing the peace.

No person shall own or harbor an animal in such a manner that the peace and quiet of the public is unreasonably disturbed. The keeping or maintenance, or the permitting to be kept or maintained, on any premises owned, occupied, or controlled by any person of any animal or fowl which, by any frequent or long continued noise shall cause unreasonable annoyance or discomfort to any person of normal sensitivity in the vicinity shall constitute a violation of this section; provided, however, that nothing contained herein shall be construed to apply to reasonable noises emanating from legally operated dog and cat hospitals, humane societies, pounds, farm and/or agricultural facilities, or areas where keeping of animals or fowl are permitted. The destruction by an animal of property other than that which belongs to the owner of said animals shall be prima facie evidence of a violation of this section. (Ord. 102 §1 (part), 1983: Ord. 94 (part), 1982: prior code §2-12.)

1. Any animal which does any of the following shall be deemed a nuisance until such time as the nuisance violation is rectified:
 - a. Causes damage to the property of anyone other than its owner or custodian;
 - b. Is a vicious animal as defined in this Title and kept in a manner contrary this Title;
 - c. Causes unreasonable fouling of the air by odor;
 - d. Causes unsanitary conditions in enclosures or surroundings, public or private;
 - e. Barks, wines, or howls, or makes other disturbing noises in an excessive, continuous, or untimely fashion;
 - i. Excessive, continuous or untimely barking shall be defined for purposes of this section as a dog barking, baying, crying, howling or making any other noises continuously and/or incessantly for a period of ten (10) minutes or more to the disturbance of any person at any time of day or night regardless of whether the dog or cat

is physically situated in or upon private property; provided, however, that a dog shall not be deemed a "barking dog" for purposes of this section if, at the time the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon private property in or upon which the animal is situated or for any other legitimate cause which teased or provoked the animal.

- f. Molest passerby or chases passing vehicles;
- g. Attacks other domestic and/or wild animals;
- h. Otherwise acts so as to constitute a nuisance or public nuisance under the provisions of Chapter 10, Title 76, Utah Code Annotated (1953, as amended).
 - i. An animal is a nuisance if it is determined by the department to be a nuisance by virtue of being offensive or dangerous to the public health, welfare, or safety.
 - ii. Any animal which, by virtue of the number maintained, are determined by the department to be offensive or dangerous to the public health, welfare or safety.

(Ord. 99-17, Amended, 02/16/2001)

Section 6.08.030 I n s p e c t i o n s a n d enforcement - public nuisance

An Inspection and Enforcement Committee shall be established consisting of the Planning Director, the Chief Building Official, and the County Health Inspector to investigate all citizen complaints concerning Public Nuisances under items 6.08.020 (1)(a)(c)(d)(h) or as needed. After such investigations, when it is deemed that a violation exists on the responsible persons property, or as a result of the responsible person animals, the Committee shall enter findings and issue an enforcement order to the responsible person to remedy the violation. The Humane Society shall used as a resource if needed.

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(Ord. 99-17, Amended, 02/16/2001)

Section 6.08.040 Abandoning sick or disabled animals

It is unlawful for any person to abandon or turn out at large any animal whether sick, diseased, disabled or otherwise. Animals, when rendered worthless by reason of sickness or other disability, shall be disposed of by the owner thereof as provided in Section 6.08.050 for the disposition of dead animals within the city. It shall be the duty of the animal control officer of the city to dispose of any animals found running at large within the city which are worthless from sickness, disease or other disability. (Ord. 94(part), 1982: prior code S2-14)

(Ord. 99-17, Amended, 02/16/2001; Ord. 97-1, Amended, 08/16/2000)

Section 6.08.050 Removal and disposition of dead animals

It is unlawful for the owner of any animal or fowl that shall die or be killed within the city to fail to remove or bury the carcass of such animal within ten (10) hours after its death. If the owner of the dead animal or fowl cannot be found, the animal control officer may remove or bury the carcass of such animal and the owner shall reimburse the city for any expenses so incurred. No horse, cow, ox or other large livestock shall be buried within the closely inhabited portion of the city. No person shall deposit a dead animal upon the land of another person without the latter's consent. Any person who violates this section is guilty of a Class C misdemeanor. (Ord. No. 94 (part), 1982, prior code §2-15.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.08.060 Rendering assistance to animals

Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop and render such assistance as may be reasonable possible, and shall immediately report such injury or death to the animal's owner; in the event the owner cannot be located, such operator shall at once report the accident to the appropriate law

enforcement agency of the local humane society or to the animal control officer. (Ord. 94 (part), 1982: prior code S2-15)

(Ord. 99-17, Amended, 02/16/2001; Ord. 97-1, Amended, 08/16/2000)

Section 6.08.070 Cruelty to animals.

