

MARANA ORDINANCE NO. 2023.038

RELATING TO ANIMAL CONTROL; AMENDING MARANA TOWN CODE TITLE 6 (ANIMAL CONTROL); REVISING SECTION 6-1-1 (DEFINITIONS) TO ADD NEW DEFINITION FOR DOG PARK; REVISING SECTION 6-4-1(C)(4) (DOGS AT LARGE PROHIBITED; EXCEPTIONS; CLASSIFICATION) TO REVISE DOG PARK EXCEPTION; ADDING SECTION 6-4-4 (DOG PARK REGULATIONS) TO ADD DOG PARK REGULATIONS; REVISING SECTION 6-7-2 (EVALUATION OF ANIMALS) TO ADD EXCEPTION TO VICIOUS, AGGRESSIVE OR DESTRUCTIVE ANIMAL EVALUATION OR INVESTIGATION IN DOG PARKS; AND DESIGNATING AN EFFECTIVE DATE.

WHEREAS the Town Council is authorized by A.R.S. §§ 9-240, 9-499.04, 9-500.32, 11-1018, 11-1029, 13-2910, and 13-4281 to adopt animal control regulations; and

WHEREAS the Town Council finds that the animal control regulations established by this ordinance are necessary for the health, safety, and welfare of the town's residents.

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

Section 1. The amendments to the Marana Town Code Title 6 (Animal Control), one paper copy and one electronic copy of which are on file in the office of the Town Clerk of the Town of Marana, Arizona, which were made a public record by and attached as Exhibit A to Resolution No. 2023-105 of the Town of Marana, Arizona, are hereby referred to, adopted and made a part of this ordinance as if fully set out here.

Section 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

Section 3. 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of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.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 4. 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 5. This ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 17th day of October, 2023.



Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney



MARANA RESOLUTION NO. 2023-105

RELATING TO ANIMAL CONTROL; DECLARING AS A PUBLIC RECORD FILED WITH THE TOWN CLERK THE AMENDMENTS ADOPTED BY ORDINANCE NO. 2023.038, REVISIONS TO MARANA TOWN CODE TITLE 6 (ANIMAL CONTROL); REVISING SECTION 6-1-1 (DEFINITIONS) TO ADD NEW DEFINITION OF DOG PARK; REVISING SECTION 6-4-1(C)(4) (DOGS AT LARGE PROHIBITED; EXCEPTIONS; CLASSIFICATION) TO REVISE DOG PARK EXCEPTION; ADDING SECTION 6-4-4 (DOG PARK REGULATIONS) TO ADD DOG PARK REGULATIONS; AND REVISING SECTION 6-7-2 (EVALUATION OF ANIMALS) TO ADD EXCEPTION TO VICIOUS, AGGRESSIVE OR DESTRUCTIVE ANIMAL EVALUATION OR INVESTIGATION IN DOG PARKS

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) adopted by Ordinance No. 2023.038, 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 17th day of October, 2023.



Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney



EXHIBIT A TO MARANA RESOLUTION NO. 2023-105
Amendments to Marana Town Code, Title 6 "Animal Control" pursuant to Marana
Ordinance No. 2023.038

SECTION 1. Title 6 "Animal Control", Section 6-1-1 "Definitions" of the Marana Town Code is hereby revised as follows (with additions shown with double-underlining):

6-1-1 Definitions

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

[No revisions to paragraphs A through K]

L. "Dog park" means any designated, fenced, off-leash dog area which allows dogs to run freely and socialize with other dogs while being supervised by their owners.

[No revisions to existing paragraphs L through CC which are hereby re-lettered as paragraphs M through DD]

SECTION 2. Title 6 "Animal Control", Section 6-4-1 "Dogs at large prohibited; exceptions; classification" of the Marana Town Code is hereby revised as follows (with deletions shown with ~~strikeouts~~):

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

[No revisions to paragraphs A and B]

C. 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 ~~county or town maintained temporary or permanent~~ 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.

*EXHIBIT A TO MARANA RESOLUTION NO. 2023-105
Amendments to Marana Town Code, Title 6 "Animal Control" pursuant to
Marana Ordinance No. 2023.038*

[No revisions to paragraphs D through F]

SECTION 3. Title 6 "Animal Control" of the Marana Town Code is hereby revised by adding new Section 6-4-4 "Dog park regulations" as follows:

6-4-4 Dog park regulations

- A. Dogs must be accompanied by their owner at all times within the dog park.
- B. Dogs must be restrained upon entering and exiting the dog park.
- C. Dogs are to be removed by the owner from the dog park immediately following any indication of aggressive behavior.
 - 1. A town employee can require a dog to leave a designated dog park.
- D. Dog owners are solely responsible for the conduct of their dogs at all times.
- E. Dog owners and all visitors to the dog parks enter at their own risk and assume all risks related to their visit and use of the areas, including, but not limited to, all dog bites and damage to personal property.

SECTION 4. Title 6 "Animal Control", Section 6-7-2 "Evaluation of Animals" of the Marana Town Code is hereby revised as follows (with additions shown with double-underlining):

6-7-2 Evaluation of animals

[No revisions to paragraphs A through D]

E. The town enforcement agent will not conduct an investigation and/or evaluation for biting incidents that occur in a dog park, unless it involves serious physical injury, as defined in A.R.S § 13-105(39), to a human being.