

## CHAPTER 6 ANIMALS\*

### Article 6 - 1 DEFINITIONS

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

- A. "Animal Control Officer" means any person designated by the town council responsible for the enforcement of the provisions of this chapter.
- B. "At large" means off the premises of the owner not under the control of the owner, or other persons acting for the owner.
- C. "Bite" means any penetration of the skin by the teeth of any animal.
- D. "Biting animal" means any animal that bites or otherwise injures human beings or other animals without provocation.
- E. "Collar" means a band, chain, harness or suitable devise worn around the neck of a dog to which a license may be affixed.
- F. "Destructive animal" means any animal that has a propensity to destroy, damage or cause damage to the property of a person other than the animal's owner.
- G. "Dog" means a member of the *Canis familiaris* (*Canidae*) family.
- H. "Livestock and Fowl" means meat animals, horses, sheep, goats, swine, mules and asses, ducks, geese, grouse, chickens, etc.
- I. "Owner" means any person owning, keeping, possessing, harboring, maintaining or having custody or otherwise having control of an animal within the town limits.
- J. "Police dog" means any dog belonging to any law enforcement agency service dog unit.
- K. "Pound" means any establishment authorized by the town for the confinement, maintenance, safekeeping and control of dogs that come into the custody of the animal control officer.
- L. "Property line" means the line, which represents the legal limits of property (including an apartment, condominium, room or other dwelling unit) owned, leased or otherwise occupied by a person, business, corporation or institution. In cases involving sound from an activity on a public street or other public right-of-way, the "property line" shall be the nearest boundary of the public right-of-way.
- M. "Under restraints" means an animal secured by a leash or lead and under control of a responsible person, or confined within a vehicle or located upon the real property limited of its owner.

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- N. "Vaccination" means the administration of an anti-rabies vaccine administered by a veterinarian or an approved rabies vaccine administered in the presence of the enforcement agent.
- O. "Cat" means members of the feline (Felidae) family.

#### Article 6 - 2 LICENSING

Licensing will be done in accordance with the fee schedule established by Santa Cruz County, and such fees will be collected and enforced by the Santa Cruz County Health Department and retained by Santa Cruz County.

#### Article 6 - 3 DOGS AT LARGE: DOG WASTE REMOVAL: PENALTY: EXCEPTIONS

- 6 - 3 - 1 At Large Dogs Prohibited
- 6 - 3 - 2 Exceptions
- 6 - 3 - 3 Waste Removal Required
- 6 - 3 - 4 Violations; Penalty

##### Sec. 6 - 3 - 1 At Large Dogs Prohibited

It shall be a civil infraction for any dog to run at large within the town upon the streets, sidewalks, alleys or other public property, or upon the private premises of another person.

##### Sec. 6 - 3 - 2 Exceptions

Dogs may be at large as an exception to this article as follows:

- A. While participating in field trials, obedience classes or kennel club events where such trials, classes or events have been approved by the town.
- B. While being used or trained for legal hunting or for control of livestock
- C. While assisting a peace officer engaged in law enforcement duties.
- D. Guide dogs while assisting blind, deaf or physically handicapped persons, so long as such dogs are under direct and effective voice control of such individual to assure that they do not violate any other provisions of law.

##### Sec. 6 - 3 - 3 Waste Removal Required

- A. It shall be a civil infraction for the owner or person having custody of any dog to fail immediately to remove and dispose of in a sanitary manner any solid waste deposited by such dog on public property or deposited on private property without the consent of the person in control of the property. This subsection shall not

apply to blind persons, persons with mobility disabilities or law enforcement officers accompanied by police dogs while on duty.

- B. It shall be a civil infraction for the owner or person having custody of any dog to deposit, cause to be deposited or allow to accumulate within or about such premises, for a longer time than fifteen days, any solid wastes from dogs. This provision is to include animal wastes on private property, including property owned, leased or controlled by the owner of the dog.

