

Copper Canyon Ranches

POLICY	SOURCE OR APPROVAL
POLICY AREA: Community Peace and Safety	SOURCE: Gila County Ordinance 01-3 2002-689 Gila County Ordinance 01-4 2002-690
POLICY TITLE: ANIMAL CONTROL	APPROVED BY: Board Resolution
EFFECTIVE DATE: Immediately	APPROVAL DATE: 2026-08-27

POLICY STATEMENT: To protect the peace and safety of residents, vendors, and visitors, and to maintain compliance with Gila County Ordinances, Copper Canyon Ranches Property Owners Association prohibits allowing a dog to bark excessively or to run at large in the community

RATIONALE OR BACKGROUND:

Copper Canyon Ranches Property Owners Association complies with the following Gila County Ordinances:

Ordinance # 01-4, Section 200 prohibits unrestrained, excessive dog barking.

Ordinance # 01-3, Sections 1-7 (Also A.R.S 11-251.05 and 11-1001 et seq. as cited within the County Ordinance) prohibits dogs running at large.

PROCEDURES:

Enforcement of the ordinances cited above is by the County Enforcement officer (any member of the Gila County Sheriff's office or any member of the Gila County Rabies Control).

Marlene Clawson
Marlene Clawson, President

8-27-26
Date

Angela Mack
Angela Mack, Secretary

08.27.26
Date

After recording, please deliver to: Marian Sheppard, BOS

ORDINANCE NO. 01-3

ANIMAL CONTROL ORDINANCE

GILA COUNTY, ARIZONA



An Ordinance adopted by the GILA COUNTY BOARD OF SUPERVISORS, pursuant to A.R.S. 11-251.05 and 11-1001 *et seq.*, to establish provision for the public health and to provide for prohibition of dogs running at large; definition of terms and penalties for the violation of the Ordinance exclusively within Gila County, Arizona.

ANIMAL CONTROL ORDINANCE

SECTION:

- 1. Definitions**
- 2. Enforcement by the County Animal Enforcement Agent**
- 3. Prohibited Acts**
- 4. Hearing Officer**
- 5. Severance Clause**
- 6. Emergency**
- 7. Jurisdiction**
- 8. Repeal**

SECTION 1

Definitions:

- 1.1 ***"At Large"*** means any dog which is both:
 - A. Off the premises of the owners or on the property of another person without the consent of that person;
 - B. Not under the direct control and physical custody or restraint by means of leash, chain, rope or enclosure of the owner or other person responsible for the dog.
- 1.2 ***"Owner"*** means any person having a right of possession or custody of a dog, or who keeps, or knowingly permits, the dog on or about any premises owned or leased by that person, for more than six (6) consecutive days.
- 1.3 ***"County Animal Enforcement Agent"*** means that person set forth in this Ordinance.
- 1.4 ***"Excessive"*** means that which goes beyond what is proper, right, or usual; being too much or too great; immoderate; inordinate.
- 1.5 ***"Hearing Officer"*** means that person set forth in this Ordinance.
- 1.6 ***"Unrestrained"*** means failure to use physical restraint, force or authority in preventing, suppressing, controlling, or in bringing under control.

SECTION 2

ENFORCEMENT BY THE COUNTY ANIMAL CONTROL ENFORCEMENT AGENT:

2.1 Enforcement of this Ordinance shall be by the County Enforcement Agent who is any deputy of the Gila County Sheriff's Office or any member of the Gila County Rabies Control, each of whom may exercise all powers available under law or this Ordinance in the performance of duty. The County Enforcement Agency may issue violations of the article.

