

REFERENCE TITLE: fowl regulations; prohibitions

State of Arizona
Senate
Fifty-second Legislature
Second Regular Session
2016

SB 1140

Introduced by
Senators Farnsworth D, Farley, Lesko, McGuire; Representative Townsend:
Senators Allen S, Begay, Burges, Hobbs, Meza, Shooter, Worsley;
Representatives Bowers, Campbell, Cobb

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6.1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 9-462.09; RELATING TO MUNICIPAL ZONING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 6.1, Arizona Revised Statutes,
3 is amended by adding section 9-462.09, to read:

4 9-462.09. Backyard fowl regulation: prohibition: exceptions:
5 state preemption

6 A. A MUNICIPALITY MAY NOT ADOPT A ZONING ORDINANCE THAT PROHIBITS A
7 RESIDENT OF A SINGLE-FAMILY DETACHED RESIDENCE FROM KEEPING FOWL IN THE
8 BACKYARD OF THE PROPERTY. A MUNICIPALITY MAY:

9 1. RESTRICT THE NUMBER OF FOWL THAT A RESIDENT OF A SINGLE-FAMILY
10 DETACHED RESIDENCE MAY KEEP IN THE BACKYARD OF THE PROPERTY.

11 2. PROHIBIT OR RESTRICT A RESIDENT OF A SINGLE-FAMILY DETACHED
12 RESIDENCE FROM KEEPING MALE FOWL, INCLUDING ROOSTERS, UNLESS THE MALE FOWL IS
13 INCAPABLE OF MAKING NOISE.

14 B. THE PROPERTY RIGHTS OF PROPERTY OWNERS IN THIS STATE ARE OF
15 STATEWIDE CONCERN. THIS SECTION PREEMPTS ALL LOCAL LAWS, ORDINANCES AND
16 CHARTER PROVISIONS TO THE CONTRARY.