Sec. 6 - 3 - 4 Violations: Penalty\*

- A. A violation of any provisions of this article is punishable as follows:
1. For a first violation within a twelve month period, a fine of not less than fifty dollars, nor more than three hundred dollars.
  2. For a second violation within a twelve month period, a fine of not less than one hundred dollars, nor more than three hundred dollars.
  3. For a third or subsequent violation within a twelve month period, a fine of not less than three hundred dollars, nor more than five hundred dollars.
- B. Any individual having received a notice of violation and failing to appear at the hearing time designated in the notice of violation, or time designated for hearing by the court, shall be deemed to have admitted the allegations of the complaint, and the court shall enter judgment for the town and impose a civil sanction in accordance with the provisions of this chapter.
- C. In the event that any penalty ordered to be paid by the court or forfeited pursuant to default is not paid within thirty days of the municipal judge's order, appropriate civil proceedings both legal and equitable may be instituted by the town attorney in order to enforce the administrative order. In addition, the municipal judge may institute judicial proceedings as provided by law to collect said penalty. All penalties collected pursuant to this article shall be paid to and become the property of the town.
- D. A town animal control officer or other designated town enforcement agent may, in addition to the procedures prescribed in this section, impound, or cause to be impounded, any dog running at large contrary to the provisions of this article.
- E. Upon the impounding of a licensed dog, the owner shall be immediately notified in person or by mail and may reclaim such dog upon payment of all costs and charges incurred in picking up, impounding and maintaining said dog.

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- F. On those occasions when the owner of a dog cannot be identified or when other means of enforcement have not produced desirable results, the animal control officer shall apprehend and impound any dog running at large contrary to the provisions of this article. Dogs will be initially impounded at the Town of Patagonia impoundment facility. The dogs will be transferred from the town facility to the Santa Cruz County Rabies Control Unit located in Nogales, Arizona, in accordance with the intergovernmental agreement with Santa Cruz County. Each dog shall be kept and maintained at the Nogales facility for not less than 72 hours, after which the dog may be put up for adoption or humanely destroyed, if not claimed by the owner.
- G. It is unlawful for any person to in any manner intervene, impede, prevent, obstruct or intimidate the animal control officer or any other authorized employee of the town in the discharge of his/her duties in taking up or attempting to take up and impound any and all animals which it shall be his/her duty to impound under the provisions of this chapter, or who shall rescue or attempt to rescue any animal so taken up or to release any animal so impounded.

#### Article 6 - 4 CRUELTY AND NEGLECT OF ANIMALS

- 6 - 4 - 1 Cruelty Prohibited  
 6 - 4 - 2 Neglect Prohibited  
 6 - 4 - 3 Protection of Animals by Town; Violations; Penalty

##### Sec. 6 - 4 - 1 Cruelty Prohibited

Whoever over drives, over loads, over works, tortures, torments, cruelly beats, mutilates or unlawfully kills an animal or causes or procures an animal to be so over driven, over loaded, driven when over loaded, over worked, tortured, tormented, cruelly beaten, mutilated or killed, and whoever, having charge or custody of an animal, either as owner or otherwise, inflicts unnecessary cruelty upon it, cruelly drives or works it when unfit for labor, or cruelly abandons it, or carries it or causes it to be carried in or upon a vehicle or otherwise, in an unnecessarily cruel or inhumane manner or knowingly and willfully authorizes or permits it to be subject to unreasonable or unnecessary torture, suffering or cruelty of any kind, shall be guilty of a class 2 misdemeanor.

##### Sec. 6 - 4 - 2 Neglect Prohibited

The purpose of this section is to guarantee that animals under human custody or control are housed in healthy environments and are provided with proper food, water, shelter, medical care, exercise space and ventilation. Any person owning or having care, control or custody of any animal shall provide:

- A. That the animal receives daily, food that is free from contamination and is of sufficient quantity and nutritive value to maintain the animal in good health;

- B. That potable water is accessible to the animal at all times, either free-flowing or in a clean receptacle;
- C. That except for livestock, all animals have convenient access to natural or artificial shelter throughout the year. Any such artificial shelter shall be structurally sound and maintained in good repair to protect the animal from injury and from the elements and of sufficient size to permit the animal to enter, stand, turn around and lie down in a natural manner. Any shelter which does not protect the animal from temperature extremes or precipitation, or which does not provide adequate ventilation or drainage, does not comply with this article. Any shelter, all bedding and any spaces accessible to the animal shall be maintained in a manner which minimizes the risk of the animal contacting disease, being injured or becoming infested with parasites;
- D. That the animal receives care and medical treatment for debilitating injuries, parasites and diseases, sufficient to maintain the animal in good health and minimize suffering:
- E. That the animal is given adequate exercise space either:
  - 1. within an enclosure that shall be constructed of material, and in a manner, to minimize the risk of injury to the animal, and shall encompass sufficient usable space to keep the animal in good condition, or
  - 2. on a tie-out, consisting of a chain, leash, wire cable or similar restraint attached to a swivel or pulley. A tie-out shall be so located as to keep the animal exclusively on the secured premises. Tie-outs shall be so located that they cannot become entangled with other objects. Collars used to attach an animal to a tie-out shall not be of a choke type. No tie-out shall employ a restraint which is less than ten feet in length;
- F. That the animal has access to adequate ventilation and is protected from temperature extremes at all times. In this connection, it is unlawful for any person to keep any animal in a vehicle or other enclosed space in which the temperature is either so high or so low, or the ventilation is so inadequate, as to endanger the animal's life or health.

