

CHAPTER 6 ANIMAL CONTROL

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CHAPTER 6 ANIMAL CONTROL

ARTICLE 6-1 DEFINITIONS

- A. "Animal" means any dog, cat, or other domestic animal, livestock, wild animal, or vicious animal.
- B. "Animal Control Officer" means any Police Department officer, community resource officer or animal control officer whose duties include the supervision of the Animal Control Facility and enforcement of state, county, and city codes.
- C. "Animal Violation Citation" means a citation issued by the Animal Control Officer to an owner who has violated provisions of this Chapter and commanding them to appear before the Magistrate Court or pay a fine by mail.
- D. "At Large" means off the premises of the owner and not under the control of the owner while physically tethered to and immediately controlled by a leash.
- E. "Barking Dog as a Public Nuisance" means a dog that barks, bays, howls, or makes any other noise continuously and incessantly or in such a loud or unusual manner as to disturb the sleep, peace, quiet, or enjoyment of life or property by a reasonable person.
- F. "Cat as a Public Nuisance" means a cat that damages, defiles, or soils either public or private property or harms the lawful users or occupants thereof or a cat that makes excessive noise or attacks other animals.
- G. "Collar" means a band, chain, harness, or suitable device worn around the neck of an animal to which a tag may be affixed.
- H. "Domestic Animal" means any animal customarily designated as a pet, e.g. dog, cat, caged bird, rabbit, hamster, and non-venomous reptile or snake which is permitted to live in or about the owner's home and yard. Specifically excluded are vicious animals, wild animals, and livestock.
- I. "Fine" means any fee imposed for violation of this Chapter.
- J. "Livestock" means any animal, e.g. horse, mule, cow, sheep, goat, calf, swine, chicken or other animal traditionally maintained for market sale, human consumption, or utility.

- K. "Owner" means any person owning, keeping, possessing, controlling, harboring, or maintaining an animal.
- L. "Public Nuisance" means an animal that does any of the following:
- 1) Is at large.
 - 2) Damages property.
 - 3) Intimidates, injures, or emotionally distresses any person.
 - 4) Chases a vehicle or bicycle.
 - 5) Excessively makes disturbing noises, including but not limited to, continued barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept.
 - 6) Causes by odor a fouling of the air and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept.
 - 7) Defecates while at large upon the surface of any public street, public sidewalk, public place or private property without thorough and immediate removal of the debris.
 - 8) Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored.
- M. "Vaccination" means administration of any vaccine required by state, county, or city code.
- N. "Vicious Animal" means any animal that has a propensity to attack, impose fear of immediate harm, cause injury, or to otherwise endanger the safety of the public, animals or property without provocation or that has been so declared after a hearing before the City Magistrate.
- O. "Wild Animal" means any animal not historically kept as a domestic pet by the general public and is usually found living at will in a natural habitat.

ARTICLE 6-2 VICIOUS ANIMALS

- 6-2-1 Vicious Animals at Large
- 6-2-2 Displays of Vicious Animals
- 6-2-3 Destruction of Vicious Animals

Section 6-2-1 Vicious Animals at Large

It is unlawful for an owner to permit a vicious animal to run at large. The vicious animal shall be immediately impounded by the Animal Control Officer.

Section 6-2-2 Displays of Vicious Animals

Public exhibitions or parades of vicious or wild animals may be conducted only upon securing a permit.

Section 6-2-3 Destruction of Vicious Animals

An officer of the Police Department or Animal Control Officer is authorized to immediately destroy any vicious animal, including domestic animals, livestock, and wild animals, when it is immediately necessary for the protection of a person or property.

ARTICLE 6-3 DOGS

- 6-3-1 Licenses and Tags
- 6-3-2 Vaccinations Required
- 6-3-3 Barking Dogs; Dogs at Large; Public Nuisance
- 6-3-4 Owner Liability
- 6-3-5 Leash Requirements

Section 6-3-1 Licenses and Tags

- A. All dogs kept within the City must be licensed. The Page Police Department, upon payment of a license fee, shall issue a dog license. Multiple year licenses may be issued not to exceed the expiration of the existing rabies vaccination. The owner shall state at the time of application the owner(s) name and address and the name, breed, color, and sex of each dog owned or kept. All fees subject of this article shall be set by resolution of the Mayor and Common Council.
- B. An owner shall obtain a dog license within thirty (30) days of acquiring the animal. Any animal not properly licensed shall be subject to an animal violation citation and impoundment.
- C. Any dog licensed shall receive a tag issued by the Police Department. The tag shall be attached by the owner to a collar or harness that shall be worn by the dog at all times. When a dog tag is lost a duplicate tag shall be issued upon application by the owner and payment of a fee. Any dog not wearing a dog tag shall be subject to an animal violation citation and impoundment.
- D. It is unlawful to counterfeit a dog tag, remove the tag from any dog without the permission of the owner, or to place a dog tag upon a dog other than the licensed animal.
- E. When the ownership of a dog has been changed, the new owner must secure a new license as required by this Chapter.

