

LINDON CITY CODE

TITLE 6

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Chapter 6.04

ADMINISTRATION AND ENFORCEMENT

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Section 6.04.003 Purpose and intent
The ability to keep animals and livestock has been and continues to be a defining characteristic of the rural atmosphere that Lindon City seeks to maintain. As identified in the Community Vision Statement within the Lindon City General Plan, the City seeks to protect, preserve, and maintain the rights of land owners to raise animals on their properties. 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.

Lindon City recognizes that the keeping of animals and livestock is inherently associated with odors, animal excrete, flies, and some noises. Unless otherwise stated within this Title, a reasonable level of tolerance will be permitted for these inherent characteristics such as odors, flies, and animal noises that are common to the keeping of animals and livestock in order to protect, preserve, and maintain the rights of land owners to raise animals on their properties.

(Ord. 99-17, Add, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

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 birds, reptiles, fish, and mammals other than the genus *Homo sapiens*.
2. "Animal at large" means any domesticated animal, whether or not licensed, not under restraint (see "Animal under restraint").
3. "Animal control officer" means the Chief of Police or the Zoning Administrator (Planning Director) and their authorized representative or agent, with the authority to enforce the provisions of this Title; also "inspector" or "code enforcement officer".
4. "Animal Shelter" means the lot, premises, or buildings maintained for the confinement and care of the animals seized under the provisions of this Title.
5. "Animal under restraint" means an animal under control of its owner or other persons having charge, care, or custody of the animal by means of a leash or lead, or confined within a building or vehicle, or otherwise restrained (fence, shock collar, etc.) within

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- the real property limits of the owner (or other private property with permission) without access to passers-by.
6. "Bite" means a puncture, tear, abrasion, or other injury inflicted by the teeth or fangs of an animal.
 7. "Boar" means a non-castrated adult male hog.
 8. "Bull" means a non-castrated adult male domesticated bovine (excepting bison).
 9. "Cat" means any age feline of the domesticated types.
 10. "Cattle" means, for the purposes of this Title, the plural form of cow and includes both sexes of the animal, including a bull.
 11. "City" means the incorporated area of Lindon City.
 12. "Corral" means a pen or enclosure used for enclosing and confining livestock or other animals listed in this Title and not used as a pasture for grazing livestock. Fenced areas consisting primarily of dirt or void of living vegetation (less than 50%) are considered a corral for the purposes of this Title.
 13. "Continuous" means prolonged and unceasing without interruption.
 14. "Cow" means, for purposes of this Title, a domesticated bovine (excepting bison) that is either an adult female that has had a calf, an immature female (heifer) that has not had a calf, or a castrated male (steer).
 15. "Department" means the City, its agents, staff, and deputies.
 16. "Dog" means a *Canis familiaris* of either sex, altered or unaltered, or any other members of the *Canis* genus.
 17. "Dog License" means a properly completed and validated "dog license application" issued by the City and/or North Utah Valley Animal Services.
 18. "Domesticated animal" means any animal accustomed to live in or about the habitation of man, including but not limited to cats, dogs, and fowl.
 19. "Enclosure" means, for purposes of this Title, a fenced area without a roof capable of restraining or confining animals or livestock including, corrals, pastures, a kennel, pen, or cage.
 20. "Exotic Animal" means an animal of foreign origin introduced from abroad and commonly domesticated, but not commonly raised within Lindon City. These animals shall include but not be limited to:
 - a. Camel;
 - b. Emu;
 - c. Peacock;
 - d. OstrichFor purposes of this ordinance, bees and other animals specifically permitted within this title are not considered exotic animals.
 21. "Goat" means any agile, sure-footed, hollow-horned ruminants of the genus *Capra*, of the family *Bovidae*, of either sex, closely related to the sheep, found native in rocky and mountainous regions, and widely distributed in domesticated varieties.
 22. "Guard Dog" means a working dog which must be kept in a fenced area or other suitable structure during business hours, on leash, or under restraint while working, so it cannot come into contact with the public.
 23. "Hog" means, for purposes of this Title, a hoofed mammal of the family *Suidae*, limited to domesticated swine, *Sus scrofa* (commonly referred to as 'pig').
 24. "Horse" means, for purposes of this Title, a domesticated solid-hoofed herbivorous quadruped (*Equus caballus*), typically used for draught work and riding, or other ungulates belonging to the family *Equidae*, including the donkey, ass, and mule.
 25. "Impounded animal" means any animal taken into custody by the City as provided in this title.
 26. "Inspector" (see Animal control officer).
 27. "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.
 28. "Leash" means any rope, leather strap, chain or other material capable of restraining the animal to which it is tied.
 29. "Licensed dog" means a dog wearing its current dog license tag as required by this Title.

