

NOTICE OF PUBLIC HEARING

WHEN:

Monday, June 2, 2025
9:30 A.M.

WHERE:

Mohave County Board of Supervisors
700 West Beale Street
Kingman, Arizona

SUBJECT:

**AMENDMENT TO THE MOHAVE COUNTY
ORDINANCE 2007-08 REGARDING PET SHOPS & DOG
GROOMERS**

Evaluation of a request for an **AMENDMENT TO
MOHAVE COUNTY ORDINANCE 2007-08** to repeal
portions of the ordinance regarding pet shops and dog
groomers in Mohave County, Arizona.

Copies of the proposed amendments are on file with the Mohave County
Clerk of the Board's Office, 700 West Beale Street, Kingman, Arizona, or
by calling 928-753-0731. You may also visit www.mohave.gov under
News & Notices – Public Notices.

Written comments can be sent to Laura Skubal, P.O. Box 7000,
Kingman, Arizona, 86402; fax number 928-718-4957; email:
clerk@mohave.gov.

**MOHAVE COUNTY
CLERK OF THE BOARD OF SUPERVISORS**
Laura Skubal

WHEREAS, A.R.S 11-251.17 allows the Mohave County Board of Supervisors to adopt provisions necessary to preserve the health of the County; and

WHEREAS, the Mohave County Department of Public Health has recommended the adoption of licensing and sanitation requirements for kennels, ~~pet shops~~, veterinary clinics and animal hospitals; and

WHEREAS, the adoption of this ordinance would benefit the health and welfare of the residents of Mohave County,

THEREFORE, BE IT RESOLVED that the licensing and sanitation requirements for kennels, ~~pet shops~~, veterinary clinics and animal hospitals be adopted in the form and manner set forth by the attached ordinance and that Mohave County Board of Supervisors Resolution 1206 be set aside insofar as it conflicts with this ordinance.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of Mohave County, Arizona the 15 day of October, 2007.

MOHAVE COUNTY BOARD OF SUPERVISORS

Pete Byers, Chairman

SECTION 1. Definitions

A. "Department" shall mean the Mohave County Department of Public Health (MCDPH), Environmental Health Division.

B. "Animal" shall mean any living thing, including, but not limited to, mammals, fish, birds, and reptiles, kept or intended to be kept as a household pet, but does not include insects.

C. "Kennel" shall mean any establishment at which animals are bred or raised for sale, or boarded, cared for commercially or on a non-profit basis, exclusive of dental, medical or surgical care, or for quarantine purposes.

~~D. "Pet Shop" shall mean any establishment, mobile or stationary, at which any animal is kept for sale, bathed, clipped, groomed or treated for vermin commercially or on a non-profit basis.~~

E. "Veterinary Clinic" shall mean any establishment, operated by a licensed veterinarian to provide dental, medical, or surgical treatment, and care, including grooming, for animals on an out-patient basis.

F. "Veterinary Hospital" shall mean any establishment operated by a licensed veterinarian providing clinical facilities and housing animals for dental, medical or surgical treatment. A

veterinary hospital may have adjacent to or in conjunction with it, or as an integral part of it, pens, stalls, cages or kennels for quarantine, observation or boarding.

SECTION 2. Permit Required

- A. No person shall operate a kennel or ~~pet shop~~ without a valid permit to do so from the Department and shall be in compliance with all applicable regulations in this code.
- B. The permit shall be posted in a conspicuous place on the premises and a copy of the most recent health inspection shall be available by request of the public and/or the Department.
- C. The applicant shall specify in their application the kind or kinds of animals for which a permit is desired and the probable number of each type of animal.
- D. Kennels and ~~pet shops~~ must be operated in accordance with the terms of the permit and the pertinent regulations in this Code. No permit to operate a kennel or ~~pet shop~~ shall be issued by the Department until plans and specifications therefore have been approved.

SECTION 3. Plan Review

- ~~A. No pet shop, whether stationary or mobile, shall be constructed, nor shall any major alteration or addition be made thereto, until detailed plans and specifications for the establishment have been submitted to and approved by the Department; nor shall any construction, alteration or addition be made except in accordance with approved plans and specifications. The owner, operator or authorized agent shall certify in writing that the plan documents comply with these regulations.~~
- B. The plan review application must be filled in completely and scaled plans must be submitted to the Department.
- C. Construction of a kennel ~~or a pet shop (both stationary and mobile)~~ must conform to the requirements of this code.
- D. After plans are evaluated, the applicant will receive a plan review letter by the mail and/or in person which will either ask for more information or give approval to begin construction.
- E. Construction shall conform to approved plans. Changes in construction; deletion or addition of equipment will require prior approval.
- F. When construction is completed, the applicant will receive a final construction inspection from the Department. If all requirements are met, the permit will be issued to applicant.
- ~~G. In addition to all other requirements, mobile grooming units shall provide a commissary agreement indicating where all wastewater and garbage/refuse/rubbish will be disposed of, and where fresh water will be obtained. Zoning approval must also be obtained.~~
- H. All requirements of this code must be met in order for the permit to be issued.