Sec. 6 - 4 - 3 Protection of Animals by Town; Violations: Penalty

- A. Any peace officer or Animal Control officer or other designated town enforcement agent is authorized to use whatever force is reasonable and necessary to remove any animal from a vehicle or other enclosed space whenever it appears that the animal's life or health is endangered by extreme temperatures or lack of ventilation within the vehicle or other enclosed space.

- B. No peace officer or any Animal Control officer or other designated town enforcement agent shall be liable for damages to property caused by the use of reasonable force to remove an animal from such a vehicle or other enclosed space under such circumstances.
- C. Any peace officer or any Animal Control officer or other designated town enforcement agent is authorized and empowered to remove and impound any animal in plain view and suffering from life threatening exigent circumstances. The owner of any animal removed and impounded under the provision of this article shall be liable for any impoundment boarding or veterinary fees incurred in connection therewith.
- D. Any of the provisions of this article may be waived as dictated by treatment under the direction of a licensed veterinarian.
- E. An owner of an animal charged with a violation of this article shall produce that animal for inspection or impoundment upon the request of Animal Control or other designated town enforcement agent. All owners shall be responsible for any and all applicable impoundment and boarding fees in connection therewith.
- F. Any person violating the provisions of this article shall be guilty of a class 2 misdemeanor.
- G. A violation of any provision of this article is punishable by fine of not less than one hundred dollars nor more than seven hundred fifty dollars, four months in jail, two years probation, or any combination thereof. The municipal judge may not grant probation in lieu of, or otherwise suspend, the imposition of the minimum fine prescribed herein. As a condition of probation, the municipal judge may order that the owner shall not be permitted to own or control any animal for a period of up to two years. This shall not be construed to affect, in any way, the imposition of any mandatory minimum penalties provided herein.

#### Article 6 - 5 VICIOUS OR DESTRUCTIVE ANIMALS

- 6 - 5 - 1 Keeping Vicious or Destructive Animals Prohibited
- 6 - 5 - 2 Violations; Penalty

#### Sec. 6 - 5 - 1 Keeping Vicious or Destructive Animals Prohibited

It is unlawful for any person to keep, control, harbor or otherwise have under control any animal which is vicious or destructive. This article shall not apply to zoos, wild animal parks or animal shelters, or to persons who are in compliance with an order of the town municipal judge, issued pursuant to this article.

Sec. 6 - 5 - 2 Violations: Penalty

- A. The owner of any animal that bites, attempts to bite, endangers or otherwise injures or causes injury to human beings or other animals, or destroys, damages or causes damage to the property of another person is guilty of a class 1 misdemeanor.
- B. An owner of an animal charged with a violation of this article shall produce that animal for inspection or impoundment upon the request of Animal Control or other designated town enforcement agent. All owners shall be responsible for any and all applicable impoundment and boarding fees in connection therewith.
- C. It is unlawful for any person to fail to comply with an order of the municipal judge regarding a vicious or destructive animal. It is a separate offense for each day that such person fails to comply with the municipal judge's order.
- D. A violation of any provision of this article is punishable by a fine of up to two thousand five hundred dollars, six months in jail, three years probation or any combination thereof. The municipal judge may not grant probation in lieu of, or otherwise suspend, the imposition of the minimum fine prescribed.
- E. In addition to the above sanctions, upon the declaration of an animal as vicious or destructive, the municipal judge shall order the owner to do one or more of the following:
  - 1. The animal shall be kept in an enclosure that is high enough so that the animal cannot bite, harm or injure anyone outside the enclosure. The enclosure and property whereon it is located shall be posted with conspicuous warning signs, and at no time shall the animal leave the enclosure unless it is muzzled, leashed and under the control of an adult human being; or
  - 2. The animal be banished from the town limits; or
  - 3. The animal be spayed or neutered at the owner's expense; or
  - 4. The animal be humanely destroyed; or
  - 5. Restitution up to one thousand dollars may be ordered made by the owner to the victim. This remedy shall not abridge any civil cause of action by the victim.

