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CAPTION HEADING:

ORDINANCE

Ordinance No. 488
Declaring the Following Document a Public Record: "San Luis City Code Updates October 2026"; Amending San Luis City Code Title 6 and Section 8.25.060 to update and define animal control enforcement.

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

Ordinance

No. 488

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, DECLARING THE FOLLOWING DOCUMENT A PUBLIC RECORD "SAN LUIS CITY CODE UPDATES OCTOBER 2026"; AMENDING SAN LUIS CITY CODE TITLE 6 AND SECTION 8.25.060 TO UPDATE AND DEFINE ANIMAL CONTROL ENFORCEMENT; REPEALING CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of San Luis, Arizona:

Section 1: Declaration of Public Record: That the document titled "San Luis City Code Updates October 2026", attached hereto as Exhibit "A," three copies of which are on file with the City Clerk, is hereby declared a public record. Said copies are to remain on file with the City Clerk.

Section 2: In General: San Luis City Code is hereby amended by revising and updating various Articles and Sections of title 6 – Animals, and Chapter 8.25 – Nuisances, to conform to additional revisions as provided for in that public record titled "San Luis City Code Updates October 2026" attached hereto as Exhibit "A."

Section 3: Providing for Repeal of Conflicting Ordinances: If a conflict arises between the provisions of this ordinance and any resolution, other ordinance, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced, and this Ordinance shall govern. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the City Code adopted herein by reference are hereby repealed.

Section 4: Providing for Severability: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction or operation of law by legislation, such decision or law shall not affect the validity of the remaining portion of this Ordinance.

Section 5: Providing for Penalties: A violation of this Ordinance and the adopted City Code provisions shall have the following penalties:

A violation of San Luis City Code ("SLCC") Chapter 6.05 shall have the following penalties:

(A) Unless otherwise specifically provided for in this chapter, it shall be unlawful for any person, firm, or corporation to violate, or cause the violation of, any provision of this chapter. Any person, firm, or corporation violating any of the provisions in this chapter shall be guilty of a Class 2 misdemeanor, with maximum jail time governed by A.R.S. § 13-707, maximum fine governed by A.R.S. §§ 13-802 and 13-803, and probation by A.R.S. § 13-902, or any successor statutes.

(B) Any violation of SLCC 6.05.010, Dogs at large, shall be a Class 3 misdemeanor, with maximum jail time governed by A.R.S. § 13-707, maximum fine governed by A.R.S. §§ 13-802 and 13-803, and probation by A.R.S. § 13-902, or any successor statutes; and upon conviction for a first offense, the minimum fine to be imposed shall not be less than $50.00. For each additional offense within a 12-month period, the following minimum fines shall be mandatory:

(1) Second offense: $100.00;
(2) Third offense: $200.00;
(3) Thereafter: $300.00.

At all times, the court shall retain the right to impose more than the minimum sentence as provided herein.

(C) With respect to violations of this chapter, which are continuous with respect to time, each day the violation continues shall be deemed a separate offense.

A violation of SLCC Chapter 6.20 shall have the following penalites:

A person who violates SLCC 6.20.020(A) is guilty of a class 1 misdemeanor.

A violation of SLCC Chapter 8.25 shall have the following penalties:

(A) A responsible party cited for a violation of any provision of this chapter shall be subject to a civil sanction and shall be fined an amount not to exceed $500.00 per day. All fees and surcharges imposed pursuant to state law shall be imposed in addition to those fees set forth in this section.

(B) Each day a violation continues shall constitute a separate offense.

(C) The City shall provide for payment by mail of fines imposed under this section.

(D) The imposition of a penalty under the provisions of this section shall not waive any and all other legal remedies available to the City.

Section 6: Effective Date: This Ordinance shall be effective from 30 days after the date written below.

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this 28th day of October 2026.

Nieves Riedel, Mayor

ATTEST:

Sonia Cornelio, City Clerk

APPROVED AS TO FORM:

Joseph Estes, City Attorney

EXHIBIT "A"

SAN LUIS CITY CODE UPDATES OCTOBER 2026

(removals are ~~struck through~~ and additions are ***bold and italicized***)

Title 6

SLCC 6.05.010 ~~Dogs~~ ***Animals*** at large.

(A) No person owning, keeping, possessing, harboring or maintaining a***n*** ~~dog~~ ***Animal*** shall allow the ~~dog~~ ***Animal*** to be at large.

(B) A***n*** ~~dog~~ ***Animal*** is not at large:

(1) If restrained by a leash, rope, chain or other restraint of sufficient strength to control the action of the ~~dog~~ ***Animal***;

(2) If the ~~dog~~ ***Animal*** is confined in a suitable enclosure;

~~(3) If the dog is engaged in obedience training, so long as the dog is actually enrolled in a dog obedience school approved by the City enforcement agent;~~

(34) While the ~~dog~~ ***Animal*** is being used for hunting purposes; and

(~~45~~) While the ~~dog~~ ***Animal*** is being exhibited at an American Kennel Club ***or another similar organization's*** **approved** ~~dog~~ show.