SECTION 4. Walls and Ceilings

~~A. Walls and ceilings of areas in which animals or birds are bathed, groomed, fed or housed, and in toilet rooms shall be finished in a light color and shall have a smooth, easily cleanable surfaces.~~

SECTION 5. Floors

~~A. Interior floors shall be of impervious construction in areas that are subject to flooding, spillage, or other conditions of hard use, such as in bathing, grooming, toilet rooms and all areas in which birds and animals are kept and/or displayed.~~

~~B. Carpeting, where permitted, shall be of closely woven construction, easily cleanable and maintained clean and in good repair. Carpeting is prohibited in bathing, grooming, feeding, and toilet rooms and all areas in which animals and birds are kept and/or displayed. In areas where birds are on perches, floors shall be of impervious construction. No carpeting shall be allowed within 18 inches of the outer end of the perch.~~

SECTION 6. Light and Ventilation

~~A. The premises where animals are kept shall be ventilated to the external air by forced draft ventilation or other approved means and adequately lighted.~~

~~B. At least 20 foot candles of light shall be provided in all bathing, grooming, feeding, and toilet areas. At least 10 foot candles shall be provided in all other areas.~~

SECTION 7. Toilet Facilities and Hand Washing Facilities

~~A. Adequate and convenient toilet facilities, approved by the Department, shall be provided for employees. All toilet rooms shall have smooth and easily cleanable walls, ceilings, and floors and adequate ventilation to the outside air.~~

~~B. Hand was facilities shall be located in or immediately adjacent to the toilet room. Each lavatory shall be provided with hot and cold running water tempered by means of a mixing valve or combination faucet. Any self-closing, slow closing or metering faucet used shall be designed to provide a flow of water for at least 15 seconds without the need to reactivate the faucet.~~

~~C. Wall mounted soap and paper towels shall be provided at each hand wash facility.~~

~~D. Mobile pet shops are not required to have a restroom; however, the employees must have access to restrooms while working (documentation of available toilet facilities must be provided with application for permit to operate).~~

SECTION 8. Sink and Drainage

~~A. Sinks must have adequate supply of hot and cold water and be readily accessible to the portions of the premises in which the animals are kept. "Readily accessible" shall mean within 15 feet of where animals are kept and/or grooming takes place.~~

~~B. At least one hand washing sink must be provided in the grooming area (for both stationary and mobile facilities). Each lavatory shall be provided with hot and cold running water tempered by means of a mixing valve or combination faucet. Any self-closing, slow-closing or metering faucet used shall be designed to provide a flow of water for at least 15 seconds without the need to reactivate the faucet.~~

~~C. Wall-mounted paper towels and soap must be provided at each hand washing sink.~~

~~D. All plumbing fixtures, including floor drains and sinks, must be properly plumbed and connected to an approved sewer or on-site wastewater system.~~

~~E. Backflow prevention must be provided at plumbing fixtures in which animals are placed. Cross-connection may not exist within the establishment.~~

~~F. Hair/lint traps must be plumbed inline at all locations where active grooming takes place, wash tubs and any floor drains in the immediate area.~~

~~G. For mobile pet/grooming shops, holding tanks must be provided for fresh water and wastewater. The wastewater tank must be at least 15% larger than the fresh water tank to prevent back-up of wastewater into the facility.~~

~~1. Wastewater must be disposed of in a sanitary manner to an approved wastewater system (documentation/commissary agreement must be provided with application for permit to operate).~~

SECTION 9. Animal Housing

A. Interior and exterior kennel and pet shop cages in which animals are kept shall be constructed of durable material which may be readily cleaned and disinfected with approved solutions, or by other approved means. Cages shall be designed and constructed so that all their parts are easily cleanable.

B. Each dog and cat over three months of age shall be kept in an individual cage except that commingling of animals of the same owner shall be permitted at the owner's request. Other animals shall be caged as appropriate for their age, gender, and species as determined by the Department upon notice to owner/operator of the establishment where they are kept.

~~a. Should a kennel which houses animals with different owners want to co-mingle the animals, a notice must be posted in a conspicuous place. The notice must inform customers that their animals will co-mingle with other animals at the facility. ***In addition, the kennel must meet the requirements of subsection F of this section.***~~

C. Cages shall be adequately sized so the animal can stand, lie down and turn around without any part of the animal touching the top of the cage, including its ears and tail.

