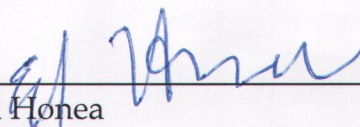



**MARANA RESOLUTION NO. 2023-019**

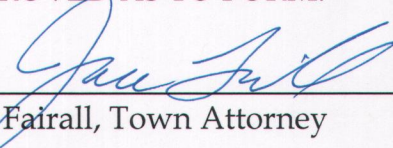
RELATING TO ANIMAL CONTROL; DECLARING AS A PUBLIC RECORD FILED WITH THE TOWN CLERK THE AMENDMENTS TO MARANA TOWN CODE TITLE 6 (ANIMAL CONTROL); REVISING SECTION 6-1-1 (DEFINITIONS) TO CLARIFY DEFINITIONS RELATED TO AGGRESSIVE ANIMALS, DESTRUCTIVE ANIMALS AND VICIOUS ANIMALS, INCLUDING NEW DEFINITIONS FOR AGGRESSIVE MANNER, DESTRUCTIVE MANNER, AND VICIOUS MANNER; REVISING SECTION 6-7-2(A) (EVALUATION OF ANIMALS) TO CLARIFY AN ANIMAL CONTROL OFFICER MAY CONDUCT AN EVALUATION AND / OR INVESTIGATION; REVISING SECTION 6-7-5(A) (HEARING REGARDING DECLARATION; FINDINGS AFTER COURT HEARING; RULES OF HEARING; COSTS) TO ADD A PROVISION ALLOWING THE COURT TO CONDUCT A HEARING WITHIN 30 DAYS WHEN THE ANIMAL IS NOT IMPOUNDED; REVISING SECTION 6-7-6(A) (PROHIBITED ACTS; CLASSIFICATION; DEFENSES; FINDINGS AND ORDERS) CLARIFYING A VIOLATION OCCURS WHEN THE ANIMAL IS "DECLARED" A VICIOUS ANIMAL, AGGRESSIVE ANIMAL, OR DESTRUCTIVE ANIMAL; AND DESIGNATING AN EFFECTIVE DATE

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that the amendments to Marana Town Code Title 6 (Animal Control), a copy of which is attached to and incorporated in this resolution as Exhibit A and one paper copy and one electronic copy of which are on file in the office of the Town Clerk, are hereby declared to be a public record and ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 7<sup>th</sup> day of March, 2023.

  
\_\_\_\_\_  
Mayor Ed Honea

ATTEST:  
  
\_\_\_\_\_  
David L. Udall, Town Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Jane Fairall, Town Attorney





*EXHIBIT A TO MARANA RESOLUTION NO. 2023-019*  
*Revisions to Marana Town Code, Title 6 "Animal Control" pursuant to Marana*  
*Ordinance No. 2023.006*

SECTION 1. Section 6-1-1 of the Marana Town Code is hereby revised as follows (with additions shown with double underlining and deletions shown with ~~strikeouts~~):

**6-1-1 Definitions**

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

A. "Aggressive animal" means any animal that has bitten, attempted to bite, endangered, acted in an aggressive manner, or otherwise injured a person or domestic animal without provocation or that has a known history of attacking persons or domestic animals without provocation and is not a vicious animal, or that has been so declared 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.

B. "Aggressive manner" means the animal approaches a person or domestic animal, and can include but not limited to, threat displays of lunging, charging, growling, snarling, snapping, barking, or biting.

[No revisions to existing paragraphs B through G which are hereby re-lettered as paragraphs C through H]

~~H.I.~~ "Destructive animal" means any animal that has a propensity to destroy, damage, act in a destructive manner, or cause damage to the property of a person other than the animal's owner, or that has been so declared 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.

J. "Destructive manner" means and includes, but not limited to, chewing, digging, ripping, scratching, clawing, and destroying.

[No revisions to existing paragraphs I through X which are hereby re-lettered as paragraphs K through Z]

~~Y.AA.~~ "Vicious animal" means any animal that has a propensity to attack, to cause injury to, act in a vicious manner, or to otherwise endanger the safety of human beings or domestic animals without provocation, or that has been so declared after an opportunity for a hearing before the town magistrate, or that has been so declared by



*EXHIBIT A TO MARANA RESOLUTION NO. 2023-019*  
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another jurisdiction after the owner has been provided notice and an opportunity to be heard.

BB. "Vicious manner" means approaches people or domestic animal and exhibits conduct, which includes, but not limited to, growling, showing teeth, snapping, biting, charging, circling, cornering a person or domestic animal, or creating a reasonable fear of imminent attack.

[No revisions to existing paragraph Z which is hereby re-lettered as paragraph CC]

SECTION 2. Section 6-7-2 of the Marana Town Code is hereby revised as follows (with additions shown with double underlining):

**6-7-2 Evaluation of animals**

A. Whenever the town enforcement agent has reason to believe an animal is vicious, aggressive, or destructive, the town enforcement agent may conduct an investigation and / or evaluation of the animal, whether the animal is impounded or not.

[Paragraphs B through D remain unchanged]

SECTION 3. Section 6-7-5 of the Marana Town Code is hereby revised as follows (with additions shown with double underlining):

**6-7-5 Hearing regarding declaration; findings after court hearing; rules of hearing; costs**

A. Upon receipt of a written request for a hearing to determine if the animal should be declared vicious, aggressive, or destructive, the court shall set a hearing within 15 business days if the animal has been impounded and within 30 days if the animal has not been impounded.

[Paragraphs B through E remain unchanged]

SECTION 4. Section 6-7-6 of the Marana Town Code is hereby revised as follows (with additions shown with double underlining):

**6-7-6 Prohibited acts; classification; defenses; findings and orders**

A. The owner of any animal that is declared a vicious animal, aggressive animal, or destructive animal that bites, attempts to bite, endangers or otherwise injures or causes injury to human beings or other animals is guilty of a class 1 misdemeanor.



*EXHIBIT A TO MARANA RESOLUTION NO. 2023-019  
Revisions to Marana Town Code, Title 6 "Animal Control" pursuant to Marana  
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[Paragraphs B through F remain unchanged]