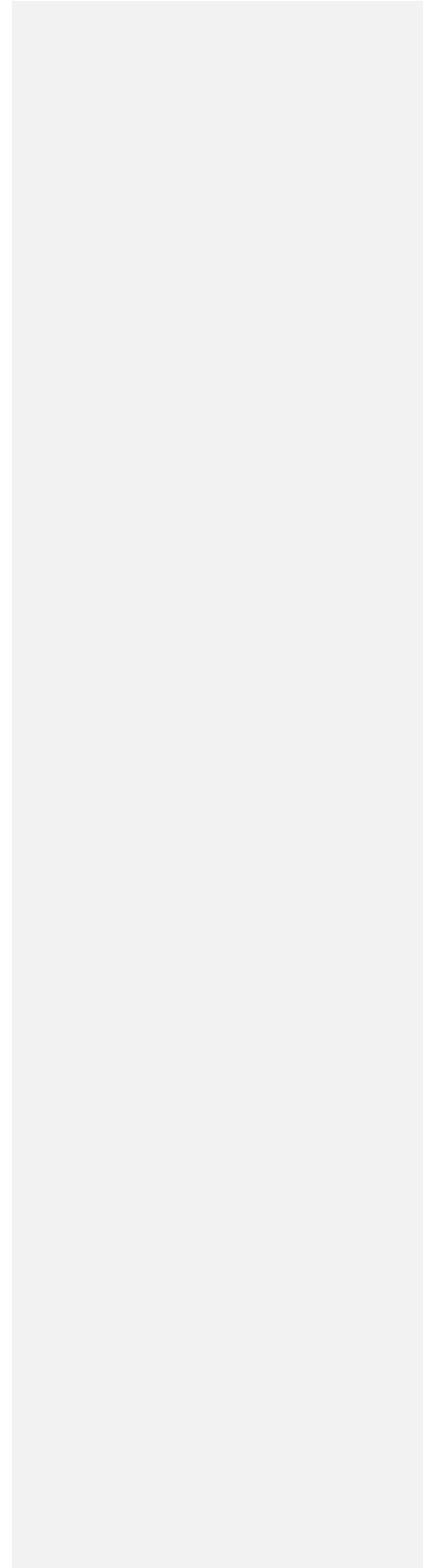


Pima County Mandatory Spay Neuter Ordinance  
Proposed Change Summaries

- Add mandatory spay neuter requirement for dogs and cats redeemed by their owners from any shelter in Pima County.
- Exceptions to requirement include:
  - Current license
  - Altered
  - Veterinary Waiver for health reasons
  - No Veterinarian within 20 miles
  - Pay recovery fee of up to \$250

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ORDINANCE 2010-

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ANIMALS; AMENDING THE PIMA COUNTY CODE BY AMENDING CHAPTER 6.04 AMENDING SECTION 6.04.090 AUTHORITY TO ALTER DOGS AND CATS RELEASED FROM A SHELTER**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:**

**SECTION 1:** Chapter 6.04, Section 6.04.090 is amended to require alteration of all dogs and cats released from a shelter unless exempted as specified:

CHAPTER 6.04

ANIMAL CONTROL REGULATIONS

\*\*\*\*

**6.04.090 Mandatory spay/neuter program for dogs and cats.**

The following standards are ~~approved-established~~ for the adoption or redemption by the owner of any ~~unclaimed~~ dog or cat from Pima Animal Care Center or another shelter, as defined by Arizona Revised Statute 11-1022.H, in Pima County;

A. Subject to the following conditions, Any dog or cat may be redeemed by its owner from Pima Animal Care Center or another shelter in Pima County and any dog or cat held for the period required by law and not reclaimed by its owner from by the Pima Animal Care Center or another shelter in Pima County for the period required by law and not reclaimed by its owner may be released for adoption or transferred to another shelter, as defined by Arizona Revised Statute 11-1022.H, in Pima County; subject to the following conditions:

1. The ~~adoptingadopter or redeeming~~ owner must pay a fee ~~applicable fees~~ pursuant to the Center's or shelter's pricing policies and fee tables, Section 6.04.060 (D), (E). ~~A transportation fee of no more than six dollars per dog or cat may also be charged to adoption owners.~~
2. The animal has been implanted with a microchip for the purposes of identification and:
  - A. Shall not be released for adoption from Pima Animal Care Center or another shelter unless one of the following applies:
    1. The dog or cat has been first surgically spayed or neutered.
    2. There is no veterinary facility capable of performing surgical sterilization within a twenty mile radius of the pound or shelter.
    3. A veterinarian determines that a medical contraindication for surgery exists that reasonably requires postponement of the surgery until the surgery can be performed in a safe and humane manner.