Any person who injures any animal, whether belonging to himself or another, shall be guilty of a Class B misdemeanor if such conduct was committed intentionally or knowingly or a Class C misdemeanor if such conduct was committed recklessly or with criminal negligence. Any person who, within the city, tortures any animal or kills an animal without having a legal privilege to do so shall be guilty of a Class B misdemeanor if such conduct was committed recklessly or a Class C misdemeanor if such conduct was committed with criminal negligence. (Ord. No. 97-1 §4, Effective date 1-7-97: Ord. No. 94 (part), 1982: prior code §2-18.)

(Ord. 99-17, Amended, 02/16/2001; Ord. 97-1, Amended, 08/16/2000)

Section 6.08.080 Poisoning animals.

Any person who administers poison or poisonous substances to an animal without having a legal privilege to do so shall be guilty of a Class B misdemeanor if such conduct was committed recklessly or a Class C misdemeanor if such conduct was committed with criminal negligence. (Ord. No. 97-1 §5: Ord. No. 94 (part) 1982: prior code §2-19.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.08.090 Encouraging fighting.

It is unlawful for any person within the city to in any manner whatever encourage or urge dogs or any other animals or fowl to fight or urge them after they commence to fight. (Ord. No. 94 (part), 1982, prior code §2-20.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.08.100 Injuries and communicable diseases.

No person shall knowingly harbor or keep any dog or other animal with a serious injury or afflicted

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with mange, ringworm, distemper or any other contagious disease, unless such dog or other animal is, in the opinion of the animal control officer or the veterinarian, being given adequate treatment for such diseases. The animal control officer or the veterinarian may take immediate possession of any such animal not being so treated or which is not responding to such treatment, and immediately dispose of the animal unless the owner shall forthwith place such animal under the control and treatment of a licensed veterinarian. (Ord. No. 94 (part), 1982: prior code §2-21.) (Ord. 99-17, Amended, 02/16/2001)

Section 6.08.110 Malicious impounding.
It is unlawful for any person to maliciously or mischievously secrete or impound the animal of another or to maliciously or mischievously aid or abet therein. (Ord. No. 94 (part), 1982, prior code §2-22.) (Ord. 99-17, Add, 02/16/2001)

Section 6.08.120 Livestock

1. It is unlawful for any person owning or having the custody, possession, or control of any animal of a class of livestock or fowl to allow, either negligently or with specific intent, the animal to run at large.
2. All fencing of property where a class of livestock or fowl are kept shall be of sufficient construction to prevent the escape of or injury to the animals being confined within the fencing. The fencing shall be maintained so that no part of such fence, absent extraordinary circumstance, may be broken, damaged, or in any way created the possibility of injury to the confined animal or to allow the escape thereof.
3. Any animal in violation of this section may be impounded.

(Ord. 99-17, Add, 02/16/2001)

Section 6.08.130 Number of animals
No person shall harbor or possess more than three (3) dogs and three (3) cats, four (4) months of age or older without purchasing a kennel license. Ownership of more than three (3) dogs and three

(3) cats without said licenses must be approved by the Zoning Officer for a legitimate business purpose. (See 6.32.010)

1. Exception. This section shall not apply to the birth of puppies or kittens in a situation which is not an intentional commercial business so long as the number of dogs and/or cats, four (4) months in age and older, do not exceed the numbers as listed above.

(Ord. 99-17, Add, 02/16/2001)

Section 6.08.140 Electric fencing
In no case shall electric fencing be the sole means of enclosure for livestock. Electric fencing shall be a secondary means of enclosing and restraining livestock. All electrical wires shall be located inside corral and pasture fencing and shall not be readily accessible to the general public. (Ord. 99-17, Add, 02/16/2001)

Chapter 6.12

DOG REGULATIONS GENERALLY

Sections:

6.12.010	Registration and license required.
6.12.020	License-Issuance and fees.
6.12.030	License--Term.
6.12.040	License--When due.
6.12.050	Applicability to nonresidents.
6.12.060	Collars and tags.
6.12.070	Restraint by owner.
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6.12.100	Possession of vicious dog or cat
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6.12.150	Maintaining sanitary conditions
6.12.160	Guard dogs
6.12.170	Liability of owners-Dogs used in law enforcement
6.12.180	Violation-penalty

Section 6.12.010 Registration and license required.