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30. "License Tag" means a piece of metal or other durable material inscribed with a date and number which has been issued by the City.
31. "Livestock" means, for the purposes of this Title, one or more domesticated animals raised to produce commodities such as food, fiber and labor, including but not limited to poultry, cattle, horses, sheep, hogs, fish, goats, and rabbits.
32. "Neutered" means having had the testicles removed; a castrated animal.
33. "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.
34. "Pasture" means a fenced area of land covered with at least 50% grass or other living vegetation used or suitable for the grazing of livestock. Fenced areas consisting of dirt or void of living vegetation (less than 50%) are not considered pasture for the purposes of this Title.
35. "Poisonous" means full of or containing poison; a fluid, secretion, or other substance which can be ingested, inhaled, absorbed, applied, injected, or developed in the body which is capable of illness, injury, or death.
36. "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.
37. "Ram" means a non-castrated adult male sheep.
38. "Reasonable" means having modest or moderate expectations; not making unfair demands; the determination of circumstances as seen by a hypothetical person in society who exercises average care, skill, and judgment in a sensible manner.
39. "Sheep" means any of numerous ruminant mammals of the genus *Ovis*, specifically *Ovis aries*, of the family Bovidae, and bred in a number of domesticated varieties primarily raised for their wool and meat.
40. "Sow" means a female adult hog.
41. "Spayed" means having had the ovaries and uterus removed or extirpated; an ovariectomy.
42. "Stallion" means a non-castrated adult male horse.
43. "Structure" means something built or constructed which supports a roof and may have walls, floors, or support columns.
44. "Venomous" means full of or containing venom; a type of poisonous or otherwise harmful secretion of an insect or animal usually transmitted by injection through a bite or sting.
45. "Vicious Animal:"
- 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
 - Which attacks a human being or other domestic animal without provocation; or
 - Which is trained or used as a fighting animal.
 - This provision shall not apply to police service dogs owned or used by a government entity.
46. "Weaned" means, for the purposes of this Title, the act of removing a young animal from its mother to be raised independently from its parent.
47. "Wild Animals" means any animals of a species that are untamed and in their natural life are feral (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:
- Alligators and crocodiles;
 - Bears (*Ursidae*). All bears, including grizzly bears, brown bears, black bears, etc;
 - Bison (*buffalo*);
 - Cat family (*Felidae*). All except the commonly accepted domesticated cats, and including cheetah, cougar, leopard,

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lion, lynx, panther, mountain lion, tiger, bobcat, etc;

- e. Deer, elk, moose, antelope, caribou or similar variety of wild ruminant artiodactyl mammal of the family Cervidae.
- f. Dog family (Canidae). All except domesticated dogs and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.
- g. Porcupine (Erethizontidae);
- h. Primate (Non-Human). All subhuman primates.
- i. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ringtail cat, etc;
- j. Skunks;
- k. Venomous fish and piranha;
- l. Venomous snakes, amphibians, and lizards;
- m. Weasels (Mustelidae). All including weasels, martens, wolverines, badgers, otters, ermine, mink, mongoose, etc;

For purposes of this ordinance, bees and other animals specifically permitted within this title are not considered wild animals.

(Ord. 99-17, Add, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

Section 6.04.010 Animal control officer-- Authority.

In the performance of his/her 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) (Ord. 2012-16, amended 12/18/12)

Section 6.04.020
Ord. 2012-16, Removed 12/18/12 (Ord. No. 94 (part), 1982; prior code §2.24,

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 Title. (Ord. 94 (part), 1982; prior code §2-2(C).) (Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

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/her 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 prosecuted under applicable state law or local ordinance. (Ord. No. 94 (part), 1982; prior code

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§2-2(E).(Ord. 99-17, Amended, 02/16/2001)
(Ord. 2012-16, Amended 12/18/12)

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/her 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) (Ord. 2012-16, Amended 12/18/12)

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 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 this Title 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) (Ord. 2012-16, amended 12/18/12)

Section 6.04.100 Violation--Penalty.
1. Unless otherwise indicated by applicable Utah State law, any person violating any of

the provisions of this Title 6 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. Each day that any violation continues after notification by the Animal Control Officer or his agent that such violation exists shall be considered a separate offense.

