

ORDINANCE NO. 1006

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF WICKENBURG, STATE OF ARIZONA, AMENDING THE WICKENBURG TOWN CODE, BY AMENDING CHAPTER 7 ANIMALS, ARTICLE 7-1 RULES & REGULATIONS, SECTION 7-1-18 DISPOSAL OF FECAL MATTER RELATED TO THE RESPONSIBILITY OF OWNERS AND PERSONS CONTROLLING DOGS TO REMOVE DOG FECES WHEN DEPOSITED ON CERTAIN TOWN PROPERTY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES

BE IT ORDAINED by the Mayor and Common Council of the Town of Wickenburg, State of Arizona as follows:

Section I. In General.

The Town Code of the Town of Wickenburg, Arizona is hereby amended by amending Chapter 7 Animals, Article 7-1 Rules and Regulations, Section 7-1-18 Disposal Of Fecal Matter to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 7-1-18 Disposal Of Fecal Matter

~~It is unlawful for any person owning, possessing, harboring or having the care, charge, control or custody of dogs to fail to immediately remove and thereafter dispose of any fecal matter deposited by said animal in Coffinger Park, Stone Park, McGuire Park or on the grounds of the Wickenburg Community Center. All such fecal matter shall be immediately removed by placing said matter in a closed or sealed container and thereafter disposing of it by depositing said matter in a trash receptacle, sanitary disposal unit or other closed or sealed container. This Section shall not apply to blind persons accompanied by a dog used for their assistance.~~

THE OWNER OR PERSON IN CONTROL OF A DOG SHALL IMMEDIATELY REMOVE ALL FECES DEPOSITED BY SUCH DOG ON OR IN TOWN PARKS, SIDEWALKS, STREETS, HARD SURFACE TRAILS INTENDED FOR USE BY PEDESTRIANS OR BICYCLES, AND TOWN PROPERTY ON WHICH STRUCTURES OR OTHER IMPROVEMENTS HAVE BEEN CONSTRUCTED. SUCH DOG FECES SHALL BE DISPOSED OF IN A SANITARY MANNER. A VIOLATION OF THIS SECTION SHALL BE A CLASS 2 MISDEMEANOR SUBJECT TO A FINE OF A MAXIMUM OF \$300.00.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

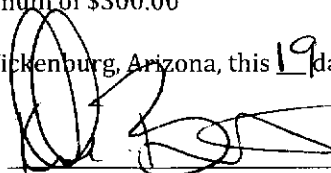
Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be 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 IV. Providing for Penalties.

Any person who fails to comply with the requirements of this Article, or violates any of its provisions, is guilty of a Class 2 Misdemeanor and may be subject to a fine of a maximum of \$300.00

PASSED AND ADOPTED by the Common Council of the Town of Wickenburg, Arizona, this 19 day of January, 2009.


KELLY BLUNT, MAYOR

ATTEST:

Donna Riffel
Donna Ables, Deputy Town Clerk

APPROVED AS TO FORM:

Susan D. Goodwin
Susan D. Goodwin, Town Attorney
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.

Number of Councilmembers Present: 7
Number of Votes For: 7
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1006 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 19 day of January 2009, and that a quorum was present at the meeting.

Donna Riffel
Donna Ables, Deputy Town Clerk