It is unlawful for any person to own, keep, harbor or maintain any dog within the city limits of the city which has attained the age of four (4) months

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unless and until such dog has been duly licensed and registered as hereinafter provided, except as hereinafter provided (Ord. No. 94 (part), 1982: prior code §2-3(A).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.020 License-Issuance and fees.

The license required by Section 6.12.010 shall be issued by the department of animal control upon payment by the applicant of a fee therefor as established by the Lindon City Council in the Lindon City Fee Schedule. Said payments may be paid by the applicant to the office of the city treasurer or directly to the animal control officer. (Ord. 94 (part), 1982: prior code §2-3 (B).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.030 License--Term.

License fees provided in Section 6.12.020 shall cover the calendar year in which the license is issued and said license shall expire on the 31st day of March of the year following the one in which it is issued regardless of the date of issuance. (Ord. No. 94 (part), 1982: prior code §2-3 (C).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.040 License--When due.

The annual license fees provided for in Section 6.12.030 shall be paid for each dog, male or female, kept within the limits of the city. Said fee shall be due on or before the first working day in March of each year and shall be delinquent or subject to the penalties hereinafter provided if unpaid on or before the last day of April of each year. Upon failure to pay the license fee provided in Section 6.12.020 on or before the last day of April of each calendar year, a late fee shall be added to the license fee required to be paid as established by the Lindon City Council. Dogs turning four (4) months old after March 1st or a newly acquired dog must be licensed within fifteen (15) days. The penalties provided for in this section shall be in addition to the penalties hereinafter provided for violation of this title. Individuals moving into the city who own, keep,

or harbor a dog or dogs shall be required to license that dog or dogs within fifteen (15) days after bringing said dogs into the city. Unexpired tags from another city will be honored until the date they become expired. (Ord. No. 94 (part), 1982: prior code §2-3 (D).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.050 Applicability to nonresidents.

Nothing in Sections 6.08.010--6.08.030, 6.12.060-6.12.130 and 6.20.010 shall be construed to affect persons not residing in this city who may temporarily visit the city and own a dog; provided, that such person shall constantly keep such dog under his personal care and not allow the same to run at large. Every nonresident dog must have proper vaccinations, licenses and tags from their community of record. (Ord. No. 94 (part), 1982: prior code §2-5.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.060 Collars and tags.

License tags and current rabies tags are not transferable from one dog to another. Every owner shall be required to provide each dog with a collar or harness to which the current year's license and current rabies vaccination tag are attached. (Ord. No. 94 (part), 1982, prior code §2-6.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.070 Restraint by owner.

Persons owning, keeping or harboring any dog shall at all times keep their dogs on a leash or under their direct visual supervision. Dogs shall not be permitted to run at large at any time within the city, nor shall they be permitted to bite or harass any person engaged in a lawful act. Any dog running at large within the corporate limits of Lindon City may be impounded by the animal control officer or any policeman. (Ord. No. 94 (part), 1982: prior code §2-8.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.080 Dogs at large

1. It is unlawful for the owner of person having

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charge, care, custody, or control of any dog to allow such dog at any time to run at large. The owner or person charged with responsibility for a dog found running at large shall be strictly liable for any violation(s) committed by the dog, regardless of whether or not the person knows the dog is running at large.

2. However, dogs may be at large while participated in field trials and obedience classes organized and sanctioned by legal hunting or in herding of livestock, while assisting a peace officer engaged in law enforcement duties, or while being trained for the above purpose so long as such dogs are within sight of such individuals to assure that they do not violate any other provisions of law. (Ord. No. 94 (part), 1982: prior code §2-8.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.090 Cats at large

It is unlawful for the owner or person having charge, care, custody, or control of any cat to allow such cat to become a nuisance to any property owner or resident of Lindon or neighboring municipalities. The owner or person charged with responsibility for a cat found running at large shall be strictly liable for any violations(s) committed by the cat, regardless of whether the person knows the cat is running at large.