(Prior code §2-2(G).) (Ord. 97-1, Amended, 08/16/2000) (Ord. 2012-16, amended 12/18/12)

Chapter 6.08

ANIMAL REGULATIONS GENERALLY

Sections:

6.08.010	Conditions of animal ownership.
6.08.015	Exemption of certain household pets
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	Animals at large
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 such owners and keepers comply with such conditions or they may be subject to violation and penalties as outline in this Title:

1. Animals shall be restrained or confined as required by law.
2. Animals shall be humanely treated at all times.

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3. Vaccinations, licenses, and permits shall be obtained as required by law.
4. Animal premises shall be kept reasonably sanitary and shall not constitute a substantial fly breeding reservoir, source of unreasonable odors uncommon to the keeping of said animals 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 as defined within this Title, 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) (Ord. 2012-16, amended 12/18/12)

6.08.015 Exemption of certain household pets

Except for animals specifically listed in this title, other household pets commonly found and legally sold within local pet stores and generally kept indoors for personal use (not raised commercially) shall be humanely treated and cared for, but are not otherwise intended to be regulated by this title. These animals include, but are not limited to: non-venomous arachnids, snakes, amphibians, and other reptiles; birds; rodents; insects; and fish. These types of animals must be contained by the owner and shall not be permitted to create a nuisance per LCC Title 8. (Ord. 2012-16, amended 12/18/12)

Section 6.08.020 Disturbing the peace.

Lindon City recognizes that the keeping of animals and livestock is inherently associated with odors, animal excrete, flies, and some noises. Unless otherwise stated within this Title, a reasonable level of tolerance will be permitted for these inherent characteristics such as odors, flies, and animal noises that are common to the keeping of animals and livestock in order to protect, preserve, and maintain the rights of land owners to raise animals on their properties.

No person shall own or harbor an animal in such a manner that 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, or creation of excessively unreasonable odors uncommon to the keeping of said animals, or shall cause other unreasonable annoyance or discomfort to any reasonable 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 reasonably expected noises, flies, or odors customary to the keeping of animals emanating from legally operated dog and cat hospitals, humane societies, pounds, commercial farm, dairy, and/or other 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 excessively unreasonable fouling of the air by odor not otherwise customary to the keeping of such animal;
 - d. Causes unreasonable unsanitary conditions in enclosures or surroundings, whether public or private, not otherwise customary to the keeping of such animal;
 - e. Barks, whines, brays, crows, whinnys, or howls, or makes other disturbing noises in an excessive, continuous, or untimely fashion;
 - i. Excessive, continuous or untimely noises shall be defined for purposes of this section as barking, baying, crying, howling, braying, crowing, whinnying, 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

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night regardless of whether the animal is physically situated in or upon private property; provided, however, that a dog shall not be deemed a nuisance 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, bicyclists, or pedestrians;
- 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) (Ord. 2012-16, amended 12/18/12)

Section 6.08.030 Inspections and enforcement - public nuisance

The Animal Control Officer shall investigate all citizen complaints concerning Public Nuisances under Title 6 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 Animal Control Officer shall enter findings and issue an enforcement order to the responsible person to remedy the violation. (Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

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. If after following a reasonable investigation a responsible owner cannot be identified, 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) (Ord. 2012-16, amended 12/18/12)

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 forty-eight (48) 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 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. Each day that a violation of this Section continues after notification by the Animal Control Officer or his agent that such violation exists shall be considered a separate offense. (Ord. No. 94 (part), 1982, prior code §2-15.)(Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

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

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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 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 Animals at large

1. It is unlawful for any person owning or having the custody, possession, or control of any animal to allow, either negligently or with specific intent, the animal to run at large.
2. All fencing of property where animals 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 create 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) (Ord. 2012-16, Amended 12/18/12)

Section 6.08.130
(Ord. 2012-16, Removed 12/18/12) (Ord. 99-17, Add, 12/16/01)

Section 6.08.140 Electric fencing
In no case shall electric fencing be the sole

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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.
- 6.12.080 Dogs at large
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- 6.12.100 Possession of vicious dog or cat
- 6.12.110 Posting of a notice to beware
- 6.12.120 Prohibited in public place
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- 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 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 North Utah Valley Animal Services (NUVAS) upon payment by the applicant of a

fee as established by NUVAS. Said payments may be paid by the applicant to the office of the city treasurer or directly to NUVAS. (Ord. 94 (part), 1982: prior code §2-3 (B).)(Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

Section 6.12.030 License--Term.

