

ORDINANCE NO. 13-07

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING THE FOUNTAIN HILLS TOWN CODE, CHAPTER 6, RELATING TO REGULATING DANGEROUS ANIMALS AND ANIMALS AS PRIZES.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS as follows:

SECTION 1. The Fountain Hills Town Code, Chapter 6 (Animals), Article 6-1 (Rules and Regulations), Section 6-1-1 (Dangerous Animals) is hereby amended to read as follows:

Section 6-1-1 Dangerous Animals

It is unlawful to permit any dangerous, vicious animal of any kind to run at large within the town, and such animals shall be immediately impounded by the county enforcement agent. Exhibitions or parades of animals which are *ferae naturae* in the eyes of the law may be conducted only upon securing a permit from the ~~chief of police~~ TOWN LAW ENFORCEMENT AGENT or such person that he may appoint.

SECTION 2. The Fountain Hills Town Code, Chapter 6 (Animals), Article 6-1 (Rules and Regulations), Section 6-1-2 (Killing Dangerous Animals) is hereby amended to read as follows:

The members of the ~~police department~~ TOWN LAW ENFORCEMENT AGENCY or the county enforcement agent are authorized to kill any dangerous animal of any kind THAT CANNOT BE IMPOUNDED when it is necessary for the protection of any person or property.

SECTION 3. The Fountain Hills Town Code, Chapter 6 (Animals), Article 6-1 (Rules and Regulations), Section 6-1-3 (Noises), Subsection A is hereby amended to read as follows:

- A. It is unlawful to harbor or keep any animal or fowl which by frequent or habitual howling, yelping, barking, crowing or the making of other noises disturbs the peace of a neighborhood or any two or more persons not residing in the same household, one of which may be a ~~police officer~~ MEMBER OF THE TOWN LAW ENFORCEMENT AGENCY or animal control officer.

SECTION 4. The Fountain Hills Town Code, Chapter 6 (Animals), Article 6-1 (Rules and Regulations), is hereby amended by adding a new Section 6-1-6 (Live Animals as Prizes; Inducement) to read as follows:

Section 6-1-6 Live Animals as Prizes; Inducement

- A. It is unlawful for any person to give away any live animals, reptiles, fish, fowl and insects as a prize for, or as an inducement to enter, any contest, game or other competition or as an inducement to enter a place of amusement.
- B. This section does not apply to pet stores.

SECTION 5. The Fountain Hills Town Code, Chapter 6 (Animals), Article 6-2 (Rabies/Animal Control Leash Law), Section 6-2-1 (Definitions) is hereby amended to read as follows:

In this ~~article~~ CHAPTER unless the context otherwise requires:

....

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason to be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

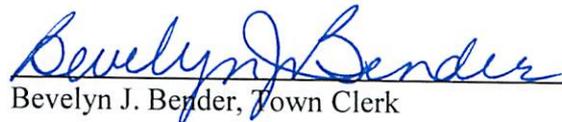
SECTION 7. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED BY the Mayor and Council of the Town of Fountain Hills, Arizona, June 6, 2013.

FOR THE TOWN OF FOUNTAIN HILLS:

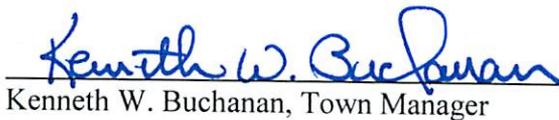
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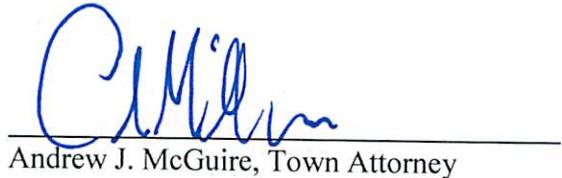

Linda M. Kavanagh, Mayor


Bevelyn J. Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:


Kenneth W. Buchanan, Town Manager


Andrew J. McGuire, Town Attorney