A. The County Animal Enforcement Agent shall:

- 1. Enforce the provisions of this ordinance and municipal ordinances which the Board of Supervisors has contracted to enforce.**
- 2. Issue citations for the violation of the provisions of this county ordinance and municipal ordinances which the Board of Supervisors has contracted to enforce. The procedure for the issuance of notices to appear shall be as provided for peace officers in A.R.S. 13-3903, except that the enforcement agent shall not make an arrest before issuing the notice.**

B. The issuance of citations pursuant to this section shall be subject to the provisions of A.R.S. 13-3899.

C. The County Animal Enforcement Agent may designate deputies.

SECTION 3

PROHIBITED ACTS

3.1 No dog shall be permitted at large in the designated and defined unincorporated areas of Gila County, Arizona. No person owning or having the responsibility, charge, care, custody or control of any dog shall allow the dog to stray, run, be, go, or in any manner to exist at large, off the property of the owners; on or upon any public street, sidewalk, or public park or thoroughfare; or upon any other person's property without the consent of the person in lawful possession of the property.

3.2 No person in charge of any dog shall permit such an animal in a public park or upon any public school property unless the animal is physically restrained by a leash, chain, rope, enclosed in a motor vehicle, caged or in a similar enclosure. The leash, chain or rope shall not exceed six (6) feet in length and must be directly under the owner's or responsible person's control when not on the owner's property.

3.3 EXEMPT ACTIVITIES:

The provisions of Sections 3.1 and 3.2 shall not apply:

A. Unless unreasonable under the circumstances, activity involving the possession, training, exhibition or use of a dog in the otherwise lawful pursuits or hunting, ranching, farming, rodeos, shows, exhibitions, racing, and the lawful operation of veterinary clinics, pet shops, kennels and security services, shall be exempt from the provisions of this ordinance.

SECTION 3 continued

- B. While participating in field trials, obedience classes, or kennel club events where such trials, classes or events have been approved by the County Animal Enforcement Agent.**
- C. While assisting a peace officer engaged in law enforcement duties.**
- D. Guide dogs while assisting blind, deaf or physically handicapped persons, if such dogs are under the direct control of one of these individuals.**

SECTION 4

HEARING OFFICER

- 4.1 A hearing officer is hereby appointed to hear and determine such cases arising out of this Ordinance.**
- 4.2 The hearing officer shall hold a hearing on each violation reported by the County Enforcement Agent. Notice of the hearing shall be served personally on the person cited at least ten (10) days before the hearing. The County Enforcement Agent shall use a uniform traffic ticket and complaint for civil cases in citing persons for violations of this Ordinance.**
- 4.3 At the hearing, the County Enforcement Agent shall present evidence of the violation, and the person cited, or his attorney, shall have an opportunity to present evidence. The county attorney may represent and present evidence for the county enforcement if, in his discretion, he decides to do so.**
- 4.4 At the conclusion of the hearing, the hearing officer shall determine whether a violation occurred and, if so, impose civil penalties in an amount not to exceed \$500.00. Monies collected for civil penalties shall be deposited in the County general fund. The Board of Supervisors shall adopt written rules of procedure for the hearings and review of hearings. Final decisions of the hearing officer under this subsection are subject to judicial review under A.R.S. 12-901 *et seq.***

SECTION 5

Severance Clause

If any SECTION, SUBSECTION, SENTENCE, CLAUSE or PHRASE of this Ordinance is for any reason held to be invalid or unconstitutional, such provision shall not affect the validity of the remaining portions of the Ordinance. The Gila County Board of Supervisors hereby declares that they would have passed this Ordinance in each SECTION, SUBSECTION, SENTENCE, CLAUSE or PHRASE thereof irrespective of the fact that any one or more such SECTIONS, SUBSECTIONS, SENTENCES, CLAUSES or PHRASES be declared invalid or unconstitutional.

SECTION 6

EMERGENCY

Whereas, the preservation of the public peace, health and safety of the residents of the County of Gila requires the early operation of this Ordinance, an emergency is hereby declared to exist and this Ordinance shall become immediately operative when enacted by the Board of Supervisors.

SECTION 7

JURISDICTION

This Ordinance is effective within the unincorporated areas of Gila County, Arizona.

SECTION 8

REPEAL

This Ordinance repeals and supercedes every other ordinance adopted by the Gila County Board of Supervisors relating to dogs running at large.

PASSED AND ADOPTED by the Board of Supervisors of Gila County, Arizona on the 15th day of January 2002.