License fees provided in Section 6.12.020 shall cover a period of one year from the date of purchase, or other period of time set forth by NUVAS. (Ord. No. 94 (part), 1982: prior code §2-3 (C).)(Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

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 one year from the date of purchase, or other period of time set forth by NUVAS and may be delinquent or subject to the penalties hereinafter provided if unpaid on or before one year from the date of purchase or other period of time set forth by NUVAS. Upon failure to pay the license fee provided in Section 6.12.020 on or before one year from the date of purchase or other period of time set forth by North Utah Valley Animal Services, a late fee may be added to the license fee. Dogs turning four (4) months old or a newly acquired dog must be licensed within thirty (30) 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 thirty (30) days after bringing said dogs into the city. Unexpired tags from another city within Utah County 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) (Ord. 2012-16, amended 12/18/12)

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

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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 under restraint as defined by this Title. 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) (Ord. 2012-16, amended 12/18/12)

Section 6.12.080 Dogs at large

1. It is unlawful for the owner or person having 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 participating in field trials and obedience classes, 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) (Ord. 2012-16, amended 12/18/12)

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 violation(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)

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Section 6.12.120 Prohibited in public buildings

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 disabled, 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) (Ord. 2012-16, amended 12/18/12)

Section 6.12.130 Female dog or cat in heat

Dog and cat owners shall securely confine their female dogs and cats while in heat within a building or secure enclosure. (Ord. 94 (part), 1982: prior code §2-13.)(Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

Section 6.12.140 Emergency proclamation power of mayor

The mayor, upon reasonable apprehension of danger from mad or rabid dogs, may issue a 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 willfully 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) (Ord. 2012-16, amended 12/18/12)

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 therefore 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
Notwithstanding the penalties set forth in Section 6.04.100 any person violating any of the provisions of

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Chapter 12 of this Title shall be guilty of an infraction. Each day that a violation of this Section continues, after notification by the Animal Control Officer or his agent that such violation exists, shall be considered a separate offense.

(Ord. 97-1 §8) (Ord. 99-17, Add, 02/16/2001)

Chapter 6.16

WILD AND EXOTIC ANIMALS

Sections:

6.16.010	Wild and exotic animals
6.16.015	Conditional use required
6.16.017	Prohibited animals
6.16.019	Prior animal uses
6.16.020	Repealed by Ord. 99-17
6.16.020	State licenses & rules

Section 6.16.010 Wild and exotic animals
It is unlawful for any person to sell, offer for sale, barter, give away, keep, own, harbor, or purchase any wild or exotic animal, as defined by this Title, except for governmental agencies or otherwise as provided for by state or federal regulations or as permitted by issuance of a conditional use permit as allowed for within this chapter. (Ord. 99-17, Amended, 02/16/2001)
(Ord. 2012-16, amended 12/18/12)

Section 6.16.015 Conditional use required

1. Wild and exotic animals, as defined in this title, shall only be authorized in Lindon City by issuance of a conditional use from the Planning Commission. Conditional uses shall be regulated according to Chapters 17.20 – 17.24 of Lindon City Code.
2. The potential allowance of wild and/or exotic animal species and the quantities of said species are subject to approval on a case-by-case basis. Conditions of approval may be imposed by the Planning Commission as deemed necessary to protect the public health, safety, and welfare including, but not limited to, increased setbacks, fencing, size and type of enclosure or structure, etc. (Ord. 2012-16, Adopted 12/18/12)

Section 6.16.017 Prohibited animals
Some wild and/or exotic animals are strictly

prohibited and shall not be permitted within Lindon City. 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, bobcat, etc;
- d. Dog family (Canidae). All except domesticated dogs and including wolf, part wolf, fox, part fox, coyote, part coyote, dingo, etc.
- e. Primate (Non-Human). All subhuman primates.
- f. Raccoon (Procyonidae). All raccoons, including eastern raccoon, desert raccoon, ringtail cat, etc;
- g. Venomous fish and piranha;
- h. Venomous snakes, amphibians, and lizards;
- i. Other venomous or poisonous animals;
- j. Other animals as prohibited by state or federal regulations;
- k. Other animals as prohibited by the Planning Commission.
(Ord. 2012-16, Adopted 12/18/12)

