

**ORDINANCE NUMBER O16-008**

**AN ORDINANCE OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA AMENDING TITLE 6 ANIMALS, CHAPTERS 6.04 ANIMALS GENERALLY, 6.08 DOGS, AND 6.16 PENALTIES AND EXCEPTIONS, OF THE *CITY OF SAFFORD MUNICIPAL CODE*.**

**WHEREAS**, Chapter 6.04, Animals Generally, 6.08 Dogs, and 6.16 Penalties and Exceptions; and,

**WHEREAS**, certain provisions of Title 6 Animals, Chapters 6.04 Animals Generally, 6.08 Dogs, and 6.16 Penalties and Exceptions, require further clarification and modification; and,

**NOW THEREFORE, BE IT ORDAINED**, by the Mayor and City Council of the City of Safford Graham County, Arizona, that **Chapters 6.04 Animals Generally, 6.08 Dogs, and 6.16 Penalties and Exceptions** of the Municipal Code of the City of Safford as contained in Title 6, Animals, is amended as stated below.

- **6.16.010 - Class 1 misdemeanor animal violations.**

The following offenses are designated class 1 misdemeanors:

**6.04.010** 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 police department. 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. (Prior code § 6-1-1)

**6.08.060**—Leash requirements;

**6.08.120** Injuring or poisoning animals;

It is unlawful for any person who accidentally or otherwise strikes an animal with an automobile and injures the same to leave the scene without rendering aid and assistance in the care of such animal. It is unlawful for any person to willfully or negligently poison any animal. (Prior code § 6-3-12)

**6.08.150** Biting dogs;

- A. It is unlawful for any person to destroy or dispose of any dog which has bitten any person or any other animal within a period of seven days after such biting.
- B. When any dog bites any person within the city, such dog or other animals, when identified, shall be impounded and quarantined in the city pound by the animal control officer or upon the request of the owner of such biting dog impounded

under the jurisdiction and observation of a licensed veterinarian for a period of seven days, to determine whether the dog or other animal has rabies.  
(Prior code § 6-3-14)

**6.08.160 Interference with officers—Prohibited; and**

It is unlawful for any unauthorized person to break open or attempt to break open the pound or to take or let out any dogs therefrom, or to take or attempt to take from any officer any dog taken up by him or her in compliance with this chapter or in any manner to interfere with or hinder such officer in the discharge of his duties under this chapter.  
(Prior code § 6-3-15)

**6.12.090 Impeding poundmaster prohibited.**

It is unlawful for any person to in any manner intervene, impede, prevent, obstruct or intimidate the animal control officer, or any member of the police department in the discharge of their duties in taking up or attempting to take up and impound any and all animals which it shall be their duty to impound under the provisions of this title, or who shall rescue or attempt to rescue any animal so taken up or to release any animal so impounded. (Prior code § 6-2-9)

• ~~**6.16.020 – Class 2 misdemeanor animal violations.**~~

~~The following offenses designated class 2 misdemeanors:~~

~~6.04.030 – Noises; and 6.08.110 Restrictions on certain dogs.  
(Ord. 01-004 (part))~~

• ~~**6.16.030 – Class 3 misdemeanor animal violations.**~~

~~The following offenses are designated class 3 misdemeanors:~~

~~6.04.040 – Strays-Housing;  
6.04.050 – Swine;  
6.08.020 – License required;  
6.08.040 – Receipts and tags; and  
6.08.030(B) – Vaccination.~~

• **6.16.020 – Civil animal violations.**

The following offenses are designated civil infractions:

**6.04.030 Noises;**

It is unlawful to harbor or keep any animals which disturb the peace by loud noises at any time of the day or night.  
(Prior code § 6-1-3)

**6.04.040 Strays-Housing;**

Any person who keeps or causes to be kept any horses, mules, cattle, burros, goats, sheep, or other livestock or poultry within the corporate limits of the city shall keep such livestock or poultry in a pen or similar enclosure to prevent their roaming at large.



