

**TOWN OF PRESCOTT VALLEY  
REQUEST FOR COUNCIL ACTION  
Date: September 12, 2013**

**SUBJECT:** Amendment to Section 6-01-070 “License Fees” of the Town Code

**SUBMITTING DEPARTMENT:** Legal Department

**PREPARED BY:** Carol Cornell, Paralegal, for Ivan Legler, Town Attorney

**AGENDA LOCATION:** Comments/Communications , Consent , Work/Study ,  
New Business , Public Hearing , Second Reading  (Check appropriate box)

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**ATTACHMENTS:** a) Ordinance No. 777

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**SUMMARY/BACKGROUND:** The Town Council first adopted an animal regulation code on June 28, 1979. The Council has occasionally updated said code from time to time as the community has developed and grown and as related provisions in the Arizona Revised Statutes have been amended from time to time.

Section 6-01-050 “Dog License” of the Town Code currently requires all dogs three months of age or older kept, harbored or maintained within the corporate limits of the Town for at least thirty consecutive days to be licensed in accordance with Article 6-01 “General Animal Control”. Section 6-01-070 “License Fees” of the Town Code requires all dog license applicants to pay the applicable license fee set forth in Section 6-01-100 “Animal Control Fees”.

On April 5, 2013, the Governor Brewer approved House Bill 2355 enacting A.R.S. §9-500.32 which prohibits cities and towns from charging an individual who has a disability and who uses a service animal or an individual who uses a search or rescue dog a license fee for that dog.

Staff proposes to amend Section 6-01-070 “License Fees” to exempt “service animals” and search or rescue dogs from the requirement that a license fee be paid in accordance with the recent statutory amendments.

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**OPTIONS ANALYSIS:** Council may adopt Ordinance No. 777 in accordance with recent enactment of A.R.S. §9-500.32, propose changes to the Ordinance prior to adoption, or decline to adopt the Ordinance.

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**ACTION OPTION:** [the Mayor instructs the Town Clerk to read Ordinance No. 777 by title only for the second reading, then asks “Shall the Ordinance Pass?”] **VOTE.**

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**RECOMMENDATION:** Staff recommends taking the steps to adopt these amendments to Section 6-1-070 “License Fees” in Article 6-01 “General Animal Control” in Chapter 6 “Animals” of the Town Code.

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**FISCAL ANALYSIS:** There may be a minimal financial impact associated with the proposed amendments due to the prohibition to collect license fees for service animals and search or rescue dogs.

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**REVIEWED BY:**

Management Services Director \_\_\_\_\_

Town Clerk \_\_\_\_\_

Town Attorney \_\_\_\_\_

Town Manager \_\_\_\_\_

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**COUNCIL ACTION:**

Approved    Denied    Tabled/Deferred    Assigned to \_\_\_\_\_