

**ORDINANCE NO. 18-1189**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA, AMENDING LAKE HAVASU CITY CODE TITLE 6, ANIMALS, TO MAKE CERTAIN OFFENSES CIVIL AND CLARIFY ANIMALS IN CITY PARKS**

**BE IT ORDAINED**, by the Mayor and City Council of Lake Havasu City, Arizona, as follows:

**Section 1.** Revise Section 6.04.020, Dog License Required, to add a new subsection I, as follows:

**§ 6.04.020 DOG LICENSE REQUIRED.**

- I. A VIOLATION OF THIS SECTION SHALL BE A CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION.**

**Section 2.** Revise Section 6.04.030, Dog License Fee, to add a new subsection F, as follows:

**§ 6.04.030 DOG LICENSE FEE.**

- F. A VIOLATION OF THIS SECTION SHALL BE A CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION.**

**Section 3.** Revise Section 6.04.050, Dog License Tag, to add a new subsection B and designate the existing paragraph as subsection A, as follows:

**§ 6.04.050 DOG LICENSE TAG.**

- A.** Owners are required to securely fasten an issued tag to the dog's collar or harness, which must be worn at all times unless the dog is engaged in a sporting or exhibition event or inside a residential dwelling.
- B. A VIOLATION OF THIS SECTION SHALL BE A CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION.**

**Section 4.** Revise Section 6.04.060, Refusing to Show License, Tag or Proof, as follows:

**§ 6.04.060 REFUSING TO SHOW LICENSE, TAG, OR PROOF.**

Failure or refusal to show a dog license, tag, or proof of vaccination upon request by an animal control officer is a CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION. ~~violation of this title.~~

**Section 5.** Revise Section 6.08.010, Vaccination Requirements, to add a new subsection B, as follows:

**§ 6.08.010 VACCINATION REQUIREMENTS.**

- B. A VIOLATION OF THIS SECTION SHALL BE A CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION.**

**Section 6.** Revise Section 6.08.020, Proof of Vaccination, to add a new subsection B, as follows:

**§ 6.08.020 PROOF OF VACCINATION.**

- B. A VIOLATION OF THIS SECTION SHALL BE A CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION.

**Section 7.** Revise Section 6.12.020, At Large, to add a new subsection B and designate the existing paragraph as subsection A, as follows:

**§ 6.12.010 AT LARGE.**

- A. No person owning, keeping, possessing, harboring, or maintaining an animal shall allow the animal to be at large.
- B. A VIOLATION OF THIS SECTION SHALL BE A CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION.

**Section 8.** Revise Section 6.20.010, Dogs in City Parks, as follows:

**§ 6.20.010 ~~DOGS~~ ANIMALS IN CITY PARKS.**

- A. PETS AND OTHER ANIMALS UNDER THE CARE, CUSTODY, OR CONTROL OF A PARK USER ARE NOT PERMITTED IN CITY PARKS EXCEPT AS FOLLOWS:
1. SERVICE ANIMALS THAT HAVE BEEN SPECIFICALLY TRAINED TO ASSIST PERSONS WITH VISUAL, HEARING OR OTHER PHYSICAL DISABILITIES, WHICH ARE IN THE ACTUAL CUSTODY OF THE DISABLED INDIVIDUAL ARE PERMITTED IN ALL CITY PARKS.
  2. DOGS ARE PERMITTED IN CITY PARKS, EXCEPT ROTARY PARK, UNDER THE FOLLOWING CONDITIONS:
    - a. DOGS SHALL BE UNDER CONTROL OF THE OWNER OR HANDLER AT ALL TIMES IN ALL AREAS OF THE PARK; AND
    - b. DOGS SHALL BE KEPT ON A LEASH NO LONGER THAN 6 FEET AT ALL TIMES EXCEPT WHILE IN THE DESIGNATED OFF LEASH AREAS; AND
    - c. DOGS ARE NOT PERMITTED ON OR WITHIN 10 FEET OF PLAYGROUND EQUIPMENT WITHIN ANY CITY PARK; AND
    - d. DOGS ARE NOT PERMITTED ON ATHLETIC FIELDS INCLUDING, BUT NOT LIMITED TO FIELDS FOR BASEBALL, SOFTBALL, T-BALL, SOCCER, FOOTBALL, AND TRACK, UNLESS SPECIFIED ELSEWHERE IN THIS SECTION OR AUTHORIZED BY THE CITY; AND
    - e. THE PERSON IN CUSTODY OR CONTROL OF ANY DOG IN A PARK MUST PROMPTLY CLEAN UP ANY FECES DEPOSITED IN THE PARK AND DISPOSE OF IT IN AN APPROPRIATE OR DESIGNATED TRASH RECEPTACLE.
- B. A VIOLATION OF THIS SECTION SHALL BE A CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION.

**Section 9.** Revise Section 6.20.050, Dog Waste Removal, revising subsection A and adding a new subsection D, as follows:

**§ 6.20.050 ~~DOG~~ WASTE REMOVAL.**

- A. Failure to immediately remove and dispose of, in a sanitary manner, any solid waste deposited on public and/or private property by a dog OR OTHER DOMESTICATED ANIMAL without the consent of the person(s) that own and/or have control of the property is a violation of this section.
- B. Failure to remove and dispose of any solid waste deposited on property that creates excessive piles or spreads throughout a property, or is perceptible by odor or sight from outside the property, is a violation of this section.
- C. This section does not apply to police officers accompanied by law enforcement dogs during and while on duty.
- D. A VIOLATION OF THIS SECTION SHALL BE A CIVIL OFFENSE PUNISHABLE BY A FINE FIXED BY THE COURT NOT TO EXCEED \$1,000 PER VIOLATION.

**Section 10.** Revise Section 6.24.070, Penalties, as follows:

**§ 6.24.070 PENALTIES.**

Unless otherwise provided in this title, it is unlawful for any person, firm, or corporation to violate, or cause a violation of, any provision of this title. Any person, firm, or corporation violating any provision of this title shall be guilty of a class 2 misdemeanor UNLESS OTHERWISE INDICATED. Each separate day or part thereof during which any violation of this title occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

**Section 11:** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

**Section 12:** 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, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by the Mayor and City Council of Lake Havasu City, Arizona, on \_\_\_\_\_, 2018.

APPROVED:

\_\_\_\_\_  
Mark S. Nexsen, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Williams, City Clerk

APPROVED AS TO FORM:

REVIEWED BY:

