

## CHAPTER 6 ANIMALS

### ARTICLE 6-1 RULES AND REGULATIONS

6-1-1	Dangerous Animals
6-1-2	Killing Dangerous Animals
6-1-3	Noises
6-1-4	Strays; Housing
6-1-5	Swine
6-1-6	Biting Animals
6-1-7	Animal Waste (Ord. No. 01-17)

#### Section 6-1-1 Dangerous Animals

It is unlawful to permit any dangerous, vicious animal of any kind to run at large within the town, and such animals shall be immediately impounded by the police department. Exhibitions or parades of animals, other than domestic pets, may be conducted only upon securing a permit from the town police department.

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

The members of the police department are authorized to kill any dangerous animals 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 that disturb the peace by loud noises at any time of the day or night.

#### Section 6-1-4 Strays; Housing

Any person who keeps or causes to be kept any horses, mules, cattle, burros, goats, sheep or other livestock or poultry shall keep such livestock or poultry in a pen or similar enclosure to prevent their roaming at large within the corporate limits of the town. Any such livestock or poultry running at large may be impounded by the police department. It is unlawful to cause or allow any stable or place where any animal is or may be kept to become unclean or unwholesome.

#### Section 6-1-5 Swine

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

#### Section 6-1-6 Biting Animals

Whenever any animal, except a dog, bites a person, the person so bitten and the owner of the animal shall immediately notify the enforcement agent, who shall cause an

examination of the animal to be made by a duly licensed physician or a duly license veterinarian, and shall order the animal held on the owner's premises or shall have it impounded as long as necessary for a complete examination. If it is determined that the animal is infected with rabies or other dangerous, contagious and infectious disease, it shall be the duty of the enforcement agent to destroy such animal in as humane a manner as is reasonably possible. If at the end of the quarantine or impoundment, a veterinarian is convinced that the animal is free from such disease, the animal shall be released. If the animal dies during the period of quarantine or impoundment, its head shall be sent to the laboratory at the department of health services for examination.

**Section 6-1-7 Animal Waste (Ord. No. 01-17)**

The owner of every animal shall be responsible for the removal of excreta deposited by his/her animals on public walks, streets, or recreation areas. Violation of this section is a class three (3) misdemeanor.

**ARTICLE 6-2 DOGS**

- 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 Kennel Permit; Fee; Violation; Classification
- 6-2-7 Anti-Rabies Vaccination; Vaccination and License Stations
- 6-2-8 Rabies Control Fund
- 6-2-9 Dogs At Large, Violation
- 6-2-10 Barking Dog, Violation
- 6-2-11 Handling of Biting Animals; Responsibility for Reporting; Authority to Destroy Animals
- 6-2-12 Unlawful Interference with Enforcement Agent
- 6-2-13 Removing Impounded Dogs
- 6-2-14 Unlawful Keeping of Dogs
- 6-2-15 Violation; Classification
- 6-2-16 Dogs; Liability
- 6-2-17 Proper Care, Maintenance and Destruction of Impounded Animals

**Section 6-2-1 Definitions (Ord. No. 01-07)**

In this chapter 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 in each Town who is responsible for the enforcement of this chapter and the regulations promulgated thereunder or such other person as designated by the Council.
- 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 chapter.
- 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. **“Stray dog”** means any dog four months of age or older running at large that is not wearing a valid license tag.
- L. **“Vaccination”** means the administration of an anti-rabies vaccine to animals by a veterinarian or in authorized pounds by employees trained by a veterinarian.
- M. **“Veterinarian”**, unless otherwise indicated, means any veterinarian licensed to practice in this state or any veterinarian employed in this state by a governmental agency.
- N. **“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 dental, 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.

- O. **“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 town magistrate.

**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 an 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 (Ord No. 01-05/01-07)**

- A. The enforcement agent shall set an annual license fee which shall be paid for each dog four months of age or over that is kept, harbored or maintained within the boundaries of the town for at least thirty consecutive days of each calendar year. License fees shall become payable at the discretion of the Council. 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. A penalty not to exceed four dollars shall be added to the license fee in the event that application is made subsequent to the date on which the dog is required to be licensed under the provisions of this article. This penalty shall not be assessed against applicants who furnish adequate proof that the dog to be licensed has been in their possession less than thirty consecutive days.
- B. Durable dog tags shall be provided. Each dog licensed under the terms of this article shall receive, at the time of licensing, such a tag on which shall be inscribed the name of the Town, the number of the license and the date on which it expires. The tag shall be attached to a collar or harness which shall be worn by the dog at all times while running at large, except as otherwise provided in this article. Whenever a dog tag is lost, a duplicate tag shall be issued upon application by the owner and payment of a fee to the enforcement agent.
- 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. Licenses for winter visitors that have out of state licenses already in possession - \$5.00.  
Licenses for winter visitors & residents that do not already have possession - \$12.00.  
Licenses for dogs that have been spayed or neutered (provided that owner provides legal documentation) \$5.00  
(Licenses are valid for one calendar year and are to be renewed on a yearly basis)  
Adoption Fee \$20.00  
Impound Daily Fee \$8.00  
Open Hour Drop-Off \$10.00  
Regular Hours Pick-Up \$25.00

