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**CITY OF SAN LUIS  
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SAN LUIS, ARIZONA 85349**

**2024-22950 ORDINANCE**  
09/26/2024 11:37:30 AM Pages: 7 Fees: \$15.00  
Requested By: CITY OF SAN LUIS

Richard Colwell County Recorder, YUMA County AZ



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**CAPTION HEADING:**

**ORDINANCE**

Ordinance No. 455

Relating to requiring dog licenses declaring the document titled

"The 2024 Restatement and Amendment to the San Luis City Code-Animal Control"



# Ordinance

No. 455

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, RELATING TO REQUIRING DOG LICENSES; DECLARING THE DOCUMENT TITLED “THE 2024 RESTATEMENT AND AMENDMENT TO THE SAN LUIS CITY CODE, CHAPTER 6.05” A PUBLIC RECORD AND ADOPTING IT BY REFERENCE; FIXING AN EFFECTIVE DATE; IMPOSING PENALTIES FOR VIOLATIONS; REPEALING CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.**

**BE IT ORDAINED** by the Mayor and City Council of the City of San Luis, Arizona:

**Section 1-Public Record:** Certain documents known as “*The 2024 Restatement and Amendment to the San Luis City Code, Chapter 6.05-Animal Control*,” three (3) copies of which are on file in the office of the City Clerk of San Luis, Arizona, are declared to be a public record, and said copies are ordered to remain on file with the City Clerk.

**Section 2-Incorporated by Reference:** *The 2024 Restatement and Amendment to the San Luis City Code, Chapter 6.05-Animal Control* is referred to, adopted, incorporated, and made a part of this Ordinance No. 455 as if fully set out in this Ordinance in full.

**Section 3-Effective Date:** The provisions of *The 2024 Restatement and Amendment to the San Luis City Code, Chapter 6.05-Animal Control*, shall become effective on Friday, October 25, 2024.

**Section 4-Penalties:** Any person, firm, or corporation to violate or cause the violation of Section 6.05.031 – Dog license requirements – as set forth in *The 2024 Restatement and Amendment to the San Luis City Code, Chapter 6.05-Animal Control* in Section 6.05.990 as adopted by this Ordinance No. 455 shall be guilty of a Class 2 misdemeanor.. Violations of Section 6.05.031 – Dog license requirements – each separate day, or part thereof, that a violation continues is a separate offense.

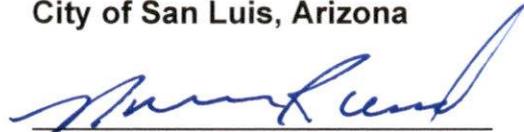
**Section 5-Repealing Conflicting Provisions:** If a conflict arises between the provisions of this Ordinance No. 455 and any other ordinance, or any resolution, order, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced, and this Ordinance shall govern.

**Section 6-Severability:** If any section, subsection, paragraph, sentence clause, phrase, or portion of this Ordinance No. 455 is held to be invalid or unconstitutional by the final

decision of any court of competent jurisdiction or controlling legislation, such decision or law shall not affect the validity of the remaining portion of this Ordinance: The City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance No. 455.

**PASSED, ADOPTED, and APPROVED** by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this 30<sup>th</sup> day of September 2024.

**City of San Luis, Arizona**

  
\_\_\_\_\_  
Nieves Riedel, Mayor

**Attest:**

**Approved As to Form**

*for* unhappy, Deputy city clerk  
Sonia Cornelio, City Clerk

Kay Marion Macuil  
Kay Marion Macuil, City Attorney

**THE 2024 RESTATEMENT AND AMENDMENT TO THE SAN LUIS CITY CODE,  
CHAPTER 6.05 ANIMAL CONTROL**

**6.05.010**

**Dogs at large.**

(A) No Person owning, keeping, possessing, harboring, or maintaining a Dog shall allow the Dog to be at large.

(B) A Dog is not at large:

- (1) If restrained by a leash, rope, chain, or other restraint of sufficient strength to control the action of the Dog;
- (2) If the Dog is confined in a suitable enclosure;
- (3) If the Dog is engaged in obedience training, so long as the Dog is actually enrolled in a Dog obedience school approved by the City enforcement agent;
- (4) While the Dog is being used for hunting purposes; and
- (5) While the Dog is being exhibited at an American Kennel Club-approved dog show.

(C) *Definition for purposes of this Section 6.05.101. AT LARGE.* A Dog is on or off the Owner's premises and not under the Owner's control or another Person's control acting for the Owner, and the Dog is not confined in a suitable enclosure.

**6.05.020**

**Animals disturbing the peace.**

It shall be unlawful for any Person to keep or harbor within the City any Animal or Fowl which excessively barks, howls, roars, crows, or makes other noises by day or night and disturbs the peace of any Person or family.

**6.05.031**

**License requirements.**

(A) All Dogs kept, harbored, or maintained in the City must be currently licensed under the law if over four (4) months of age.

