

**Chapter 6**

**ANIMALS**

**Articles:**

- 6-1 Rules and Regulations**
- 6-2 Rabies/Animal Control Leash Law**

**Article 6-1 Rules and Regulations**

**Sections:**

- 6-1-1 Dangerous Animals**
- 6-1-2 Killing Dangerous Animals**
- 6-1-3 Noises**
- 6-1-4 Restrictions on Keeping Animals**
- 6-1-5 Swine**
- 6-1-6 Disposal of Fecal Matter**

**Section 6-1-1 Dangerous Animals**

It is unlawful to permit any dangerous, vicious animal of any kind to run at large within the city, and such animals shall be immediately impounded by the enforcement agent. Exhibitions or parades of animals which are ferae naturae in the eyes of the law may be conducted only upon securing a permit from the chief of police or such person that he may appoint.

**Section 6-1-2 Killing Dangerous Animals**

The members of the police department or the enforcement agent are authorized to kill any dangerous animal of any kind when it is necessary for the protection of any person or property.

**Section 6-1-3 Noises**

It is unlawful to harbor or keep any animals or fowl that disturb the peace by loud noises at any time of the day or night.

**Section 6-1-4 Restrictions on Keeping Animals**

It is unlawful to keep or cause to be kept any horses, mules, cattle, burros, goats, sheep or other livestock, pigeons or poultry within the corporate limits of the city unless existing at the time of adoption of this code or as may be approved as part of a subdivision plan approved subsequent to this code.

**Section 6-1-5 Swine**

It is unlawful to keep any live swine or pigs in the city.

**Section 6-1-6 Disposal of Fecal Matter**

It is unlawful for any person owning, possessing, harboring or having the care charge, control or custody of dogs to fail to immediately remove and thereafter dispose of any fecal matter deposited by said animal in any park or on any public property. All such fecal matter shall be immediately removed by placing said matter in a closed or sealed container and thereafter disposing of it by depositing said matter in a trash receptacle, sanitary disposal unit or other closed or sealed container. This section shall not apply to blind persons accompanied by a dog used for their assistance.

**Article 6-2 Rabies/Animal Control Leash Law**

**Sections:**

- 6-2-1 Definitions**
- 6-2-2 Powers and Duties of the State Veterinarian and the Livestock Board**
- 6-2-3 Powers and Duties of State Department of Health Services**
- 6-2-4 Powers and Duties of Enforcement Agent**

- 6-2-5 License Fees for Dogs; Tags; Records; Penalties; Classification**
- 6-2-6 Anti-Rabies Vaccination; Vaccination and License Stations**
- 6-2-7 Kennel Permit; Fee; Violation**
- 6-2-8 Dogs Not Permitted At Large; Wearing License**
- 6-2-9 Impounding and Disposing of Dogs and Cats; Reclaiming Impounded Dogs and Cats; Pound Fees**
- 6-2-10 Handling of Biting Animals; Responsibility for Reporting Animal Bites**
- 6-2-11 Unlawful Interference with Enforcement Agent**
- 6-2-12 Removing Impounded Animals**
- 6-2-13 Unlawful Keeping of Dogs**
- 6-2-14 Violation; Classification**
- 6-2-15 Dogs; Liability**
- 6-2-16 Proper Care, Maintenance and Destruction of Impounded Animals**
- 6-2-17 Violation; Penalty**

### **Section 6-2-1 Definitions**

In this article, unless the context otherwise requires:

- A. “Animal” means any animal of a species that is susceptible to rabies, except man.
- B. “At large” means on or off premises of the owner and not under control of the owner or other person acting for the owner. Any dog in a suitable enclosure or confined shall not be considered to be running at large.
- C. “Department” means the state Department of Health Services.
- D. “Enforcement agent” means that person designated by the city council who is responsible for the enforcement of this article and the regulations promulgated thereunder.

E. “Impound” means the act of taking or receiving into custody by the enforcement agent any dog or other animal for the purpose of confinement in an authorized pound in accordance with the provisions of this article.

F. “Kennel” means an enclosed, controlled area, inaccessible to other animals, in which a person keeps, harbors or maintains five or more dogs under controlled conditions.

G. “Livestock” means neat animals, horses, sheep, goats, swine, mules and asses.

H. “Owner” means any person keeping an animal other than livestock for more than six consecutive days.

I. “Pound” means any establishment authorized for the confinement, maintenance, safekeeping and control of dogs and other animals that come into the custody of the enforcement agent in the performance of his official duties.

J. “Rabies quarantine area” means any area in which a state of emergency has been declared to exist due to the occurrence of rabies in animals in or adjacent to this area.

K. “Rabies vaccination certificate” means a method of recording and duplicating rabies information that is in compliance with the county enforcement agent’s licensing system and/or county enforcement agent’s prescribed forms.