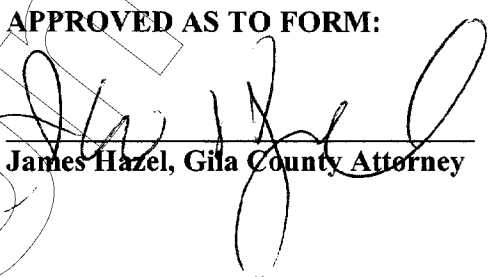
GILA COUNTY BOARD OF SUPERVISORS


Cruz Salas, Chairman

ATTEST:


Steven L. Besich, Clerk

APPROVED AS TO FORM:


James Hazel, Gila County Attorney

After recording, please deliver to: Marian Sheppard, BOS

ORDINANCE NO. 01-4

BARKING DOG PROHIBITIONS AND REGULATIONS



SECTION 100. DEFINITIONS.

In this Ordinance, unless the context otherwise requires:

1. *"Barking"* means the characteristic short, abrupt, explosive, loud, sound or noise uttered by a dog.
2. *"County Enforcement Agent"* means that person set forth in section 500 of this Ordinance. This person is responsible for the enforcement of this Ordinance.
3. *"Excessive"* means that which goes beyond what is proper, right, or usual; being too much or too great; immoderate; inordinate.
4. *"Hearing Officer"* means that person set forth in Section 600 of this Ordinance.
5. *"Unrestrained"* means failure to use physical restraint, force or authority in preventing, suppressing, controlling, or bringing under control.

SECTION 200. DOG BARKING; CLASSIFICATION

- A. A person violates this Ordinance prohibiting unrestrained dog barking if, with the intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person knowingly or recklessly:
 1. Owns, possesses or keeps any dog which engages in excessive and unrestrained barking at a time and place unreasonable under the circumstances.
 2. Permits any act in violation of paragraph A (1) to be done on any premises under his charge or control.
- B. Violation of this section results in a civil penalty not to exceed \$500.00 as determined by the hearing officer established below:

SECTION 300. EXEMPT ACTIVITIES.

Unless unreasonable under the circumstances, activity involving the possession, training, exhibition or use of a dog in the otherwise lawful pursuits of hunting, ranching, farming, rodeos, shows, exhibitions, racing, and the lawful operation of veterinary clinics, pet shops and kennels, and security services, shall be exempt from the provisions of this Ordinance.

SECTION 400. PROVOCATION OR INCITEMENT TO BARK AS A DEFENSE

A third person's provocation or incitement to bark shall be a defense to the violation under this Ordinance.

SECTION 500. ENFORCEMENT BY COUNTY ENFORCEMENT AGENT.

Enforcement of this Ordinance shall be by the County Enforcement Agent who is any Deputy of the Gila County Sheriff's Office or any member of Gila County Rabies Control, each of whom may exercise all powers available under law or this Ordinance in the performance of duty. The County Enforcement Agent may issue violations of this article.

A. The County Enforcement Agent shall:

- 1. Enforce the provisions of this article, county ordinances adopted under this article and municipal ordinances which the Board of Supervisors has contracted to enforce.**
- 2. Issue citations for the violation of this ordinance and municipal ordinances which the Board of Supervisors has contracted to enforce. The procedure for the issuance of notices to appear shall be as provided for peace officers in A.R.S. Section 13-3903, except that the enforcement agent shall not make an arrest before issuing the notice.**

B. The issuance of citations pursuant to this section shall be subject to the provisions of A.R.S. Section 13-3899.

C. The County Enforcement Agent may designate deputies.

SECTION 600. ESTABLISHMENT OF HEARING OFFICER.