Section 6.16.019 Prior animal uses
The keeping of any wild or exotic animal which existed prior to October 1, 2012 may be continued, except that if the use is discontinued for one (1) year or more it shall then be deemed abandoned and any future keeping of wild or exotic animals shall be in conformity with this Title.
(Ord. 2012-16, Adopted 12/18/12)

Section 6.16.020 State licenses & rules
The keeping of any wild or exotic animal within Lindon City shall be in conformance with license and regulations required within Utah Administrative Code, Rule R657-3 as presently constituted or as may be amended from time to time.
(Ord. 2012-16, Adopted 12/18/12)

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Chapter 6.20

RABIES

Sections:

- 6.20.010 Vaccination of dogs required.
- 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 Euthanisation
- 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 Euthanisation

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 ten (10) 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) (Ord. 2012-16, amended 12/18/12)

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.

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6.24.060 Destruction of dogs running at large.

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 valid 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) (Ord. 2012-16, amended 12/18/12)

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 valid 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 valid 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)

(Ord. 2012-16, amended 12/18/12)

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. (Ord. 94 (part), 1982: prior code 2.34 (A).)(Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

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 fee for the conditional use permit shall be set on the city fee schedule. (Ord. No. 94 (part), 1982, prior code §2-34 (C).)(Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12).

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 and/or structures 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)
(Ord. 2012-16, amended 12/18/12)

Section 6.28.050 Conditional use permit.
The city, acting through the animal control officer or Planning Commission, shall have the power to revoke the permit in the event the kennel is determined to be disturbing the peace as a result of barking dogs or is found to be in violation of any other provision of this title. (Ord. 94 (part), 1982: prior code §2-34 (E).) (Ord. 2012-16, amended 12/18/12)

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 number of animals.
6.32.020	Responsibility of owner.
6.32.040	Agricultural accessory buildings—Barns, structures
6.32.050	Corrals & animal enclosures
6.32.060	Agricultural accessory buildings construction

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6.32.070 Liability of city
6.32.080 Repealed by Ord. 99-17

Section 6.32.010 Lot size and permitted number of animals

The keeping of animals and livestock is permitted in all zones within the City subject to the following:

1. The number and type of animals allowed and minimum area required per animal are set forth in Table 6.32.010(a) through Table 6.32.010(c).
2. The limitations on numbers of animals apply only to weaned animals (as defined in this Title) kept on a continuous basis of no more than one 120 hour period within a 30-day period (excepting kennels, veterinary clinics, or similar commercial uses that harbor animals).
3. The age of weaned animals (as defined in this Title) is identified in Table 6.32.010(d) - Weaned Ages. Animals older than the weaned ages identified in this table will be counted towards the total allowed number of animals permitted on any lot as listed in Table 6.32.010(a) through Table 6.32.010(c).

The allowance of any type of animal not listed within this chapter, or granting of an exception to the number of animals permitted, requires approval by the Planning Commission by issuance of a conditional use permit. Conditions may be imposed to protect the health, safety, and welfare of the public including, but not limited to, increased setbacks, fencing, size and type of enclosure or structure, etc. (Ord. 2012-16, Adopted 12/18/12)

Section 6.32.020 Responsibility of owner.
The owner of every animal shall be responsible for adequate care for the animal involved. Any corral, pen, coop, stall, hutch, agricultural accessory building or other animal enclosures shall be maintained so as to be moderately free of excrete and treated for elimination of flies as necessary. Adequate ventilation shall be provided. Each animal shall have sufficient space to stand up, lie down and turn around without

touching the sides or top of an enclosure or structure, and shall be provided with enclosures meeting the minimum square footage requirements per animal as listed in Table 6.32.010(a) through Table 6.32.010(c). Fresh water and adequate fresh feed are to be available at all times.

(Ord. No. 94 (part), 1982: prior code §2-36.)
(Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

Section 6.32.030

(Ord. 2012-16, Removed 12/18/12)(Ord. No. 94 (part), 1982, prior code §2-38(Ord. 99-17, Amended, 2/16/01)

Section 6.32.040 Agricultural accessory buildings—Barns, structures

For purposes of this Title, the following standards apply to agricultural accessory buildings:

1. Setbacks: Barns, stables, roofed stalls, shade structures, or other buildings and/or structures associated with the raising or containment of animals, must be located a distance of thirty (30) feet from public road or highway, fifty (50) feet from any primary residence 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.
2. Agricultural accessory buildings shall also meet any required setbacks of the zone in which they are constructed.
3. Exceptions: Structures used for the raising, containment or shelter of animals that are ten (10) square feet or less (i.e., a dog house or rabbit hutch) and within a fully fenced yard area are exempted from the setback provisions listed in section 1 above, but shall meet any required setbacks of the zone in which it is constructed.
4. Pre-existing uses: Encroachment on the setbacks listed above by new residential additions or other residential uses shall not negate or prohibit the continued use of preexisting barns, stalls, or other structures associated with the raising or containment of

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animals. Furthermore, preexisting structures, uses and animal rights identified in this chapter are entitled to repair, maintenance, and replacement. Rights to utilize said structures and uses shall not expire and are specifically exempted from becoming a non-conforming use as set forth in Chapter 17.16 of the Lindon City Code. (Ord. 94 (part), 1982; prior code §2-39 (A).) (Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

Section 6.32.050 Corrals & animal enclosures

For purposes of this Title, the following standards apply to corrals and animal enclosures:

1. Setbacks: Corrals and animal enclosures, including pastures, must be located a distance of five (5) feet from any public road or highway, and shall meet the following criteria:
 - a. On lots less than 20,000 sq/ft in size, corrals and animal enclosures (except for pastures as defined by this Title) for small animal species as permitted in this Title, dogs, and cats shall be set back a minimum of twenty-five (25) feet from any primary residence located on separate adjoining lots.
 - b. On lots 20,000 sq/ft or larger in size, corrals and animal enclosures (except for pastures as defined by this Title) for all animals shall be set back a minimum of fifty (50) feet from any primary residence located on separate adjoining lots.
2. Exceptions: Enclosures used for the raising or containment of animals that are ten (10) square feet or less and within a fully fenced yard area are exempted from the setback provisions listed in section 1(a) and 1(b) above.
3. Pre-existing uses: Encroachment on the setbacks listed above by new residential additions or other residential uses shall not negate or prohibit the continued use of preexisting corrals, pastures, agricultural accessory buildings or other enclosures associated with the raising or containment of animals. Furthermore, preexisting corrals, pastures, agricultural accessory buildings or

other enclosures, uses and animal rights identified in this chapter are entitled to repair, maintenance, and replacement. Rights to utilize said enclosures, structures, and uses shall not expire and are specifically exempted from becoming a non-conforming use as set forth in Chapter 17.16 of the Lindon City Code.

4. Fencing: All corral, enclosure, and pasture fencing shall be constructed to protect adjoining yard fencing from possible animal damage.

(Ord. No. 94 (part), 1982, prior code §2-39 (B).) (Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

Section 6.32.060 Agricultural accessory buildings construction

The construction of agricultural accessory buildings, or buildings associated with the raising or containment of 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 any required building permit.

(Ord. 99-17, Amended, 02/16/2001) (Ord. 2012-16, amended 12/18/12)

Section 6.32.070 Liability of city

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

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

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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 zone.

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

1. No person shall keep, maintain or harbor pigeons unless the pigeons are approved by issuance of a conditional use permit and 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 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 reasonably clean, sanitary and wholesome manner at all times and shall be subject to periodic inspection by the animal control officer.
3. 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. 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.
4. All pigeons shall be fed within the confines of the loft in which such pigeons are housed and contained.

5. Pigeons shall be permitted to exercise and fly only under control of the owner or representative of the owner.
6. All pigeon lofts shall be so enclosed as to prevent the pigeons from escaping from the confines of said loft.
7. Housing of pigeons shall not be permitted in a dwelling house.
8. All grains and food stored for the use and feeding of such pigeons shall be kept in a rodent-proof container.
9. Additional restrictions and requirements may be required for the issuance of a conditional use permit. (Ord. 175 §2, 1990.)
10. 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) (Ord. 2012-16, amended 12/18/12)

Chapter 6.35

BEEKEEPING

Sections:

6.35.010	Purpose
6.35.020	Definitions
6.35.030	Certain Conduct Unlawful
6.35.040	Number of Hives
6.35.050	Beekeeper Registration
6.35.060	Species Allowed
6.35.070	Hives
6.35.080	Flyways
6.35.090	Water
6.35.100	Beekeeping Equipment
6.35.110	Violation and Penalty

Section 6.35.010 Purpose
Lindon City realizes that beekeeping provides an important pollination service and food source to the community. The purpose of this chapter is to authorize beekeeping within Lindon City subject to certain requirements intended to diminish the potential for bees to become a nuisance or hazard to neighboring properties. (Ord. 2012-16, adopted 12/18/12)