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B. If subsection A, paragraph 2 or 3 of this section applies, the adopting party shall sign an agreement to have the dog or cat spayed or neutered by a veterinarian within thirty days or within fifteen days of a veterinarian's determination that surgical sterilization may be performed in a safe and humane manner and shall deposit with the pound or shelter an amount sufficient to ensure that the dog or cat will be sterilized.

C. If the adoption fee includes the cost of spaying or neutering, no deposit is required. The amount of the deposit required by subsection B of this section shall be determined by the pound or shelter to be comparable to the lowest fee charged by veterinarians in the county. The pound or shelter shall refund to the adopting party any monies deposited pursuant to the agreement if within the time provided in the agreement there is presented a written statement signed by a licensed veterinarian that the adopted dog or cat has been spayed or neutered.

D. Animals may be transferred to another shelter, as defined by Arizona Revised Statute 11-1022.H, in Pima County before they have been spayed or neutered and without a spay/neuter deposit.

E. Any deposit monies that are not refunded under subsection C of this section shall be used only for the following purposes:

1. Spaying or neutering dogs and cats.
2. Public education to prevent overpopulation of dogs and cats.
3. Costs of confirming that adopted dogs and cats are spayed or neutered.

F. Shall not be released to its owner from Pima Animal Care Center or another shelter unless one of the following applies:

1. The dog has a current dog license pursuant to Pima County Code 6.04 at the time the dog entered the pound or shelter.
2. The dog or cat has been surgically spayed or neutered.
3. There is no veterinary facility capable of performing surgical sterilization within a twenty mile radius of the pound or shelter.
4. A veterinarian determines that a medical contraindication for surgery exists that reasonably requires postponement of the surgery until the surgery can be performed in a safe and humane manner.
5. The owner pays a recovery fee of not less than fifty dollars and no more than two hundred and fifty dollars, in addition to any fees and costs otherwise required pursuant to this article.

~~-. Pima Animal Care Center will insure that all such animals are spayed or neutered and microchipped prior to release to the adopting owner unless the veterinarian determines that the animal has medical contraindications that would prevent or require postponement of surgery.~~

~~3. If the veterinarian determines that medical contraindications for surgery exist that would require postponement of surgery, a spay/neuter certificate will authorize postponement of the surgery until such time that the veterinarian determines that surgery can be performed in a safe, humane manner.~~

~~4. If the veterinarian determines the animal is permanently disqualified for surgery and would be capable of reproduction the animal will be returned to Pima Animal Care Center, the adoption will be cancelled, and the adopting owner will be refunded all applicable fees.~~

B5. The adopting or redeeming party shall reclaim the animal following surgery as directed by the veterinarian. Failure to comply will result in a charge for extra board. Animals Unclaimed animals from Pima Animal Care Center or a shelter after seven (7) days following the animal's scheduled surgery date may be declared abandoned.

CB. The agreement to adopt an animal from Pima Animal Care Center shall require the adopting party to agree to hold harmless and defend the county, its officers and employees for loss, injury or damages arising out of or in connection with services of this program. (Ord. 2005-45 § 1 (part), 2005; Ord. 2004-17 § 1 (part), 2004; Ord. 1994-129 § 1, 1994; prior code § 15.04.080)

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**SECTION 2.** This ordinance shall become effective \_\_\_\_\_ ~~October 1, 2009.~~

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**PASSED AND ADOPTED** by the Board of Supervisors, Pima County, Arizona, this  
\_\_\_\_\_ day of \_\_\_\_\_, ~~2009~~2010.

\_\_\_\_\_  
Chair, Board of Supervisors      Date  
(Chairman) **Use current preference**

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Deputy County Attorney

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