(C) Definition for purposes of the section. AT LARGE. A***n*** ~~dog~~ ***Animal*** is on or off the owner's premises and not under the owner's control or another person's control acting for the owner, and the ~~dog~~ ***Animal*** is not confined in a suitable enclosure.

SLCC 6.05.034 Appointment of an Animal Control Enforcement Officer

The City Manager, or his or her designee, may appoint an Animal Control Enforcement Officer who may commence an action or proceeding before a court for any violation of a state statute or local ordinance relating to rabies and animal control that occurs within the jurisdiction of the City.

SLCC 6.05.035 Unlawful Feeding of Animals. (If Council is on board with the idea)

It shall be unlawful to feed any stray animal, except pending return to a lawful owner or immediate transfer to the city enforcement agent. It is not a violation of this section for any person to feed or shelter feral cats while working with a licensed veterinarian, animal control agency, or similar group registered with the

city to spay or neuter feral cats, which may be referred to as "fix and feed" or "trap-neuter-release".

SLCC 6.05.036 Unlawful Sale of Animals

(A) A person commits the unlawful sale of animals by knowingly selling or posting a sign for the sale of an animal on:

(1) Any public right-of-way, street or park, or any public property adjacent to a right-of-way, street or park.

(2) Any non-residential private property without the express written consent of the owner or lessee of the property and without a proper City of San Luis business license.

(3) Any residential private property, except the property of the animal owner, without a proper City of San Luis business license.

(B) This section does not apply to:

(1) Retail sales on the premises of a pet store with proper city business license.

(2) Sales by a publicly operated or private, charitable, non-profit pound, humane society, animal rescue organization, or educational or agricultural organization.

(3) Any rodeo, auction market, county fair, stock show or other sanctioned livestock exhibit events.

(4) Any dog show.

SLCC 6.05.037 Sanitary Conditions.

The maintaining or keeping of all animals within the city shall be allowed in a sanitary manner and only so long as they do not cause, create or contribute to or become a health nuisance due to noise, the presence of flies, mosquitos, insects, vermin, rodent harborage, odors, dust, ponded water, accumulation of manure, garbage, refuse or other obnoxious or putrescible material, or for any other like reason.

(A) If manure is composted it shall be kept in such a way that prevents migration of insects.

(B) Water shall be provided with adequate overflow drainage.

(C) Feed shall be stored in insect-proof and rodent-proof containers.

SLCC 6.05.038 Trap, Neuter, Release (TNR); Unlawful Release of Cats.

(A) Any organization conducting a program for the reduction of feral cats through TNR Trap, Neuter, Release (TNR) programs within the city may do so with their own funding and personnel under the following conditions:

(1) The organization shall be registered with the city enforcement agent;

(2) The organization shall possess a valid city TNR permit obtained through the city enforcement agent and a valid City of Yuma San Luis business license.

(3) Cats captured or received by the organization must receive proper care and feeding prior to release.

(B) It shall be unlawful for any person or organization to release cats into the city except as provided in this section.

SLCC 6.05.039 Interference with Animal Control Enforcement Officer

It shall be unlawful for any person to intervene, impede, prevent or attempt to intervene, impede, prevent, obstruct or intimidate the Animal Control Enforcement Officer in the discharge of his or her official duties.

SLCC 6.05.040 Removal of Wastes; Prohibited; Exceptions.

(A) Animal feces shall be removed from pens, stables, yards, cages and other enclosures at least twice weekly and shall be removed from the premises at least weekly.

(B) An owner or person having custody of any animal, except for a feral cat, shall not permit said animal to defecate on any school ground, public street, alley, gutter, sidewalk, right-of-way, public park, or private property other than the owner's or custodian's property unless said feces are removed immediately.

(C) Animal feces which are removed from a private property, school ground, public street, alley, gutter, sidewalk, right-of-way, or public park shall not be deposited in a public garbage receptacle unless the feces are first placed in a plastic bag.

(D) Subsections (B) and (C) of this Section do not apply to any blind or deaf person when accompanied by a service animal as defined in the Americans with Disabilities Act, as amended, or to any physically disabled person who, under the circumstances, is unable to comply with subsection (B) and (C) of this Section.

SLCC 6.05.085 Definitions.

Unless otherwise specifically defined, the following words and phrases, as used in this chapter, have the following meaning:

ANIMAL. Any mammal, bird, reptile or amphibian.

ANIMAL CONTROL ENFORCEMENT OFFICER. Any certified peace officer or any person delegated by the City Manager or his or her designee under the supervision of the Chief of Police, who is responsible for enforcing this chapter ***or any violation of state statute relating to rabies and animal control***, and any regulations promulgated under this chapter, and as authorized for Animal Control Officers under A.R.S. § 9-499.04, as it may be amended or renumbered.

CONSECUTIVE BUSINESS DAYS. Monday through Friday are considered business days; business days do not include Saturdays, Sundays, or City holidays, even if the Animal Control Division is open during these days.

DOG. A member of the Canis familiaris species.

FOWL. A bird of any kind, domesticated or wild, including poultry.

IMPOUND. The act of taking or receiving into custody by the Enforcement Officer any animal for the purpose of confinement in an authorized impound facility under the provisions of this chapter.

