

465 1st Avenue
P.O. Box 970
Holbrook, AZ 86025

OUR MISSION

City of Holbrook Government exists to provide ethical and responsible local government.

AGENDA

Regular City Council Meeting

May 14, 2025, 6:00 p.m.

1. CALL TO ORDER:

2. ROLL CALL:

3. PLEDGE OF ALLEGIANCE/INVOCATION:

4. CONSENT AGENDA:

April 23, 2025, Regular Meeting Minutes

April 23, 2025, Work Session Minutes

Tab 1

5. CALL TO THE PUBLIC FOR NON-AGENDA ITEMS:

*Three-minute time limit per individual.

6. CALL TO THE PUBLIC FOR AGENDA ITEMS:

*Five-minute time limit per individual

7. OLD BUSINESS (DISCUSSION AND POSSIBLE ACTION):

a. For Discussion-Holbrook's Graffiti Task Force- Mayor Smith

Tab 2

8. NEW BUSINESS (DISCUSSION AND POSSIBLE ACTION):

a. Ordinance 25-04 - 1st read - Amending the Code of Holbrook, Arizona, Chapter 3 Public Health and Safety, Article 3-5 – Animals and Article 3-6- Dogs; Declaring the "City of Holbrook City Code Amendments to Chapter 3-5 – Animal Control and Chapter 3-6 – Dogs, Date 2025" a Public Record; Adopting the "City of Holbrook Code amendments to Chapter 3-5 – Animal Control and Chapter 3-6 – Dogs, Date 2025" by Reference: Providing For Severability; Providing for Penalties; and Establishing an effective date.

Tab 3

b. Resolution 25-03 – Amending the fees for the City of Holbrook Bulk Water Station- Assistant City Manager Sullivan

Tab 4

c. Resolution 25-04 – Amending the Fees for the City of Holbrook Transfer Station Fees- Assistant City Manager Sullivan

Tab 5

d. New Ball Field Fence- Assistant City Manager Sullivan

Tab 6

9. SUMMARY OF CURRENT EVENTS:

Mayor:

Council Members:

City Manager:

10. **SUBMISSION OF WRITTEN PETITION FOR ITEMS NOT ON THE AGENDA:


11. EXECUTIVE SESSION:

- a. The Mayor and City Council may convene into executive session pursuant to A.R.S. 38-431.03(A)(7) with designated representatives of the City to consider its position and instruct its representatives regarding negotiations for the purchase of real property.

NOTE: The Council may go into Executive Session for the purpose of obtaining legal advice from the City's Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-461.03(A)(3).

12. ADJOURNMENT:

Posted the 8th day of May 2025



Lisa Hunt, CMC, City Clerk

Approved by: KS

*Individuals must submit a "Request to Address City Council" form to the City Clerk prior to the start of the meeting.

Anyone may address the City Council on any issue within the jurisdiction of the Council. City Council may generally not discuss items that are not specifically identified on the agenda, except in certain circumstances. Therefore, pursuant to A.R.S. § 38-431.01 (H), action taken as a result of public comment will be limited to directing City staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Items on the agenda will not be heard or discussed in Call to the Public. Video or audio tapes or other overhead visual aids may not be presented during these public appearances. All speakers should begin their remarks by stating their name and address for the record.

**Any citizen of the City may appear before the Council at any regular meeting and present a written petition. Such petitions shall be considered, and response given within 31 days in conformity with the requirements of the Charter, the Open Meeting Law, and other statutory and constitutional provisions per Holbrook City Charter Article II, Section 2.18.

Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the meeting. Individual members of the public body may respond to comments made by others who have addressed the public body.

The Holbrook City Council may discuss or take legal action on any item listed on the Agenda.

Pursuant to ARS 38-431.02, notice is hereby given to the Holbrook City Council, and to the general public that a meeting, which is open to the public, will be held on above-mentioned date and time, in the City Council Chambers, at 465 First Avenue, Holbrook, Arizona. Doors open to the City Council Chambers 15 minutes prior to the scheduled start of the meeting for public seating. Members of the City Council may choose to participate in this meeting in person, telephonically or by video communication. The City Council may adjourn into executive session, which will not be open to the public, to discuss any matter listed on the agenda in accordance with A.R.S. 38-431.03. The Holbrook City Council may vote to hold an executive session for the purpose of obtaining legal advice from the Council's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

Electronic versions of this agenda can be found at www.holbrookaz.gov. A final agenda will be available twenty-four hours prior to the meeting in the City Clerk's office, 465 N. 1st Ave, Holbrook, AZ 86025.

MINUTES OF THE REGULAR MEETING
OF THE HOLBROOK CITY COUNCIL HELD ON
April 23, 2025

CALL TO ORDER: Mayor Smith called the meeting to order at 6:30 p.m.

ROLL CALL: Councilmembers Robert Black, Tamera Church, Teri Tafoya, Vice Mayor Mike Nilsson and Mayor Kathleen Smith. Councilmembers Arcenia Pacheco and Karina Pack were excused.

CITY STAFF: Assistant City Manager Randy Sullivan.

PLEDGE OF ALLEGIANCE/INVOCATION: The Pledge of Allegiance was led by Councilmember Tafoya. The Invocation was given by Pastor Barnavas Begay of Faith Assembly of God Church.

CONSENT AGENDA:

April 9, 2025, Regular Meeting Minutes

MOTION: Vice Mayor Nilsson made a motion to approve the Consent Agenda as presented.

SECONDED: Councilmember Tafoya.

MOTION CARRIED

CALL TO THE PUBLIC FOR NON-AGENDA ITEMS: None

CALL TO THE PUBLIC FOR AGENDA ITEMS: None

PRESENTATIONS:

a. City of Holbrook Library -Emily Whitehorn was unable to attend the meeting. This presentation will be rescheduled.

OLD BUSSINESS (DISCUSSION AND POSSIBLE ACTION):

None

NEW BUSINESS (DISCUSSION AND POSSIBLE ACTION):

a. Graffiti Task Force – Mayor Smith read the Background and Discussion from the City Council Action Item Request form. She stated that this is just a discussion item. She shared that there has been an influx in graffiti in Holbrook and that many citizens have reached out and asked how they can help with the issue. If a Graffiti Task Force is created, they would need to ensure that they are working with City staff and Law Enforcement to ensure that property rights are not being trampled on. Mayor Smith shared information from other Graffiti Task Forces in Arizona. Council discussed the possibility of creating a Graffiti Task Force in Holbrook. Council will do more research on policies and procedures from other communities and ask for 3 to 5 volunteers to be a part of a Graffiti Task Force.

SUMMARY OF CURRENT EVENTS-MAYOR:

-Mayor Smith gave a big shout out to the Holbrook Unified School District for the “Love our Community Event”.

SUMMARY CURRENT EVENTS-COUNCILMEMBERS:

-Vice Mayor Nilsson shared that on Saturday, April 26th there is the Holbrook Clean Up Day from 7:00 a.m. until noon. There is also a Bunco Party at the Senior Center, this event helps to support the community meals at the Senior Center. He also shared that the community meals have begun on Thursdays at the Senior Center.

-Councilmember Black has been talking with community members and he said that they are not happy. He said that there are a lot of job positions being posted for the City of Holbrook. He said that in the City Council Meeting on February 26th, Council put a freeze on all further hirings. If someone were to leave their position that Council

would have to review the replacement hiring. He said one of the posted positions was for an Events Coordinator. Councilmember Black wanted to know where the money was coming from to hire for this position. Councilmember Black said that in his opinion, before the City hires and Events Coordinator they need to hire a City Attorney. He said that we are having a problem right now and we are not going to get out of it just by clicking our fingers. We need to get somebody on board that can handle this type of stuff that will keep us out of trouble in the future. Councilmember Black said that the Council is really good at trying to handle the problems before them but then they just let them go and don't follow up on hardly anything, and he said that it is aggravating not only to him but to a lot of people out there. Councilmember Black also asked, where is our General Plan, where is the Charter? He said we start working on them then we just let them sit there and don't get anything done. He said that before we do anything we should get an Urgent Care Center. Councilmember Black also said that while driving around he does not see any changes in Code Enforcement. He said that he does not see any improvements and he thinks that we should hire a full-time Code Enforcement officer because the part-time one is not getting anything done. He said that community members are wanting to know when the Council is going to start looking for a new City Manager. He has told them that he does not know because it has not been brought up. Councilmember Black said that he thinks they need to remember their roles as City Councilmembers, Mayors and everything else. He said that they each have a vote and that the Mayor runs the meeting; other than that the Mayor is just the same as the other Councilmembers. He said that there is some frustration out there that this is just not happening.

-Councilmember Church wanted to remind everyone about the dump day on Saturday.

-Councilmember Tafoya gave a kudos to the people that put on the Easter Egg Hunt, they had to change the location at the last minute due to the snow. She also said that she has eaten at the Senior Center the last 2 Thursdays and the food was delicious.

-Mayor Smith gave an update on some happenings. For the Charter review update she said that the information is at the attorney's office right now, in May they will be giving us the suggested verbiage for the ballots. Once the attorneys approve the legal verbiage for the ballot it will be brought to the Council for approval. Regarding the General Plan, we have some grant money set aside specifically to help us to finalize the General Plan. The Council has been talking to someone that may be able to bring that to the finish line in the next few months. During the Clean-up Day the City of Holbrook will be opening up the transfer site for free regular residential dump on that day.

SUMMARY OF CURRENT EVENTS-ASSISTANT CITY MANAGER:

-Randy Sullivan gave a shout out to the Golf Course and the Men's Association for the great momentum and for getting so much done. It is really appreciated. A separate fund has been set up for the Men's Association and they have been doing some fundraising and some golf tournaments. The money will be used for special projects in the future. In the next few weeks, he will be meeting with the Men's Association and the Facilities Manager to come up with a plan to remodel the club house at the Golf Course. The Men's Association has also stepped up and said that they will help with some of the remodeling of the clubhouse if the City buys the materials. Many of the members of the Men's Association have skills that can really help the City in this project.

-Ms. Fortuna's 4th grade class nominated the City of Holbrook as a business that they are grateful for during the "We Love Our Community" event. Ms. Fortuna's class will be bringing The City of Holbrook breakfast in the morning.

-He has been working on getting quotes for the ballpark fence so that that project can get started. It probably won't be ready for this summer but possibly in the fall it will be ready. He is looking forward to working with the Fish's and is grateful that they are giving the City of Holbrook this opportunity and helping the youth in the community.

-In regards the attorney bills, for the last 2 months the attorney bills have been cut back to \$3000.00 to \$5000.00 per month. Attorneys have been informed that if the bill is going to be more than \$5000.00 per month that they will need to inform him of the reason for this, so that he can decide to either push something back or to go ahead and proceed.

-To follow up on what the Mayor said in her report, Mr. Sullivan said that they are working on the General Plan and are in the process of hiring someone to put it together with grant money that was set aside.

-The Starr Inn has been back and forth between several sales and sales fall throughs. The City is waiting for the sale to be completed and then they will follow through with getting the property cleaned up. Mr. Sullivan said that there are several local entities wanting to buy that now.

-In regard to positions being posted. Just because the City is posting for positions does not mean that we are going to hire for that position at that time. Currently we are on a freeze, so we are not hiring. But positions that have been lost that have been budgeted, we have gone ahead and posted those because they were budgeted positions in other departments besides the general fund. Those positions will be discussed in more detail as we go through the budget in the Work Session later tonight. We are just trying to get ahead in the game and post it so that we can get some good applications. We really want to be able to hire quality individuals.

-We are working with the attorneys to gather all the changes in the Charter. Each one of the proposed changes in the Charter must have its own ballot measure. Mr. Sullivan said that he believes that there were 11 changes so that is a lot of work for the attorney to get the verbiage for each proposed change for the ballot.

-Mr. Sullivan gave a shout out to the City and to Vice Mayor Nilsson because we hosted the Regional Mayors and Councilmembers Association meeting last week. It was a good turnout. There were some good conversations and good vibes.

-He also did a shout out about the free dump on Saturday. It will be an all-day event. The transfer site closes at 4:00 p.m. so please try to get your load there by 3:30 p.m. We are anticipating that it will be very busy on that day.

-Mr. Sullivan shared that the City has had 3 separate conference calls about Urgent Care. The City has expressed what is going on in Holbrook with the BMX and with the Drag Racing and he thinks that it might be a moving point in trying to get an urgent care here. The City has expressed some concern of accidents happening at these events and the nearest hospitals are 30 minutes to an hour away. There are some ideas being floated around by several entities. We will have to see who comes to the plate with some of those ideas.

Councilmember Tafoya gave kudos to the Little League Field, she said that she drove by the other night and that there were lights blaring, the scoreboard was on and there were so many people there. She felt that this was really, really nice.

-Mr. Sullivan apologized to the Little League program, he said that last time he had worked with the Little League he was under the impression that the School District was going to donate the score board so he thought that they had donated it, but he was wrong the score board was actually purchased by the Little League and the City helped to install it. He said that the Little League program is doing an awesome job.