D. Sick animals shall be isolated in rooms or cages separate from healthy birds and animals.

E. Birds shall be housed at least 12 inches above the floor.

F. For kennel properties in excess of two and one-half acres (one parcel), where all the animals belong to one owner (as in the case of a shelter), cages for animals are not required; however, the following must be met:

1. Animal manure shall be gathered a minimum of once daily and properly handled and disposed of so as not to pose a public health nuisance.

2. Disinfection methods must be used when appropriate

3. Where cages and/or dogs runs are provided, they must be constructed of durable material which may be readily cleaned and disinfected with approved solutions or by other means. Kennels must be sloped to drain properly to an approved wastewater and/or drain system.

4. In addition to records requirements outlined in Section 14 of this ordinance, rabies vaccination certificates shall be maintained for each animal over three months of age housed on the premises. Animals shall be required to wear a collar with a rabies tag which matches the certificate on file in the kennel or pet shop office. The description shall be enough to distinguish each animal from another.

5. All fencing surrounding the property must be in good repair.

6. The area(s) where animals are kept must be physically separated from and not accessible by visitors to the property.

G. Each occupied cage and/or dog run shall be cleaned and disinfected at least once daily.

H. Veterinary clinic and hospital cages shall be similarly designed and constructed, and in addition each occupied cage shall be cleaned and disinfected at least once daily. Animals receiving medical care and quarantined animals shall not be co-mingled.

SECTION 10. ~~Disinfection of Implements~~

~~A. Pet shops using implements during the bathing and grooming of animals must disinfect implements following the completion of grooming each animal (*documentation of sanitization process shall be provided at the time of application for permit to operate*). Use sanitizing solution(s) in accordance with the manufacturer's recommendations to ensure effective disinfection.~~

SECTION 11. Maintenance

A. The premises, implements, cages and appurtenances shall be kept clean, sanitary, and free of animal and bird parasites, or other health hazards.

B. Outdoor ponds or other water features shall not be allowed to stagnate. As needed, water features must be treated against vectors that may pose a potential public health nuisance/threat.

C. Animal manure, other putrescible material, garbage, excreta, refuse, dead animals or birds shall be gathered a minimum of once daily and properly handled and disposed of so as not to pose a public health nuisance.

SECTION 12. Limitation

~~A. No portion of a pet shop, kennel or veterinary hospital in which animals are kept, caged or boarded shall be used for human habitation, unless acceptable provisions for separation are permanently provided.~~

~~B. Food for human consumption shall not be prepared or served in the same room in which animals are kept, caged, boarded or groomed or fed.~~

~~1. Microwaves and other kitchen equipment shall be designated for animal or for human use only.~~

SECTION 13. Method of Disposal

A. All putrescible material, garbage, excreta, refuse, dead birds or animals shall be stored in durable fly-tight containers and disposed of in accordance with the provisions of this Code governing the storage and disposal of refuse and other objectionable wastes.

B. All such material shall be removed from the property in accordance with Arizona Administrative Code R18- 13-308 in approved manner (*a copy of a disposal contract with a licensed provider shall be provided at the time of application for permit to operate*).

SECTION 14. Records

A. Kennels and ~~pet shops~~ shall keep a record book in which an entry shall be made immediately of every animal received, purchased, sold, boarded, or kept on the premises, *showing origin, to whom the animal was sold or for whom the animal was boarded and kept, together with an accurate description, including the age, sex, and breed where applicable.*

B. All required records shall be legibly written in English and the book containing such records shall be available for inspection by the Health Officer or their designated representative. All such records shall be kept for 2 years.

C. Veterinary clinics and hospitals shall keep a record book or record card for each animal admitted, with an accurate description of the animal, treatment (dental medical or surgical), including diagnosis if possible, vaccinations (including rabies), and dates of admission and

discharge. Incidence of disease known or suspected to be communicable to humans shall be reported to the Health Officer or their designated representative. Records shall be made available for inspection by the Health Officer or their designated representative in accordance with the law.

SECTION 15. Special Limitations

A. In accordance with Federal Law - Title 21, Code of Federal Regulations Part 1240.62, the sale of a baby turtles (carapace length less than four inches) is illegal. Any potential violation of this law that are identified through environmental health inspection will be reported to Federal authorities.

SECTION 16. Veterinarian

A. These regulations shall not be used to interfere with a licensed veterinarian in the practice of their profession, but such veterinarian shall comply with the sanitation code.

SECTION 17. Effective Date of Compliance

A. All ~~pet and grooming shops and~~ kennels shall comply or come into compliance with the requirements of this ordinance. Should an existing ~~pet and grooming shop or~~ kennel not be in compliance with this ordinance at the time of approval, depending upon the extent of the violation(s), time shall be given at the discretion of the Department to correct existing violation(s) as needed. Should proper corrections(s) not be made, enforcement will follow.