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.100 Possession of vicious dog or cat

The possession of a vicious dog or cat is unlawful unless it is restrained, confined or muzzled so that it cannot bite or attack any person or animal. Dogs and cats held in violation of this section shall be deemed a public nuisance, and their continued possession or ownership is unlawful. The animal control officer may impound any such dog or cat and dispose of it in a humane manner after three (3) working days to allow for legal restraining action by the owner: However, nothing contained herein shall prevent the reasonable keeping of a

guard dog or dogs for security. (Ord. No. 94 (part), 1982: prior code §2-10 (A).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.110 Posting of a notice to beware

Whenever the animal control officer determines that an animal has a disposition to attack or bite any person or animal without being cited, aroused or provoked to so act, such officer may order the owner or harbinger of such animal to post a "Beware of (insert type of animal)" sign. The sign shall be posted in plain and conspicuous view and the animal shall be contained in proper confinement. (Ord. No. 94 (part), 1982: prior code §2-10(B).)

(Ord. 99-17, Amended, 02/16/2001; Ord. 97-1, Amended, 08/16/2000)

Section 6.12.120 Prohibited in public place

It is unlawful for any person owning, keeping or harboring any dog to permit the same to enter or be in any public school building or to enter any public building, unless such dog is trained for the benefit of the handicapped, such as a seeing eye dog, and the dog is being used for such a purpose and accompanied by the person needing such assistance, without express permission of the appropriate school authorities or officials responsible for the public building. (Ord. No. 97-1 §6, amended 1-97, effective date 1-7-97: Ord. No. 94 (part), 1982: prior code §2-10(B).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.130 Female dog or cat in season

Dog and cat owners shall securely confine their female dogs and cats while in season within a building or secure enclosure. (Ord. 94 (part), 1982: prior code §2-13.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.12.140 Emergency proclamation power of mayor

The mayor, upon reasonable apprehension of danger from mad or rabid dogs, may issue a

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proclamation forbidding dogs of every description from running at large, and after such proclamation shall have been issued twenty-four (24) hours, any dog found running at large in the city not securely muzzled, may be immediately destroyed or caused to be destroyed by the animal control officer. (Ord. No. 94 (part), 1982; prior code §2-17.) (Ord. 99-17, Amended, 02/16/2001)

Section 6.12.150 Maintaining sanitary conditions

1. No owner or person having charge, custody or control of any dog shall permit, either wilfully or through failure to exercise due control, any such dog to defecate in such a manner that the feces thereafter remain on any public street, gutter, sidewalk, public park, or any other public property. This provision shall apply when the owner or occupant of any private property does not grant permission to the animal's owner to use such private property. Any person allowing their dog to defecate on property other than their own property, shall remove such feces immediately.
2. Every person owning or occupying any property or premises where any dog or other animal is kept, shall keep such premises clean and sanitary. (Ord. No. 102 §1 (part) 1983; Ord. No. 94 (part), 1982, prior code §2-31.) (Ord. 99-17, Amended, 02/16/2001; Ord. 97-1, Amended, 08/16/2000)

Section 6.12.160 Guard dogs

Guard dogs shall be kept in such a manner so that they cannot come into contact with persons or other animals who are legally upon the premises where a guard dog is maintained. The property shall be posted with a sign clearly visible stating that a guard dog is on the premises. (Ord. 99-17, Amended, 02/16/2001; Ord. 97-1, Amended, 08/16/2000)

Section 6.12.170 Liability of owners-Dogs used in law enforcement

Every person owning or keeping a dog shall be liable in damages for injury committed by such

dog, and it shall not be necessary in any action brought therefor to allege or prove that such dog was of a vicious or mischievous disposition or that the owner or keeper thereof knew that it was vicious or mischievous; but neither the state, county, or city of Lindon, nor any peace officer employed by any of them shall be liable in damages for injury committed by a dog when: (1) The dog has been trained to assist in law enforcement, and (2) the injury occurs while the dog is reasonably and carefully being used in the apprehension, arrest, or location of a suspected offender or in maintaining or controlling public order. (Ord. No. 97-1 §7) (Ord. 99-17, Add, 02/16/2001)

Section 6.12.180 Violation-penalty

Unless otherwise specified in this title, any person violating any of the provisions of this title shall be guilty of an infraction and upon conviction thereof shall be punished by a fine of not more than seven hundred and fifty dollars (\$750.00). (Ord. 97-1 §8) (Ord. 99-17, Add, 02/16/2001)

Chapter 6.16

WILD ANIMALS

Sections:

- | | |
|----------|------------------------|
| 6.16.010 | Wild animals |
| 6.16.020 | Repealed by Ord. 99-17 |

Section 6.16.010 Wild animals

It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor, or purchase any wild animal, except for governmental agencies or otherwise as provided for by state or federal regulations. (Ord. 99-17, Amended, 02/16/2001)

Chapter 6.20

RABIES

Sections:

- | | |
|----------|-------------------------------|
| 6.20.010 | Vaccination of dogs required. |
|----------|-------------------------------|

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6.20.020	Reports of bites.
6.20.030	Reports of suspected rabid animals.
6.20.040	Isolation of biting or suspected rabid animals.
6.20.050	Euthanasiation
6.20.060	Confinement.