- F. It shall be an affirmative defense to the provisions of this article if the animal is:
1. Not at large and there is provocation; or
  2. The dog is a police dog under the command of its trainer.
- G. In any proceeding brought to enforce a violation of this article, the following procedure shall be used.
1. A peace officer or Animal Control officer or other designated town enforcement agent, upon determining that any animal within the town limits is vicious and is an immediate danger to the safety of any person or other animal, may impound the animal immediately.
  2. Within ten days of the date of impoundment, the town municipal judge shall conduct a hearing provided under this article.
  3. The owner of the animal shall be notified of this hearing by the court. Upon proof of such notification, such hearing may proceed in the owner's absence.

#### Article 6 - 6 DANGEROUS ANIMALS

- 6 - 6 - 1 Definitions
- 6 - 6 - 2 Declaring an Animal Dangerous; Notice
- 6 - 6 - 3 Hearing; Burden of Proof; Appeal
- 6 - 6 - 4 Order of Compliance
- 6 - 6 - 5 Consent to Inspection; Inspection; Order of Compliance; Seizure
- 6 - 6 - 6 Required Acts and Unlawful Activities
- 6 - 6 - 7 Minimum Penalties; Enhancement

#### Sec. 6 - 6 - 1 Definitions

- A. A dangerous animal means one which has been declared to be vicious or destructive pursuant to this chapter or displays or has a tendency, disposition or propensity, as determined by the town enforcement agent, to:
1. Injure, bite, attack, chase or charge, or attempt to injure, bite, attack, chase or charge, a person or domestic animal in a threatening manner; or
  2. Bare its teeth or approach a person or domestic animal in a threatening manner.

- B. A dangerous animal does not include an animal used in law enforcement, nor does this article apply to animals in custody of zoos or wild animal parks, animals placed in animal shelters, animals under care of veterinarians or wild animals.

Sec. 6 - 6 - 2 Declaring an Animal Dangerous: Notice

- A. The town enforcement agent shall develop guidelines to determine if an animal is a dangerous animal.
- B. Whenever the town enforcement agent has reason to believe an animal may be dangerous, an evaluation of the animal must be conducted.
- C. If the town enforcement agent declares that an animal is dangerous, the owner shall be notified and issued an order of compliance. Once an animal is declared dangerous, the animal is dangerous until a hearing officer or judge determines otherwise. If the owner is known, s/he shall be provided with a written notice of his/her right to file, within five days of receipt of the notice, a written request with the town enforcement agent for a hearing to determine if the animal is dangerous. If the owner's whereabouts cannot be determined or the animal poses a threat to public safety or domestic animals, the animal shall be impounded and notice shall be posted on property or mailed forthwith to him/her at his/her last known address by registered or certified mail, return receipt requested.

Sec. 6 - 6 - 3 Hearing: Burden of Proof: Appeal

- A. The owner of the animal may request a hearing to contest the declaration of dangerousness or contest the confinement conditions ordered by the town enforcement agent.
- B. If the owner of an impounded animal fails to appear at a hearing or fails to request a hearing, the animal shall be forfeited to the town enforcement agent to be humanely destroyed.
- C. If the owner of a non-impounded animal fails to appear at a hearing or fails to request a hearing, the animal is declared to be dangerous and the order of compliance shall remain in effect.
- D. After request for a hearing, the town enforcement agency shall set a hearing date within five working days at a time and place designated by the town enforcement agent. The hearing shall be conducted by a hearing officer selected by the town enforcement agent.

- E. The hearing shall be held in an informal manner and a record thereof shall be made by stenographic transcription or by electronic tape recording. The rules of evidence do not apply, and hearsay is admissible.
- F. It is the burden of the owner of the animal to establish by a preponderance of the evidence that the animal is not dangerous. The owner may be represented by counsel and present witnesses at his/her cost.
- G. The hearing officer shall make a written decision within five working days of the hearing and notify the owner of the animal of the decision.
- H. If the decision of dangerousness is sustained by the hearing officer, the owner of the animal shall obey the order of compliance issued by the enforcement agent within the time given by the order of compliance or ten days whichever is more.
- I. If the animal is found not to be dangerous, the order of compliance is null and void. The finding that an animal is not dangerous does not prevent the town enforcement agent from declaring an animal dangerous again if the agent has additional reasons to believe the animal is dangerous after a new evaluation of the animal is conducted.
- J. Appeal of the decision of the hearing officer shall be by way of special action to the Court of the record of the hearing. If either party claims the record to be incomplete or lost, and the hearing officer who conducted the hearing so certified, a new hearing shall be conducted before that officer. The appealing party shall bear the cost of preparing the record of the hearing on appeal. No appeal shall be taken later than thirty days after the decision.