SUBMISSION OF WRITTEN PETITION FOR ITEMS NOT ON THE AGENDA: None

MOTION: Councilmember Tafoya made a motion to adjourn into Executive Session

SECONDED: Vice Mayor Nilsson

MOTION CARRIED at 7:07 p.m.

EXECUTIVE SESSION:

a. The Mayor and City Council may convene into executive session pursuant to A.R.S. 38-431.03(A)(7) with designated representatives of the City to consider its position and instruct its representatives regarding negotiations for the purchase of real property.

Council returned from the Executive Session back into the Regular Meeting at 7:53 p.m.

ADJOURNMENT:

The meeting was adjourned at 7:53 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Holbrook City Council held on April 23, 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Lisa Hunt, CMC, City Clerk

PASSED, APPROVED AND ADOPTED this 14th day of May 2025.

Kathleen Smith, Mayor

MINUTES OF THE WORK SESSION
OF THE HOLBROOK CITY COUNCIL HELD ON
April 23, 2025

CALL TO ORDER: Mayor Smith called the Work Session to order at 7:56 p.m.

ROLL CALL: Mayor Kathleen Smith, Councilmembers Robert Black, Tamera Church, Vice Mayor Nilsson, Teri Tafoya. Councilmember Arcenia Pacheco and Karina Pack were excused.

CITY STAFF: Assistant City Manager Randy Sullivan

FY 2025-2026 BUDGET: Mayor Smith reminded the Councilmembers of the priorities that the FY 2025-2026 Budget will be set for. 1) Main Street Beautification/Revitalization; 2) Street Improvements; 3) Club House at Golf Course; 4) Code Enforcement; 5) Parks and Trails. Assistant City Manager Randy Sullivan told Council that the numbers in the budget that he is presenting tonight are not set in stone and will be changed several times before the final budget is agreed upon. Mr. Sullivan wants Council input on personnel needs. Mr. Sullivan went over the Budget Action Plan and let Council know that many of the dates are set by State Statute. He shared that he does not get the numbers that they are going to get from State Shared Revenues until the end of May so there will be minor tweaks going on until the numbers are received and the budget is balanced. At this point Mr. Sullivan is looking at the Council to adopt the Tentative Budget at the Regular City Council Meeting on June 11th. Once the Tentative Budget is adopted the revenue amount of the budget cannot be increased. Once the Tentative Budget is adopted the City must post a summary of the budget for 2 consecutive weeks in the newspaper. There will need to be a public hearing on Property Taxes. The Property Tax Levy and the Final Budget will need to be adopted on July 23rd. Mr. Sullivan reviewed the Revenue Summary (Page 9) he explained that the Fund Balance Appropriation is where, if we are going to spend savings on some of the projects, this is where it would go. The next line is the Property Tax, right now that is just an estimate until the county releases the numbers. He reviewed each line item with the Council. Mr. Sullivan then reviewed the Lodgers Fund (Page 24) and shared that he would like to hire an Events Coordinator. He reviewed the Expenditure Summary (Page 10), City Council (Page 11), and Administration (Page 12). For the Wages and Salaries, it includes a part time Events Coordinator. Mr. Sullivan would like part of that salary and wages to come out of the Lodgers Fund. Councilmember Black suggested hiring a City Attorney instead of an Events Coordinator. Mr. Sullivan said that the Administration budget also includes an Accounts Payable/Billing/Finance Clerk to help him out in the office. Sharon Jakubowski Wolz's buy out is also included in this. In the Professional & Consulting line item the Patel Settlement is included in this. Also, a Grants Writer is included in this budget. There is also a 3% COLA raise for all employees in the budget. The Library Budget was discussed (Page 13) Wanting to open on Fridays. Increase staff by hiring part-time staff. They would then have 4 full-time employees, 1 part-time, and 1 seasonal staff. Next Cemetery, Parks, and Recreation were reviewed (Page 14). Golf Course (Page 15) has no major changes except Capital Outlay for the Sand Pro and the Pump House. Animal Control (Page 16) Mr. Sullivan asked Council if they wanted this department to continue with 2 employees or to go back to the 1 employee that it has always had. Also, attorney fees were discussed along with changes to the code to eliminate large attorney fees. Police Department (Page 17) there are 2 positions still open at the Police Department. 4 vehicles will be needed if grant funds are not available. Fire Budget (Page 18) no major changes. They do need air packs. Facilities and Levies (Page 19) the biggest change is moving Mike Young over to this budget from Administration and requesting another employee in this department. Fleet Department (Page 20) has no major changes. Airport (Page 21) the only change is the grant match for the apron rebuild. Court Budget (Page 22) there are no changes. The Senior Center (Page 23) the City no longer pays wages for a driver. They will need a driver once Meals on Wheels gets going but they are not at that point yet.

MOTION: Vice Mayor Nilsson made a motion to adjourn

SECONDED: Councilmember Tafoya

MOTION CARRIED at 9:50 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the Holbrook City Council held on April 23, 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Lisa Hunt, CMC, City Clerk

PASSED, APPROVED AND ADOPTED this 14th day of May 2025.

Kathleen Smith, Mayor



CITY COUNCIL ACTION ITEM REQUEST

Date: May 14, 2025

To: Holbrook City Council Members

From: Mayor Kathleen Smith

Subject: Discussion Holbrook Graffiti Task Force

BACKGROUND AND DISCUSSION: Graffiti vandalism continues to impact the appearance, safety, and perception of neighborhoods, businesses, and public spaces throughout Holbrook. In response, the City is initiating efforts to establish a Holbrook Graffiti Task Force—a volunteer-based program designed to promote civic pride and community beautification.

This initiative invites local residents to take part in identifying and removing graffiti within city limits, helping to restore and preserve Holbrook's unique character. The task force will operate under City guidance and be provided with supplies, training, and equipment necessary for safe and effective graffiti abatement. Volunteers may also assist in tracking graffiti activity, documenting cleanup efforts, and promoting awareness.

As a first step, City staff has prepared a Graffiti Volunteer Welcome Letter and Volunteer Application for review.

FINANCIAL IMPLICATIONS: TBD

Initial costs may include volunteer supplies (paint, brushes, gloves, etc.), training materials, and administrative support. Future costs may arise depending on program size and material replenishment.

REQUEST FOR COUNCIL ACTION: Invite the public to apply.

ATTACHMENTS:

Graffiti Volunteer Letter - Draft

Graffiti Volunteer Application - Draft



Holbrook's Graffiti Task Force

Dear Volunteer,

Thank you for your interest in the City of Holbrook's Graffiti Task Force program. This initiative brings together local volunteers to help remove graffiti within city limits, preserving the beauty and pride of our community. The City of Holbrook is grateful to the many individuals, families, and organizations who contribute their time and energy to keeping our neighborhoods clean and welcoming.

Graffiti is both costly and harmful—it can diminish the appearance of our streets, parks, and business areas, and sends the wrong message about how we value our community. By removing graffiti quickly, we help prevent its return and contribute to a safer, more attractive environment for residents and visitors alike.

The City will provide all necessary materials to support your cleanup efforts, including paint, brushes, safety equipment, and cleaning supplies. Because this role may involve handling chemicals and using city property, we kindly ask for a sustained commitment from those interested in taking on this responsibility, as the City will be providing training to those on this task force.

Volunteers will also be provided with a camera to take before-and-after photos and will be asked to complete a brief **Volunteer Graffiti Report** for each cleanup location. Once the work is completed, all supplies will need to be returned to the designated storage area.

Enclosed are the **Volunteer Information Form**, **Safety Guidelines**, and **Application**. Please complete and return the application by mail, email, or in person.

We appreciate your willingness to support this program. If you have any questions or would like additional information, please don't hesitate to reach out. Thank you for helping keep Holbrook beautiful and graffiti-free.

Sincerely,

Kathleen Smith
City of Holbrook



Holbrook's Graffiti Task Force Volunteer Application

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Best Contact Number: _____

Email: _____ Over 21? _____

Emergency Contact and Phone Number: _____

Volunteers will conduct graffiti abatement activities within the City of Holbrook . Volunteers will initially conduct activities with an experienced volunteer in the program. After the start up period volunteers are permitted to work on their own if desired. Volunteers will participate in on-line and short classroom training for safety while working in the program.

By completing this application, the volunteer understands and will abide by these terms.

Signature: _____ Date: ____/____/____



CITY COUNCIL ACTION ITEM REQUEST

Date: 05/14/2025

To: Honorable Mayor Smith and Council Members

From: Randy Sullivan

Subject: Ordinance 2025-04

BACKGROUND AND DISCUSSION:

City staff and the Council have had work sessions and discussions on updating these chapters of City Code and making them more clearly defined as well as adding swine into the Code. This Ordinance makes all the recommended changes to date.

FINANCIAL IMPLICATIONS:

None

ALTERNATIVES:

1st read and further recommendations.

REQUEST FOR COUNCIL ACTION:

1st read to Adopt Ordinance 2025-04 making changes to City Code Chapter 3-6 and 3-5

ATTACHMENTS:

Ordinance 2025-04

Lined and updated versions of City Code Chapters 3-6 and 3-5

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE COUNCIL OF THE CITY OF HOLBROOK, ARIZONA, AMENDING THE CODE OF HOLBROOK, ARIZONA, CHAPTER 3 PUBLIC HEALTH AND SAFETY, ARTICLE 3-5 – ANIMALS AND ARTICLE 3-6 – DOGS; DECLARING THE “CITY OF HOLBROOK CITY CODE AMENDMENTS TO CHAPTER 3-5 – ANIMAL CONTROL AND CHAPTER 3-6 – DOGS, DATE 2025” A PUBLIC RECORD; ADOPTING THE “CITY OF HOLBROOK CITY CODE AMENDMENTS TO CHAPTER 3-5 – ANIMAL CONTROL AND CHAPTER 3-6 – DOGS, DATE 2025” BY REFERENCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the City of Holbrook desire to amend the City Code to adopt updated versions of Chapter 3 – Public Health and Safety, Article 3-5 – Animals and Article 3-6 – Dogs;

WHEREAS, reasonable regulations relating to animals and dogs within the City are in the best interests of residents to protect public health and safety; and

WHEREAS, that certain document entitled “City of Holbrook City Code Amendments to Chapter 3-5 – Animal Control and Chapter 3-6 – Dogs, Date 2025,” one paper copy and one electronic copy of which are on file with the City Clerk, is hereby declared a public record and said copies are ordered to remain on file with the Clerk.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Holbrook, Arizona, as follows:

Section 1. In General.

The Code of Holbrook, Arizona, Chapter 3 – Public Health and Safety, Article 3-5 – Animals and Article 3-6 – Dogs are hereby amended to read as set forth in “City of Holbrook City Code Amendments to Chapter 3-5 – Animal Control and Chapter 3-6 – Dogs, Date 2025,” which is hereby adopted and incorporated by reference in this Ordinance.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. Providing for Penalties.

- A. Criminal: Every person who intentionally, knowingly, willfully or recklessly causes, permits, facilitates, or aids or abets a violation of Sections 3-5-2, 3-5-6, or 3-5-15 of Article 3-5 or Sections 3-6-7 or 3-6-8 of Article 3-6 is guilty of a Class One Misdemeanor. The Animal Control Officer, Police Officer and the City Prosecutor are authorized to commence an action for the violation of the foregoing Sections. Upon conviction of a violation of any of these Sections, the court may impose a sentence of incarceration not to exceed six (6) months in jail, a fine not to exceed two thousand five hundred dollars (\$2,500.00), probation for a term not exceeding three (3) years, or any combination thereof, the court shall order a person who has been convicted of a violation of this section to pay a fine of not less than five hundred dollars (\$500.00) for each count upon which a conviction has been obtained. A judge shall not grant probation to or suspend any part or all of the imposition of execution of any sentence required by this subsection except on the condition that the person pay the mandatory minimum fines as provided in this paragraph. Every action or proceeding under this section shall be commenced and prosecuted in accordance with the laws of the State of Arizona relating to criminal misdemeanors and the Arizona Rules of Criminal Procedure.
- B. Civil: Every person who violates Sections 3-5-4, 3-5-5, 3-5-7, 3-5-8, 3-5-9, 3-5-10, or 3-5-12 of Article 3-5 or Sections 3-6-2, 3-6-3, 3-6-5 or 3-6-6 of Article 3-6 is civilly responsible for said violations. The process to be followed for civil citations shall be the same process set forth in section 3-1-8(a)(2). The City's Animal Control Officers, Prosecutors, Attorneys, and/or Police Officers are authorized to commence any such action for violations that occur within the jurisdiction of the city. Any person who is found responsible for a civil violation of the foregoing sections, whether by admission, default, or after a hearing, shall pay a civil sanction of not less than one hundred fifty dollars (\$150.00) or no more than one thousand five hundred dollars (\$1,500.00) per offense. A second finding of responsibility within twelve (12) months of the commission of a prior violation of the foregoing sections shall result in a civil sanction of not less than two hundred and fifty dollars (\$250.00) or no more than two thousand five hundred dollars (\$2,500.00) per offense. A third finding of responsibility within twelve (12) months of the commission of a prior violation of the foregoing sections shall result in a civil sanction of not less than five hundred dollars (\$500.00) or no more than two thousand five hundred (\$2,500.00) per offense. In addition to civil sanctions, the responsible party may be ordered to pay any other applicable fees and charges. The twelve (12) month provision of this section shall be calculated by the dates the

violations were committed. The owner, occupant, or responsible party shall receive enhanced sanctions upon a finding of responsibility for any violation of the foregoing sections that was committed within twelve (12) months of the commission of another violation for which the owner was convicted or was otherwise found responsible, regardless of the order in which the violations occurred or whether the prior violation was civil or criminal. Any person who commits a violation of any one of the above listed sections after previously having been found responsible for committing two (2) or more civil infractions of the same section within any twelve (12) months period, whether by admission, by payment of the fine, default, or by judgement after hearing, shall be guilty of a criminal misdemeanor punishable as set forth in subsection (a) above. The Animal Control Officer and the City Prosecutor are authorized to file a criminal misdemeanor complaint in the Holbrook Municipal Court against such habitual offenders who violate this section. For purposes of calculating the twelve (12) month period under this paragraph, the dates of the commission of the offenses are the determining factor.

