

Chapter 3

DOGS

2-3-1. Tag and Collar.

Every owner shall be required to provide each dog with a collar to which an identification tag must be affixed. He shall see to it that the collar and tag are constantly worn. Every owner shall be required to obtain said identification tag from the Town Treasurer by paying for such identification tags. The fee for an identification tag shall be as follows:

Male and Spayed Female	<del>\$1.50</del>	10. <sup>00</sup>
Female (Unspayed)	<del>\$5.00</del>	40. <sup>00</sup>
male	20. <sup>00</sup>	

Said fee shall be paid on or before February first of each year, and all dogs acquired after February first of each year shall be registered within ten days after such acquisition.

The application for an identification shall contain the name of the owner, his address, a description of the dog, and a statement of its sex.

Identification tags shall not be transferrable from one dog to another and no refund shall be made on any dog license for any reason whatsoever.

2-3-2. Impounding Unregistered Dogs.

It shall be the duty of the Pound Keeper to catch and impound all dogs not wearing a suitable collar or harness on which is attached the identification tag issued upon said dog or all dogs running at large or in violation of this ordinance. Any dog so impounded shall be released to the owner at any time within five days upon payment to the Town Treasurer or Pound Keeper for a fee of five dollars (\$5.00). Any dog not redeemed within five days after being so impounded shall be sold or destroyed in a humane manner.

2-3-3. Female in Heat.

The owner of female dog shall cause such dog, when in season, to be penned or enclosed in such a manner as to preclude other dogs from attacking such female dog or being attracted to such female dog so as to create a public nuisance.

2-3-4. Barking Dogs.

It shall be unlawful for any person to own, keep or harbor within the limits of Town of Kanosh, any dog which by barking, howling or yelping disturbs the quiet of any neighborhood or person.

2-3-5. Fierce, Dangerous Dog.

It shall be unlawful for any person to keep, own or possess a fierce, dangerous, vicious or mischievous dog within the limits of Town of Kanosh. The police of said Town are hereby authorized to kill all fierce, dangerous, vicious, or mischievous dogs found within the limits of said Town.

ESTRAYS

2-4-1. Impounding and Disposal of Estrays, Generally.

It is hereby made the duty of the Town Pound Keeper to take into his possession and impound all estrays running at large, and to dispose of the same as hereinafter provided. Whenever the word "estray" appears in this chapter, it is defined to mean any valuable animal, except dogs or cats, not wild, found wandering from its owner.

2-4-2. Notice of Taking and of Sale.

Within three days after any estrays shall come into the possession of the Pound Keeper he shall advertise the same in a newspaper published in the county, if there is one having general circulation in the county, by publishing a notice in at least one issue of such paper, at least five days before the sale and by posting notices for a period of ten days in three public places in the Town, one of which places shall be at or near the post office. He shall immediately deliver a copy of such notice to the County Clerk, or mail the same to him by registered letter. The County Clerk shall upon receipt of the said notice file and preserve the same in his office for a period of six months thereafter, and shall immediately post a copy thereof at the front door of the county courthouse. The notice shall be open during reasonable hours for inspection by the public free of charge. The notice herein provided for shall contain a description of the animals, including all marks and brands, the time when taken, and the day, hour, and place of sale, and may be substantially in the following form:

NOTICE

State of Utah, County of Millard,

In Town of Kanosh,

I have in my possession the following described estray animals which, if not claimed and taken away, will be sold at public auction to the highest cash bidder at the town pound in Town of Kanosh, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_.