- F. The Animal Control Officer shall impound any dog found without a current license or tag.

Section 6-3-2 Vaccinations Required

- A. Before a license is issued for any dog, the owner must present a rabies vaccination certificate signed by a veterinarian stating the owner's name and address and giving the dog(s) description, date of vaccination, type and manufacturer, and serial number of the vaccine and date revaccination is due. Upon re-vaccination, a duplicate certificate shall be transmitted to the Page Police Department within thirty days. A dog shall not be licensed unless it is vaccinated in accordance with the provisions of this Chapter.
- B. If an impounded dog is found to be without current vaccination, the Animal Control Officer is authorized to condition release on confirmation that the dog will be vaccinated. Any dog without a current vaccination shall be subject to an animal violation citation.

Section 6-3-3 Barking Dogs; Dogs at Large; Public Nuisance

An owner of a dog shall not permit the dog to bark, run at large, or otherwise be a public nuisance as defined by Article 6-1(E)(L).

Section 6-3-4 Owner Liability

Injury to any person(s) or damage to any property shall be the responsibility of the owner for which the Magistrate Court may require payment of restitution in addition to citation fees.

Section 6-3-5 Leash Requirements

Dogs shall at all times, without exception, be tethered and immediately controlled by a leash when at large off the owner's premises. This section specifically intends to prohibit an owner from being in the vicinity of an animal with a leash in the owner's possession but not tethered to the animal.

ARTICLE 6-4 CATS

- 6-4-1 Public Nuisance
- 6-4-2 Vaccinations
- 6-4-3 Owner Liability

Section 6-4-1 Public Nuisance

An owner of a cat shall not permit the cat to be a public nuisance pursuant to Article 6-1(F)(K).

It is also unlawful for the owner to cause or permit the cat to stray or in any manner be at large while *in estrus*.

Section 6-4-2 Vaccinations

Owners shall have cats vaccinated for rabies and shall upon request of the Animal Control Officer present a rabies vaccination certificate signed by a veterinarian stating the date of vaccination, type and manufacturer, and serial number of the vaccine and date re-vaccination is due.

Section 6-4-3 Owner Liability

The Animal Control Officer shall apprehend and impound any cat found to be a public nuisance. Injury to any person(s) or damage to any property by a cat shall be the full responsibility of the owner of the cat at the time the injuries occurred.

ARTICLE 6-5 LIVESTOCK

6-5-1 Running at Large; Public Nuisance

6-5-2 Owner Liability

Section 6-5-1 Running at Large; Public Nuisance

An owner of livestock shall not permit the livestock to be a public nuisance pursuant to Article 6-1(L).

Section 6-5-2 Owner Liability

Injury to any person(s) or damage to any property by any animal at large or as a public nuisance shall be the responsibility of the owner of the animal at the time the injuries or damage occurred.

ARTICLE 6-6 GENERAL IMPOUND AND ENFORCEMENT

6-6-1 Duty of Police Department

6-6-2 Impound: Animals at Large or a Public Nuisance

6-6-3 Impound Terms and Fees

6-6-4 Report of Impounded Animals

6-6-5 Disposition of Unclaimed Animals

6-6-6 Impeding the Animal Control Officer

Section 6-6-1 Duty of Police Department

The Animal Control Officer shall impound animals, issue citations to owners, and enforce all other provisions of this Chapter.

Section 6-6-2 Impound: Animals at Large or a Public Nuisance

The Animal Control Officer shall impound any animal found to be at large or a public nuisance pursuant to Article 6-1(L).

Section 6-6-3 Impound Terms and Fees

Any impounded animal shall be detained until the owner pays outstanding citations and the costs incurred by the animal control shelter in apprehending, transporting, treating, and housing the animal. Quarantine provisions of Article 6-7, if applicable, shall prescribe extended release terms and fees.

Section 6-6-4 Report of Impounded Animals

The Animal Control Officer shall, within twenty-four (24) hours after impounding an animal, post a report with the Police Department stating the kind of animal impounded and describing it by color, marks, or brands and a date of impound.

Section 6-6-5 Disposition of Unclaimed Animals

Any impounded animal that has not been claimed and fees paid within seventy-two (72) hours of impound shall be made available for adoption, sale, or humanely destroyed.

