

INFORMATION TO HELP WITH BARKING DOGS IN THE CITY OF PHOENIX

When there is a problem with barking dogs, it is helpful to talk to or leave a note for the dog owner. Although this may be difficult to do at first, communicating with the dog owner is usually the most effective way to resolve the problem.

Talking to your neighbor:

- Try talking to your neighbor when you are not frustrated about the barking.
- When approaching your neighbor, be calm and discuss the barking in a friendly manner.
- Inform your neighbor of the time of day or night the dog is barking.
- Ask the neighbor whether you can contact him or her, day or night, when the barking is a problem.

If leaving a note for your neighbor:

- Explain what the dog does when the family is away from the residence.
- Choose words that are not offensive or intimidating to the dog owner.
- If you feel safe doing so, include your name, telephone number, or address in the note so your neighbor can respond.

If talking to your neighbor or leaving a note with the animal owner does not work, mediation can save time and money and can lead to a mutually agreed upon solution without resorting to the court process. The City of Phoenix does not provide mediation services, so parties interested in pursuing mediation must arrange for mediation on their own, outside of the court process.

If discussions or mediation are not fruitful or are not an option, the person disturbed by the barking dog may file a Petition for Barking Dog Complaint, pursuant to the requirements listed below. Filing a petition may result in criminal misdemeanor charges being filed against the dog owner. This process can take approximately 3 months before it is set to trial or resolved.

ADDITIONAL RESOURCE INFORMATION:

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| Arizona Humane Society Calls on mistreated, abused, and neglected animals | (602) 997-7585 |
| Barking Dog Hotline Sends an <u>anonymous</u> letter to dog owner | (602) 262-6466 |
| City of Phoenix Public Works Solid Waste Calls on accumulated feces and odors | (602) 262-7251 |
| Maricopa County Animal Care and Control Picks up dogs at large and dogs that bite | (602) 506-7387 |
| City of Phoenix Neighborhood Services Calls on crowing roosters | (602) 262-7844 |

If you live outside of Phoenix, contact the Police Department in your area for information.

PHOENIX CITY ORDINANCE

Sec. 8-2 Barking or Howling Dogs

- A. No person shall keep a dog within the city limits which is in the habit of barking or howling or disturbing the peace and quiet of any person within the City.
- B. A person who violates this section is guilty of a Class 1 misdemeanor; however, the city prosecutor may authorize the filing of certain cases or classes of cases as civil violations unless the person has previously been found responsible or guilty of violating this section.
- C. A person found responsible for a civil violation of this section is subject to a sanction of not less than one hundred fifty dollars nor more than two thousand five hundred dollars.
- D. In addition to any other penalty authorized by law, a person found guilty of a criminal violation of this section shall pay a fine of not less than one hundred fifty dollars.

IDENTIFICATION FORM AND PETITION FOR BARKING DOG COMPLAINT

Requirements for Submitting a Petition:

- Complete the Information Form.
- At least 3 parties must sign the attached petition, 2 of whom may be from the same address.
- Additionally, you must submit at least one of the following:
 - a. Two copies on a video recording, disk, or thumb drive of the barking dog with a log containing a physical description of the dog and the dates and times when the barking occurred.

or
 - b. Two copies of an audio recording (other than a microcassette) of the barking dog with a log containing a physical description of the dog and the dates and times when the barking occurred.

or
 - c. A written log containing a physical description of the dog and the dates and times when the barking occurred. **The log must show a pattern of habitual barking.** Occasional barking does not meet the requirements of the ordinance.

Petitions that do not meet the above requirements may be submitted for review for prosecution; however, an explanation of why the requirements have not been met must be stated on the **IDENTIFICATION FORM**.

Please **keep a copy** of this Petition.

Return the original **IDENTIFICATION FORM** and **PETITION** to:

**PHOENIX CITY PROSECUTOR'S OFFICE
ATTN: CHARGING BUREAU
P O BOX 4500
PHOENIX, AZ 85030-4500**

If a charge is approved, you will receive written notice to contact our office for an appointment to appear before a judge to provide the factual basis for the criminal complaint. A prosecutor will then sign the criminal complaint. If the dog owner requests a trial, you will be subpoenaed to appear in court to testify. It may be approximately 3 months from the signing of the complaint to the first trial setting. Please note that the charge may be converted to a civil violation rather than a criminal violation if the dog owner does not have prior convictions for this offense.

PETITION

We, the undersigned, do hereby state that we have been disturbed by a BARKING DOG, on this **specific date and time** owned by:

* _____
owner's name

at _____
address location

on the ** _____ day of _____, 20____, from _____ to _____ o'clock
day month time time

Complainant's Information:

_____ signature
name and date of birth printed

_____ phone number
address

Only one (1) address location per Petition will be accepted; additional Petitions can be sent for more address locations upon request.

* Please give the first and last name of the person owning, keeping or maintaining the dog at the time of this incident.

** Please give one definite date and time the dog barked. Note that although only one date of violation is listed, this must involve a continuous problem and not be an isolated incident. "Always" or "constantly" is not acceptable.

All petition signers must be willing to appear and testify in Court (if necessary), -- that they heard the dog bark **on the above date at the above location. Please print legibly.**

1. _____ signature
Name and date of birth printed

_____ phone number
address

2. _____ signature
Name and date of birth printed

_____ phone number
address

3. _____ signature
Name and date of birth printed

_____ phone number
address

4. _____ signature
Name and date of birth printed

_____ phone number
address