- A. A hearing officer is hereby appointed to hear and determine such cases arising out of this Ordinance.**
- B. The hearing officer shall hold a hearing on each violation reported by the County Enforcement Agent. Notice of the hearing shall be served personally on the person cited at least ten (10) days before the hearing. The County Enforcement Agent shall use a uniform traffic ticket and complaint for civil traffic cases in citing persons for violation of this Ordinance.**
- C. At the hearing, the County Enforcement Agent shall present evidence of the violation, and the person cited, or his attorney, shall have an opportunity to present evidence. The county attorney may represent and present evidence for the County Enforcement Agent.**
- D. At the conclusion of the hearing, the hearing officer shall determine whether a violation occurred and, if so, impose civil penalties in the amount not to exceed \$500.00. Monies collected for civil penalties shall be deposited in the County general fund. The Board of Supervisors shall adopt written rules of procedure for the hearings. Final decisions of the hearing officer under this subsection are subject to judicial review under A.R.S. Section 12-901 *et seq.***

SECTION 700. EFFECTIVE DATE OF ORDINANCE.

Whereas, the preservation of the public peace, health and safety of the residents of the County of Gila, requires the early operation of this Ordinance, an emergency is hereby declared to exist and this Ordinance shall become immediately operative when enacted by the Board of Supervisors.

SECTION 800. ALTERNATIVE REMEDIES.

In addition to other remedies provided by law, the Board of Supervisors, the County Attorney, the County Enforcement Agent or a private individual or other entity that is specially damaged by a violation of an animal statute or ordinance may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent or abate the violation.

SECTION 900. JURISDICTION

This Ordinance is effective within the unincorporated areas of Gila County, Arizona.

SECTION 1000. REPEAL

This Ordinance repeals and supercedes every other ordinance adopted by the Gila County Board of Supervisors relating to barking dogs.

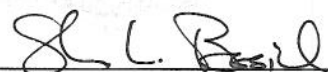
PASSED AND ADOPTED by the Board of Supervisors of Gila County, Arizona on the 15th day of January 2002.

GILA COUNTY BOARD OF SUPERVISORS

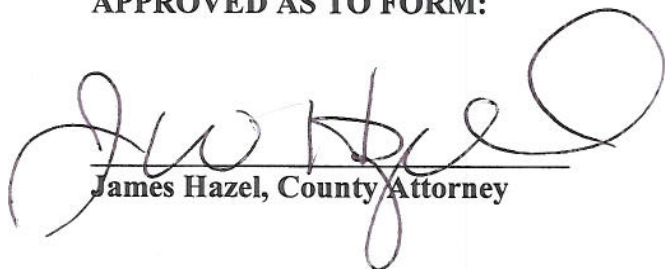


ATTEST:


Cruz Salas, Chairman


Steve Besich, Clerk of the Board

APPROVED AS TO FORM:


James Hazel, County Attorney

11-251.05. Ordinances

A. The board of supervisors may:

1. In the conduct of county business, adopt, amend and repeal all ordinances necessary or proper to carry out the duties, responsibilities and functions of the county which are not otherwise specifically limited by section 11-251 or any other law or in conflict with any rule or law of this state.

2. Prescribe punishment by fine or imprisonment, or both, for the violation of an ordinance adopted pursuant to paragraph 1 of this subsection. A fine or imprisonment shall not exceed the maximum limitations for a class 1 misdemeanor.

B. Ordinance authority under subsection A of this section shall be in addition to and preemptive of ordinance, rule making or regulatory authority of any other county board or county commission. A county may not impose taxes except as otherwise provided by law and as specified in section 11-251.

C. Prior to adoption, amendment or repeal of an ordinance under this section, the board of supervisors shall hold a public hearing thereon at least fifteen days' notice of which shall be given by one publication in a newspaper of general circulation in the county seat. After adopted or amended, the ordinance shall be published at least once in a newspaper of general circulation in the county seat.

D. An ordinance adopted under this section may apply to the unincorporated and incorporated areas in the county if the ordinance is not in conflict with an existing city or town ordinance or state law or otherwise regulated by the state. If the ordinance is intended to apply to any incorporated area of the county, prior to the ordinance becoming effective within the boundaries of a city or town, the city or town council shall consider the ordinance and, if the council finds that the subject matter of the ordinance is not either a matter of local concern or governed by an existing city or town ordinance, the council shall approve by resolution the application or enforcement of such ordinance within the boundaries of the city or town. Upon thirty days' notice to the county, a city or town council may rescind such approval by resolution if the subject matter of the ordinance is governed or to be governed by a city or town ordinance. An ordinance may apply to the unincorporated areas of the county, to part or parts of such areas or to a combination of incorporated and unincorporated areas of the county, as the board deems appropriate and subject to the approval of a city or town as specified in this subsection.