Section 6.20.010 Vaccination of dogs required.

All dogs over four (4) months of age, owned, kept, harbored, or in the custody of any person of the city shall be vaccinated at four (4) months of age or older with an approved rabies vaccine by a licensed veterinarian. A current rabies vaccination tag shall be attached to the collar or harness provided for each dog. (Ord. No. 94 (part), 1982: prior code §2-7.)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.20.020 Reports of bites.

All persons bitten, and the parents or guardians of minor children bitten by a dog, cat, skunk, fox or bat, coyote, bobcat, or other animal known to constitute a serious threat of rabies shall notify the animal control officer immediately thereafter. Physicians treating such bites and other person having the knowledge of such bites shall also be required to make such notification. (Ord. No. 94 (part), 1982: prior code §2-23(A)(1).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.20.030 Reports of suspected rabid animals.

Any person who observes or has knowledge of an animal which shows symptoms of rabies or which acts in a manner which would lead to a reasonable suspicion that it may have rabies, shall notify the animal control officer and comply with appropriate laws and regulations regarding suspected cases of rabies as directed by the county health department. (Ord. 94 (part), 1982: prior code §2-23(A)(2).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.20.040 Isolation of biting or suspected rabid animals.

Upon the reasonable-order of the animal control

officer or public health officer, a biting or suspected rabid animal shall be isolated, at owner's expense if owned, in strict confinement under proper care and under the observation of the animal control officer, or other adequate facility in a manner approved by the animal control officer or the county health department. (Ord. 94 (part), 1982: prior code §2-(B)(part).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.20.050 Euthanasiation

Any biting or suspected rabid animal or bat may be humanely euthanized immediately by the animal control officer or the department of health, and such animal's undamaged and properly packaged and properly refrigerated head shall be delivered promptly to an approved medical facility having the capability of performing the fluorescent test to demonstrate the presence of rabies. (Ord. 94 (part), 1982: prior code §2-(B)(1).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.20.060 Confinement.

The foregoing notwithstanding, if the biting or suspected rabid animal is of the domesticated variety that is owned or obviously could have an owner, said animal shall be confined as in Section 6.20.040 for a period of five (5) days to allow time for an attempt to locate an owner unless the county veterinarian or other licensed veterinarian shall reasonably deem it necessary to sacrifice the animal for the purpose of laboratory examination. (Ord. 94 (part), 1982: prior code §2-(B)(1).)
(Ord. 99-17, Amended, 02/16/2001)

Chapter 6.24

IMPOUNDING OF ANIMALS

Sections:

6.24.010	Relinquishing of strays.
6.24.020	Notification of owner of record.
6.24.030	Return to owners.
6.24.040	Holding Period.
6.24.050	Disposition.
6.24.060	Destruction of dogs running at large.

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Section 6.24.010 Relinquishing of strays.
Any stray animal must be relinquished to the animal control officer within twenty-four (24) hours. Any person who relinquishes an animal to the animal control officer shall give his name, address and, if he is not the owner, the location where he found the animal. (Ord. 94 (part), 1982, prior code §2-25.)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.24.020 Notification of owner of record.
Upon receipt of a lost or stray animal bearing a current year's license tag, the animal control officer shall immediately telephone the owner of record at the phone number indicated on the license form, a notice of location of the animal. (Ord. 94 (part), 1982, prior code §2-26.)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.24.030 Return to owners.
The owner of an impounded animal may claim it prior to its legal disposition by providing proper identification, meeting all the legal requirements, and paying the applicable redemption fees for impoundment, board, medical care, vaccination, advertising, and/or other costs. (Ord. No. 94 (part), 1982; prior code §2-27.)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.24.040 Holding Period.

