

## ORDINANCE 2020-002

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SPRINGVILLE, ARIZONA, AMENDING THE TOWN CODE, TITLE 6 "ANIMALS" CHAPTER 6.08 DEFINITIONS. BY ADDING DEFINITIONS OF "DANGEROUS ANIMALS" "VICIOUS ANIMALS" AND AMENDING CHAPTER 6.12 ANIMAL CONTROL; ADDING SECTION 6.12.140 "DANGEROUS OR VICIOUS" ANIMALS. ADDING "PENALTIES", AS PRESCRIBED AND DEFINED BY THE TOWN OF SPRINGVILLE MAGISTRATE COURT, AND ESTABLISHING AN EFFECTIVE DATE:

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SPRINGVILLE, ARIZONA AS FOLLOWS:

WHEREAS, it is in the best interest of the Town to amend TITLE 6, Animals, adding definitions for dangerous animals and amending chapter 6.12 Animal Control by adding section 6.12.140 "Dangerous or Vicious" Animals. Adding penalties, as prescribed and defined by the Town of Springerville Magistrate Court and establishing an effective date.

### DEFINITIONS

For the purposes of this chapter, words set out in this section shall be defined as follows.

**Dangerous Animal** means any animal which, when unprovoked, on two separate occasions within the prior twenty-four- month period, engages in any behavior which requires a defensive action by any person to prevent bodily injury when the person and the animal are off the property of the owner or keeper of the animal;

Any animal which, when unprovoked, bites a human being;

Any animal which, when unprovoked, has killed, seriously bitten, inflicted injury, or otherwise caused injury attacking a domestic animal off the property of the owner or keeper of the animal;

Any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury, or to otherwise threaten the safety of human beings or domestic animals;

**Vicious Animal** means any animal which, when unprovoked, in an aggressive manner inflicts severe injury on or kills a human being. Severe injury means any physical injury to a human being that results in muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery;

Any animal previously determined to be and currently listed as a "dangerous animal" which, after its owner or keeper has been notified of its determination, continues the behavior described in subsection (a) of this section, or any animal previously determined to be and currently listed as a dangerous animal, which is not properly licensed and vaccinated, not properly restrained and/or not properly maintained on the owner's property.

## 6.12.140 DANGEROUS OR VICIOUS:

It is unlawful to permit a dangerous or vicious animal of any kind to run at large within the town limits. Any such animals may be immediately impounded. After impoundment the animal in question will be quarantined at the Springerville Kennels for no less than ten days. This could change depending on the animal and the Arizona Manual for Rabies.

A. Complaints: Upon complaint of any person, and after notice to the owner and, a civil and or criminal hearing, the Springerville Magistrate Court may determine that an animal is dangerous or vicious and order one or more of the following:

1. The destruction of said animal;
2. That such animal be confined within a building or secure enclosure;
3. That such animal be securely muzzed or caged at all times;


B. Destruction: The animal control officer is authorized to destroy any dangerous animal of any kind, upon an order from the Springerville Magistrate Court, or when it is necessary for the protection of any person or property, when in their judgement the animal is

1. Dangerous or vicious; and
2. Cannot be safely impounded

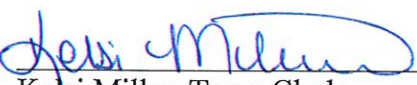
WHEREAS. it is necessary for the preservation of the peach, health and safety of the Town of Springerville, Arizona; therefore, an emergency is declared to exist, and this Ordinance shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Springerville, Arizona, this 19<sup>th</sup> day of February, 2020


TOWN OF SPRINGERVILLE

  
Phil Hanson, Jr., Mayor

ATTEST:

  
Kelsi Miller, Town Clerk

APPROVED AS TO FORM:

  
Timothy B. Shaffery, Town Attorney  
Shaffery Law Offices, P.L.L.C