(Description of Animals)

Said estrays were taken by me in said town on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Town Pound Keeper of  
Town of Kanosh, Utah

**2.4-3. Return to Owner on Payment of Costs—Sale.**

If any time before the sale of the estrays, such animals shall be claimed and proved to be the property of any person, the Pound Keeper shall deliver them to the owner upon receiving from him the costs of impounding, keeping and advertising the same. If the animals are not so claimed and taken away, he shall, at the time, and place mentioned in the notice, proceed to sell the same, one at a time, to the highest bidder, and shall execute and deliver a Bill of Sale transferring said animals to the purchasers thereof, which Bill of Sale shall be substantially as follows:

**BILL OF SALE**

I hereby certify in pursuance of the law regulating the disposal of estrays and trespassing animals, I have this day sold to \_\_\_\_\_ of \_\_\_\_\_, for the sum of \$ \_\_\_\_\_, he being the highest bidder, \_\_\_\_\_ head of \_\_\_\_\_ branded with the town estray brand and otherwise described as follows, to-wit:

(Description of animals)

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
Town Pound Keeper  
Town of Kanosh  
State of Utah

The Pound Keeper shall immediately file a copy of such Bill of Sale with the County Clerk or forward the same to him by registered mail. The copy so filed with the Clerk shall be preserved for a period of two years and shall be open to inspection during all reasonable hours without charge. Such Bill of Sale shall transfer and vest such purchaser the full title to the animals thus sold.

**2-4-4. Record of Estrays.**

The Pound Keeper shall keep an accurate record of all estrays received by him, their age, color, sex, marks, and brands, the time and place of taking and the expense of keeping and selling the same, all animals claimed and taken away, all animals sold and to whom sold and the amount paid, all moneys paid to owners after sale, all moneys paid into the town treasury, and all other matters necessary to a compliance with the provisions of this chapter. The Board of Trustees shall provide the Town Pound Keeper with a suitable book in which shall be entered the records required by law to be kept by the Pound Keeper. Such records shall be open to the inspection of the public at all reasonable hours, and shall be deposited by the Pound Keeper with his successor in office.

**2-4-5. Owner Entitled to Residue of Proceeds.**

If any estrays sold under the provisions of this Chapter shall, within a period of six months immediately ensuing after the date of the sale thereof, be claimed and proved to be the property of any person, it shall be the duty of the Town Treasurer at the expiration of such time to pay the money received for such animals to the owner thereof, less the amount of taking, keeping, and selling the same? but in the event such animals are not claimed as aforesaid, then such money shall become the property of the town; provided, that in case there is a contest between two or more persons claiming to be the owners of any such animals, the Town Treasurer shall pay the residue to the party who shall establish by action his right to the same.

**2-4-6. Retaking Animal Unlawfully.**

It shall be unlawful for anyone to take any animal out of the possession of anyone lawfully holding the same under the provisions of this chapter, either by stealth, force, fraud, or to intercept or hinder any person lawfully taking up or attempting to take up such animals.

**2-4-7. Pay Over Money.**

It shall be the duty of the Town Pound Keeper to turn into the Town Treasurer on or before the fifth day of each month all net proceeds in money received by him by virtue of said office, during the preceding month.

TITLE 2  
ANIMALS AND FOWL

Chapter 1

GENERAL PROVISIONS

**2-1-1. Pound Keeper Established.**

There is hereby established the office of Town Pound Keeper, which shall be held by such person as the Board of Trustees appoints.

**2-1-2. Duties of Pound Keeper.**

The Pound Keeper shall perform the following duties:

- a. Carry out and enforce the provisions of this title.
- b. To impound all strays running at large and dispose of the same as hereinafter provided.
- c. To enforce the licensing of all dogs within the town limits as hereinafter provided.
- d. He shall provide for a good and sufficient pound in which all animals duly committed to his charge or otherwise impounded by him shall be maintained.

**2-1-3. Interference with Officer Prohibited.**

It shall be unlawful for any person to interfere, molest, hinder, or obstruct the Pound Keeper or any of his authorized representatives in the discharge of their duties as herein prescribed.

**2-1-4. Fees.**

The Pound Keeper shall charge and the owners of animals taken into his possession for impound disposal or other services shall pay such fees and charges performed by the Pound Keeper as the Board of Trustees shall establish from time to time by resolution.