1. The animal control officer shall hold an impounded, lost or stray dog for not less than three working days if it was not wearing a current year's license tag when impounded and for not less than five working days after notice is given pursuant to this chapter if it was wearing a current year's license tag, so that the owner or custodian may claim it prior to other disposition. The animal control officer shall hold any other impounded animal not required to be licensed for not less than three working days.
2. The animal control officer may dispose of humanely, or transfer to a new owner upon payment of the applicable fee, any impounded animal not claimed by its owner or custodian

within the prescribed holding time. Animals relinquished by their owners may be humanely destroyed without regard to the prescribed holding time in order to alleviate suffering or to protect other impounded animals from exposure to contagious disease. (Ord. No. 94 (part), 1982; prior code §2-28(A).
(Ord. 97-1, Amended, 08/16/2000)

Section 6.24.050 Disposition.
The animal control officer may dispose of humanely or transfer to a new owner upon payment of the applicable fee, any impounded animal not claimed by its owner or custodian within the prescribed holding time. Animals relinquished by their owner may be humanely destroyed without regard to the prescribed holding in order to alleviate suffering or to protect other impounded animals from exposure to contagious disease. (Ord. No. 94 (part), 1982; prior code §2-28 (B).)
(Ord. 99-17, Amended, 02/16/2001)

Section 6.24.060 Destruction of dogs running at large.
The police officers or animal control officers of the city may, in their discretion, provide for the destruction of any dog running at large within the corporate limits of the city in violation of the ordinance of the city, as codified in this title, which dog has been determined to be a nuisance and which has previously been observed running at large by the animal control officer or police officers of the city at least three (3) times, after a reasonable attempt has been made to notify the owner. (Ord. 94 (part), 1982; prior code §2-29.)
(Ord. 99-17, Amended, 02/16/2001)

Chapter 6.28

KENNELS

Sections:

6.28.010	Definition.
6.28.020	Conditional use permit--issuance conditions.
6.28.030	Conditional use permit--Fee.

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- 6.28.040 Conditional use permit--Minimum standards.
6.28.050 Conditional use permit.
6.28.060 Right of entry.

Section 6.28.010 Definition.

As used in this title, the word "kennel" means a premises where more than three (3) adult dogs or cats are raised, kept, housed, or boarded. No person shall operate or maintain a kennel without first obtaining a conditional use permit from the planning commission; after approval, a kennel license must be obtained from the animal control officer. (Ord. 94 (part), 1982: prior code 2.34 (A).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.28.020 Conditional use permit--issuance conditions.

Before the conditional use permit can be issued, the following conditions concerning the location of the kennel must be met:

1. It must be two hundred (200) feet away from any neighboring house; and
2. One hundred fifty (150) feet from any road. (Ord. No. 94 (part), 1982: prior code §2-34(B).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.28.030 Conditional use permit--Fee.

The annual fee for the permit shall be set on the city fee schedule and payable by the 1st of March of each year. (Ord. No. 94 (part), 1982, prior code §2-34 (C).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.28.040 Conditional use permit--Minimum standards.

The following minimum standards shall be complied with to obtain and maintain a kennel permit:

1. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs and walls shall be of an appropriate material as required by the specific breed of dog and also to permit

proper cleaning and disinfecting.

2. Adequate ventilation shall be maintained and an appropriate temperature provided as required by the specific breed of dog housed therein.
3. Each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or tops of cages.
4. Runs shall provide an adequate exercise area and protection from the weather.
5. All animal quarters and runs are to be kept clean, dry and in a sanitary condition.
6. The food shall be free of contamination, palatable and of sufficient nutritive value as to meet the normal daily requirements for the condition and size of the animal.
7. Fresh water is to be available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and be of the removable type. (Ord. No. 94 (part), 1982: prior code §2-34 (J).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.28.050 Conditional use permit.

The city, acting through the animal control officer, shall have the power to revoke the permit in the event the permit holder is convicted of the offense of disturbing the peace as a result of barking dogs or is convicted of any other violation of the provisions of the city's animal control. (Ord. 94 (part), 1982: prior code §2-34 (E).)

Section 6.28.060 Right of entry.

The animal control officer shall have the authority to enter the premises of any person to inspect and assure compliance to this title. (Ord. 94 (part), 1982: prior code §2-34 (F).)

(Ord. 99-17, Amended, 02/16/2001)

Chapter 6.32

ANIMALS AND LAND USE

Sections:

- 6.32.010 Lot size and permitted uses.
6.32.020 Responsibility of owner.
6.32.030 Existing animals rights
6.32.040 Agricultural accessory buildings--Barns

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6.32.050	Agricultural accessory buildings-Corrals
6.32.060	Agricultural accessory buildings construction
6.32.070	Liability of city
6.32.080	Repealed by Ord. 99-17

Section 6.32.010 Lot size and permitted uses.