Section 6-6-6 Impeding the Animal Control Officer

It is unlawful for any person to intervene, impede, prevent, obstruct, or intimidate any member of the Page Police Department or Animal Control Officer in the discharge of duties to enforce provisions of this Chapter.

ARTICLE 6-7 QUARANTINE

- 6-7-1 Biting Dogs and Cats
- 6-7-2 Biting Livestock
- 6-7-3 Biting Wild Animals
- 6-7-4 Euthanizing of Quarantined Animals

Section 6-7-1 Biting Dogs and Cats

- A. Any unvaccinated dog or cat that bites a person shall be impounded and quarantined for ten (10) days from the occurrence of the bite. An Animal Control Officer shall cause the animal to be quarantined at the animal shelter or a veterinary clinic for the observation period at the owner's expense.

- B. Any vaccinated dog or cat that bites a person shall be confined or quarantined for ten (10) days from the time of occurrence of the bite. The quarantine may be maintained in the home of the owner if the dog is kept under conditions prescribed by an Animal Control Officer.

Section 6-7-2 Biting Livestock

Livestock that bite any person shall be impounded and quarantined at the animal shelter or other location prescribed by the Animal Control Officer for a period of not less than fourteen (14) days; such quarantine shall be at the expense of the owner.

Section 6-7-3 Biting Wild Animals

Any wild animal that bites any person or directly exposes a person to its saliva may be destroyed. Euthanized animals may be delivered to an appropriate diagnostic laboratory for examination pursuant to ARS §11-1014.C.

Section 6-7-4 Euthanizing of Quarantined Animals

- A. An Animal Control Officer may destroy any animal confined and quarantined pursuant to this section prior to the termination of the minimum confinement period for laboratory examination for rabies under the following circumstances:
 - 1) Such animal shows clear clinical signs of rabies, or
 - 2) The owner of such animal consents to its destruction.
- B. At the termination of the confinement period, the Animal Control Officer shall destroy an animal that shows clear clinical signs of rabies.
- C. An Animal Control Officer may extend the minimum confinement period if continued observation is reasonable calculated to protect the public.

ARTICLE 6-8 CRUELTY / NEGLECT / ABANDONMENT

- 6-8-1 Cruelty
- 6-8-2 Neglect
- 6-8-3 Abandonment
- 6-8-4 Impound of Mistreated Animals

Section 6-8-1 Cruelty

Cruelty to animals is strictly prohibited. An owner shall not unreasonably discipline, beat, torment, mutilate, abandon, overwork, destroy, or deprive an animal of basic needs that would threaten its survival.

Section 6-8-2 Neglect

Animals shall be housed in a healthy environment and provided with proper food, water, shelter, medical care, exercise space and ventilation. Owners shall ensure that:

- A. All animals receive daily food that is free from contamination and is of sufficient quantity and nutritive value to maintain the animal in good health;
- B. Potable water is accessible to the animal at all times;
- C. All animals have convenient access to natural or artificial shelter. The shelter shall be structurally sound and maintained in good repair to protect the animal from the elements and of sufficient size to permit the animal to enter, stand, turn around, and lie down in a natural manner. A shelter which does not protect the animal from harmful temperature extremes or precipitation, or which does not provide adequate ventilation or drainage, does not comply with this Section;
- D. All animals receive adequate care and medical treatment for standard vaccinations, debilitating injuries, parasites, and diseases sufficient to maintain the animal in good health;
- E. All animals confined by a chain, leash, wire, cable, or similar restraint system shall be humanely attached and located so that the animal will be freely ambulatory and cannot become entangled with other objects.
- F. No animal shall be kept in a vehicle or other enclosed space in which the temperature is either so high or so low, or the ventilation is so inadequate, as to endanger the animal's life or health. The Police Department or an Animal Control Officer is authorized to use reasonable force to remove an animal from a vehicle or other enclosed space if it appears that extreme temperatures or lack of ventilation endangers the animal's life. No enforcement officer or the City shall be liable for damages to property caused by the use of reasonable force to remove an animal from such vehicle or enclosed space.

Section 6-8-3 Abandonment

An owner shall not abandon or recklessly discard animals within the City Limits on either public or private property.

Section 6-8-4 Impound of Mistreated Animals

The Animal Control Officer may cite any owner and impound any animal that is suffering from cruelty, neglect, or abandonment.

ARTICLE 6-9 ANIMAL VIOLATION FINES AND COURT HEARINGS

The Magistrate Court shall establish a fine schedule for violations of this Chapter which shall be approved and amended from time to time by resolution of the Mayor and Common Council.

The Animal Control Officer or owner may request a hearing to discuss future care, treatment, or placement of the animal. The Magistrate Court may order that an animal shall not be returned to the owner for violations of Article 6-2 or Article 6-8.

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