2008-09571
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Requested By: BOARD OF SUPERVISORS
Navajo County Recorder - Laurette Justman
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Ordinance No. 01-08

An Ordinance of the Navajo County Board of Supervisors, Prohibiting the Importation for Release Into the Wild, or the Release Into the Wild, of Certain Predatory Animals of the Genera Canis, Ursus and Felis; and Specifying Criminal Penalties for Violations

Article 1 – General Provisions

1.1 Purpose

The purpose of this Ordinance is to prohibit the importation for release into the wild, or the release into the wild, of certain Predatory Animals of the genera Canis, Ursus and Felis within the boundaries of Navajo County, Arizona.

1.2 Short title

This Ordinance may be cited as the "Navajo County Predatory Animal Ordinance."

1.3 Applicability

This Ordinance applies within the unincorporated area of Navajo County, with the exception of land under the jurisdiction of a federally recognized tribal government.

1.4. Authority

The Navajo County Board of Supervisors is authorized by ARS § 3-2405(1) to "control and destroy predatory wildlife, noxious rodents and related animals as defined by section 3-2401." Section 3-2401 encompasses "predatory wildlife, noxious rodents and related animals that are injurious to livestock, poultry, game, agriculture, other industries and the public health."

1.5 Repeal of prior ordinances

This Ordinance supersedes any and all ordinances of Navajo County concerning the same subject matter.

1.6 Severability

If any provision of this Ordinance is held to be unenforceable by a court of competent jurisdiction, the unenforceable provision shall be stricken and the remaining provisions shall remain in full force and effect.

Article 2 – Legislative Findings

The Navajo County Board of Supervisors hereby finds as follows:

2.1 The livestock, recreation and tourism industries are vital to the economy of Navajo County.

2.2 The importation for release into the wild, or the release into the wild, of certain Predatory Animals of the genera Canis, Ursus and Felis within the boundaries of Navajo County would have a negative impact on the livestock, recreation and tourism industries and the local economy due to the loss of livestock and domestic animals and threats to human safety.

2.3 An Ordinance prohibiting the importation for release into the wild, or the release into the wild, of certain Predatory Animals of the genera Canis, Ursus and Felis within the boundaries of Navajo County will serve to promote the health, safety and general welfare of Navajo County and its residents and visitors.

Article 3 – Definitions

As used herein, the following terms shall have the following meanings:

3.1 "Release" shall mean the act of setting free to roam at large.

3.2 "Predatory Animals" shall mean animals of the genera Canis (e.g., Mexican Wolf), Ursus (e.g., Grizzly Bear) and Felis (e.g., Jaguar), excluding domestic feral cats that have been spayed and returned to the wild.

Article 4 – Prohibitions

4.1 It shall be unlawful for any person to import within the boundaries of Navajo County any Predatory Animal for the purpose of releasing such animal into the wild or knowing that such animal will be released into the wild by another.

4.2 It shall be unlawful for any person to release into the wild, or to assist another in releasing into the wild, any Predatory Animal within the boundaries of Navajo County.

Article 5 – Penalties

A violation of Section 4.1 or 4.2 of this Ordinance shall be a petty offense punishable upon conviction by a fine of up to $300 for each offense in the case of a person and up to $1,000 for each offense in the case of an enterprise.

Article 6 – Enforcement

This Ordinance may be enforced by the County Enforcement Agent or any Deputy County Enforcement Agent appointed pursuant to the Navajo County Animal Control Ordinance (Ordinance No. 02-06), or by any peace officer.

Article 7 – Effective Date

This Ordinance shall be effective 30 days after adoption by the Navajo County Board of Supervisors.

PASSED AND ADOPTED by the Navajo County Board of Supervisors on May 6, 2008.

Navajo County Board of Supervisors

By _____
J. R. DeSpain
Chairman

ATTEST:

_____
Darlene Fraley
Clerk of the Board