After Hours Pick-Up	\$50.00
Animal Pick-Up Reference Bites	\$50.00
Euthanasia	\$25.00

**Section 6-2-6 Kennel Permit; Fee; Violation; Classification** (Ord. No. 01-07)

- A. A person operating a kennel shall obtain a permit issued by the board of supervisors of the county where the kennel is located except if each individual dog is licensed.
- 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. § 11-1008. A dog leaving the controlled kennel conditions shall be licensed under A.R.S. § 11-1008, 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 2 misdemeanor.

**Section 6-2-7 Anti-Rabies vaccination; Vaccination and License Stations**

- A. Before a license is issued for any dog, the owner must present a 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. A duplicate of each rabies vaccination certificate issued shall be transmitted to the enforcement agent on or before the tenth day of the month following the month during which the dog was vaccinated. 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 that 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.

- C. The enforcement agent shall make provisions for vaccination clinics as deemed necessary. The vaccination shall be performed by a veterinarian.

**Section 6-2-8 Rabies Control Fund**

- A. The enforcement agent or his authorized representative shall place the monies collected by him under the provisions of this article in a special fund to be known as the rabies control fund to be used for the enforcement of the provisions of this article and the regulation promulgated thereunder.
- B. Any unencumbered balance remaining in the rabies control fund at the end of a fiscal year shall be carried over into the following fiscal year.

**Section 6-2-9 Dogs At Large, Violation (Ord 99-07)**

- A. For purposes of this section, “at large” means being neither confined by an enclosure nor physically restrained by a leash.
- B. It shall be unlawful for any person having ownership, possession or control of a dog to allow the dog to run at large within the Town of Quartzsite.
- C. Each day a violation continues shall be deemed a separate offense.
- D. 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 or enclosure which confines a dog unless it be at the invitation of the occupant.
  - 2. Said agent may issue a citation to the dog owner or person acting for the 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 slain.

**Section 6-2-10 Barking Dog, Violation (Ord 99-07)**

- A. It shall be unlawful for any person having ownership, possession or control of a dog within the Town of Quartzsite to allow the dog to excessively bark, howl,

yelp, whine, or make other unreasonable noise which disturbs the peace or quiet of any neighborhood, family or person.

- B. Each day a violation continues shall be deemed a separate offense.

**Section 6-2-11 Handling of Biting Animals; Responsibility for Reporting; Authority to Destroy Animals (Ord. No. 01-07)**

- A. An unlicensed or unvaccinated dog or cat that bites any person shall be confined and quarantined in an authorized pound or, at the expense of the owner, at a veterinary hospital for a period of not less than ten (10) days. A dog properly licensed and vaccinated pursuant to this article that bites any person may be confined and quarantined 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, 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 an 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 Town 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 enforcement agent shall destroy a vicious animal upon an order of a justice of the peace or a town magistrate. A justice of the peace or town magistrate may issue such an order after notice to the owner, if any, and a hearing.

**Section 6-2-12 Unlawful Interference with Enforcement Agent**

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

**Section 6-2-13 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 6-2-14 Unlawful Keeping of Dogs**

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

**Section 6-2-15 Violation; Classification**

Any person who fails to comply with the requirements of this article, or violates any of its provisions, is guilty of a class 2 misdemeanor and may be subject to imprisonment for a maximum period of four months, or fined a maximum of \$750.00, or both.

**Section 6-2-16 Dogs; Liability (Ord 99-07)**

Injury to any person or damage to any property by a dog while at large shall be the full responsibility of the dog's owner or person(s) responsible for the dog when such damages were inflicted.

**Section 6-2-17 Proper Care, Maintenance and Destruction of Impounded Animals**

- A. Any animal impounded in a county, city or town pound shall be given proper and humane care and maintenance.
- B. Any dog or cat destroyed while impounded in a county, city or town 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, paragraphs 1 or 3

of this section, it shall be done by a licensed veterinarian or in accordance with procedures established by the state veterinarian pursuant to A.R.S. § 24-153.

- D. The governing body of any county, city or town 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.

