

Strike 3-1-26 and replace with:

Sec. 3-1-26 Disposition of an Impounded Animal

(A) Except as provided in Subsection (G), the health authority shall not euthanize an animal prior to the expiration of five days from impoundment of the animal.

(B) An animal surrendered by its owner to the health authority is considered abandoned by its owner and becomes the property of the health authority upon surrender. Except as provided in Subsection (D)(2), an impounded animal not surrendered by its owner is considered abandoned by its owner, and becomes the property of the health authority, upon the expiration of three days from impoundment of the animal.

(C) Except as provided in Subsection (D), an impounded animal not surrendered by its owner shall be held by the health authority and made available for owner reclamation for a period of three days following impoundment of the animal.

(D) An impounded animal not surrendered by its owner may, at the discretion of the health authority in order to save the life of the animal, be transferred to a 501(c)(3) organization that is an animal shelter, animal rescue organization, or other animal-welfare organization prior to the expiration of the period described in Subsection (C) subject to the following conditions.

(1) Documentation of an animal transferred under this subsection, including a photograph of the animal and all information pertaining to the animal's impoundment and transfer, shall be maintained in physical and electronic form, reviewable by the public, at the health authority and on the health authority's website for three days following the impoundment of the animal at the health authority.

(2) An animal transferred under this subsection is considered abandoned by its owner, and becomes the property of the transferee organization, upon the expiration of three days from impoundment at the health authority.

(3) Prior to the expiration of the period described in Subsection (D)(2), the transferee organization is the designated caretaker of the animal.

(4) An animal transferred under this subsection remains subject to reclamation by its owner prior to the expiration of the period described in Subsection (D)(2).

(E) An animal in the custody of the health authority solely for purposes of sterilization, vaccination, or microchipping, is not subject to a mandatory period of impoundment. The

health authority is the designated caretaker, but not owner, of such animal during any period of custody.

(F) An impounded animal shall not be sold or transferred, with or without consideration, to any person, entity, political subdivision, hospital, educational or commercial institution, laboratory, or animal dealer, whether or not such dealer is licensed by the United States Department of Agriculture or any other state or federal agency, for purposes of medical or biological teaching, research, study, or experimentation of any kind.

(G) Subsection (A) does not apply to an animal who is irremediably physically suffering, as determined and documented in writing by a veterinarian licensed to practice medicine. Irremediable physical suffering means having a poor or grave prognosis for being able to live without severe, unremitting pain even with prompt, necessary, and comprehensive veterinary care.

(H) For purposes of calculating time periods in this Section, neither the date of initial impound nor a day that the municipal animal shelter is closed to the public is counted