Section 6.35.020 Definitions
For the purposes of this chapter, certain terms used herein are defined as follows:

1. Apiary: Any place where one (1) or

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permanent obstruction, and must extend at least ten (10) feet along the property line beyond the hive in each direction so that honeybees are forced to fly to an elevation of at least six (6) feet above ground level over property lines in the vicinity of the apiary. Such flyway may not violate any other provision of Lindon City Code. (Ord. 2012-16, adopted 12/18/12)

Section 6.35.090 Water
Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by honeybees seeking water on neighboring property. (Ord. 2012-16, adopted 12/18/12)

Section 6.35.100 Beekeeping Equipment
Each beekeeper shall ensure that no bee comb or other beekeeping equipment is stored, abandoned, or disposed of in a location or manner that attracts bees and causes a nuisance to other properties. (Ord. 2012-16, adopted 12/18/12)

Section 6.35.110 Violation and Penalty
The keeping of honeybees in violation of this chapter is prohibited. Any violation of this section shall be a criminal misdemeanor pursuant to Lindon City Code 6.04.100. (Ord. 2012-16, adopted 12/18/12)

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Table 6.32.010(a) – Dog and cat restrictions, regardless of lot size.*

<u>Animal</u>	<u>Maximum Quantity</u>	<u>Minimum enclosure area per animal</u>
Dogs	3	25 sq/ft
Cats	3	5 sq/ft

*See Chapter 6.28 (Kennels) for allowance of additional dogs or cats.

(Ord. 2012-16, adopted 12/18/12)

Table 6.32.010(b) – Animal restrictions on lots less than 20,000 sq/ft

In addition to dogs and cats, one type of the following ‘small animal species’ in the quantity specified is permitted per lot except as explained below for keeping of multiple species.

<u>Small animal species</u>	<u>Maximum Quantity[†]</u>	<u>Minimum enclosure area per animal</u>
Pigeons (permit required per LCC 6.34)	50	See LCC 6.34
Chickens (Only one rooster permitted per every seven (7) hens)	50	5 sq/ft
Ducks	12	5 sq/ft
Pheasants	50	5 sq/ft
Rabbits	20	5 sq/ft
Turkeys	12	6 sq/ft
Quail	100	1 sq/ft
Goat (neutered male or female only)	2	36 sq/ft
Sheep (neutered male or female only)	2	36 sq/ft
Pot-bellied Pig	1	25 sq/ft

[†]Multiple Animal Species: The quantity of animals above shall be reduced by 15% per species if the property owner desires to keep more than one species of permitted animals. Example: If two species listed above are desired, then the maximum quantity of each species shall be reduced by 30%. If three species are desired, then the quantity of each species shall be reduced by 45%, four species reduced by 60%, and so forth, but in no case shall the maximum quantity of animals calculated be less than one (1). Calculations shall round up to the nearest whole number. A maximum of six

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(6) small animal species as listed above is permitted per lot. Multiple combination of the same species is prohibited. See 'Multiple Species Calculation Charts' below.

(Ord. 2012-16, adopted 12/18/12)

Table 6.32.010(c) – Animal restrictions on lots 20,000 sq/ft or greater.

In addition to dogs and cats, one type of the following 'small animal species' in the quantity specified and one type of the following 'large animal species' in the quantity specified is permitted per lot, except as explained below for keeping of multiple species. For larger lots, animal quantities may increase by 50% for every additional 10,000 sq/ft of land area up to 49,999 sq/ft. For lots 50,000 sq/ft or greater the animal quantities may increase by 25% for every additional 10,000 sq/ft of land area. Calculations shall round up to the nearest whole number.

*No increase is permitted in the number of pigeons regardless of lot size.

<u>Small animal species</u>	<u>Maximum Quantity[†]</u>	<u>Minimum enclosure area per animal</u>
Pigeons* (permit required per LCC 6.34)	50	See LCC 6.34
Chickens (Only one rooster permitted per every seven (7) hens)	75	5 sq/ft
Ducks	18	5 sq/ft
Pheasants	75	5 sq/ft
Rabbits	30	5 sq/ft
Turkeys	18	6 sq/ft
Geese	18	6 sq/ft
Quail	300	1 sq/ft
Goats (neutered male or female only)	8	36 sq/ft
Sheep (neutered male or female only)	8	36 sq/ft

[†]Multiple Small Animal Species: The quantity of small animal species above shall be reduced by 15% per species if the property owner desires to keep more than one species of small animals. Example: If two species listed above are desired, then the maximum quantity of each species shall be reduced by 30%. If three species are desired, then the quantity of each species shall be reduced by 45%, four species reduced by 60%, and so forth. However, in no case shall the maximum quantity of animals calculated be less than one (1). Calculations shall round up to the nearest whole number. A maximum combination of six (6) small animal species is permitted per lot. Multiple combination of the same species is prohibited. See 'Multiple Species Calculation Charts'.