(B) Any Person who Knowingly fails to obtain a license for a Dog required to be licensed, or counterfeits an official Dog license, or removes the license from the Dog for the purpose of intentional and malicious mischief, or places a Dog license upon a Dog unless the license was issued for that particular Dog is guilty of a Class 2 misdemeanor as punishable by the Section 6.05.990 of the City Code. With respect to violations of this chapter, which are continuous with respect to time, each day the violation continues shall be deemed a separate offense.

(C) A Dog's new Owner shall secure a license transfer whenever a Dog's ownership changes.

(D) Any Dog subject to licensing found not to be wearing a license shall be deemed unowned.

(E) The Enforcement Officer may apprehend and Impound any Dog found without a current valid license tag.

#### **6.05.032**

##### **Vaccination requirements.**

(A) An Owner of any Dog is responsible for obtaining and presenting, upon request by the Enforcement Officer, a rabies Vaccination certificate signed by a Veterinarian, stating the Owner's name and address and giving the Dog's description, date of Vaccination, and type, manufacturer and serial number of the vaccine, and the date re-Vaccination is due.

(B) If a Dog is Impounded and found to be unvaccinated, the Enforcement Officer will cause the Dog to be vaccinated at the pound at a cost to be borne by the Owner. The Vaccination shall be performed by animal control personnel or other qualified personnel to whom animal control personnel have delegated such duty and who shall then issue a Vaccination certificate. The vaccinated Dog shall not be released until all Vaccination, care, and Impound fees are paid in full.

#### **6.05.085**

##### **Definitions.**

Unless otherwise specifically defined, the following words and phrases, as used in this chapter, have the following meaning:

*ANIMAL.* Any mammal, bird, reptile or amphibian.

*CONSECUTIVE BUSINESS DAYS.* Monday through Friday are considered business days; business days do not include Saturdays, Sundays, or City holidays, even if the Animal Control Division is open during these days.

*DOG.* A member of the *Canis familiaris* species.

*ENFORCEMENT OFFICER.* Any certified peace officer or any Person delegated by the City Manager or his or her designee responsible for enforcing this chapter and the regulations promulgated under this chapter.

*FOWL.* A bird of any kind, domesticated or wild, including poultry.

*IMPOUND.* The act of taking or receiving into custody by the Enforcement Officer any Animal for the purpose of confinement in an authorized Impound Facility under the provisions of this chapter.

**IMPOUND FACILITY.** Any establishment authorized for the confinement, maintenance, safekeeping, and control of Dogs and other Animals that come into the custody of the Enforcement Officer in performing his or her official duties.

**KENNEL.** An enclosed controlled area inaccessible to other Animals, in which a Person keeps, harbors, or maintains Dogs under controlled conditions.

**KNOWINGLY.** With respect to conduct or to a circumstance described by a law defining an offense, that a Person is aware or believes that the Person's conduct is of that nature or that the circumstance exists, it does not require any knowledge of the unlawfulness of the act or omission.

**OWNER.** Any Person exercising care, custody, or control of any Animal for more than six (6) consecutive calendar days or claiming any legal interest in that Animal. Indicators to determine who the Owner is also include any license, permit, certificate, registration, or other documentation establishing a legal interest in such Animal.

**PERSON.** Any individual, corporation, partnership, association, or other legal entity.

**VACCINATION.** The administration of an anti-rabies vaccine to Animals by a Veterinarian or an authorized Impound Facility by employees trained by a Veterinarian licensed by the State of Arizona.

**VETERINARIAN.** Any Veterinarian licensed to practice in Arizona or any Veterinarian employed in Arizona by a governmental agency.

**VETERINARY HOSPITAL.** Any establishment operated by a Veterinarian licensed to practice in Arizona that provides clinical facilities and houses Animals or birds for dental, medical, or surgical treatment; a Veterinary Hospital may have adjacent to it, or in conjunction with it, or as an integral part of it, pens, stalls, cages or Kennels for quarantine, observation or boarding.

#### **6.05.990 Penalty**

(A) Unless otherwise specifically provided for in this chapter, it shall be unlawful for any person, firm, or corporation to violate, or cause the violation of, any provision of this chapter. Any person, firm, or corporation violating any of the provisions in this chapter shall be guilty of a Class 2 misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$750.00 or by imprisonment for not more than four months or by both such fine or imprisonment.

(B) Any violation of City Code 6.05.010, Dogs at large, shall be a Class 3 misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$500.00 or by imprisonment for not more than 30 days or by both such fine or imprisonment; and upon conviction for a first offense, the minimum fine to be imposed shall not be less than \$50.00. For each additional offense within a twelve-month period, the following minimum fines shall be mandatory:

(1) Second offense: \$100.00;

(2) Third offense: \$200.00;

(3) Thereafter: \$300.00.

At all times, the court shall retain the right to impose more than the minimum sentence as provided herein.

(C) With respect to violations of this chapter, which are continuous with respect to time, each day the violation continues shall be deemed a separate offense.