

MARANA ORDINANCE NO. 2024.020

RELATING TO ANIMAL CONTROL; ADOPTING REVISIONS TO MARANA TOWN CODE TITLE 6 (ANIMAL CONTROL), REVISING SECTION 6-1-1 (DEFINITIONS) TO REVISE DEFINITIONS FOR "AT LARGE" AND "LEASH" OR "LEAD"; REVISING SECTION 6-4-1 (DOGS AT LARGE PROHIBITED; EXCEPTIONS; CLASSIFICATION) TO INCORPORATE REVISED DEFINITIONS; AND DESIGNATING AN EFFECTIVE DATE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 6 (Animal Control) Chapter 6-1 (Definitions) is hereby amended to revise section 6-1-1 (Definitions) as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

6-1-1 Definitions

The following definitions shall apply throughout this title unless the context clearly indicates otherwise.

[Paragraphs A through D remain unchanged]

E. "At large" means being neither confined by an inside a house or other building or confined entirely by a fence or similar enclosure nor physically restrained by a leash.

[Paragraphs F through O remain unchanged]

P. "Leash" or "lead" means:

1. a chain, rope, leather strap, cord or similar restraint attached to a collar or harness or otherwise secured around an animal's neck; and
2. that is of sufficient strength to restrain the animal; and
3. that is used by the person handling the animal as it was designed and intended to be used to control the animal.

[Paragraphs Q through DD remain unchanged]

SECTION 2. Marana Town Code Title 6 (Animal Control) Chapter 6-4 (Dogs at Large Prohibited; Dogs on School Grounds) is hereby amended to revise section 6-4-1 (Dogs at large prohibited; exceptions; classification) as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

6-4-1 Dogs at large prohibited; exceptions; classification

~~A. It is unlawful for an owner of a dog to allow the dog to be at large within the town limits. Any dog owned, possessed, harbored, kept or maintained on public streets, sidewalks, alleys, parks or other public property shall be restrained by a leash, chain, rope, cord, or similar device of sufficient strength to restrain the dog. Any person handling the dog shall use the leash, chain, rope, cord, or similar device as it was designed and intended to be used to control the dog.~~

~~B. Any dog owned, possessed, kept, harbored or maintained upon or about the private property of any person, including the property of the dog's owner, shall be confined inside a house or other building, or confined entirely by a fence or similar enclosure of sufficient strength and height, to prevent the dog from escaping from the property.~~

~~C.~~ B. Dogs may be at large as an exception to this section under the following circumstances:

1. While participating in field trials, obedience classes or kennel club events, or while engaging in races approved by the Arizona Racing Commission, provided that the dog is accompanied by and under the control of the dog's owner or trainer.
2. While being used or trained for legal hunting or for control of livestock.
3. While assisting a peace officer engaged in law enforcement duties.
4. While within a dog park.
5. While acting as a service animal and assisting an individual with a disability and only if the individual with a disability is unable because of the disability to restrain the service animal by leash, chain, rope, cord or similar device, or the use of a leash, chain, rope, cord or similar device would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the individual's control, by voice control, signals or other effective means.

~~D.~~ D. Except as otherwise provided in this section, violation of this section is a civil infraction.

~~E.~~ E. Violation of this section is a class 2 misdemeanor if the owner of the animal has been found responsible or guilty of a violation of this section within the 12-month period prior to the date of offense.

~~F.~~ F. Violation of this section is a class 1 misdemeanor if the owner of the animal has knowledge that the animal has been declared vicious, aggressive or destructive after an opportunity for a hearing before the town magistrate or that has been so declared by another jurisdiction after the owner has been provided notice and an opportunity to be heard.

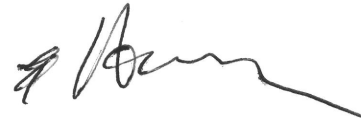
SECTION 3. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 4. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. This ordinance is effective on the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 1st day of October, 2024.



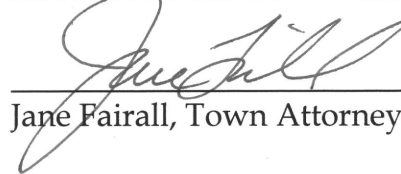
Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney

