

# In Pima County, Leash and Pick Up After Your Dog

*As members of the Board, we often get questions about local laws governing dogs. My first job out of law school was as a legal writer for the City of Tucson Prosecutor's Office, where we prosecuted misdemeanors, including what we lovingly called "doggie cases." Because we live within the county, not the city, limits, our animal laws are governed by the Pima County Code.*

## Leash Laws

Title 6 of the Pima County Code governs animals. Under Section 6.04.030, the owner of a dog that is found "at large upon the streets, sidewalks, alleys, or public property" is guilty of a Class 2 misdemeanor. "At large" is defined as "neither confined by an enclosure nor physically restrained by a leash." The same penalties apply to the owner of a dog found "at large" upon his own premises or the private premises of any other owner. So, even on your own property — or while visiting a friend's house — your dog must be in an enclosure or on a leash. Have no fear — there are certain exceptions to this rule. These include obedience classes, or while being used for legal hunting, acting as a guide dog or assisting a peace officer. The penalty for this Class 2 misdemeanor can include a fine of between \$100 and \$750; up to four months in jail; and/or two years' probation. So, if your dog is not fenced at home, *keep it on a leash at all times.*

If your dog is found at large, it may be impounded by Pima Animal Care and you may be charged for the costs of pickup, impoundment and even micro-chipping of your pet. Impoundment fees can range from \$75 to \$125 for the first impoundment to \$125 to \$200 for subsequent impoundments. You also may be charged \$15 to \$60 per day in boarding fees.

## Barking Dogs

What about barking dogs? They are governed by Section 6.04.160. The

section reads as follows:

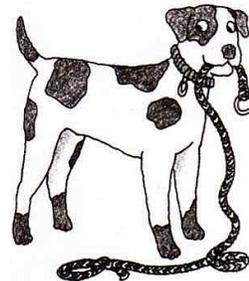
- (B)(1) The following activities are prohibited if they produce clearly audible sound beyond the property line of the property on which they are conducted and they disturb the public peace, quiet or comfort of the neighboring inhabitants.
- (a) Owning, possessing, harboring or controlling any animal or bird which frequently or for continuous duration howls, barks, meows, squawks or makes other sounds.

Who do you call if you become aware of such a violation? That is governed by the same section, which notes that the above provisions shall be enforced by the Pima Animal Care Center (aka Pima Animal Control) and "appropriate local law enforcement." In our neighborhood, that is the Pima County Sheriff's Department. Their non-emergency phone number is (520) 351-4900. The number for the Enforcement division of the Pima Animal Care Center is (520) 243-5900.

## Doggie Doo

What about cleaning up after your pet? We all know it's the "right" thing to do; but are you breaking any laws if you *don't* do it? The short answer is "yes." Cleaning up after your dog is governed by the same section of the Code, 6.04.030. It notes that it is unlawful for the owner *or the person with custody of the dog* to fail "immediately" to "remove and dispose of in a sanitary manner" any dog poop deposited on public property or on private property without the consent of the property owner. A person who commits such a violation is guilty of a Class 3 misdemeanor, for which the penalties may include a fine of between \$100 and \$500; up to 30 days in jail; and/or one year probation. (This section does not apply to blind persons or persons with mobility disabilities.) Lucky for you, your homeowner's association

has made it easier for you to pick up after your pet by strategically placing poop bag dispenser stations throughout our community!



## Licensing & Vaccinating

Any dogs older than 3 years must be vaccinated against rabies and licensed. Upon moving to Pima County, a new resident has 30 days to comply with these requirements. Fees range from \$10 for a disabled or senior citizen owner to \$60 for an unaltered (not spayed or neutered) dog. The owner of a dog who fails to obtain a license is guilty of a Class 2 misdemeanor.

## Our HOA CRRs

The only reference to pets in our homeowner's association Conditions, Reservations and Restrictions (CRRs) is in Section 12 (for each of the six different colored sections on the map). It reads: "Pets of the customary household variety only may be kept on any lot; provided that the provisions hereof shall not be deemed to permit the keeping of domestic fowl, nor more than two of any type of pets." The Board is aware that many residents have more than two pets (in fact, this author has a "blended family" of three dogs) and prefers not to have to ask residents to divest themselves of a family pet.

The bottom line is: comply with Pima County's laws when it comes to your dog — get it licensed and vaccinated; keep it on a leash; pick up after it; and try to respect your neighbors by keeping its barking to a minimum. It's not only the law; it's the *right* thing to do.

— Pami Keenan, CFHA Vice President  
[pamikeenan@comcast.net](mailto:pamikeenan@comcast.net), 668-9305