#### Sec. 6 - 6 - 4 Order of Compliance

When an animal is declared dangerous, the town enforcement agent shall issue an order of compliance requiring the owner within thirty days to:

- A. Confine the animal sufficiently to prevent the animal's escape as follows:
  - 1. The town enforcement agent shall determine the appropriate fencing requirements for the size and nature of the animal. The town enforcement agent may require a fence including gates to be six feet in height; the fence from five feet in height to six feet in height to incline to the inside of the confinement area at a forty-five degree angle from the vehicle; or that the confinement area be wholly covered by a material strong enough to keep the animal from escaping.

2. The town enforcement agent may require the bottom of the confinement area to be of concrete, cement or asphalt, or of blocks or bricks set in concrete or cement; or if such bottom is not provided, then a footing of such material shall be placed along the whole perimeter of the confinement area to a depth of one foot below ground level, or deeper if required by the town enforcement agent.
  3. The gates to the confinement area shall be locked at all times with a padlock except while entering or exiting.
  4. The town enforcement agent may require temporary confinement measures until the order of compliance has been obeyed or the hearing officer determines that the animal is not dangerous. If the owner does not immediately comply with the temporary confinement requirements, the animal shall be impounded.
- B. Muzzle and restrain the animal outside the confinement area with a leash, chain, rope or similar device not more than six feet in length sufficient to restrain the animal and under the control of a person capable of preventing the animal from engaging in any prohibited behavior.
- C. Post a sign on every gate or entry way to the confinement area stating "Beware of Dangerous Animal, Per Town of Patagonia Animal Control Chapter 6."
- D. Obtain and maintain liability insurance in a single incident amount of fifty thousand dollars, unless the animal has been declared to be vicious or destructive pursuant to this chapter, in which case the amount of insurance shall be no less than two hundred fifty thousand dollars, to cover any damage or injury that may be caused by the dangerous animal. The town enforcement agent shall maintain a registry of the animals, owners and insurance carrier for each dangerous animal.
- E. Pay the reasonable cost to the town enforcement agent to tattoo the animal with an identification number. The town enforcement agent shall maintain a registry of such numbers and the owners of the animals.
- F. Have a licensed veterinarian spay or neuter the animal at the owner's expense. The owner shall obtain written certification signed by the veterinarian that the spaying or neutering has been performed.

Sec. 6 - 6 - 5 Consent to Inspection: Inspection: Order of Compliance; Seizure

- A. By continuing to own an animal declared dangerous, an owner gives consent to the town enforcement agency or any law enforcement officer to

inspect the animal declared dangerous, the premises where the animal is kept, the liability insurance documents required for the animal, and the veterinarian's certificate of spaying or neutering for the animal.

- B. The town enforcement agent may seize and impound the dangerous animal if the owner fails to obey the order of compliance. Five days after the seizure, the town enforcement agent may humanely destroy the animal unless the owner has demonstrated obedience to the order of compliance. The owner of the animal is responsible for any impound fees. If the owner of the animal demonstrates proof that the order of compliance has been obeyed, then the animal will be returned to the owner after payment of impound fees. Any action taken under this article shall be in addition to any available criminal penalties.

#### Sec. 6 - 6 - 6 Required Acts and Unlawful Activities

- A. An owner of an animal declared dangerous shall obey the order of compliance.
- B. An owner of an animal declared dangerous shall not sell, give away, abandon or otherwise dispose of the animal without notifying the town enforcement agent in writing in advance.
- C. An owner of an animal declared to be dangerous shall provide proof of liability insurance and the veterinarian's certificate of spaying or neutering to the town enforcement agent upon demand.
- D. An owner of an animal declared dangerous shall not prevent or try to prevent inspection of the animal or the premises where the animal is kept.
- E. When the owner of an animal is notified that the town enforcement agent is evaluating an animal or wants to evaluate an animal to determine if the animal is dangerous, the owner of the animal shall present the animal for inspection within twenty-four hours of a request by the town enforcement agent. The owner shall not sell, give away, hide or otherwise prevent the town enforcement agent from making an evaluation of the animal.
- F. The owner of an animal declared to be dangerous shall prevent the animal from running at large as defined in this chapter.
- G. The owner of an animal declared to be dangerous shall prevent the animal from biting, injuring or attacking any person or domestic animal outside of the confinement area.