SECTION 18. Enforcement

A. Suspension of Operating Permit

1. In accordance with A.R.S 36-183.05, if the regulatory authority (hereafter referred to as MCDPH) finds that an establishment is not in compliance with the requirements of this ordinance, the Director through the county attorney may file an action in the superior court:

a. For a temporary restraining order, a preliminary or permanent injunction or any other appropriate relief necessary to enjoin the person from further violations and to protect public health or the environment.

b. To compel compliance with a nuisance abatement order or a compliance order, including the collection of civil penalties assessed under that order.

c. For civil penalties of not to exceed one thousand dollars a day but not more than ten thousand dollars for each violation.

B. Revocation of Operating Permit

1. MCDPH may, after providing opportunity for hearing, revoke a permit for serious or repeated violations of this ordinance.

2. Prior to revocation, and pursuant to A.R.S. 36-183.04, MCDPH shall notify by a Notice of Violation, the holder of the permit, or the person in charge, of the specific reason(s) for which the permit is to be revoked unless a written request for hearing is filed with MCDPH by the holder of the permit within a fifteen (15) day period. If a request for a hearing is timely filed, the hearing shall be held within fifteen (15) days of receipt of the request.

3. If no request for a hearing is filed within the fifteen (15) day period, the MCDPH shall issue a Compliance Order pursuant to A.R.S. 36-183.05. Unless a written request for a hearing is filed with MCDPH by the holder or the permit within fifteen (15) days, the Order shall become final and enforceable in Superior Court. If a request for a hearing is timely filed, the hearing shall be held within fifteen (15) days of receipt of the request.

C. Service of Notices

1. A notice provided for in these regulations is properly served when it is delivered to the hold of the permit, or their agent or when it is sent by certified or registered mail, to the last known address of the holder of the permit. A copy of their notice shall be filed in the records of MCDPH.

D. Hearings

1. The Director of MCDPH or the Manager of the Mohave County Environmental Health Division may appoint a hearing officer to conduct a hearing pursuant to A.R.S. 36-183.04. Hearings shall be conducted in the same manner as hearings are conducted pursuant to A.R.S. Title 41, Chapter 6, Article 6. The hearing officer shall either issue or deny a Compliance Order and shall make a finding regarding a civil penalty. The hearing officer shall consider the factors prescribed below in Section 17.E.2 of this ordinance.

2. Should the hearing officer issue a Compliance Order, the order is final and enforceable in Superior Court unless an appeal is timely filed.

3. On appeal, the Director may affirm, modify or vacate the hearing officer's decision. The Director shall consider the factors prescribed below in Section 18.E.2 of this ordinance. The Director's decision is enforceable as a judgement in Superior Court. The director's decision is subject to appeal pursuant to A.R.S. Tile 12, Chapter 7, Article 6.

E. Penalties

1. A Compliance Order issued pursuant to A.R.S. 36-183.04 may provide for a civil penalty of not more than seven hundred fifty dollars for each violation by an individual and not more than five thousand dollars for a violation by an enterprise. A Compliance Order shall not impose a civil penalty for the same acts for which a court has previously imposed a civil or criminal penalty.

2. In determining the amount of a civil penalty under the section, the following shall be considered:

- a. The seriousness of the violation.
- b. As an aggravating factor only, any economic benefit that results from the violation.
- c. The history of that violation.
- d. The economic impact of the penalty of the violator.
- e. Any good faith efforts to comply with the applicable requirements.
- f. The duration of the violation as established by any credible evidence.
- g. Payment by the violator of penalties previously assessed for the same violation.
- h. Other factors affecting the public health and safety the director deems relevant.

General Information

Certain animals are prohibited from importation into the United States because they pose a risk for transmitting zoonotic diseases.

Specifically, current Center for Disease Control restrictions:

- "Civets are prohibited because they may carry the SARS virus.
- African rodents are prohibited because they may carry monkeypox.
- Birds from certain Southeast Asian countries are embargoed to prevent the spread of Avian Influenza (H5N1)."
- Monkeys and other nonhuman primates may not be imported as pets because of concerns such as monkeypox, yellow fever, Marburg/Ebola disease, tuberculosis and possible other not yet known disease.
- Turtles with a carapace (shell) length of less than 4 inches may carry Salmonella and transmit it to humans; this rule was implemented in 1975.

The types of animals that are prohibited from importation and sale in pet shops are determined by the following agencies:

- United States Department of Agriculture
- U.S Fish and Wildlife Service
- Center for Disease Control
- Arizona Game and Fish:
 - R12-4-401. Live Wildlife Definitions
 - R12-4-402. Live Wildlife : Prohibited Acts
 - R12-4-406. Restricted Live Wildlife
 - R12-4-407. Exemptions from Special License Requirements for Restricted Live Wildlife