

Proposed Animal Ordinance – Fact Sheet

This ordinance repeals the current Title 6 – Animals of the Pima County Code in its entirety, and replaces it with a new Title 6. The following is a summary of how the new sections relate to the existing code, highlighting major substantive changes.

6.02.010 Definitions defines “dog” and “cat” as including any combination of the domestic species with another canine or feline species, eliminating the need for separate sections on domestic-wild animal hybrids. Provides separate definitions for “owner” and “handler,” allowing the term “owner” to be used in isolation where legal ownership is the issue. In all other instances, the term “owner or handler” is used. Adds a definition for “companion animal,” allowing agricultural and wild animals to be excluded from the code’s provisions where jurisdiction lies with the state departments of agriculture and game and fish, respectively.

6.02.020 Enforcement Authority consolidates citations to PACC’s enforcement authority that are scattered within the existing code, for example at 6.04.030, 6.04.035, 6.04.050. It does not alter PACC’s substantive enforcement authority.

6.02.030 Fees replaces section 6.04.060, and specific provisions in 6.04.070. Fees would be set by the Board of Supervisors approving a separate fee schedule rather than requiring the code to be amended each time fees are adjusted.

6.02.040 Records and 6.02.060 Reporting are new sections intended to provide transparency to PACC’s activities by requiring the compiling of records on the impoundment and disposition of animals and the reporting of aggregate data to the Community Advisory Committee.

6.02.050 Community Advisory Committee replaces section 6.04.100, eliminates now-redundant provisions enacted to stagger the terms of committee members, reduces the terms of all members going forward to two years from the current four years, and adds a two-monthly schedule for meetings and a requirement that the director attend.

6.04.010 Impoundment consolidates impoundment authority from 6.04.035 (rabies), 6.04.040 (dog at large), 6.04.130 (animal in danger or threat to public safety). It eliminates impoundment authority for an animal “in distress” pursuant to the current 6.04.130. Unlike the existing code, it expressly gives officers discretion to cite or issue a warning to the owner or handler in lieu of impoundment for an animal at large.

6.04.020 Retention of Impounded Animals replaces section 6.04.040, expressly states hold periods for animals that are only stated in the existing code by reference to statute, and provides conditions for the transfer of animals to qualified nonprofit organizations prior to the expiration of their hold periods.

6.04.030 Redemption of Impounded Animals carries over the requirement from section 6.04.090 that cats and dogs be spayed or neutered and microchipped prior to release for adoption. Unlike the existing code, it allows the release of animals that have not been spayed or neutered where such surgery is medically contraindicated. In addition, it adds a requirement that dogs be licensed before release.

6.06.010 Registration and Licensing carries over the dog licensing and rabies vaccination requirements from section 6.04.070. Additionally, it requires that all dogs be microchipped, eliminates the licensing

exemption for dogs currently licensed in another Arizona jurisdiction, and introduces a voluntary registration scheme for companion animals other than dogs.

6.06.020 Multiple Animal Permit replaces the kennel permit requirement in 6.04.070 with a requirement for any person keeping more than 10 cats or 10 dogs at a single location to obtain a permit, and sets out the conditions for the approval or denial of such a permit.

6.06.030 Dogs at Large Prohibited; 6.06.040 Dog Waste; 6.06.050 Penalties replaces the criminal penalties in 6.04.030 for allowing a dog to run at large or failing to dispose of dog waste on public property with fines that may be waived or reduced upon participation in an education program. A requirement that a dog handler have ready access to a container for waste disposal is added.

6.08.010 Animal Care; 6.08.020 Tethering and Tie Outs; 6.08.040 Animal Endangerment; 6.08.050 Penalties redefines and separates neglect provisions from the cruelty provisions of 6.04.110, adds prohibitions on weighted tethers, and replaces criminal penalties with fines that may be waived or reduced upon participation in an education program.

6.08.030 Sale of Animals replaces section 6.04.170, additionally prohibiting owners or operators of property from permitting animal sales.

6.10.010 Cruelty carries over the cruelty provisions of 6.04.110 and adds provisions relating to withholding medical attention, animal fighting, ear cropping and tail docking. It also includes repeated and willful animal care violations as cruelty violations subject to criminal penalties.

6.10.020 Injury to People, Animals or Property replaces 6.04.120, prohibiting specific behaviors rather than categorizing animals as vicious or destructive.

6.10.030 Failure to Quarantine prohibits concealing location of animal or violating quarantine order.

6.12.010 Dangerous Dogs largely carries over the provisions of 6.04.150 with the addition of a process to rescind a declaration of dangerousness after three years where appropriate.

6.14 Procedure to Forfeit Animals essentially carries over the process in 6.04.140, gives PACC rather than the court discretion over the disposition of forfeited animals.

6.16 Animal Enforcement Rules of Procedure establishes a single process for appealing citations and adverse actions by PACC, largely based on existing 6.08; replaces separate process for appealing declaration of dangerousness under 6.04.150.

Provisions from the following sections in the current code are omitted from the new code:

6.04.160 Excessive noise caused by animals or birds

6.05 Regulations concerning canine-wild animal hybrids

6.06 Bear regulations