

ORDINANCE NO. 18-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING TOWN CODE CHAPTER 6 "ANIMALS" BY AMENDING AND RESTATING ARTICLE 6-2 "RABIES/ANIMAL CONTROL LEASH LAW"; AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Fountain Hills is the only municipality in Maricopa County providing its own dog licensing services, which requires dedicated staff time and resource; and

WHEREAS, Maricopa County is willing to provide dog licensing for the residents of Fountain Hills as it does for all other municipalities in Maricopa County; and

WHEREAS, the Town Council has determined that it is in the best interest of the residents of Fountain Hills to amend Chapter 6 of the Town Code, by amending and restating Article 6-2; and

WHEREAS, the Town Council declared Article 6-2 of the Town Code, which is incorporated herein by this reference, a public record by Resolution No. 2018-25 and ordered one paper copy and one electronic copy maintained in compliance with ARIZ. REV. STAT. § 44-7041 on file in the office of the town Clerk and open for public inspection during normal business hours; and

WHEREAS, the Town Council has determined that the changes to the Town Code are necessary: to promote the health, safety, and general welfare of the residents of Fountain Hills; to make the best use of the Town's staff and resources; and to create consistency for new residents moving to Fountain Hills with dogs.

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

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. All dogs shall be subject to the licensing requirements of Article 6-2 of the Town Code. The Town Manager is directed to appoint a designee to act as the enforcement agent pursuant to Article 6-2-3.

SECTION 3. If any section, subsection, clause, phrase or portion of this Ordinance or any part of the amended and restated Town Code Article 6-2 is for any reason 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.

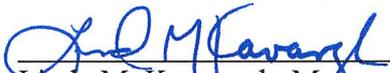
SECTION 4. Because of the urgent need for the implementation of the Town's regulations concerning dog licensing, and the immediate operation of this Ordinance is necessary for the preservation of the health, safety, and general welfare, an

emergency is hereby declared to exist and this Ordinance, shall be in full force and effect from and after its passage and approval by the Mayor and Council as required by law and is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

PASSED AND ADOPTED by the Mayor and Council of the Town of Fountain Hills, April 17, 2018.

FOR THE TOWN OF FOUNTAIN HILLS:

ATTESTED TO:



Linda M. Kavanagh, Mayor



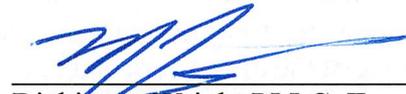
Bevelyn J. Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:



Grady Miller, Town Manager



Dickinson Wright PLLC, Town Attorney