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. (Prior code § 6-1-4)

6.04.050 Swine;

It is unlawful to keep any live swine or pigs in the city. (Prior code § 6-1-5)

6.08.020 License required;

No dog owner shall keep any dog, four months of age or older, within the city unless a license for it has first been secured. Licenses shall be issued by the city clerk for the fee established by resolution. Licenses shall expire on the first day of January next following their issuance. (Prior code § 6-3-2)

6.08.040 Receipts and tags;

A. Upon the payment of the license fee, the clerk shall execute a receipt in duplicate. The clerk shall deliver the original receipt to the person who pays the fees, retaining the duplicate. The clerk shall also procure a sufficient number of suitable metallic tags, the shape of which shall be different for each license year; and the clerk shall deliver one appropriate tag to the owner when the fee is paid.

B. The owner shall cause the tag to be affixed by a permanent fastening to the collar of the dog so licensed in such a manner that the tag may be easily seen by the officers of the city. The owner shall see that the tag is constantly worn by such dog.

C. In case any dog tag is lost; a duplicate may be issued by the clerk upon presentation of a receipt showing a payment of the license fee for the current year. A charge for each duplicate tag shall be established by resolution.

D. It is unlawful to counterfeit or attempt to counterfeit the tags provided for in this section or take from any dog a tag legally placed upon it by its owner with the intent to place it upon another dog, or to place such tag upon another dog.

E. Dog tags shall not be transferable and no refunds shall be made on any dog license fee because of leaving the city or death of the dog before the expiration of the license period. (Prior code § 6-3-4)

6.08.060 Leash requirements;

No dog shall be allowed to run at large within the city. Any dog found running at large is in violation of this chapter and shall be taken up and impounded; provided, however, that if any dangerous, vicious or fierce dog cannot, in the discretion of the designated officer, be safely taken up and impounded, such dog may be immediately slain, and further provided, that any designated officer may, at his or her discretion, for any humane reason, immediately kill any dog found at large within the city that is in violation of this chapter. (Prior code § 6-3-6)

6.08.110 Restrictions on certain dogs;

No person shall keep or harbor a dog which habitually barks or cries between the hours of ten p.m. and six a.m. No dog owner shall permit his or her dog to damage any lawn, garden or other property. (Prior code § 6-3-11)

6.08.130 Vaccination.

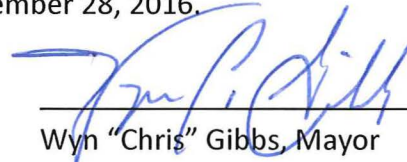
A. No dog license or dog tag shall be issued as provided by Sections 6.08.020 and 6.08.040 unless a licensed veterinarian has certified that the dog has been vaccinated against rabies.

B. Any person who keeps or harbors a dog shall maintain current proof of rabies vaccination. (Ord. 02-002; Prior code § 6-3-13 (part))

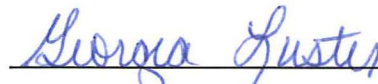
- ~~6.16.040~~ 6.16.030 - Exception.

The provisions of this title do not apply to dogs owned and utilized by any police agency for law enforcement purposes. (Ord. 01-004 (part))


**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL** of the City of Safford this 24<sup>th</sup> day of October, 2016 with an effective date of November 28, 2016.

  
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Wyn "Chris" Gibbs, Mayor  
City of Safford

ATTEST:

  
\_\_\_\_\_  
Georgia Luster, MMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
William J. Sims, III  
City Attorney

CERTIFICATION

STATE OF ARIZONA     )  
                                      )   ss  
County of Graham     )

I HEREBY CERTIFY, that the foregoing Ordinance Number O16-008 was duly passed and adopted by the Mayor and City Council of the City of Safford, Graham County, Arizona, at a regular council meeting held October 24, 2016 with an effective date of November 28, 2016. A quorum of the Council was present at the meeting.

November 28, 2016  
Date:

  
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Georgia Luster, MMC, City Clerk