Sec. 6 - 6 - 7 Minimum Penalties: Enhancement

- A. Wherever in this article any act is prohibited or declared to be unlawful or the doing of any act is required or the failure to do an act is declared to be unlawful, the violation of such provision is a misdemeanor punishable, except for the penalties already set forth herein, by a fine of not less than one hundred dollars and not more than one thousand dollars and/or by imprisonment for not more than six months. No judge may grant probation to or suspend the imposition of the minimum fine prescribed herein. In addition, a person may be placed on probation for not more than three years. This shall not be construed to affect, in any way, the imposition of the minimum mandatory penalties provided herein.
- B. Each day any violation continues or occurs shall constitute a separate offense.

Article 6 - 7 EXCESSIVE NOISE CAUSED BY ANIMALS OR BIRDS

- 6 - 7 - 1 Excessive Noise Prohibited
- 6 - 7 - 2 Violations; Penalty
- 6 - 7 - 3 Exemptions

Sec. 6 - 7 - 1 Excessive Noise Prohibited

It is unlawful to own, possess, harbor or control any animal or bird which frequently or for continuous duration howls, barks, meows, squawks or makes other sounds, if they are clearly audible sounds beyond the property line of the property on which they are conducted and they disturb the public peace, quiet or comfort of the neighboring inhabitants.

Sec. 6 - 7 - 2 Violations: Penalty

- A. The provisions of this article shall be enforced and administered by Animal Control or other designated town enforcement agent and appropriate local law enforcement.
- B. A violation of any provision of this article is a civil infraction and will be adjudicated by the town municipal judge.
- C. If the owner of the animal or bird which has engaged in an activity prohibited by this article cannot be determined, the owner, lessee or occupant of the property on which the activity is located shall be deemed responsible for the violation.
- D. Each day's continuance of a violation under this article shall be determined a separate offense

- E. A fine of not less than fifty dollars, nor more than three hundred dollars shall be imposed for each violation.

### Sec. 6 - 7 - 3 Exemption

Persons wishing to continue activities which constitute a violation of this article but were commenced prior to April 29, 2000, may seek an exemption from the town municipal judge. Such an exemption may be granted if the municipal judge finds that strict application of this article would cause undue hardship and that there is no reasonable or productive alternative method of engaging in the activity.

## Article 6 - 8 AUTHORITY TO ENFORCE, REMOVE AND IMPOUND

- 6 - 8 - 1 Authority to Enforce
- 6 - 8 - 2 Authority to Impound

### Sec. 6 - 8 - 1 Authority to Enforce

Any peace officer or Animal Control officer or other designated town enforcement agent is hereby authorized and empowered to enforce the provisions of this chapter and to issue citations for violations thereof. Town of Patagonia Animal Control shall have primary responsibility for the enforcement of this chapter.

### Sec. 6 - 8 - 2 Authority to Impound\*

- A. If a peace officer or Animal Control officer or other designated town enforcement agent has issued a citation for a violation of this chapter or of the Arizona Revised Statutes, and reasonably believes that the violation will continue, the officer is authorized and empowered to remove and impound the animal.
- B. The owner of any animal removed and impounded under the provisions of this chapter shall be liable for all damages caused by the animal to impoundment facilities, any impoundment and boarding fees as established in Subsection C of this Section, or any veterinary fees incurred in connection therewith.
- C. The owner of any animal removed and impounded under the provisions of this Chapter shall be liable for impoundment fees of ten dollars per day plus five dollars per day for the feeding and care of said animals. Any person requesting the use of traps owned by the Town for the purpose trapping of

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animals or wildlife shall be charged a fee of five dollars per day for the use of said traps, plus a fee of fifty dollars if it is deemed necessary for a trapped animal to be submitted to Santa Cruz County for rabies testing.

Article 6 - 9 RULES OF PROCEDURE

All civil proceedings under this chapter shall be governed by the 17B A.R.S. Traffic Violation Cases Civil Procedure Rules, as amended.