1. Residential lots containing less than twenty thousand square feet shall be restricted to the keeping and raising of household pets and small farm animals only; and limited to three (3) dogs and three (3) cats, and no more than two categories of the following: twenty-five (25) chickens, ten (10) rabbits, six (6) ducks, two (2) turkeys, ten (10) pheasants, fifty (50) quail, one (1) female goat. No commercial kennels shall be permitted. No large animals or livestock shall be permitted. Pigeons shall be permitted by conditional use permit only, and only in compliance with the provisions as set forth in Chapter 6.34 of the Lindon City Code. (See 6.08.130) Other categories of domesticated animals can be substituted upon approval by the Planning Commission.
2. Lots containing an area of 20,000 square feet to 29,999 sq. ft. are restricted to the non-commercial production and raising of no more than three (3) of the following or any combination of the following not to exceed the equivalent number of animals as is allowed in this subsection:
 - a. Six (6) turkeys, six (6) geese, twenty-five (25) chickens, ten (10) rabbits, twenty-five (25) pheasants, six (6) ducks, fifty (50) pigeons, one hundred (100) quail. The restrictions of this subsection apply only to mature animals kept on a continuous basis. There shall be a maximum of three dogs and/or three cats and no hobby or commercial kennels.or, no more than two (2) of the following animals in the quantities specified as follows:
 - b. Four (4) sheep, one (1) hog, one (1) immature beef cattle, one (1) mature cow, four (4) female goats or two (2) horses.

The containment of un-neutered male goats, stallions, and mature bulls on lots containing less than 30,000 sq. ft. is permitted by conditional use. The combination of animals in category 1 and 2 of this subsection will be in a ratio of two (2) category one (1) animals to one (1) category (2) animals. Any exception to the above limits shall require a conditional use permit from the city planning commission. The restrictions of this subsection apply only to mature animals kept on a continuous basis. There shall be a maximum of three (3) dogs and/or three (3) cats and no commercial kennels. Pigeons shall be maintained in compliance with the terms and provisions of Chapter 6.34 of the Lindon City Code. Other categories of domesticated animals can be substituted upon approval by the Planning Commission.

3. Lots containing an area of 30,000 sq. ft. to 39,999 sq. ft. are restricted to the non-commercial production and keeping of no more than three (3) of the following or any combination of the following not to exceed the equivalent number of animals as is allowed in this subsection:
 - a. Nine (9) turkeys, nine (9) geese, thirty eight (38) chickens, fifteen (15) rabbits, thirty eight (38) pheasant, nine (9) ducks, fifty (50) pigeons, one hundred fifty (150) quail;or no more than two (2) of the following category two (2) animals in the quantities specified as follows:
 - b. Six (6) sheep, three (3) hogs, three (3) immature beef cattle, two (2) cows, six (6) female goats or three (3) horses.

The combination of animals in category one (1) and two (2) of this subsection will be in a ratio of two (2) category one (1) animals to one category two (2) animals. Any exception to the above limits and/or keeping of unneutered goats, bulls, or stallions shall require a conditional use permit from the city planning commission. The restrictions of this subsection apply only to mature animals

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kept on a continuous basis. There shall be a maximum of three (3) dogs and/or three (3) cats and no commercial kennels. Pigeons shall be maintained in compliance with the terms and provisions of Chapter 6.34 of the Lindon City Code. Other categories of domesticated animals can be substituted upon approval by the Planning Commission.

4. The restrictions on subsections 2 and 3 of this section apply only to mature animals kept on a continuous basis.
5. Lots containing area of 40,000 sq. ft. or more shall be allowed six (6) horses per net acre of pasture and/or corrals and other such animals as listed in quantities as specified in 6.32.010 (3). Such lots of more than one acre are subject to restrictions in the placement of agricultural and accessory buildings as per 6.32.050. (Ord. No. 94 (part), 1982: prior code §2-35.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.32.020 Responsibility of owner.

The owner of every animal shall be responsible for adequate enclosures for the animal involved. The enclosures shall be properly cleaned of excrete and treated for elimination of flies. Adequate ventilation shall be maintained and an appropriate temperature provided. Enclosures must be provided which shall allow adequate protection against weather extremes. Each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or top of the enclosure. Fresh water and adequate fresh feed are to be available at all times.