**2-1-5. Penalty.**

Any person violating any of the provisions of this title upon conviction thereof, shall be punished by a fine not exceeding ninety-nine dollars (\$99.00); or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

CARE AND KEEPING

2-2-1. Animals at Large.

No cattle, horses, mules, sheep, goats, or swine shall be allowed to run at large or to be herded, picketed, or staked out upon any street, sidewalk, or other public place within the limits of the Town, and all such animals so found may be impounded. Nothing herein contained shall be so construed as to prevent any person from driving milk cows, horses, mules, or other animals from outside Town limits to any enclosure within the Town limits or from any enclosure in the Town to a place outside the Town or from one enclosure to another within limits of the Town.

No livestock shall be allowed on Main Street except to cross such street.

Every person being the owner of or having charge of any such animal who shall knowingly and intentionally allow the same to be at large upon the streets, alleys, or public grounds of the Town is guilty of a misdemeanor.

2-2-2. Abandonment.

It shall be unlawful for any person to abandon or turn out at large any sick, diseased, or disabled animal, but such animal shall, when rendered worthless by reason of sickness or other disability, be killed by the owner thereof and its carcass disposed of in such manner as to create no nuisance or hazard to health.

2-2-3. Cruelty Prohibited.

It shall be unlawful for any person to torture, cruelly beat, ill-treat, maim, or disfigure any animal within the limits of Town of Kanosh, whether belonging to himself or to another person, nor shall any person having the right or authority to kill such animal in an inhumane manner.

2-2-4. Trespassing Animals and Fowl.

It shall be unlawful for any owner or caretaker of any domestic fowls or animals to permit such fowls or animals to trespass upon the premises of another within this Town.

2-2-5. Killing or Poisoning Prohibited.

It shall be unlawful for any person wilfully to kill any domestic animal, the property of another, or to administer poison to any such animal, or to expose any poisonous substance within the limits of Kanosh Town with the intent that it shall be taken by any such animal.

**2-2-6. Dead Animals.**

It shall be unlawful for the owner of any animal or fowl that shall die or be killed within the limits of this town to fail to remove or bury the carcass of such animal within 10 hours after its death, provided that no horse, cow, ox, or other animal shall be buried within the closely-inhabited portions of the town.

**2-2-7. Diseased Animals.**

It shall be unlawful for any person to bring into the town for sale or having in his possession with intent to sell or offer for sale, or sell any animal having a communicable disease or which has been exposed to or which is liable to carry infection from a communicable disease.

**2-2-8. Rabid Animals--Reporting.**

Anyone having knowledge of the whereabouts of an animal known to have or suspected of having rabies shall report the facts immediately to the Town Health Officer. The Health Officer shall likewise be notified of any person or animal bitten by a rabid or suspected rabid animal.

**2-2-9. Quarantine.**

Any dog or other animal of a species subject to rabies which is known to have bitten or injured any person so as to cause an abrasion of the skin shall be placed in confinement under observation of a veterinary hospital or the Town Pound and shall not be killed or released until at least fourteen days after the onset of symptoms suggestive of rabies. If the animal dies or has been killed, its head shall be removed and immediately taken to the state health laboratory to be examined for rabies.

Any animal of a species subject to rabies which has been bitten by a known rabid animal or has been in intimate contact with a rabid animal shall be isolated in a suitable place approved by the Pound Keeper for a period of 120 days or destroyed.

**2-2-10. Vaccination for Rabies.**

Every owner of any dog over the age of four months within the corporate limits of Kanosh Town shall have said dog vaccinated against rabies by a duly licensed veterinarian and secure from said veterinarian a certificate thereof, and shall attach to the collar or harness, which such person is hereby required to place upon said dog, a tag showing that such vaccination has been done, provided that this section shall not be operative except upon an emergency as declared by the Board of Health of the State of Utah, or by the Health Officer of the Town of Kanosh.