IMPOUND FACILITY. Any establishment authorized for the confinement, maintenance, safekeeping, and control of dogs and other animals that come into the custody of the Enforcement Officer in performing his or her official duties.

KENNEL. Any establishment authorized for the confinement, maintenance, safekeeping, and control of dogs and other animals that come into the custody of the Enforcement Officer in performing his or her official duties.

KNOWINGLY. With respect to conduct or to a circumstance described by a law defining an offense, that a person is aware or believes that the person's conduct is of that nature or that the circumstance exists, it does not require any knowledge of the unlawfulness of the act or omission.

OWNER. Any person exercising care, custody, or control of any animal for more than six consecutive calendar days or claiming any legal interest in that animal. Indicators to

determine who the owner is also include any license, permit, certificate, registration, or other documentation establishing a legal interest in such animal.

PERSON. Any individual, corporation, partnership, association, or other legal entity.

VACCINATION. The administration of an anti-rabies vaccine to animals by a veterinarian or an authorized impound facility by employees trained by a veterinarian licensed by the State of Arizona.

VETERINARIAN. Any veterinarian licensed to practice in Arizona or any veterinarian employed in Arizona by a governmental agency.

VETERINARY HOSPITAL. Any establishment operated by a veterinarian licensed to practice in Arizona that provides clinical facilities and houses animals or birds for dental, medical, or surgical treatment; a veterinary hospital may have adjacent to it, or in conjunction with it, or as an integral part of it, pens, stalls, cages or kennels for quarantine, observation or boarding. (Ord. 480 § 1, passed 1-28-2026; Ord. 455 § 2, passed 9-25-2024.)

SLCC 6.20.010 Definitions.

As used in this chapter, the term "animal" shall have the following meanings unless the context clearly indicates that a different meaning is intended:

ANIMAL. A vertebrate, living creature not including a human being and not including a fish.

ANIMAL CONTROL ENFORCEMENT OFFICER. Any certified peace officer or any person delegated by the City Manager or his or her designee under the supervision of the Chief of Police, who is responsible for enforcing this chapter or any violation of state statute relating to rabies and animal control, and any regulations promulgated under this chapter, and as authorized for Animal Control Officers under A.R.S. § 9-499.04, as it may be amended or renumbered.

SLCC 6.20.020 Abuse of Animals – Exceptions

(A) A person commits abuse of animals if the person does any of the following:

> ***(1)*** Intentionally, knowingly, or recklessly uses physical force to beat, batter, thump, pound, pummel, punch, or repeatedly hit, strike, slap, or smack any animal under the person's custody or control.
>
> ***(2) Intentionally, knowingly or recklessly subjects any animal under the person's custody or control to cruel neglect or abandonment.***

(3) Intentionally, knowingly or recklessly fails to provide medical attention necessary to prevent protracted suffering to any animal under the person's custody or control.

(4) Intentionally, knowingly or recklessly inflicts unnecessary physical injury to any animal.

(5) Recklessly subjects any animal to cruel mistreatment.

(6) Intentionally, knowingly or recklessly kills any animal under the custody or control of another person without either legal privilege or consent of the owner.

(7) Recklessly interferes with, kills or harms a working or service animal without either legal privilege or consent of the owner.

(8) Intentionally, knowingly or recklessly leaves an animal unattended and confined in a motor vehicle and physical injury to or death of the animal is likely to result.

(9) Recklessly allows any dog that is under the person's custody or control to interfere with, kill or cause physical injury to a service animal.

(10) Intentionally or knowingly harasses a working animal that is in a law enforcement vehicle or trailer without either legal privilege or consent of the owner.

(11) Intentionally, knowingly or recklessly fails to provide medical attention necessary to prevent unreasonable suffering to any domestic animal under the person's custody or control.

(B) It is no defense to subsection (A) of this section that the animal is struck to impose punishment or discipline.

(C) It is no defense that to subsection (A) of this section that actual physical injury did not occur.

(D) The use of physical force against an animal, which would otherwise constitute an offense, is justifiable and not criminal when and to the extent a reasonable person would believe that physical force is immediately necessary to protect himself or herself, a third person, or a domestic animal to prevent another animal's aggressive conduct.

(E) Nothing in subsection (A) of this section shall be deemed to prohibit any action by a licensed veterinarian done per accepted standards of veterinary medicine.

(F) Nothing in this section shall be interpreted to prohibit or restrict any activity involving a dog, whether the dog is restrained or not, if the activity is directly related to the business of shepherding or herding livestock and the activity is

necessary for the safety of a human, the dog, or livestock, or is permitted by or pursuant to Title 3 of the Arizona Revised Statutes.

SLCC 8.25.060 Designation of enforcement authorities.

All officers and investigators of the City Police and Fire Departments, the City Building Official, the Code Enforcement Officer, the building inspectors, sanitation inspector, pretreatment inspectors, and the Code Enforcement Specialist are authorized to issue notices to comply and citations for violations of this Code within City jurisdiction.

Animal Control Enforcement Officers are authorized to issue notices to comply and citations for violations of this Code within City jurisdiction as they relate to public nuisances caused by or involving animals.