L. “Stray dog” means any dog three months of age or older running at large that is not wearing a valid license tag.

M. “Vaccination” means the administration of an anti-rabies vaccine to animals by a veterinarian or in authorized pounds by employees trained by a veterinarian.

N. “Veterinarian,” unless otherwise indicated, means any veterinarian licensed to practice in this state or any veterinarian employed in this state by a governmental agency.

O. “Veterinary hospital” means any establishment operated by a veterinarian licensed to practice in this state that provides clinical facilities and houses animals or birds for den-

tal, medical or surgical treatment. A veterinary hospital may have adjacent to it or in conjunction with it, or as an integral part of it, pens, stalls, cages or kennels for quarantine, observation or boarding.

P. "Vicious animal" means any animal of the order Carnivora that has a propensity to bite human beings without provocation and has been so declared after a hearing before a justice of the peace or a city magistrate. (Ord. 04-89 § 1)

**Section 6-2-2 Powers and Duties of the State Veterinarian and the Livestock Board**

A. The state veterinarian shall designate the type or types of anti-rabies vaccines that may be used for vaccination of animals, the period of time between vaccination and revaccination and the dosage and method of administration of the vaccine.

B. The Arizona Livestock Board shall regulate the handling and disposition of animals classed as livestock that have been bitten by a rabid or suspected rabid animal or are showing symptoms suggestive of rabies.

**Section 6-2-3 Powers and Duties of State Department of Health Services**

A. The state Department of Health Services shall regulate the handling and disposition of animals other than livestock that have been bitten by a rabid or suspected rabid animal or are showing symptoms suggestive of rabies.

B. The state Department of Health Services may require the enforcement agent to submit a record of all dog licenses issued and in addition any information deemed necessary to aid in the control of rabies.

**Section 6-2-4 Powers and Duties of Enforcement Agent**

A. The enforcement agent shall:

1. Enforce the provisions of this article and the regulations promulgated thereunder.

2. Issue citations for the violation of the provisions of this article and the regulations promulgated thereunder. The procedure for the issuance of notices to appear shall be as provided for peace officers in A.R.S. § 13-3903 except that the enforcement agent shall not make an arrest before issuing the notice.

3. Be responsible for declaring a rabies quarantine area within area of jurisdiction. When a quarantine area has been declared, the enforcement agent shall meet with the state veterinarian and representatives from the Department of Health Services and the Game and Fish Department to implement an emergency program for the control of rabies within the area. Any regulations restricting or involving movements of livestock within the area shall be subject to approval by the state veterinarian.

B. The issuance of citations pursuant to this section shall be subject to the provisions of A.R.S. § 13-3899.

C. The enforcement agent may designate deputies.

**Section 6-2-5 License Fees for Dogs; Tags; Records; Penalties; Classification**

A. Each dog three months of age or over that is kept, harbored or maintained within the boundaries of the city for at least thirty consecutive days of each calendar year shall be licensed. The licensing period shall not exceed the period of time for revaccination as designated by the state veterinarian.

B. Durable dog tags shall be provided by the owner. Each dog licensed under the terms of this article shall be required to wear a tag on which shall be inscribed the name of the county and the number of the license. The tag

shall be attached to a collar or harness which shall be worn by the dog at all times. Whenever a dog tag is lost, a duplicate tag shall be obtained by the owner.

C. Any person who fails within fifteen days after written notification from the enforcement agent to obtain a license for a dog required to be licensed, counterfeits or attempts to counterfeit an official dog tag, or removes such tag from any dog for the purpose of willful and malicious mischief, or places a dog tag upon a dog unless the tag was issued for that particular dog is guilty of a Class 2 misdemeanor.

D. The board of supervisors of Maricopa County may set a license fee which shall be paid for each dog three months of age or over that is kept, harbored or maintained within the boundaries of the state for at least thirty consecutive days of the calendar year. License fees shall all become payable at the discretion of the board of supervisors of each county. The licensing period shall not exceed the period of time for revaccination as designated by the state veterinarian. License fees shall be paid within ninety days to the board of supervisors. A penalty fee of two dollars shall be paid if the license application is made less than one year subsequent to the date on which the dog is required to be licensed under this article. If the license application is made one year or later from the date on which the dog is required to be licensed, an additional penalty fee of ten dollars shall be paid for each subsequent year up to a maximum of twenty-two dollars. This penalty shall not be assessed against applicants who furnish adequate proof that the dog to be licensed has been in their possession in Arizona less than thirty consecutive days. (Ord. 04-89 § 1)

**Section 6-2-6      Anti-Rabies  
Vaccination;  
Vaccination and  
License Stations**

A. All dog owners shall maintain a current rabies vaccination certificate signed by a veterinarian stating the owner's name and address and giving the dog's description, date of vaccination, and type, manufacturer and serial number of the vaccine used, and date revaccination is due. No dog shall be licensed unless it is vaccinated in accordance with the provisions of this article and the regulations promulgated thereunder.

B. A dog vaccinated in any other state prior to entry into Arizona may be licensed in Arizona; provided, that at the time of licensing, the owner of such dog presents a vaccination certificate, signed by a veterinarian licensed to practice in the state or a veterinarian employed by a governmental agency in that state, stating the owner's name and address and giving the dog's description, date of vaccination, and type, manufacturer and serial number of the vaccine used. The vaccination must be in conformity with the provisions of this article and the regulations promulgated thereunder.

**Section 6-2-7      Kennel Permit; Fee;  
Violation**

A. A person operating a kennel shall obtain a permit issued by the board of supervisors of the county where the kennel is located.

B. The annual fee for the kennel permit is seventy-five dollars.

C. A dog remaining within the kennel is not required to be licensed individually under A.R.S. § 24-367. A dog leaving the controlled kennel conditions shall be licensed under A.R.S. § 24-367. except if the dog is only being transported to another kennel which has a permit issued under this section.

D. A person who fails to obtain a kennel permit under this section is subject to a penalty

of twenty-five dollars in addition to the annual fee.

E. A person who knowingly fails within thirty days after written notification from the county enforcement agent to obtain a kennel permit is guilty of a Class II misdemeanor.

**Section 6-2-8        Dogs Not Permitted At  
Large; Wearing  
License**

A. No dogs shall be permitted at large. Each dog shall be confined within an enclosure on the owner's property, or secured so that a dog is confined entirely to the owner's property, or sufficient to restrain an animal and directly under the owner's or custodian's control when not on the owner's property.

B. Any dog over the age of three months running at large shall wear a collar or harness to which is attached a valid license tag. Dogs used for control of livestock or while being used or trained for hunting, or dogs while being exhibited or trained at a kennel club event, or dogs while engaged in races approved by the Arizona Racing Commission, and such dogs while being transported to and from such events, need not wear a collar or harness with a valid license attached; provided, that they are properly vaccinated, licensed and controlled.

C. If any dog is at large on the public streets, public parks or public property, then said dog's owner or custodian is in violation of this article.

D. If any female dog during her breeding or mating season or any vicious dog is at large, then said dog's owner or persons acting for the owner is in violation of this article.

E. Any person whose dog is at large is in violation of this article. A dog is not at large if:

1. Said dog is restrained by a leash, chain, rope or cord of not more than six feet in length and of sufficient strength to control action of said dog.

2. Said dog is used for control of livestock, or while being used or trained for hunting, or being exhibited or trained at a kennel club event or while engaged in races approved by the Arizona Racing Commission.

3. While said dog is actively engaged in dog obedience training, accompanied by and under the control of his owner or trainer; provided, that the person training said dog has in his possession a dog leash of not more than six feet in length and of sufficient strength to control said dog; and further, that said dog is actually enrolled in or has graduated from a dog obedience training school.

4. Said dog whether on or off the premises of the owner, or person acting for the owner, is controlled as provided in subsection (E)(1) of this section or is within a suitable enclosure which actually confines the dog.

F. Any dog at large shall be apprehended and impounded by an enforcement agent.

1. Said agent shall have the right to enter upon private property when it is necessary to do so in order to apprehend any dog that has been running at large. Such entrance upon private property shall be in reasonable pursuit of such dog and shall not include entry into a domicile unless it be at the invitation of the occupant.

2. Said agent may issue a citation to the dog owner when the dog is at large. The procedure for the issuance of notice to appear shall be as provided for peace officers in A.R.S. § 13-3903 except the enforcement agent shall not make an arrest before issuing the notice. The issuance of citations pursuant to this article shall be subject to provisions of A.R.S. § 13-3899.

3. In the judgment of the enforcement agent, if any dog at large or other animal that is dangerous or fierce and a threat to human safety cannot be safely impounded, it may be immediately slain.

G. The owner or persons acting for the owner of a dog must restrain and control the

dog at all times when in a public park by securing the dog with a leash or not more than six feet, except when the dog is in an enclosed area within the park, which has been designated by the city as a dog exercise area.

H. At all times when a dog is off leash in a designated dog exercise area as provided in subsection (G) of this section, the dog must be accompanied by and under the control of the owner or persons acting for the owner. Additionally, the owner or persons acting for the owner must at all times have a leash of not more than six feet in length in his or her possession. (Ord. 04-89 § 1)

**Section 6-2-9      Impounding and  
Disposing of Dogs and  
Cats; Reclaiming  
Impounded Dogs and  
Cats; Pound Fees**

A. Any stray dog shall be impounded. All dogs and cats impounded shall be given proper care and maintenance.

B. Each stray dog or cat impounded shall be kept and maintained at the pound for a minimum of seventy-two hours unless claimed by its owner. Any person may purchase such a dog or cat upon expiration of the impoundment period, provided such person pays all pound fees and complies with the licensing and vaccinating provisions of this article. If the dog or cat is not claimed within the impoundment period, the impound facility shall take possession. The enforcement agent may destroy impounded sick or injured dogs or cats whenever such destruction is necessary to prevent such dog or cat from suffering or to prevent the spread of disease.