- C. Revocation of License: Any dog license may be revoked where: 1) the owner has received two (2) or more convictions or findings of fault for violations of this Article in a twelve (12) month period; 2) the owner has been found guilty of animal cruelty pursuant to ordinance or State law; or 3) the owner has been found guilty of dangerous or vicious dog at large. Upon complaint and after notice to the owner and a civil hearing, the City Magistrate may issue an order revoking the license of such owner, order the removal of said animal, and order that no animals shall be harbored or reside with said person for a specified period of time.
- D. Each violation of Article 3-5 or Article 3-6 shall constitute a separate violation for each day that the owner permits the violation to occur and may be prosecuted and punishable as an individual and separate offense for each day that the owner permits the violation to occur. In addition to any civil sanction or criminal penalty, a court or hearing officer may in its discretion order the city to take remedial action or the defendant to correct the violation by a specified date as a condition of suspending a portion of the civil sanction or criminal penalty.

Section 5. **Effective Date.**

The effective date of this Ordinance shall be 30 days following adoption by the City Council.

APPROVED, PASSED, AND ADOPTED by the Mayor and Council of the City of Holbrook, Arizona, this 28th day of May, 2025.

By: _____
Kathleen Smith, Mayor

ATTEST:

By: _____
Lisa Hunt, City Clerk

APPROVED AS TO FORM:

By: _____
Allen Quist, City Attorney
Pierce Coleman, PLLC

Number of Councilmembers Present: _____
Number of Votes For: _____
Number of Votes Against: _____
Number of Abstentions: _____

CERTIFICATION

I, LISA HUNT, CITY CLERK, DO HEREBY CERTIFY THAT THE FOREGOING ORDINANCE NUMBER 25-04 WAS DULY PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF HOLBROOK, ARIZONA, AT A REGULAR MEETING HELD ON THE 28th DAY OF MAY 2025, AND THAT A QUORUM WAS PRESENT AT THE MEETING, AND THAT A TRUE AND CORRECT COPY OF ORDINANCE NUMBER 25-04 WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____ 2025.

Lisa Hunt
City Clerk

[Exhibits on File at City of Holbrook
City Clerk's Office, 465 North 1st Avenue, Holbrook, AZ 86025]

**CITY OF HOLBROOK CITY CODE AMENDMENTS
TO CHAPTER 3-5 – ANIMAL CONTROL AND CHAPTER 3-6 - DOGS
DATE, 2025**

The Code of Holbrook, Arizona, Chapter 3 – Public Health and Safety, Article 3-5 – Animals and Chapter 3-6 – Dogs are hereby amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

ARTICLE 3-5 – ANIMAL CONTROL

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3-5-1 – Definitions

As used in ~~this~~ Article 3-5, the following definitions apply:

ALTER: TO PERMANENTLY STERILIZE ANIMALS OF EITHER GENDER THROUGH SURGICAL METHODS.

ANIMAL CONTROL OFFICER: ~~The~~ AN Animal Control Officer of the City, ~~his~~ OR designee, or any peace officer responsible for the enforcement of this Chapter.

ANIMAL OR ANIMALS: ~~Horses, mules, burros, cattle, goats, sheep, cats, dogs, swine, llamas, ostriches, emus or other livestock, poultry or any other animal that is susceptible to rabies, except man.~~ ANY FOWL, REPTILE, INVERTEBRATES, AMPHIBIAN, FISH, OR MAMMAL, EXCEPT FOR HUMAN BEINGS. FOWL MEANS A BIRD OF ANY KIND.

APARTMENT. A RESIDENTIAL DWELLING UNIT FOR RENT OR LEASE WITHIN A MULTIPLE-FAMILY BUILDING. IT MAY OR MAY NOT BE ZONED AS AN APARTMENT.

AT LARGE: Off the premises of the owner, not confined by an enclosure nor physically restrained by a leash not to exceed six (6) feet in length.

CANINE-WILD ANIMAL HYBRID: ANY ANIMAL THAT IS PART DOG AND PART WOLF OR COYOTE; WOLF DOGS AND COYOTE DOGS, ALSO CALLED WOLF HYBRIDS AND COYOTE HYBRIDS.

COLLAR: ~~A band, chain, harness or suitable device worn around the neck of the dog to which a license must be affixed.~~ ANY COLLAR CONSTRUCTED OF NYLON, LEATHER, METAL, OR SIMILAR MATERIAL, SPECIFICALLY DESIGNED TO BE USED ON A DOG.

COMMERCIAL KENNEL: ANY KENNEL MAINTAINED FOR THE PURPOSE OF KEEPING, BOARDING, BREEDING, RAISING, OR TRAINING DOGS/CATS FOR A DONATION, FOR A FEE OR FOR SALE OR FOR TRADE ANYTHING OF VALUE.

CONTROL OF OWNER: An owner or person responsible for the animal has immediate physical control of said animal by means of a leash, rope, chain or other suitable restraint not to exceed six (6) feet in length.

DANGEROUS OR VICIOUS: An animal or dog which has a propensity to attack, to cause injury or otherwise endanger the safety of human beings without provocation or which has been found to be a vicious animal by a court of competent authority, which bites, inflicts physical injury on or attacks a human being, or constitutes a physical threat to other animals.

DOG: A member of the "Canis familiaris" family.

FOOD: A SUBSTANCE OF SUFFICIENT QUANTITY AND NUTRITIOUS VALUE TO MAINTAIN EACH ANIMAL IN GOOD HEALTH, PROVIDED AT SUITABLE INTERVALS, BUT AT LEAST ONCE EVERY 24 HOURS OR AS OTHERWISE PRESCRIBED BY A LICENSED VETERINARIAN OR AS APPROPRIATE TO THE SPECIES.

HOTEL: A BUILDING OR GROUP OF BUILDINGS CONTAINING ROOMING UNITS AND/OR GUESTROOMS, SUCH ROOMING UNITS BEING FOR RESIDENTIAL PURPOSES OR TRANSIENT PURPOSES. IT MAY OR MAY NOT BE ZONED AS A HOTEL.

MOTEL: A BUILDING OR GROUP OF BUILDINGS CONTAINING ROOMING UNITS AND/OR GUESTROOMS, EACH OF WHICH MAINTAINS A SEPARATE OUTSIDE ENTRANCE, SUCH BUILDING OR GROUP OF BUILDINGS BEING DESIGNED, INTENDED OR USED PRIMARILY FOR THE ACCOMMODATION OF TRAVELERS OR FOR RESIDENTIAL PURPOSES. IT MAY OR MAY NOT BE ZONED AS A MOTEL.

LEASH: A chain, rope, or strap not more than six (6) feet in length, suitable for the control or restraint of an animal.

NONCOMMERCIAL KENNEL: ANY PROPERTY WHERE FIVE (5) OR MORE DOGS/CATS ARE RAISED, KEPT OR MAINTAINED SOLELY FOR THE USE AND ENJOYMENT OF THE OWNER OR OCCUPANT FOR PERSONAL, NON-MONETARY AND NON-COMMERCIAL PURPOSES.

OWNER: Any person owning, keeping, possessing, harboring, maintaining HAVING CUSTODY, OR OTHERWISE HAVING CONTROL OF a dog or an animal WITHIN THE CITY OF HOLBROOK.

PERMANENT IDENTIFICATION: UNIQUE IDENTIFIABLE MARKINGS THAT HAVE BEEN PERMANENTLY IMPLANTED OR AFFIXED BY A LICENSED VETERINARIAN, SUCH AS A MICROCHIP OR A TATTOO.

POUND: Any establishment authorized by the city for the confinement, maintenance, safekeeping, and control of dogs that come into custody of the Animal Control Officer.

REPEATEDLY: More than three (3) times in any one (1) year period.

SHELTER: HAS 3 WALLS AND A ROOF AND ALLOWS THE DOG/CAT TO MAINTAIN A NORMAL BODY TEMPERATURE AND ALLOWS THE DOG/CAT TO STAND UP, TURN AROUND AND LAY DOWN NORMALLY.

VACCINATION: An anti-rabies vaccination using a type of vaccine approved by the State Veterinarian, which must be administered by a licensed veterinarian.

WATER: A TRANSPARENT, ODORLESS AND TASTELESS LIQUID COMPOUND OF HYDROGEN AND OXYGEN, OF AMBIENT TEMPERATURE IN SUFFICIENT VOLUME AS NEEDED TO MAINTAIN NORMAL HYDRATION FOR AN ANIMAL.

WILD ANIMAL: A non-domesticated animal.

3-5-2 – Animal Control Officer

It is unlawful for any person to, in any manner, intervene, impede, prevent, obstruct or intimidate the AN Animal Control Officer in the discharge of his duties in citing and impounding, or who shall rescue or attempt to rescue any animal which has been impounded.

3-5-3 – CRUELTY AND NEGLECT.

- A. IT IS UNLAWFUL TO INTENTIONALLY, KNOWINGLY, OR RECKLESSLY SUBJECT AN ANIMAL TO CRUELTY OR NEGLECT AS SET FORTH IN SUBSECTIONS (B) AND (C) BELOW.
- B. CRUELTY. IT IS UNLAWFUL FOR ANY PERSON TO OVERDRIVE, OVERLOAD, OVERWORK, TORTURE, TORMENT, MUTILATE OR UNLAWFULLY KILL AN ANIMAL, OR TO CAUSE OR PROCURE AN ANIMAL TO BE SO OVERDRIVEN, OVERLOADED, DRIVEN WHEN

OVERLOADED, OVERWORKED, TORTURED, TORMENTED, BEATEN, MUTILATED OR UNLAWFULLY KILLED.

- C. NEGLECT. ANIMALS UNDER HUMAN CUSTODY OR CONTROL SHALL BE HOUSED IN HEALTHY ENVIRONMENTS AND SHALL BE PROVIDED WITH PROPER FOOD, WATER, SHELTER, MEDICAL CARE, AND VENTILATION. ANY PERSON OWNING OR HAVING CARE, CUSTODY OR CONTROL OF ANY ANIMAL SHALL PROVIDE THAT:
1. THE ANIMAL RECEIVES FOOD ON A 24-HOUR BASIS (OR SOME OTHER APPROPRIATE FREQUENCY AS RECOMMENDED FOR THE SPECIES BY VETERINARIANS) THAT IS FREE FROM CONTAMINATION AND IS OF SUFFICIENT QUANTITY AND NUTRITIONAL VALUE TO KEEP THE ANIMAL IN GOOD CONDITION.
 2. POTABLE WATER IS ALWAYS ACCESSIBLE TO THE ANIMAL, EITHER FREE FLOWING OR IN A CLEAN RECEPTACLE. FOR PURPOSES OF THIS SUBSECTION, CLEAN MEANS NOT UNHEALTHY TO AN ANIMAL.
 3. ALL ANIMALS SHALL HAVE CONVENIENT ACCESS TO NATURAL OR ARTIFICIAL SHELTER WITH THREE (3) SIDES AND A ROOF AND ALLOWS THE ANIMALS TO MAINTAIN A NORMAL BODY TEMPERATURE AND ALLOWS THE ANIMALS TO STAND UP, TURN AROUND AND LAY DOWN NORMALLY. ANY NATURAL OR ARTIFICIAL SHELTER SHALL BE STRUCTURALLY SOUND AND MAINTAINED IN GOOD REPAIR TO PROTECT THE ANIMAL FROM INJURY AND FROM THE ELEMENTS, AND OF SUFFICIENT SIZE TO PERMIT THE ANIMAL TO ENTER, STAND, TURN AROUND AND LIE DOWN IN A NATURAL MANNER. ANY SHELTER THAT DOES NOT PROTECT THE ANIMAL FROM TEMPERATURE EXTREMES OR PRECIPITATION, OR THAT DOES NOT PROVIDE ADEQUATE VENTILATION DOES NOT COMPLY WITH THIS SECTION. ANY SHELTER, ALL BEDDING, AND ANY SPACES ACCESSIBLE TO THE ANIMAL SHALL BE MAINTAINED IN A MANNER THAT MINIMIZES THE RISK OF THE ANIMAL CONTRACTING DISEASE, BEING INJURED, OR BECOMING INFECTED WITH PARASITES. THIS SUBSECTION 3 DOES NOT APPLY TO LIVESTOCK AND ARIZONA LAW SHALL BE FOLLOWED FOR LIVESTOCK SHELTER.
 4. THE ANIMAL SHALL RECEIVE CARE AND MEDICAL ATTENTION FOR INJURIES, PARASITES, AND DISEASES SUFFICIENT TO MAINTAIN THE ANIMAL IN GOOD HEALTH AND MINIMIZE SUFFERING OR SHALL BE HUMANELY EUTHANIZED TO PREVENT SUFFERING AND PAIN TO THE ANIMAL.

3-5-34 – Public Nuisance

Any animal which does any of the following is hereby declared to be a public nuisance and may be subject to impoundment by the Animal Control Officer at the cost of the owner. It is unlawful for any person to permit such animal or animals to:

- A. Molest passers-by or passing vehicles;
- B. Bite any human while at large;
- C. Attack other animals;
- D. Trespass on school grounds;
- E. Repeatedly be at large;
- F. Damage public or private property;
- G. Bark, whine, howl, crow or burrow in an excessive manner which disturbs the public peace;
- H. Repeatedly cause garbage to be thrown about; OR
- I. Urinate or defecate on private property of others without immediate removal of any animal waste.

3-5-45 – At Large

- A. Unlawful: It is unlawful to permit any animal to run at large in the City. Any such animal may be impounded as provided in SUBSECTION C OF this section.
- B. Picket or Tie in Streets: It is unlawful to picket or tie any animal on any of the streets or rights-of-way of the City for any reason if it interferes with the safe passage of pedestrians or vehicles.
- C. Impounding Authority: Any animal at large may be impounded by the Animal Control Officer.
- D. Liability for Damages: The owner of an animal is liable for damages caused by such an animal while at large.

3-5-56 – Dangerous or Vicious

It is unlawful to permit a dangerous or vicious animal of any kind to run at large within the City limits. Any such animals may be immediately impounded.

- A. Complaints: Upon complaint of any person, and after giving notice to the owner and a civil hearing, the City Magistrate may determine whether an animal is dangerous or vicious and order one (1) or more of the following:
 - 1. The destruction of said animal;
 - 2. That such animal be confined within a building or secure enclosure;
 - 3. That such animal be securely muzzled or caged at all times.
- B. Destruction: The Animal Control Officer is authorized to destroy any dangerous animal of any kind, upon an order from the City Magistrate, or when it is IMMEDIATELY necessary for the protection of any person or property, when in their judgment the animal is:
 - 1. Dangerous or vicious; and
 - 2. Cannot be safely impounded.

3-5-67 – Disturbing the Peace

No person owning, keeping, possessing, harboring or maintaining an animal shall suffer or permit such an animal to disturb the peace and quiet of any person any time of day or night by barking, whining, howling, crowing, braying or by making any other similar objectionable noise, by disturbing cultivated gardens, fields or landscaped yards. Any person keeping or maintaining any animal within the City limits shall maintain that property so that any animal waste does not emit strong odors or cause public health hazard.

3-8-78 – Swine

It is unlawful to keep any swine in the City, except in areas zoned for that purpose OR IF THE FOLLOWING APPLIES.

- A. SWINE MAY BE KEPT WITHIN CITY LIMITS FOR TEMPORARY EDUCATIONAL PURPOSES AND ONLY UNDER THE FOLLOWING CONDITIONS:
 - 1. PERMIT REQUIRED: A PERMIT MUST BE OBTAINED FROM HOLBROOK ANIMAL CONTROL PRIOR TO THE ARRIVAL OF ANY SWINE. IF HOLBROOK ANIMAL CONTROL DENIES THE PERMIT THEN IT MAY BE APPEALED TO THE CITY COUNCIL IN WRITING WITHIN FIFTEEN (15) DAYS OF THE DENIAL.
 - 2. DURATION: THE PERMIT SHALL SPECIFY THE MAXIMUM DURATION FOR WHICH THE SWINE MAY BE KEPT.

3. EDUCATIONAL SPONSORSHIP: THE SWINE MUST BE PART OF AN APPROVED EDUCATIONAL PROGRAM FOR CREDIT/ AGRICULTURAL PROGRAM (I.E., FUTURE FARMERS OF AMERICA (FFA), 4-H).
4. CONDITIONS OF CARE: ALL SWINE MUST BE HOUSED, MAINTAINED, AND CARED FOR IN A MANNER THAT ENSURES THE HEALTH AND SAFETY OF THE ANIMAL AND THE PUBLIC, CONSISTENT WITH APPLICABLE STATE LAWS AND FEDERAL LAWS ON ANIMAL WELFARE. ALSO, THE HOUSING UNIT THAT SWINE ARE KEPT IN MUST BE CONSTRUCTED AND MAINTAINED IN A WAY THAT IS EASY TO CLEAN AND MUST HAVE A SETBACK OF 12 FEET FROM ANY PROPERTY LINES.
5. REMOVAL: ALL SWINE MUST BE REMOVED FROM THE PREMISES UPON EXPIRATION OF THE PERMIT.
6. WASTE: AT LEAST TWICE A WEEK, MANURE AND DROPPINGS SHALL BE REMOVED FROM THE PREMISES AND THE PENS, STABLES, YARDS, CAGES, AND OTHER ENCLOSURES.
7. SIGN: ALL PROPERTIES THAT KEEP SWINE MUST POST A SIGN THAT STATES THEY ARE KEEPING SWINE FOR AN EDUCATIONAL PROGRAM, THE DATE THE PERMIT IS GOOD FOR AND THE PERMIT NUMBER.

3-5-9 – LIMITS ON DOGS/CATS

IT SHALL BE UNLAWFUL FOR ANY PERSON TO OWN OR HOUSE MORE THAN FOUR (4) DOGS AND CATS (E.G., 4 DOGS; 2 DOGS AND 2 CATS; 1 DOG AND 3 CATS; 3 DOGS AND 1 CAT; 4 CATS) ON A PROPERTY OR RESIDENCE WITHIN THE CITY FOR MORE THAN 30 DAYS UNLESS THAT PERSON HAS A NON-COMMERCIAL OR COMMERCIAL KENNEL PERMIT. THIS LIMIT IS FOR ANY COMBINATION OF DOGS OR CATS AND APPLIES TO ALL DOGS/CATS OVER THE AGE OF 12 WEEKS OLD. THIS LIMIT DOES NOT APPLY TO PEOPLE FOSTERING DOGS/CATS FOR A BONA FIDE PUBLIC/NONPROFIT ANIMAL SHELTER IF THE FOSTERING OF AN ANIMAL WOULD PUT THEM OVER THE FOUR-ANIMAL LIMIT.

3-5-10 – KENNELS

- A. A PERSON OPERATING ANY KENNEL SHALL OBTAIN A KENNEL PERMIT ISSUED BY HOLBROOK ANIMAL CONTROL.

- B. THE ANNUAL FEE SET FORTH IN THE FEE SCHEDULE APPROVED BY THE CITY COUNCIL FOR A KENNEL PERMIT SHALL BE PAID BEFORE THE PERMIT IS ISSUED.
- C. EACH DOG REMAINING WITHIN A KENNEL IS NOT REQUIRED TO BE LICENSED UNDER THIS SECTION.
- D. A PERSON WHO FAILS TO MAINTAIN A VALID KENNEL PERMIT ISSUED UNDER THIS SECTION IS SUBJECT TO A LATE FEE IN ADDITION TO THE ANNUAL FEE.
- E. A PERSON OPERATING A KENNEL SHALL OBTAIN A PERMIT ISSUED BY HOLBROOK ANIMAL CONTROL UNDER ONE OF THE FOLLOWING CLASSIFICATIONS:
 - 1. NONCOMMERCIAL A: FIVE (5) TO 12 DOGS/CATS ARE RAISED, KEPT OR MAINTAINED SOLELY FOR THE USE AND ENJOYMENT OF THE OWNER OR OCCUPANT FOR PERSONAL, NON-MONETARY AND NON-COMMERCIAL PURPOSES.
 - 2. NONCOMMERCIAL B: THIRTEEN (13) OR MORE DOGS/CATS ARE RAISED, KEPT OR MAINTAINED SOLELY FOR THE USE AND ENJOYMENT OF THE OWNER OR OCCUPANT FOR PERSONAL, NON-MONETARY AND NON-COMMERCIAL PURPOSES.
 - 3. COMMERCIAL: ANY KENNEL MAINTAINED FOR THE PURPOSE OF KEEPING, BOARDING, BREEDING, RAISING OR TRAINING DOGS/CATS FOR A DONATION, FOR A FEE OR FOR SALE OR FOR TRADE FOR ANYTHING OF VALUE
- H. THE HOLBROOK ANIMAL CONTROL OFFICER, OR DESIGNEE, IS AUTHORIZED TO RESTRICT THE NUMBER OF DOGS/CATS KEPT AT COMMERCIAL/NONCOMMERCIAL KENNELS, BASED ON ZONING RESTRICTIONS AND/OR ON LOCATION, SIZE AND FITNESS OF THE FACILITY WHERE DOGS/CATS ARE KEPT OR MAINTAINED.
- I. ALL APPLICANTS REQUESTING A KENNEL PERMIT SHALL PROVIDE A CURRENT COPY OF A RABIES VACCINATION CERTIFICATE FOR EACH DOG OR CAT KEPT, BOARDED OR MAINTAINED ON THE PREMISES, IF THE DOG OR CAT IS THREE (3) MONTHS OF AGE OR OLDER.
- J. IF THE OWNER OR OCCUPANT OF ANY PROPERTY QUALIFYING FOR EITHER KENNEL PERMIT FAILS TO APPLY FOR A KENNEL PERMIT, OR THE KENNEL PERMIT IS DENIED OR REVOKED, THE OWNER OR OCCUPANT SHALL HAVE THIRTY (30) DAYS TO REDUCE THE

NUMBER OF DOGS/CATS IN ORDER TO COMPLY WITH THE CITY CODE.

- K. IF A KENNEL PERMIT IS DENIED/REVOKED THEN THE DOG/CAT OWNER MAY FILE A WRITTEN APPEAL WITH THE CITY COUNCIL. ANY APPEALS TO THE CITY COUNCIL MUST BE FILED WITHIN FIFTEEN (15) DAYS OF THE DATE OF THE DECISION BEING APPEALED AND THE CITY COUNCIL'S DECISION ON THE APPEAL IS FINAL.
- L. EACH PERMITTEE SHALL:
1. ENSURE KENNELS AND EXERCISE AREAS WHERE DOGS ARE KEPT ARE MAINTAINED IN A SANITARY CONDITION. WASTE PRODUCTS SHALL BE DISPOSED OF EVERY 48 HOURS.
 2. PROVIDE CLEAN POTABLE WATER, AVAILABLE TO EACH DOG/CAT AT ALL TIMES. UNLESS A VETERINARIAN VET ORDER SAYS OTHERWISE.
 3. PROVIDE ADEQUATE AMOUNTS OF FOOD FREE FROM CONTAMINATION AND OF SUFFICIENT QUANTITY AND NUTRITIONAL VALUE TO MAINTAIN THE DOG/CAT IN GOOD HEALTH. UNLESS A VETERINARIAN ORDER SAYS OTHERWISE.
 4. PROVIDE PROMPT, APPROPRIATE VETERINARY CARE WHEN NECESSARY OR HAVE A DOG/CAT EUTHANIZED IN A HUMANE MANNER IF A DOG/CAT BECOMES SERIOUSLY ILL OR IS SERIOUSLY INJURED.
 5. ANY OUTSIDE RUN OR CONFINEMENT AREA SHALL BE OF SUFFICIENT SIZE, PER DOG/CAT AND BE DESIGNED TO MAINTAIN THE DOG/CAT IN GOOD HEALTH AND TO ALWAYS ENSURE CONTAINMENT OF THE DOG/CAT. ANY CURRENT ARIZONA LAW OR ANIMAL WELFARE ACT SHALL APPLY WHEN IT COMES TO MINIMUM SPACE REQUIREMENTS. WHEN THE TWO LAWS CONTRADICT EACH OTHER THAN THE ONE THAT IS MORE STRINGENT SHALL APPLY.
 6. PROVIDE ADEQUATE INDIVIDUAL CONFINEMENT SPACE FOR EACH DOG/CAT THAT IS APPROPRIATE TO THE AGE, SIZE, WEIGHT, AND BREED OF EACH DOG/CAT. FOR THE PURPOSE OF THIS SUBSECTION, ANY CURRENT ARIZONA LAW OR ANIMAL WELFARE ACT SHALL APPLY WHEN IT COMES TO MINIMUM INDIVIDUAL SPACE REQUIREMENTS. IF THE TWO LAWS CONTRADICT EACH OTHER, THE LAW THAT IS MORE STRINGENT APPLIES. ANIMAL CONFINEMENT SPACES MUST ALSO ALLOW THE DOG/CAT NOT TO BE SOILED WHEN URINATING OR DEFECATING, WHILE MAINTAINING CLEAN FOOD AND WATER. FOR DOGS/CATS THAT ARE HOUSED ON

WIRE FLOORING, PERMITTEES SHALL PROVIDE A RESTING BOARD, FLOOR MAT OR OTHER SIMILAR DEVICE THAT IS MAINTAINED IN A SANITARY CONDITION THAT ALLOWS THE DOG/CAT TO REST OFF OF THE WIRE FLOORING.

- M. PERMITTEES OF A COMMERCIAL KENNEL PERMIT SHALL RETAIN NAME, ADDRESS AND TELEPHONE NUMBER OF EACH PERSON PLACING/GIVING/SELLING A DOG/CAT TO THE KENNEL. ALSO, THE PERMITTEES SHALL KEEP RECORDS OF THE NAME, ADDRESS AND TELEPHONE NUMBER FOR THE PERSON THEY SELL/GIVE/TRADE ANY OF THEIR DOG/CATS TO. THIS LIST OF PEOPLE SHALL BE AVAILABLE TO HOLBROOK ANIMAL CONTROL UPON DEMAND.
- N. A KENNEL IS SUBJECT TO INSPECTIONS BY HOLBROOK ANIMAL CONTROL AT ANY TIME DURING REGULAR BUSINESS HOURS.
- O. A KENNEL PERMIT MAY BE REVOKED FOR ANY VIOLATION OF ANY PROVISION OF STATE LAW DEALING WITH THE LICENSING OR WELFARE OF DOGS OR OTHER DOMESTIC ANIMALS, ANY CONDUCT INDICATING AN INDIFFERENCE TO THE WELFARE OF A DOG OR OTHER DOMESTIC ANIMAL, AND ANY VIOLATION OF THIS SECTION. THE PERMIT REVOCATION SHALL BE PERSONALLY SERVED TO THE PERMITTEE, AND A COPY SHALL BE MAILED BY FIRST CLASS MAIL TO THE PERMITTEE. A REVOCATION MAY BE APPEALED TO THE CITY COUNCIL IN WRITING WITHIN FIFTEEN (15) DAYS OF SERVICE OF THE REVOCATION.
- P. A PERSON WHO FAILS TO MAINTAIN OR RENEW A VALID KENNEL PERMIT ISSUED UNDER THIS SECTION IS SUBJECT TO A LATE FEE IN ADDITION TO THE ANNUAL FEE.
- Q. ALL KENNEL PERMITS ARE SUBJECT TO REVOCATION BY THE DIRECTOR OF HOLBROOK ANIMAL CONTROL FOR VIOLATIONS OF ANY PART OF THIS SECTION. ANY REVOCATION SHALL BE IN WRITING, SETTING FORTH THE BASIS FOR REVOCATION. THE PERMIT REVOCATION SHALL BE PERSONALLY SERVED TO THE PERMITTEE, AND A COPY SHALL BE MAILED BY FIRST CLASS MAIL TO THE PERMITTEE. A REVOCATION MAY BE APPEALED TO THE CITY COUNCIL IN WRITING WITHIN FIFTEEN (15) DAYS OF SERVICE OF THE REVOCATION.
- R. A KENNEL PERMIT SHALL NOT BE ISSUED FOR THE PURPOSE OF HOUSING MORE THAN FOUR (4) DOGS/CATS FOR ANY PERSON LIVING OR HOUSING DOGS/CATS IN APARTMENTS/HOTELS/MOTELS.

3-5-811 – Diseased Animals

- A. Prohibited: No animal knowingly afflicted with a contagious or infectious disease shall be allowed to run at large or be exposed to any public place whereby the health

of ~~man~~-A HUMAN or ~~beast~~-OTHER ANIMAL may be affected.

- B. Removal: It shall be unlawful for any person knowing or suspecting an animal which has rabies or with a contagious or infectious disease to allow such an animal to be taken off THEIR premises or beyond the limits of the City without the written permission of the Animal Control Officer. Every owner knowing or suspecting that an animal has rabies, or any contagious or infectious disease shall immediately seek veterinary care, or notify the HOLBROOK Animal Control Officer who shall either remove the animal to the pound or summarily destroy it, except in cases where the State Health Officer or State Veterinarian is empowered to act.

3-5-12 – BURIAL OF DECEASED ANIMALS

IT SHALL BE UNLAWFUL FOR ANY PERSON IN POSSESSION OF ANY ANIMAL THAT DIES NOT TO BURY THE DECEASED ANIMAL WITHIN TWENTY-FOUR (24) HOURS AFTER DEATH AT A DEPTH OF AT LEAST FOUR (4) FEET UNDERGROUND, EITHER UPON THE OWNER'S OWN PREMISES OR IN A CITY-APPROVED BURIAL PLACE FOR DECEASED ANIMALS, OR OUTSIDE THE CITY IN APPROVED AREAS OR DEPOSE OF THE DECEASED ANIMAL IN OTHER LEGAL MEANS.

3-5-913 – Impoundment

A. Notice to Owners:

1. If the owner of any impounded animal shall be known to the Animal Control Officer and shall reside or have a known place of business in the City, the Animal Control Officer shall notify the owner of such animal personally or by letter through the post office or by notice placed at the residence of the owner within forty eight (48) hours after such animal has been impounded. The notice shall contain a description of the animal and shall state that unless reclaimed; such animal shall be adopted or destroyed at the time and place specified in the notice.
2. Livestock impounded pursuant to this Chapter may be sold at public auction to the highest bidder. Copies of the notice shall be posted at the place of impoundment and at the City Hall.

- B. Report: The Animal Control Officer shall, after impounding any animal, make a report stating the kind of animal and describing it by color or otherwise or by any marks or brands that may be on it, and when it was impounded.

- C. Conditions and Duration: The Animal Control Officer shall provide for the keeping of all animals impounded by the HOLBROOK ANIMAL CONTROL Department in a safe, convenient and comfortable place within or near the City limits and shall feed such animals at least once during every twenty-four (24) hours and treat them in a humane manner during the time they are impounded, which shall not be less

than seventy-two (72) hours, unless sooner claimed by the owner.

- D. Redemption: If the owner of any animal shall within seventy-two (72) hours after such animal has been impounded, apply to the Animal Control Officer and pay the fees and charges established by this Chapter, the Animal Control Officer may deliver any such animal to the owner or shall arrange for the owner to pick up the animal from the pound or impound location, ~~unless that animal has been impounded pursuant to Section 3-6-8 of this Chapter.~~
- E. THE ANIMAL CONTROL OFFICER OR DESIGNEES ARE HEREBY AUTHORIZED AND EMPOWERED TO REMOVE AND IMPOUND ANY ANIMAL SUFFERING FROM IMMEDIATE LIFE-THREATENING CIRCUMSTANCES.

3-5-1014 – Quarantine of Biting Animals

Whenever any animal bites a person, such person and the owner of the animal shall immediately notify the Animal Control Officer, who shall arrange for quarantine of the animal to be made and shall order the animal to be held on the owner's premises or shall have it impounded at the pound or at the veterinary hospital at the owner's expense as long as necessary for a complete examination or for the length of the quarantine, which will not be less than ten (10) days. Livestock shall be confined and quarantined ~~for the 14-day period~~ in a manner regulated by the Arizona Department of Agriculture. ~~Caged or pet rodents or rabbits shall not be quarantined or laboratory tested.~~ If it is determined that the animal ~~is infected with rabies~~ or any other dangerous, infectious or contagious disease, it shall be the duty of the Animal Control Officer to destroy the animal. If, at the end of the quarantine or impoundment, it is determined that the animal is free from such disease, the animal may be released, and the owner will assume all the costs related to the quarantine or impoundment. If the animal dies during the period of quarantine or impoundment, its head shall be sent to the state department of health for examination. Any wild animals, with the exception of wild rodents or rabbits, which bite any person may be killed and submitted to the animal control officer for transmission to an appropriate diagnostic laboratory. A wild rodent or rabbit may be submitted for laboratory testing if the animal has bitten a person and either the animal's health or behavior indicates that the animal may have rabies or the bite occurred in an area that contains a rabies epizootic as determined by the Department of Health Services.

3-5-15 – CANINE-WILD ANIMAL HYBRIDS

IT SHALL BE UNLAWFUL FOR ANYONE TO OWN A CANINE-WILD ANIMAL HYBRID IN THE CITY UNLESS ALL THE FOLLOWING ARE MET.

- A. ANY PERSON WHO OWNS, KEEPS, POSSESSES, HARBORS, OR MAINTAINS A CANINE-WILD ANIMAL HYBRID WITHIN CITY LIMITS FOR MORE THAN THIRTY (30) CUMULATIVE DAYS MUST HAVE A VALID PERMIT ISSUED BY HOLBROOK ANIMAL CARE AND CONTROL FOR EACH ANIMAL. THE PERMIT SHALL TAKE THE PLACE OF THE CITY DOG TAG.

- B. CANINE-WILD ANIMAL HYBRID PERMITS SHALL NOT BE ISSUED UNLESS THE FOLLOWING CONDITIONS ARE MET:
1. THE APPLICANT MUST BE AT LEAST EIGHTEEN (18) YEARS OF AGE.
 2. THE APPLICANT MUST PROVIDE PROOF THAT THE ANIMAL HAS PERMANENT IDENTIFICATION.
 3. THE APPLICANT MUST HAVE A SECURE FENCED OR WALLED YARD THAT IS ACCESSIBLE TO AND USABLE BY THE ANIMAL THAT WILL PREVENT THE ANIMAL FROM ESCAPING. APARTMENTS WITHOUT PRIVATE YARDS ARE NOT ACCEPTABLE. IF, AFTER OBTAINING A PERMIT, THE OWNER NO LONGER HAS THE REQUIRED YARD, THE PERMIT WILL BE INVALID.
 4. THE APPLICANT MUST PROVIDE PROOF THAT THE ANIMAL HAS BEEN ALTERED BY A LICENSED VETERINARIAN IF THE ANIMAL IS FIVE MONTHS OLD OR OLDER. IF THE ANIMAL IS LESS THAN FIVE MONTHS OLD AND IS UNALTERED, THE APPLICANT MAY BE ISSUED A TEMPORARY PERMIT THAT WILL EXPIRE ON THE DAY THE ANIMAL REACHES THE AGE OF FIVE (5) MONTHS. THE ALTERING OF THE HYBRID CAN BE WAIVED IF THE OWNER IS BREEDING THE HYBRIDS AND GETS A COMMERCIAL KENNEL PERMIT PLUS A HYBRID PERMIT.
 5. THE APPLICANT HAS NOT BEEN BANNED FROM OWING DOGS OR ANY OTHER ANIMALS BY A COURT ORDER.
 6. THE APPLICANT IS NOT SUBJECT TO A COURT ORDER REQUIRING THE FORFEITURE OF A CANINE-WILD ANIMAL HYBRID OR PROHIBITING THE OWNERSHIP OR POSSESSION OF SUCH AN ANIMAL.
- C. IF OWNERSHIP OF THE ANIMAL IS TRANSFERRED, THE RELEASING OWNER, BEFORE THE TRANSFER OCCURS, MUST NOTIFY ANIMAL CARE IN WRITING OF THE NEW OWNER'S NAME, ADDRESS AND TELEPHONE NUMBER; TOGETHER WITH THE ANIMAL'S DESCRIPTION; THE PERMIT NUMBER, IF ANY; AND THE TATTOO OR MICROCHIP NUMBER, IF ANY. THE NEW OWNER MUST OBTAIN A NEW PERMIT.
- D. PERMITS MUST INCLUDE THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE PERMIT HOLDER AND THE ADDRESS WHERE THE CANINE-WILD ANIMAL HYBRID WILL BE KEPT.

- E. IF A RABIES VACCINATION FOR CANINE-WILD ANIMAL HYBRIDS RECEIVES APPROVAL OF THE ARIZONA STATE VETERINARIAN, THE OWNERS OF THESE HYBRIDS SHALL HAVE THEM VACCINATED AGAINST RABIES BY A LICENSED VETERINARIAN AND SHALL KEEP THE VACCINATION CURRENT.
- F. ANY ANIMAL REPRESENTED BY ITS OWNER TO BE A CANINE-WILD ANIMAL HYBRID SHALL BE DEEMED TO BE SUCH FOR THE PURPOSES OF THIS CHAPTER.
- G. WHEN HOLBROOK ANIMAL CONTROL HAS REASON TO BELIEVE, BASED ON THE PHYSICAL OR BEHAVIORAL CHARACTERISTICS OF AN ANIMAL, THAT THE ANIMAL IS A CANINE-WILD ANIMAL HYBRID, THE ANIMAL WILL BE PRESUMED TO BE SUCH UNLESS THE PRESUMPTION IS REBUTTED BY THE ANIMAL'S OWNER. NOTHING IN THIS SECTION SHALL REQUIRE THE CITY TO DO DNA TESTING TO DETERMINE WHETHER AN ANIMAL IS A CANINE-WILD ANIMAL HYBRID.
- H. IF THE CANINE-WILD ANIMAL HYBRID BITES ANYONE AT ANY TIME FOR ANY REASON THE CANINE-WILD ANIMAL HYBRID WILL BE IMPOUNDED AND IMMEDIATELY TESTED FOR RABIES.

3-5-146 - Penalty

- ~~A. Imposed: Unless otherwise provided herein, any person found violating any provision of this Chapter shall be guilty of a class 1 misdemeanor, punishable in accordance with applicable State law. Any person violating Sections 3-5-3, 3-5-4, 3-5-7 of this Chapter and Sections 3-6-2 and 3-6-6 of this Chapter shall be guilty of a petty offense, punishable in accordance with applicable State law. If any violation be continuing, each day's violation shall be deemed a separate violation. If any person has two (2) prior petty offense convictions for violations of this Chapter or Article 3-5 of this Chapter such person may be charged with a class 1 misdemeanor for any subsequent violation.~~
- A. CRIMINAL: EVERY PERSON WHO INTENTIONALLY, KNOWINGLY, WILLFULLY OR RECKLESSLY CAUSES, PERMITS, FACILITIES, OR AIDS OR ABETS A VIOLATION OF SECTIONS 3-5-2, 3-5-6, OR 3-5-15 OF ARTICLE 3-5 OR SECTIONS 3-6-7 OR 3-6-8 OF ARTICLE 3-6 IS GUILTY OF A CLASS ONE MISDEMEANOR. THE ANIMAL CONTROL OFFICER, POLICE OFFICER AND THE CITY PROSECUTOR ARE AUTHORIZED TO COMMENCE AN ACTION FOR THE VIOLATION OF THE FOREGOING SECTIONS. UPON CONVICTION OF A VIOLATION OF ANY OF THESE SECTIONS, THE COURT MAY IMPOSE A SENTENCE OF INCARCERATION NOT TO EXCEED SIX (6) MONTHS IN JAIL, A FINE NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00),

PROBATION FOR A TERM NOT EXCEEDING THREE (3) YEARS, OR ANY COMBINATION THEREOF, THE COURT SHALL ORDER A PERSON WHO HAS BEEN CONVICTED OF A VIOLATION OF THIS SECTION TO PAY A FINE OF NOT LESS THAN FIVE HUNDRED DOLLARS (\$500.00) FOR EACH COUNT UPON WHICH A CONVICTION HAS BEEN OBTAINED. A JUDGE SHALL NOT GRANT PROBATION TO OR SUSPEND ANY PART OR ALL OF THE IMPOSITION OF EXECUTION OF ANY SENTENCE REQUIRED BY THIS SUBSECTION EXCEPT ON THE CONDITION THAT THE PERSON PAY THE MANDATORY MINIMUM FINES AS PROVIDED IN THIS PARAGRAPH. EVERY ACTION OR PROCEEDING UNDER THIS SECTION SHALL BE COMMENCED AND PROSECUTED IN ACCORDANCE WITH THE LAWS OF THE STATE OF ARIZONA RELATING TO CRIMINAL MISDEMEANORS AND THE ARIZONA RULES OF CRIMINAL PROCEDURE.

- B. CIVIL: EVERY PERSON WHO VIOLATES SECTIONS 3-5-4, 3-5-5, 3-5-7, 3-5-8, 3-5-9, 3-5-10, OR 3-5-12 OF ARTICLE 3-5 OR SECTIONS 3-6-2, 3-6-3, 3-6-5 OR 3-6-6 OF ARTICLE 3-6 IS CIVILLY RESPONSIBLE FOR SAID VIOLATIONS. THE PROCESS TO BE FOLLOWED FOR CIVIL CITATIONS SHALL BE THE SAME PROCESS SET FORTH IN SECTION 3-1-8(A)(2). THE CITY'S ANIMAL CONTROL OFFICERS, PROSECUTORS, ATTORNEYS, AND/OR POLICE OFFICERS ARE AUTHORIZED TO COMMENCE ANY SUCH ACTION FOR VIOLATIONS THAT OCCUR WITHIN THE JURISDICTION OF THE CITY. ANY PERSON WHO IS FOUND RESPONSIBLE FOR A CIVIL VIOLATION OF THE FOREGOING SECTIONS, WHETHER BY ADMISSION, DEFAULT, OR AFTER A HEARING, SHALL PAY A CIVIL SANCTION OF NOT LESS THAN ONE HUNDRED FIFTY DOLLARS (\$150.00) OR NO MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) PER OFFENSE. A SECOND FINDING OF RESPONSIBILITY WITHIN TWELVE (12) MONTHS OF THE COMMISSION OF A PRIOR VIOLATION OF THE FOREGOING SECTIONS SHALL RESULT IN A CIVIL SANCTION OF NOT LESS THAN TWO HUNDRED AND FIFTY DOLLARS (\$250.00) OR NO MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) PER OFFENSE. A THIRD FINDING OF RESPONSIBILITY WITHIN TWELVE (12) MONTHS OF THE COMMISSION OF A PRIOR VIOLATION OF THE FOREGOING SECTIONS SHALL RESULT IN A CIVIL SANCTION OF NOT LESS THAN FIVE HUNDRED DOLLARS (\$500.00) OR NO MORE THAN TWO THOUSAND FIVE HUNDRED (\$2,500.00) PER OFFENSE. IN ADDITION TO CIVIL SANCTIONS, THE RESPONSIBLE PARTY MAY BE ORDERED TO PAY ANY OTHER APPLICABLE FEES AND CHARGES. THE TWELVE (12) MONTH PROVISION OF THIS SECTION SHALL BE CALCULATED BY THE DATES THE VIOLATIONS WERE COMMITTED. THE OWNER, OCCUPANT, OR RESPONSIBLE PARTY SHALL RECEIVE ENHANCED SANCTIONS UPON A FINDING OF RESPONSIBILITY FOR ANY VIOLATION OF THE FOREGOING SECTIONS THAT WAS COMMITTED WITHIN TWELVE (12)

MONTHS OF THE COMMISSION OF ANOTHER VIOLATION FOR WHICH THE OWNER WAS CONVICTED OR WAS OTHERWISE FOUND RESPONSIBLE, REGARDLESS OF THE ORDER IN WHICH THE VIOLATIONS OCCURRED OR WHETHER THE PRIOR VIOLATION WAS CIVIL OR CRIMINAL. ANY PERSON WHO COMMITS A VIOLATION OF ANY ONE OF THE ABOVE LISTED SECTIONS AFTER PREVIOUSLY HAVING BEEN FOUND RESPONSIBLE FOR COMMITTING TWO (2) OR MORE CIVIL INFRACTIONS OF THE SAME SECTION WITHIN ANY TWELVE (12) MONTHS PERIOD, WHETHER BY ADMISSION, BY PAYMENT OF THE FINE, DEFAULT, OR BY JUDGEMENT AFTER HEARING, SHALL BE GUILTY OF A CRIMINAL MISDEMEANOR PUNISHABLE AS SET FORTH IN SUBSECTION (A) ABOVE. THE ANIMAL CONTROL OFFICER AND THE CITY PROSECUTOR ARE AUTHORIZED TO FILE A CRIMINAL MISDEMEANOR COMPLAINT IN THE HOLBROOK MUNICIPAL COURT AGAINST SUCH HABITUAL OFFENDERS WHO VIOLATE THIS SECTION. FOR PURPOSES OF CALCULATING THE TWELVE (12) MONTH PERIOD UNDER THIS PARAGRAPH, THE DATES OF THE COMMISSION OF THE OFFENSES ARE THE DETERMINING FACTOR.

- C. Revocation Of License: Any dog license may be revoked where: 1) the owner has received two (2) or more convictions OR FINDINGS OF FAULT for violations of this Article in a TWELVE (12) month period; 2) the owner has been found guilty of animal cruelty pursuant to ordinance or State law; or 3) the owner has been found guilty of dangerous or vicious dog at large. Upon complaint and after notice to the owner and a civil hearing, the City Magistrate may issue an order revoking the license of such owner, order the removal of said animal, and order that no animals shall be harbored or reside with said person for a specified period of time.
- D. EACH VIOLATION OF ARTICLE 3-5 OR ARTICLE 3-6 SHALL CONSTITUTE A SEPARATE VIOLATION FOR EACH DAY THAT THE OWNER PERMITS THE VIOLATION TO OCCUR AND MAY BE PROSECUTED AND PUNISHABLE AS AN INDIVIDUAL AND SEPARATE OFFENSE FOR EACH DAY THAT THE OWNER PERMITS THE VIOLATION TO OCCUR. IN ADDITION TO ANY CIVIL SANCTION OR CRIMINAL PENALTY, A COURT OR HEARING OFFICER MAY IN ITS DISCRETION ORDER THE CITY TO TAKE REMEDIAL ACTION OR THE DEFENDANT TO CORRECT THE VIOLATION BY A SPECIFIED DATE AS A CONDITION OF SUSPENDING A PORTION OF THE CIVIL SANCTION OR CRIMINAL PENALTY.

ARTICLE 3-6 – DOGS

3-6-1	Applicability
3-6-2	Vaccinations
3-6-3	Licenses and Tags Generally
3-6-4	Fees
3-6-5	Restraint
3-6-6	Running at Large.
3-6-7	UNLAWFUL RESTRAINT OF DOG
3-6-78	Biting Dogs
3-6-89	Impoundment
3-6-910	Adoption
3-6-1011	Rabies Epidemic
3-6-12	SALES PERMIT
3-6-1113	Penalty

3-6-1 Applicability

The provisions of Article 3-6 of this Chapter shall apply to dogs, unless such provision specifically excludes dogs or unless there is a provision within this Article covering the same subject matter OTHERWISE INDICATED.

3-6-2 Vaccinations

- A. Required: No dog shall be allowed to reside in the City, unless said dog or dogs have a current vaccination for rabies administered by a ~~by a licensed veterinarian~~ PERSON LICENSED BY THE STATE OF ARIZONA.
- B. Certificate:
 - 1. Before a license is issued for any dog, the owner must present a current vaccination certificate signed by a ~~veterinarian~~ PERSON licensed by this State or a government veterinarian stating the owner's name and address and giving the dog's description, date of vaccination and type, manufacturer and serial number of the vaccine and date revaccination is due. No dog shall be licensed unless it is vaccinated in accordance with the provisions of this Article and the regulation promulgated hereunder. A complete record of all of the above will be kept by the City of Holbrook Animal Control.
 - 2. A dog vaccinated in any other place prior to entry into the City may be licensed in the City; provided, that at the time of licensing, the owner of such dog presents a current vaccination certificate, signed by a ~~veterinarian~~ PERSON licensed to ~~practice~~ GIVE VACCINATIONS in that place or a veterinarian employed by a governmental agency in that place, stating the owner's name and address and giving the dog's description, date of

vaccination and type, manufacturer and serial number of the vaccine used. The vaccination must be in conformity with the provisions of this Article and the regulations promulgated hereunder.

- C. Low-Cost Clinics: The City of Holbrook Animal Control may make provision for low-cost vaccination clinics as deemed necessary. ~~The vaccination shall be performed by a licensed veterinarian.~~ A LICENSED VETERINARIAN SHALL PERFORM THE VACCINATION.
- D. Impounded Unvaccinated Dogs: If a dog is impounded and found to be unvaccinated, ~~the said dog will not be released until the rabies vaccination is administered and paid for by the owner. The vaccination shall be performed by a veterinarian who shall issue a certificate of vaccination~~ PERSON LICENSED BY THE STATE OF ARIZONA TO PERFORM VACCINATIONS.

3-6-3 Licenses and Tags Generally

- A. License Required: All dogs four (4) months old or older kept, harbored or maintained in the City for at least thirty (30) consecutive days in a calendar year must be licensed and registered. Dog licenses shall be issued by the City of Holbrook Animal Control, upon payment of a license fee, which license shall expire annually ~~on March 31~~ FROM THE DATE RECEIVED OR ON THE DATE OF RABIES CERTIFICATE EXPIRATION, WHICH EVER DATE COMES FIRST SHALL APPLY. The owner ~~shall state at the time application is made for such license, the owner's name, address and telephone number, and the name, breed, color and sex of each dog owned or kept by him/her.~~
- B. Guide Dogs; Exemption: A guide dog belonging to a blind person who is a resident of the State or any bona fide nonprofit organization which is in the business of breeding, raising or training dogs that are to be used for guiding the blind shall, upon application by the owner or organization to the City and on presentation of proper proof, be licensed pursuant to this Article without the payment of a fee.
- C. Tags: Each dog licensed under the terms of this Article shall receive, at the time of licensing, a tag on which shall be inscribed the name of the City, the number of the license and the year in which it expires. The tag shall be attached to a collar or harness which shall be worn by the dog at all times except as otherwise provided in this Article. Whenever a dog tag is lost, a duplicate tag shall be issued upon application by the owner and payment of a ~~THE fee AS to be established by a resolution of council to the City of Holbrook Animal Control~~ SET FORTH IN THE FEE SCHEDULE APPROVED BY THE CITY COUNCIL.
- D. Counterfeit Tag; Removal: It is unlawful for any person to counterfeit or attempt to counterfeit an official dog tag or remove such tag from any dog or place a dog tag on a dog unless the tag was issued to that dog, for the purpose of willfully complying with the provisions of this Chapter.

- E. **New Ownership:** Whenever the ownership of a dog has been changed, the new owner must secure a transfer of license to such owner. A transfer fee AS SET FORTH IN THE FEE SCHEDULE APPROVED BY THE CITY COUNCIL ~~to be established by a resolution of the council~~, payable to the City of Holbrook Animal Control shall be charged to transfer any license.
- F. **Exemptions to Wearing Tag:** Dogs while being used for hunting or dogs while being exhibited at recognized kennel club events, or dogs while engaged in races approved by the Arizona Racing Commission, and such dogs while being transported to and from such events need not wear a collar or harness with a valid license tag attached; provided, that they are properly vaccinated and licensed.
- G. **Apprehend; Impound:** The Animal Control Officer may apprehend and impound any dog found without a current valid license tag.
- H. **Attachment of Tag:** It shall be the duty of every owner or keeper of any dog kept within the limits of the City to cause the license tag herein above-mentioned to be securely attached around the dog's neck and kept there at all times during the license period. Absence of the license tag from the neck of any dog shall be "prima facie" evidence that the dog has not been licensed or vaccinated as provided in this Article. Any such dog shall be deemed to be stray or not owned.

3-6-4 – Fees

~~Established; Amendment: Fees required to be paid by this Article which are not specified herein shall be as established by the City Council by resolution. Fees which are specified in this Article shall be in effect until such time as the fees are changed by the City Council by resolution.~~

Adoptions	
Dogs	\$80
Cats	\$50
Kittens (under 5 months)	\$75
Puppies (under 5 months)	\$120
Small breed (under 20 lbs)	\$120
Reclaim Fees	
First	\$20

Second	\$50
Third	\$100
Fourth (doubles every time after the third)	\$200
* If an unsterilized and unlicensed animal is impounded the fee is the reclaim fee plus \$50 unless the pet is sterilized at owner's expense then fees are waived per State A.R.S. § 11-1022	
City Tags	
Sterilized	\$5
Unsterilized	\$20
Replacement	\$2
Daily Boarding Fee	
After first 24 hours	\$10/day
Surrender Fee	
Surrender fee	\$25
Litter max	\$100
Bite Quarantine Fee	
\$10 per day boarding fee plus \$50 impound	
Trap Deposit	
Trap deposit	\$60
Microchip fee	
Microchip fee*	\$5
*Unless already microchipped all dogs/cats owner reclaim/adoptions/bite hold receive a \$5 microchip fee	

A. FEES REQUIRED TO BE PAID SHALL BE AS ESTABLISHED BY THE CITY

COUNCIL BY RESOLUTION. FEES SET BY THE CITY COUNCIL SHALL BE PAID BEFORE ANY SERVICES ARE PROVIDED BY ANIMAL CONTROL UNLESS OTHERWISE AGREED UPON IN WRITING BEFORE THE SERVICES ARE GIVEN.

- B. FEES MAY BE REDUCED ON A CASE-BY-CASE BASIS BY THE CITY MANAGER, POLICE CHIEF OR THE ANIMAL CONTROL DIRECTOR IF SUCH A REDUCTION IS BENEFICIAL FOR THE HOLBROOK ANIMAL CONTROL OR THE CITY.

3-6-5 – Restraint

No person in charge of any dog shall permit such dog to be off the caretaker or owner's property unless the dog is physically restrained by a leash, no more than six (6) feet, enclosed in a well-ventilated vehicle, cage or similar enclosure, or being exhibited or trained at a recognized kennel club event, public school or park sponsored event.

3-6-6 – Running at Large

- A. Prohibited: No person owning, keeping, possessing, harboring or maintaining a dog shall allow such dog to be at large.
- B. Exception: A dog is not deemed to be at large:
 - 1. While said dog is actively engaged in dog obedience training and is accompanied by and under the control of his owner or trainer.
 - 2. While such dog is being used for hunting purposes.
 - 3. While such dog is being exhibited or trained at a recognized kennel club event.
 - 4. While such dogs are engaged in races approved by the Arizona Racing Commission.
 - 5. While such dog is being exercised at a recognized dog park.

3-6-7 – UNLAWFUL RESTRAINT OF DOG

- A. FOR PURPOSES OF THIS SECTION THE FOLLOWING DEFINITIONS SHALL APPLY:

COLLAR: ANY COLLAR CONSTRUCTED OF NYLON, LEATHER, METAL, OR SIMILAR MATERIAL, SPECIFICALLY DESIGNED TO BE USED ON A DOG.

EXTREME WEATHER CONDITIONS MEANS:

1. THE ACTUAL OR EFFECTIVE OUTDOOR TEMPERATURE IS BELOW 32 DEGREES FAHRENHEIT OR ABOVE 95 DEGREES FAHRENHEIT.
2. A HEAT ADVISORY HAS BEEN ISSUED BY A LOCAL, STATE, OR NATIONAL AUTHORITY FOR THE AREA; OR
3. A MONSOON, HURRICANE, TROPICAL STORM, DUST STORM OR TORNADO WARNING HAS BEEN ISSUED FOR THE AREA BY A LOCAL, STATE, OR NATIONAL AUTHORITY.

OWNER: A PERSON WHO OWNS OR HAS CUSTODY OR CONTROL OF A DOG.

PROPERLY FITTED: A COLLAR THAT MEASURES THE CIRCUMFERENCE OF A DOG'S NECK PLUS ONE INCH AND MUST NOT BE SO HEAVY THAT IT IMPEDES THE DOG'S FREEDOM TO COMFORTABLY MOVE AROUND AND LAYDOWN, NOR BE GREATER THAN TEN PERCENT (10%) OF THE DOG'S WEIGHT

RESTRAINT: A ROPE, TETHER, LEASH, CABLE, OR OTHER DEVICE OTHER THAN A CHAIN THAT ATTACHES A DOG TO A STATIONARY OBJECT OR TROLLEY SYSTEM.

TETHERING. TETHERING IS DEFINED AS A MEANS OF TYING OR FASTENING A DOG OUTDOORS ON A ROPE, CABLE, OR OTHER LINE FOR THE PURPOSE OF RESTRAINT. TETHERING DOES NOT INCLUDE RESTRAINT OF A DOG ON AN ATTENDED LEASH UNDER THE CONTROL OF A PERSON.

WORKING DOG: A DOG BRED AND TRAINED FOR SPECIFIC TASKS OR JOBS, (SUCH AS HERDING LIVESTOCK, HUNTING, GUARDING PROPERTY, PULLING SLEDS, OR ASSISTING IN LAW ENFORCEMENT OR SEARCH AND RESCUE) RATHER THAN BEING PRIMARILY A PET.

A. TETHERING IS PROHIBITED EXCEPT AS FOLLOWS:

DOGS OVER SIX (6) MONTHS OF AGE MAY BE TETHERED TO A RESTRAINT SYSTEM OUTDOORS. A RESTRAINT SYSTEM CAN BE AN OVERHEAD PULLEY SYSTEM, A RETRACTABLE CABLE SYSTEM OR A SWIVELED CABLE ANCHORED INTO THE GROUND. ALL THESE SYSTEMS MUST ALLOW THE DOG A MINIMUM OF TEN (10) FEET OF TRAVEL PERPENDICULAR TO THE ANCHOR POINT. FOR A PULLEY SYSTEM, THE STATIONARY CABLE THAT THE PULLEY RUNS ON MUST BE AT LEAST TEN (10) FEET IN LENGTH AND ANCHORED ON EACH END TO A STATIONARY OBJECT. THE LINE ATTACHED TO THE PULLEY

MUST ALLOW THE DOG TO MOVE PERPENDICULARLY AT LEAST TEN (10) FEET FROM THE STATIONARY CABLE. THE RESTRAINT LINE MUST BE ATTACHED TO THE DOG WITH A BUCKLED TYPE OF COLLAR OR BODY HARNESS. THE RESTRAINT ATTACHED TO THE DOG CAN WEIGH NO MORE THAN TEN (10) PERCENT OF THE ANIMAL'S BODY WEIGHT. A SWIVEL TO PREVENT ENTANGLEMENT MUST BE ON AT LEAST ONE END OF THE RESTRAINT LINE ATTACHED TO THE DOG. NO PERSON SHALL ATTACH A TETHER TO A DOG WITH A CHOKE-TYPE COLLAR OR PRONGED COLLAR. ANY DEVICE USED TO TETHER A DOG MUST BE ATTACHED IN A MANNER THAT PREVENTS INJURY TO THE DOG OR ENTANGLEMENT.

B. IT SHALL BE UNLAWFUL FOR AN OWNER TO RESTRAIN A DOG OUTSIDE BY USE OF A CHOKE COLLAR OR PINCH COLLAR, OR A RESTRAINT THAT UNREASONABLY LIMITS THE DOG'S MOVEMENT UNLESS UNDER DIRECT SUPERVISION.

1. A RESTRAINT UNREASONABLY LIMITS A DOG'S MOVEMENT:

- a. IF A COLLAR IS NOT PROPERLY FITTED TO THE DOG
- b. DOES NOT ALLOW A DOG TO HAVE TEN (10) FEET OF MOVEMENT
- c. PLACES THE DOG IN UNSAFE OR UNSANITARY CONDITIONS
- d. CAUSES INJURY TO THE DOG; OR
- e. DOES NOT PERMIT THE DOG ACCESS TO FOOD, WATER, SHADE, DRY GROUND, OR ADEQUATE SHELTER AT ALL TIMES.

D. IT SHALL BE UNLAWFUL FOR ANY PERSON TO RESTRAIN A DOG DURING EXTREME WEATHER CONDITIONS UNLESS THAT DOG IS UNDER DIRECT SUPERVISION.

E. IT IS UNLAWFUL TO RESTRAIN A DOG THAT IS UNDER SIX (6) MONTHS OF AGE THAT IS NOT UNDER DIRECT SUPERVISION.

F. THIS SECTION DOES NOT APPLY TO ACTIVE WORKING DOGS.

3-6-78 – Biting Dogs

A. Reporting: Whenever a dog bites any person, the incident shall be reported to the Animal Control Officer immediately by any person who has direct knowledge.

B. Quarantine; Impoundment: Any dog that bites any person shall be quarantined and impounded, ~~as prescribed in Section 3-6-8,~~ for a period of not less than ten (10) days. The quarantine period shall start on the day of the bite incident. If the day of

the bite is not known, the quarantine period shall start on the first day of impoundment. ~~If the dog is impounded as a result of a dog bite incident, the owner shall pay a twenty dollar (\$20.00) impound fee and five dollars (\$5.00) per day for not less than ten (10) days.~~

- C. Destruction; Release: If the dog shows clear clinical signs of rabies or other dangerous, contagious and infectious disease, or if the owner consents to its destruction, it shall be the duty of the Animal Control Officer to destroy such dog in as humane a manner as is reasonably possible. If at the end of the quarantine or impoundment, the Animal Control Officer, after consultation with a veterinarian is convinced that the dog is free from such diseases, the dog shall be released. If the dog dies during the period of quarantine or impoundment the bite victim shall be notified immediately, and the animal's head shall be sent to the State Department of Health for an examination.

3-6-89 – Impoundment

- A. Authority: The Animal Control Officer may apprehend and impound any dog found without a current valid license tag; any dog with or without a current valid license tag which is found running at large; any dog disturbing the peace; any dog which bites any person; or any dog which is a public nuisance as defined in Section 3-5-4. Said Officer shall have the right to enter upon private property when it is necessary to do so in reasonable pursuit of and in order to apprehend any dog subject to impoundment.
- B. Notification to Owner: The Animal Control Officer shall notify the owner in person or by mail or by notice placed at the residence of the owner of any licensed dog impounded under the provisions of this Article.
- C. Time of Impoundment: Each unlicensed dog impounded shall be kept and maintained at the pound ~~for a minimum of three (3) days~~ FOLLOWING CURRENT ARIZONA LAW ON STRAY IMPOUNDMENT. During the impoundment period, anyone with proper identification may claim the dog; provided that such person pays all established impound fees and completes the licensing provisions of this Article. If no person claims the dog after a reasonable period of time, the Animal Control Officer may place the animal for adoption or dispose of the dog in a humane manner.

3-6-910 – Adoption

In accordance with Arizona Revised Statutes, Section 11-1022 (sterilization of impounded dogs), and amendments thereto:

- A. Spay or Neuter Required:

1. A dog shall not be released for adoption from a City pound unless the dog

has been surgically spayed or neutered.

2. The adopting party must sign an agreement to have the dog spayed or neutered ~~within thirty (30) days or before sexual maturity and deposit with the pound or shelter an amount sufficient to ensure that the dog will be sterilized~~ IF THE DOG CANNOT BE SPAYED OR NEUTERED AT THE TIME OF ADOPTION. ~~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 has been spayed or neutered. The deposit required for spaying is sixty dollars (\$60.00) and for neutering is fifty five dollars (\$55.00). If the adopting party does not spay or neuter the dog and provide a receipt to the City within thirty (30) days, the fee is forfeited to the City.~~

B. Fee: ~~The City adopting fee is fifteen dollars (\$15.00), which includes the license fee.~~ CURRENT ADOPTION FEES ARE INCLUDED IN THE CITY'S FEE SCHEDULE.

C. ~~Use of Funds: Deposit monies that are not refunded must be used in public education to prevent overpopulation of dogs and cats. The Animal Control Division may fund or help fund and coordinate public education classes or handouts.~~

3-6-1011 – Rabies Epidemic

Whenever the prevalence of ~~hydrophobia~~ RABIES renders such action necessary to protect the public health and safety, the Mayor or his/her designee shall issue a proclamation ordering every person owning or keeping a dog OR CAT to confine it securely to his premises ~~unless it is muzzled so that it cannot bite~~. No person shall violate such proclamation and any ~~unmuzzled~~ dog OR CAT running at large during the time fixed on the proclamation may be destroyed by the Animal Control Officer without giving notice to the owner.

3-6-12 PUBLIC SALE OF ANIMALS

IT SHALL BE UNLAWFUL FOR ANY PERSON TO SELL, TRADE, BARTER, LEASE, RENT, GIVE AWAY OR DISPLAY ANY LIVE ANIMAL FOR SELL, TRADE, BARTER, LEASE, RENT, GIVE AWAY ON A ROADSIDE, PUBLIC RIGHT-OF-WAY, SIDEWALK, STREET, PARKWAY OR ANY OTHER PUBLIC PROPERTY OR ANY PROPERTY DEDICATED FOR PUBLIC USE, ON A COMMERCIAL PARKING LOT, OR AT AN OUTDOOR SPECIAL SALE, SWAP MEET, FLEA MARKET, PARKING LOT SALE OR SIMILAR EVENT.

THIS ARTICLE DOES NOT APPLY TO THE FOLLOWING:

- A. ANY PERSON WHO OBTAINS AN ANIMAL VENDER PERMIT FROM CITY OF HOLBROOK ANIMAL CONTROL AND ALSO HAS THE PROPERTY OWNER'S PERMISSION.

- B. ANY PUBLIC OR PRIVATE ANIMAL SHELTER THAT IS ADOPTING ANIMALS OUT TO THE PUBLIC.
- C. THIS SECTION DOES NOT PROHIBIT THE SALE, GIFT, OR OTHER TRANSFER OF OWNERSHIP OF ANIMALS AT COUNTY FAIRS, ANIMAL EXHIBITIONS, SHOWS, 4-H ACTIVITIES, RODEOS, AUCTION MARKET, STOCK SHOW OR OTHER SANCTIONED LIVESTOCK ACTIVITY AND OTHER ACTIVITIES OR EVENTS THAT ARE REGULATED BY OTHER STATE, COUNTY OR CITY AGENCIES.

IF A PERSON FAILS TO OBTAIN A SELLERS PERMIT AFTER A NOTICE, THEN THE HOLBROOK ANIMAL CONTROL IS AUTHORIZED TO IMPOUND THE ANIMALS. THIS PROVISION ALSO DOES NOT PROHIBIT THE SALE, TRADE, BARTER, LEASE, RENT, AND GIVE AWAY ANIMALS FROM A PERSON'S PRIVATE RESIDENCE.

3-6-1413 – Penalty

Any violations of this Article shall be punishable in accordance with Article ~~3-5-11(A)~~3-5-16.



HOLBROOK

ARIZONA

Date: 05/14/2025

To: Honorable Mayor Smith and Council Members

From: Randy Sullivan

Subject: Resolution for bulk water increase

BACKGROUND AND DISCUSSION:

The City purchased a bulk water station to control the water usage. Fees have been discussed during work sessions, and this fee needs to be increased to cover these additional charges

FINANCIAL IMPLICATIONS:

The current charges are \$2.84 per unit. That rate is extremely inexpensive for the volume that is getting used. Furthermore, the City purchased a bulk water station and needs to recoup a larger portion of the expenses. This will allow the City to recoup its costs quickly while also allowing the city to have better control over the water. The new rate of \$22.00 per unit will align out of city rates with our in city rates which include a base rate of \$8.19, \$2.53 per unit, \$5.00 water preservation, and \$2.50 water capital charge.

ALTERNATIVES:

We could leave rates as is or discuss a different rate.

REQUEST FOR COUNCIL ACTION:

Approve Resolution 25-03 increasing bulk water rates to \$22.00 per unit (1000 gallon)

ATTACHMENTS:

Resolution 25-03

RESOLUTION 25-03

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF HOLBROOK, "CITY", NAVAJO COUNTY, ARIZONA, AMENDING THE FEES FOR THE CITY OF HOLBROOK BULK WATER STATION

WHEREAS, The City of Holbrook operates bulk water stations for potable and construction water and charges fees to operate and maintain said stations; and,

WHEREAS, the expenses of operating the bulk water stations need to be offset by the fees collected; and,

WHEREAS, the Mayor and Council have determined that it is in the best interest of the citizens to amend the fees.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF HOLBROOK, ARIZONA:

SECTION 1: The following fees shall be charged and collected for usage of our bulk water stations.
A. \$22.00 per unit (1000 gallons)

SECTION 2: The Mayor is authorized to execute the Resolution.

SECTION 3: The City manager is authorized to implement the new fees.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HOLBROOK, ARIZONA, THIS 14th DAY OF MAY, 2025.

APPROVED/EXECUTED:

Kathleen Smith, Mayor

ATTESTED:

Lisa Hunt, City Clerk

APPROVED AS TO FORM:

Allen Quist, City Attorney



HOLBROOK

ARIZONA

Date: 05/14/2025

To: Honorable Mayor Smith and Council Members

From: Randy Sullivan

Subject: Transfer Station Fees

BACKGROUND AND DISCUSSION:

During the Work Session for fee increases, the council showed interest in charging new rates on residential bills for the use of the transfer station. This rate would create enough revenues to offset the collections we currently charge and allow residents who pay this new fee on their bills to have free dumping at our transfer station. This will help residents be more willing to clean up their properties.

FINANCIAL IMPLICATIONS:

The City currently is on pace to collect \$19,000 in transfer station fees. This would allow the City to collect \$53,000 to offset the free dumping site. It is recommended that nonresidential and out of City Customers be charged at current rates established by Resolution 20-14

ALTERNATIVES:

Do not approve Transfer Station fee and discuss alternative fees.

REQUEST FOR COUNCIL ACTION:

Approve Resolution 25-04 to include a residential transfer station fee of \$2.50 per month for every in City Residential Customer

ATTACHMENTS:

Resolution 25-04

Current Transfer Station rates

RESOLUTION 25-04

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF HOLBROOK, "CITY", NAVAJO COUNTY, ARIZONA, AMENDING THE FEES FOR THE CITY OF HOLBROOK TRANSFER STATION FEES

WHEREAS, The City of Holbrook operates a transfer station and charges fees to operate and maintain said station; and,

WHEREAS, the expenses of operating the transfer station need to be offset by the fees collected; and,

WHEREAS, the Mayor and Council have a strong desire for residents to clean up their properties; and,

WHEREAS, the Mayor and Council have determined that it is in the best interest of the citizens to amend the fees.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF HOLBROOK, ARIZONA:

SECTION 1: The following fees shall be charged and collected monthly for usage of our transfer stations.

- A. \$2.50 per month, per in City Residential Customer.
- B. Commercial and out of City Customers will be charged according to Resolution 20-14 and current rates established by the CPI index.
- C. Allowing City Residential Customers to dump at the transfer station for free because of this new rate.

SECTION 2: The Mayor is authorized to execute the Resolution.

SECTION 3: The City manager is authorized to implement the new fees.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HOLBROOK, ARIZONA, THIS 14th DAY OF MAY, 2025.

APPROVED/EXECUTED:

Kathleen Smith, Mayor

ATTESTED:

Lisa Hunt, City Clerk

APPROVED AS TO FORM:

Allen Quist, City Attorney

Transfer Station Fees
Resolution 20-14
(Effective 07/01/2024)

Item	With City Sanitation Account	Without City Sanitation Account
	New	New
Green Waste (Drop-off)	Free	\$7.00 per cubic yard
Green Waste (Pick-up)	\$12.00 per cubic yard	N/A
Household/Yard Waste	\$12.00 per cubic yard	\$24.00 per cubic yard
Construction Debris	\$24.00 per cubic yard	\$36.00 per cubic yard
White Goods/Metals (Drop-off)	Free if seperated	\$7.00 per cubic yard
White Goods (Pick-up)	\$12.00 per cubic yard	N/A
Toter (1/2 cubic yard) (pick-up)	\$15.00	N/A
Tires (Car or Pickup)	\$2.00 each	\$7.00 each
Tires (Tractor or Semi)	\$21.00 each	\$36.00 each
Armchair	\$10.00 each	\$12.00 each
Loveseat	\$12.00 each	\$15.00 each
Sofa	\$15.00 each	\$17.00 each
Mattresses	\$15.00 each	\$17.00 each
Box Springs	\$7.00 each	\$8.00 each
Special Waste	\$94.37 per hour	N/A
Roll Off - 40 Yard	\$659.53	N/A
Roll Off - 30 Yard	\$541.31	N/A
Roll Off - 20 Yard	\$421.02	N/A
Roll Off - 10 Yard	\$300.73	N/A
Roll Off - 4 Yard	\$120.29	N/A

Prohibited material - asphalt, brick, concrete, dirt, rock; hazard waste, paint, solvents

Utility Rates
Effective - 7/01/2024

	Base	Unit*
Water		
Residential	\$8.19	\$2.53
Residential - Out of City	\$16.37	\$2.84
Residential - Summer		\$2.27
Commercial	\$15.12	\$2.53
Commercial - Out of City	\$30.26	\$2.84
Construction - Potable**		\$2.84
Government Entities - Landscape		\$1.59
Non-government Organization - Landscape		\$1.59
Waster water		
Residential	\$15.12	\$2.53
Residential - Out of City	\$16.37	\$2.53
Commercial	\$31.52	\$2.53
Commercial - Out of City	\$30.26	\$2.53
Sanitation		
Toter		\$30.08
Toter (Extra)		\$24.68
*Unit = 1000 Gallons		
** Minimum		



Date: 05/14/2025

To: Honorable Mayor Smith and Council Members

From: Randy Sullivan

Subject: New Ball Field Fence

BACKGROUND AND DISCUSSION:

The City needs another practice field for baseball and softball. Staff have a plan to build out the field next to the pool and make a dual-purpose field for practices. A backstop is needed to help keep balls in play. Staff have reached out for quotes. 2 quotes have been received.

FINANCIAL IMPLICATIONS:

The costs of the backstop will come from ARPA grant funds. Currently there is a balance available of \$890,000.

Frontier Fence - \$24,894.00

Homeland Fence - \$24,550.00

ALTERNATIVES:

Council can deny the project and reject all bids.

REQUEST FOR COUNCIL ACTION:

Approve Homeland Fence for \$24,550.00 for the backstop fence

ATTACHMENTS:

2 Quotes attached



4-16-2025

To Holbrook School

Furnish and install the following;
260 lf of 6ft tall chain link fence
9 gauge chain link mesh
2 7/8" x ss40 terminal post set 30" deep
1 7/8" x ss40 line post set 24" deep
1 5/8" top and bottom rail
2 – 4ft walk gates with hardware
1 – 24'x24'x24' back stop 20' tall
4" x ss40 post set 36" deep
1 7/8" x ss40 rails 5 total
9 gauge chain link mesh

Cost: \$ 24,550.00

Thank You,

Christopher Heren

Homeland Fence & Supply

Cell 928-892-2448

Email: cheren@homelandfence.net

P.O. 1870

Showlow, AZ 85902

FRONTIER FENCE COMPANY, LLC

P.O. Box 1778
Snowflake, AZ 85937
Phone: (928) 521-0395
Arizona Contractor's License # 264088



Phone Number:	Date: 4/14/2025
Mobile Phone #: 128-291-0346	Fax Number:
Email: Sullivan@holbrookaz.gov	

Proposal To: CITY of HOLBROOK
Job Address: Hunt Park City: Holbrook State: AZ Zip: _____
Billing Address: _____ City: _____ State: _____ Zip: _____

[illegible]

SPECIFIC CONDITIONS MUST BE NOTED, FAILURE TO NOTE SPECIFIC CONDITIONS (HARD DIG, BURIED LINES, ETC) WILL RESULT IN ADDITIONAL CHARGES.

All hand dug holes \$ _____ per hole. C.I. _____ ☐ Line Stake set by buver. C.I. _____

[illegible]

All wood products that are installed by Frontier Fence Co. LLC— Do not come with a warranty. Wood tends to warp, twist, check or bow & is not covered under our standard material & workmanship warranty.

By Execution of this document, Buyer acknowledges that he/she has read and understands the terms and conditions set forth and within all attachments. Seller shall not be responsible for any Buyer shall hold harmless Frontier Fence Company LLC. from any and all damages or liabilities resulting from any cut or damaged lines including, but not limited to, gas, water, sprinkler, electric, telephone, fiber optic, cable. Buyer shall comply with all applicable statutes and codes relating to the location of utility lines. Frontier Fence Company LLC. will not be held liable for unstable soil or compaction issues.

Accepted
By Buyer:

Sales
Person:

Approved by
Contractor's
Manager:

**Terms: Half down and balance due upon substantial completion.
FENCE SIGNS MUST BE INTACT FOR VALID WARRANTY.**

811-Due

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