

ORDINANCE NO. 198

AN ORDINANCE PROVIDING FOR THE LICENSING OF DOGS, PROHIBITING DOGS FROM RUNNING AT LARGE, AUTHORIZING THE IMPOUNDING AND DESTRUCTION OF DOGS, PROVIDING A PENALTY, REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MESA, ARIZONA:

Section 1. As used in this ordinance, unless the context otherwise indicates:

- (a) "Dog" shall mean both male and female.
- (b) "Owner" shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.
- (c) "At large" shall mean off the premises of the owner, and not under the control of the owner or a member of his immediate family either by leash, cord, chain or otherwise.

Section 2. All dogs kept, harbored, or maintained in the City of Mesa must be licensed and registered if over three months of age. Dog licenses shall be issued by the Police Department of the City of Mesa upon payment of a license tax of \$2.00 (two dollars) per year for each male or spayed female, and \$4.00 (four dollars) per year for each unspayed female. The owner shall state at the time application is made for such license his name and address, and the name, breed, color and sex of each dog owned or kept by him. The provisions of this section shall not apply to dogs brought into the city for the purpose of any dog show, nor to seeing-eye dogs to assist blind persons.

Section 3. Upon payment of the license fee there shall be issued to the owner a license certificate and a tag for each dog so licensed, The tag shall have thereon the year for which it was issued and number corresponding with the number on the certificate. Every owner must provide each dog with a collar or a harness to which the license tag must be affixed, and must see that the collar or harness and tag are constantly worn. In case

a dog tag is lost or destroyed a duplicate will be issued upon payment of 50¢ (fifty cents). Dog tags are not transferable from one dog to another.

Section 4. If the license is not obtained by the Owner during the month of January of each year, or within 30 days of the first possession of any dog or of its becoming three months old, or within 30 days from the arrival of the dog in the city, the license payment shall be deemed delinquent and a penalty of \$1.00 (one dollar) shall be added to the license fee.

Section 5. Every owner of a dog within the corporate limits of the City of Mesa must have it vaccinated against rabies at least once a year, and upon making an application for a license shall furnish a certificate of vaccination from a licensed veterinarian showing that it has been vaccinated against rabies within three months prior to the making of said application.

Section 6. No unlicensed dog shall be allowed to run at large. No dog of dangerous, vicious or fierce propensities, and no female dog in heat, whether licensed or unlicensed, shall be allowed to run at large or upon the premises of one other than the owner. Any dog found running at large in violation of this provision shall be taken up and impounded; PROVIDED, HOWEVER, that if any dangerous, vicious or fierce dog cannot, in the discretion of the policeman, be safely taken up and impounded, such dog may be immediately slain; and, FURTHER PROVIDED, that any policeman may, at his discretion, for any humane reason, immediately kill any dog found at large within the city limits in violation of this ordinance.

Section 7. Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia or other disease, the City Health Officer, if he deems it necessary, shall issue a proclamation ordering every person owning or keeping a dog to confine it securely on his premises unless such dog shall have a muzzle of sufficient strength to prevent its biting any person or thing. Any unmuzzled dog running at large during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies. All

dogs noticeably infected with rabies and all unlicensed dogs at large during the period of such proclamation shall be immediately killed upon being apprehended.

Section 8. If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, such dog shall be confined by a leash or chain on the owner's premises and shall be placed under the observation of a veterinarian for two weeks at the expense of the owner. The owner shall notify the Chief of Police of the fact that his dog has been exposed to rabies and at his discretion the Chief of Police is empowered to have such dog removed from the owner's premises to a veterinary hospital and there placed under observation for two weeks at the expense of the owner.

Section 9. It shall be unlawful for any person knowing or suspecting a dog has rabies to allow such dog to be taken off his premises or beyond the limits of the city without the written permission of the Chief of Police. Every owner, or other person, upon ascertaining a dog is rabid shall immediately notify the police department and such dog shall be either immediately killed or removed to the pound.

Section 10. It shall be the duty of the police department to apprehend any dog running at large contrary to the provisions of this ordinance and to kill or impound such dog. Upon the impounding of a licensed dog the owner shall be immediately notified and he may reclaim such dog upon payment of all costs and charges incurred in impounding and maintaining said dog. If the owner of the dog is unknown, and, in the discretion of the Chief of Police, said dog should not be immediately destroyed, written notice shall be posted for three days at three conspicuous places in the city describing the dog and the place of taking. The owner may reclaim such dog upon securing a license for the dog and upon payment of all costs and charges incurred in impounding and maintaining said dog. Any dog unclaimed within three days from the date of giving notice shall be destroyed. Any unlicensed dog, or any dog which appears to be suffering from rabies, hydrophobia, mange or other infectious or dangerous disease may, in the

discretion of the Chief of Police, be forthwith destroyed without notice upon being apprehended.

Section 11. It shall be unlawful for any person to keep or harbor within the city limits any dog which barks, howls or makes other noises by day or night and disturbs the peace and quiet of any person or family within the city.

Section 12. It shall be unlawful for the owner of a dog of dangerous, vicious or fierce propensities to allow it to run at large on the premises of the owner unless a sign be posted in a conspicuous place at the entrance to said premises advising the public of the nature of the dog maintained therein.

Section 13. Any owner violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 nor more than \$50.00 for such offense, or by imprisonment for not less than 5 days nor more than 30 days, or by both fine and imprisonment.

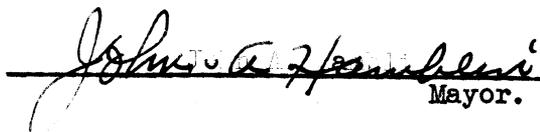
Section 14. All existing ordinances of the City of Mesa are hereby repealed insofar as they may be inconsistent with the provisions of this ordinance.

Section 15. It is the intention of the Common Council that each separate provision of this ordinance be deemed independent of all other provisions herein, and that if any provisions of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

Section 16. Whereas this ordinance is urgently required for the immediate preservation of the peace, health and safety of the citizens of the City of Mesa, and it is necessary that this ordinance shall immediately become effective, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage and adoption by the Mayor and Council of the City of Mesa.

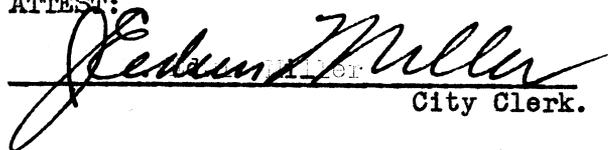
PASSED AND ADOPTED by the Mayor and Common Council of the City of
Mesa, Arizona, this 30th day of November, 1943.

APPROVED this 30th day of November, 1943.



Mayor.

ATTEST:



City Clerk.