C. Any impounded licensed dog or cat may be reclaimed by its owner or such owner's agent; provided, that the person reclaiming the dog or cat furnishes proof of ownership and pays all impound fees.

**Section 6-2-10      Handling of Biting  
Animals; Responsibility  
for Reporting Animal  
Bites**

A. An unlicensed or unvaccinated dog or cat that bites any person shall be confined and quarantined in an authorized pound or, upon request of and at the expense of the owner, at a veterinary hospital for a period of not less than ten days. A dog properly licensed and vaccinated pursuant to this article that bites any person may be confined at the home of the owner or wherever the dog is harbored and maintained with the consent of and in a manner prescribed by the enforcement agent.

B. Any animal other than a dog or cat that bites any person shall be confined and quarantined in an authorized pound or, upon the request of and at the expense of the owner, at a veterinary hospital for a period of not less than fourteen days; provided, that livestock shall be confined and quarantined for the fourteen-day period in a manner regulated by the Arizona livestock board. If the animal is a caged rodent, it may be confined and quarantined at the home of the owner or where it is harbored or maintained, for the required period of time, with the consent of and in a manner prescribed by the enforcement agent.

C. Any wild animal which bites any person may be killed and submitted to the enforcement agent or his deputies for transmission to an appropriate diagnostic laboratory.

D. Whenever an animal bites any person, the incident shall be reported to the enforcement agent immediately by any person having direct knowledge.

E. The designated enforcement agent may destroy any animal confined and quarantined pursuant to this article prior to the termination of the minimum confinement period for laboratory examination for rabies if:

1. Such animal shows clear clinical signs of rabies.

2. The owner of such animal consents to its destruction.

F. Any animal subject to licensing under this article found without a tag identifying its owner shall be deemed unowned.

G. The county enforcement agent shall destroy a vicious animal upon an order of a justice of the peace or a city magistrate. A justice of the peace or city magistrate may issue such an order after notice to the owner, if any, and a hearing.

**Section 6-2-11 Unlawful Interference with Enforcement Agent**

It is unlawful for any person to interfere with the enforcement agent in the performance of his duties.

**Section 6-2-12 Removing Impounded Animals**

No person may remove or attempt to remove an animal which has been impounded or which is in the possession of the enforcement agent except in accordance with the provisions of this article and the regulations promulgated thereunder.

**Section 6-2-13 Unlawful Keeping of Dogs**

It is unlawful for a person to keep, harbor or maintain a dog within the city except as provided by the terms of this article.

**Section 6-2-14 Violation; Classification**

Any person who fails to comply with the requirements of this article, or violates any of its provisions, is guilty of a misdemeanor.

**Section 6-2-15 Dogs; Liability**

A. Injury to any person by a dog or damage or destruction by a dog to any public or private property other than property of the owner or person in control of such dog shall be the

full responsibility of the dog's owner or person in control of the dog when such injury or damages were inflicted.

B. The owner or person in control of a dog shall immediately remove all feces deposited by such dog on public or private property not owned by the owner or person in control of the dog and shall dispose of same in a sanitary manner. (Ord. 07-125 § 1)

**Section 6-2-16 Proper Care, Maintenance and Destruction of Impounded Animals**

A. Any animal impounded in a county or city pound shall be given proper and humane care and maintenance.

B. Any dog or cat destroyed while impounded in a county or city pound shall be destroyed only by the use of one of the following:

1. Sodium pentobarbital or a derivative of sodium pentobarbital.
2. Nitrogen gas.
3. T-61 Euthanasia solution or its generic equivalent.

C. If an animal is destroyed by means specified in subsection (B)(1) or (3) of this section, it shall be done in accordance with procedures established by the state veterinarian pursuant to A.R.S. § 24-153.

D. The governing body of any county or city which operates a pound shall establish procedures for the humane destruction of impounded animals by the methods described in subsections (B) and (C) of this section.

**Section 6-2-17 Violation; Penalty**

A. Any person found guilty of violating any provision of Sections 6-2-1, 6-2-5 or 6-2-8 shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars or by imprisonment for a period not to exceed six months, or both such fine and

imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

B. Any person found in violation of any provision of Section 6-2-15 shall be responsible for a civil violation, punishable by a fine as set forth in Article 1-8 of the city code. Each day that a violation continues shall be a separate offense punishable as herein described. (Ord. 07-125 § 4; Ord. 04-89 § 4)