<u>Large animal species</u>	<u>Maximum Quantity^{††}</u>	<u>Minimum enclosure area per animal</u>
Cattle	2	250 sq/ft
Horses	4	144 sq/ft
Hogs & Pigs	2	25 sq/ft
Llamas & Alpacas	4	64 sq/ft
Rams, stallions, or bulls (permitted by conditional use permit only)	Limited to total quantity listed for animal type above.	See animal type above.

^{††}Multiple Large Animal Species: The quantity of large animal species above shall be reduced by 25% if the property owner desires to keep two species of permitted animals. If three species are desired, then the quantity of species shall be reduced by 50%. However, in no case shall the maximum quantity of animals calculated be less than one (1). Calculations shall round up to the nearest whole number. A maximum combination of three (3) large animal species as listed above is permitted per lot. Multiple combination of the same species is prohibited. See 'Multiple Species Calculation Charts'.

(Ord. 2012-16, adopted 12/18/12)

Table 6.32.010 – weaned ages

<u>Animal</u>	<u>Weaned Ages</u>
Chickens	2 weeks
Ducks	2 weeks
Pheasants	2 weeks

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Rabbits	1 month
Turkeys	2 weeks
Geese	2 weeks
Quail	2 weeks
Goats	3 months
Cattle	6 months
Sheep	3 months
Horses	6 months
Hogs & Pigs	6 weeks
Llamas & Alpacas	3 months
Dogs & Cats	4 months

(Ord. 2012-16, adopted 12/18/12)

Multiple Species Calculation Charts

Lots less than 20,000 sq/ft (Small Species)	One species	Two species	Three species	Four species	Five species	Six species
Chickens (only one rooster permitted for every 7 hens)	50	35	28	20	13	5
Ducks	12	9	7	5	3	2
Pheasants	50	35	28	20	13	5
Rabbits	20	14	11	8	5	2
Turkeys	12	9	7	5	3	2
Quail	100	70	55	40	25	10
Goats (neutered male or female only)	2	2	2	1	1	1
Sheep (neutered male or female only)	2	2	2	1	1	1
Pot-bellied Pig	1	1	1	1	1	1
Pigeons	50	35	28	20	13	5

20,000 – 29,999 sq/ft (Small Species)	One species	Two species	Three species	Four species	Five species	Six species
Chickens (only one rooster permitted for every 7 hens)	75	53	42	30	19	8
Ducks	18	13	10	8	5	2
Pheasants	75	53	42	30	19	8
Rabbits	30	21	17	12	8	3
Turkeys	18	13	10	8	5	2
Geese	18	13	10	8	5	2
Quail	300	210	165	120	75	30
Goats (neutered male or female only)	8	6	5	4	2	1

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Sheep (neutered male or female only)	8	6	5	4	2	1
Pigeons	50	25	17	13	6	3
(Large Species)						
Cattle	2	2	1			
Horses	4	3	2			
Hogs & Pigs	2	2	1			
Llamas & Alpacas	4	3	2			

30,000 – 39,999 sq/ft (Small Species)	One species	Two species	Three species	Four species	Five species	Six species
Chickens (only one rooster permitted for every 7 hens)	113	79	62	45	29	12
Ducks	27	19	15	11	7	3
Pheasants	113	79	62	45	29	12
Rabbits	45	32	25	18	12	5
Turkeys	27	19	15	11	7	3
Geese	27	19	15	11	7	3
Quail	450	315	248	180	113	45
Goats (neutered male or female only)	12	9	7	5	3	2
Sheep (neutered male or female only)	12	9	7	5	3	2
Pigeons	50	25	17	13	6	3
(Large Species)						
Cattle	3	3	2			
Horses	6	5	3			
Hogs & Pigs	3	3	2			
Llamas & Alpacas	6	5	3			

For lots 40,000 sq/ft or larger, check with the Planning Department for maximum animal quantities.
(Ord. 2012-16, adopted 12/18/12)