E. Nothing contained in this section shall be construed to prohibit a county from exercising such powers and authority as are granted under other provisions of state law.

11-1001. Definitions

In section 13-1208 and in this article, unless the context otherwise requires:

1. "Animal" means any animal of a species that is susceptible to rabies, except man.
2. "At large" means being neither confined by an enclosure nor physically restrained by a leash.
3. "County board of health" means the duly constituted board of health of each county.
4. "County enforcement agent" means that person in each county who is responsible for enforcing this article and the rules adopted under this article.
5. "County pound" means any establishment that is authorized by the county board of supervisors to confine, maintain, safekeep and control dogs and other animals that come into the custody of the county enforcement agent in the performance of the county enforcement agent's official duties.
6. "Department" means the department of health services.
7. "Impound" means the act of taking or receiving into custody by the county enforcement agent any dog or other animal for the purpose of confinement in a county pound in accordance with this article.
8. "Kennel" means an enclosed, controlled area, inaccessible to other animals, in which a person keeps, harbors or maintains five or more dogs under controlled conditions.
9. "Livestock" means neat animals, horses, sheep, goats, swine, mules and asses.
10. "Owner":
 - (a) Means any person who keeps an animal other than livestock for more than six consecutive days.
 - (b) Does not include a person who keeps an animal at the request of an animal shelter as defined in section 11-1022.
11. "Rabies quarantine area" means any area in which a state of emergency has been declared to exist due to the occurrence of rabies in animals in or adjacent to this area.
12. "Stray dog" means any dog three months of age or older running at large that is not wearing a valid license tag or microchipped.
13. "Vaccination" means the administration of an antirabies vaccine to animals by a veterinarian or by a rabies vaccinator who is certified pursuant to section 32-2240.02.
14. "Veterinarian", unless otherwise indicated, means any veterinarian who is licensed to practice in this state or any veterinarian who is employed in this state by a governmental agency.
15. "Veterinary hospital" means any establishment that is operated by a veterinarian licensed to practice in this state and 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.
16. "Vicious animal" means any animal of the order carnivora that has a propensity to attack, to cause injury to or to otherwise endanger the safety of human beings without provocation or that has been so declared after a hearing before a justice of the peace or a city magistrate.

Animal control officers in Gila County can request access to private property to examine conditions related to animal welfare, especially if there are **reports of cruelty or neglect**. However, they may need to obtain a warrant if access is denied.

Access to Private Property by Animal Control Officers

Conditions for Access

Animal control officers in Gila County have specific protocols regarding access to private property. They can request access to examine conditions related to animal welfare, particularly in cases of reported cruelty or neglect.

Legal Requirements

- **Warrant Requirement:** If access to the property is denied, animal control officers may need to obtain a warrant to proceed with their investigation.
- **Purpose of Access:** The primary goal is to ensure the safety and well-being of animals, especially in situations where there are concerns about their treatment.

This framework ensures that animal control officers operate within legal boundaries while addressing animal welfare issues effectively.

What are the legal requirements for Gila County animal control officers to access private property?

Animal control officers generally need **probable cause or consent** to access private property, as they are bound by the Fourth Amendment, which protects against unreasonable searches and seizures. Specific local laws may also outline additional requirements or procedures for accessing private property in Gila County.

How do animal cruelty reports influence Gila County animal control investigations?

Animal cruelty reports in Gila County are typically investigated by local law enforcement or animal control agencies, and they can trigger official responses such as site visits, evidence collection, and potential legal action against the responsible parties. Reports may also be coordinated with county attorney offices to assess charges under state animal cruelty laws.

What are the potential consequences for denying access to Gila County animal control officers?

Denying access to Gila County animal control officers can lead to **legal penalties**, as it is unlawful to impede their investigations. This includes making false reports or interfering with their duties, which can result in administrative citations or other legal actions.