In all cases a person proposing to build such an agricultural accessory building, a building permit must be acquired from the city before construction may begin. (Ord. No. 94 (part), 1982: prior code §2-36.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.32.030 Existing animals rights

Prior existing animal rights and conditions shall at all times take precedence over new developments

and land uses. (Ord. No. 94 (part), 1982, prior code §2-38.)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.32.040 Agricultural accessory buildings--Barns

Barns must be located a distance of thirty (30) feet from an public road or highway, fifty (50) feet from residential dwellings located on separate adjoining lots, and twenty (20) feet from the residential dwelling of the person occupying the lot upon which the barn is located. (Ord. 94 (part), 1982: prior code §2-39 (A).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.32.050 Agricultural accessory buildings- Corrals

Corrals must be located a distance of ten (10) feet from any public road or highway. Corrals shall be setback a minimum of sixty (60) feet from residential dwellings located on separate adjoining lots and twenty (20) feet from the residential dwelling of the person occupying the lot upon which the corral is located. All corral and pasture fencing shall be constructed to protect adjoining yard fencing from possible animal damage. All barns and corrals shall be subject to sections 6.08 and 8.08. - Nuisances, and all other applicable Lindon City Ordinances. (Ord. No. 94 (part), 1982, prior code §2-39 (B).)

(Ord. 99-17, Amended, 02/16/2001)

Section 6.32.060 Agricultural accessory buildings construction

The construction of agricultural accessory buildings, buildings associated with the raising or containment of animals or with the storage of feed for animals shall be allowed only upon a showing of compliance with the restrictions on the location of such buildings above enumerated and the payment of the fee associated with the regular building permit.

(Ord. 99-17, Amended, 02/16/2001)

Section 6.32.070 Liability of city

The city shall not be liable for any damages to private property caused by the ownership, raising

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or containment of animals enumerated in this chapter. (Ord. 94 (part), 1982; prior code S2-39)* (Ord. 99-17, Amended, 02/16/2001)

Chapter 6.34

PIGEONS

Sections:

6.34.010	Definitions.
6.34.020	The keeping and raising of pigeons in any residential district

Section 6.34.010 Definitions.

1. "Pigeons" shall include any and all varieties of Antwerp, racing or homing pigeons as accepted by the American Racing Pigeon Union, Inc., the International Federation of Racing Pigeons Fanciers, or the American Pigeon Fanciers Council as a racing or homing pigeon.
2. "Loft" shall mean a constructed accessory building for the housing of pigeons exclusively. (Ord. No. 175 §2, 1990.) (Ord. 99-17, Amended, 02/16/2001)

Section 6.34.020 The keeping and raising of pigeons in any residential district

The keeping and raising of pigeons in any residential district shall be in strict compliance with the following requirements:

1. No person shall keep, maintain or harbor pigeons unless the pigeons are kept and maintained in a pigeon loft as defined in this Chapter. Only one pigeon loft shall be allowed on a lot.
2. The pigeon loft shall contain no more than fifty (50) pigeons, including squab. Each pigeon shall wear a metal or plastic leg band to identify the owner or keeper thereof. The owner shall maintain a record of the age and date of acquisition of such pigeons and such record shall be open for inspection by the Lindon City Animal Control Officer and Lindon City Building Official.
3. The pigeons kept in the pigeon loft shall not

be allowed to perch or linger on the buildings or property of others. The pigeon loft shall be maintained in a clean, sanitary and wholesome manner at all times and shall be subject to periodic inspection by the animal control officer.

4. The pigeon loft shall be of a size sufficient to house the number of pigeons contemplated. In no case shall there be more than one (1) pigeon for two (2) square feet of loft space. The loft shall be located not less than twenty five (25) feet from any residential structure located on the lot, and not less than fifty (50) feet from any residential structure of any adjoining lot. The location of the loft must be approved and specifically described on the conditional use permit, where a conditional use permit is required.
5. All lots on which such pigeons are kept and maintained shall at all times be kept clean and free from filth, garbage, and such other substances that attract rodents.
6. All pigeons shall be fed within the confines of the loft in which such pigeons are housed and contained.
7. Pigeons shall be permitted to exercise and fly only twice a day under control of the owner or representative of the owner.
8. All pigeon lofts shall be so enclosed as to prevent the pigeons from escaping from the confines of said loft.
9. Housing of pigeons shall not be permitted in a dwelling house.
10. All grains and food stored for the use and feeding of such pigeons shall be kept in a rodent-proof container.
11. Additional restrictions and requirements may be required for the issuance of a conditional use permit. Conditional use permits for pigeons shall expire after a period of one year from the date issued. (Ord. 175 §2, 1990.)
12. At such time as pigeon owners no longer desire to harbor pigeons, all pigeons shall be disposed of in a humane manner.

(Ord. 99-17, Amended, 02/16/2001)