

ORDINANCE NO. 960

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF WILLIAMS, ARIZONA RELATING TO ADEQUATE SHELTER FOR DOGS IN THE CITY LIMITS, AMENDING TITLE SIX CHAPTER TEN OF THE WILLIAMS CITY CODE BY ADDITION OF SECTION SIXTEEN.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLIAMS:

WHEREAS, the City of Williams has authority pursuant to A.R.S. § 9-499.04 to establish regulations and local standards for the humane care of dogs.

WHEREAS, the City has determined the need to require adequate shelter for dogs; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Williams as follows:

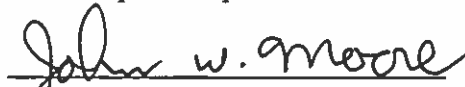
Section 1. That certain document entitled "Title Six Chapter Ten Section Sixteen of the Williams City Code," three copies of which are on file in the office of the City Clerk, is hereby referred to, adopted and made a part hereof as fully set out in this ordinance, the provisions thereof to become effective on the 1st day of November, 2017.

Section 2. Any person found guilty of violating any provision of this code shall be guilty of a class one misdemeanor. Each day that a violation continues shall be a separate offense punishable as herein above described.

Section 3. Title Six, Chapter Ten, Section Sixteen of the Williams City Code will become an addition to Title Six, Chapter Ten effective 1st day of November, 2017

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of this code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

CITY OF WILLIAMS, an Arizona
Municipal Corporation



Mayor

ATTEST:



City Clerk

ARTICLE-6.10.16 ADEQUATE SHELTER FOR DOGS

Article 6-10.16.01- Definitions

(A) "Inclement weather" shall mean weather conditions that are likely to adversely affect the health or safety of the dog, including but not limited to rain, sleet, ice, snow, wind, or extreme heat and cold.

(B) "Dogs that are left outdoors" shall mean dogs that are outdoors in inclement weather without ready access to, or the ability to enter, a house, apartment building, office building, or any other permanent structure.

(C) "Adequate shelter" shall mean:

For dogs that are restrained in any manner outdoors, shade by natural or artificial means to protect the dog from direct sunlight at all times when exposure to sunlight is likely to threaten the health of the dog.

For all dogs that are left outdoors in inclement weather, a housing facility, which must: (1) have a waterproof roof; (2) be structurally sound with insulation and ventilation appropriate to local climatic conditions and sufficient to protect the dog from inclement weather and be adequate to protect the animal from exposure below 50 degrees Fahrenheit or above 85 degrees Fahrenheit; (3) be constructed to allow each dog adequate freedom of movement to make normal postural adjustments, including the ability to stand up, turn around and lie down with its limbs outstretched; and (4) allow for effective removal of excretions, other waste material, dirt and trash from the housing facility and the area immediately around the facility.

Article 6.10.16.02 - Regulations

1. Any person who owns or has custody or control of a dog that is left outdoors shall provide it with adequate shelter appropriate to its breed, physical condition and the climate.
2. Nothing in this paragraph shall prevent the seizure of a dog for a violation of this section pursuant to the authority granted in this article. A dog may be seized for a violation of this section even if the dog is healthy and unharmed.

Article 6.10.16.03 – Impounding of Dogs

Upon the impounding of any dog or other animal, the enforcement agent shall immediately give the owner or custodian notice of the impounding, either personally or by certified mail, addressed to the owner or custodian's last known address if the owner or custodian is known or can be ascertained by reasonable investigation.

Article 6.10.16.04 – Fines

Any person who knowingly violates the provisions of this section shall be guilty of a violation, punishable by a fine of not less than \$75 dollars for a first offense, and a fine of not less than \$100

dollars for a second and subsequent offenses. Beginning 72 hours after a charge of violating this section, each day that a defendant fails to correct the deficiencies in the dog shelter for a dog that he or she owns or that is in his or her custody or control and that is left outdoors, so as to bring it into compliance with the provisions of this section, shall constitute a separate offense.

The court may, in its discretion, reduce the amount of any fine imposed for a violation of this section by the amount which the defendant proves he or she has spent providing a dog shelter or repairing an existing dog shelter so that it complies with the requirements of this section. (Ord. 960, 2017; Ord. 919, 2011)