

## 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 animal owner. Although this may be difficult to do at first, communicating with the animal 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 them of the time of day or night that the dog is barking.
- Ask the neighbor whether you can contact them, 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; leave them your name, telephone number, or address so they can respond to your letter.

### MEDIATION SERVICES SOLVE PROBLEMS

If talking or leaving a note with the animal owner does not work, **try mediation**. Mediation can save time, money and allows for tailor made resolutions and without resorting to the court process.

What can mediation offer you?

- Quick resolution of the problem.
- A satisfying solution.
- Privacy and confidentiality.
- No police, no courts.
- No judgments and no blame.
- A non-threatening, problem-solving environment.

Filing a petition may result in criminal misdemeanor charges being filed against the dog owner. This process may take 2 ½ months or more to go to trial.

Mediation is highly recommended before filing a petition to initiate prosecution. You may file a Barking Dog Petition if mediation does not solve the problem.

**Local Mediation Clinics:** Mediation Clinics affiliated with law schools generally provide services at no charge. The following is not an exhaustive list of Mediation providers in the Phoenix area. Consult your local yellow pages or bar directory for more providers. Please visit the web site <http://phoenix.gov/LAW/bark0/html> for additional information on mediation.

- Phoenix School of Law  
4041 N. Central Ave., Suite 101  
Phoenix, Az 85012  
Phone: 602 682-6855

#### **ADDITIONAL RESOURCE INFORMATION:**

<b>Arizona Humane Society</b> Calls on mistreated, abused, and neglected animals	(602) 997-7585
<b>City of Phoenix Public Works Solid Waste</b> Calls on accumulated feces and odors	(602) 262-7251
<b>Maricopa County Animal Care and Control</b> Picks up dogs at large and dogs that bite	(602) 506-7387
<b>City of Phoenix Neighborhood Services</b> 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.

# INFORMATION FORM AND PETITION FOR BARKING DOG COMPLAINT

Was Mediation  
attempted?

Yes  No

## Requirements For Submitting A Petition:

- Complete the Information Form.
- At least 3 parties must sign the attached petition, 2 of which may be from the same address.
- If you are unable to get the required signatures, you must submit at least one of the following:
  - a. A videotape of the barking dog with a log describing the dog and the dates and times when the barking occurred.

**or**
  - b. An audio tape of the barking dog with a log describing the dog and the dates and times when the barking occurred.

**or**
  - c. A written log describing the dog and the dates and times when the barking occurred.

In extenuating circumstances, petitions that do not meet the above requirements will be considered for prosecution. However, an explanation why the requirements have not been met must be stated on the **INFORMATION FORM**.

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

Return the **original INFORMATION 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 and sign the criminal complaint. If the dog owner requests a trial, you will be subpoenaed to appear in court to testify. It will be at least 2½ 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 at the discretion of the prosecutor.

# INFORMATION FORM FOR BARKING DOG COMPLAINT

Keeping a dog which is in the habit of barking or howling is a violation of Phoenix City Code, Section 8-2. Before this Office files a formal complaint in court, precautions must be taken to ensure the correct identification of the defendant. If the defendant fails to appear in court in response to a summons, and a warrant for his/her arrest is issued by the court, the description of the defendant must be sufficient to preclude the arrest of the wrong person.

**Please provide as much of the following requested information as possible to ensure the correct identification of the dog owner and to expedite the issuance of a complaint.**

\_\_\_\_\_

last name	_____	first name	_____	middle initial	_____
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_____	_____	_____	_____	_____	_____	_____
race	sex	DOB, or approx. age	height	weight	eye color	hair color

\_\_\_\_\_

street address, apartment #	_____
	telephone no.

\_\_\_\_\_

place of employment)	_____
	telephone no.

\_\_\_\_\_

List all vehicle license numbers, makes, models belonging to animal owner

Describe the dog(s) in question:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please describe the problem in the space provided on the next page. Be sure to include the following information:

- Specific dates when the dog owner was notified of a disturbance and asked to keep the dog quiet.
- Any efforts taken to resolve the problem. For example, contacting your Home Owners Association.
- Specific dates and times when the barking occurred, including the incident referred to on the petition.



# PETITION

**We, the undersigned, do hereby state that we have been disturbed by a BARKING DOG owned by:**

\*

\_\_\_\_\_ owner's name

at

\_\_\_\_\_ address location

on the \*\* \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, from \_\_\_\_\_ to \_\_\_\_\_ o'clock  
day month time time

Complainant's Information:

\_\_\_\_\_ signature

\_\_\_\_\_ name printed

\_\_\_\_\_ address

\_\_\_\_\_ phone number

**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 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.

**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.**

1. \_\_\_\_\_ signature name printed

\_\_\_\_\_ address phone number

2. \_\_\_\_\_ signature name printed

\_\_\_\_\_ address phone number

3. \_\_\_\_\_ signature name printed

\_\_\_\_\_ address phone number

4. \_\_\_\_\_ signature name printed

\_\_\_\_\_ address phone number