



## Article V - Animals Sections 7-81 to 7-135

### Sec. 7-81. Definitions.

The definitions and terms used in this Chapter, unless the context otherwise indicates, are herewith defined as follows:

(1) *Animal Control Officer* means a person employed by the Town and under the direct supervision of the Chief of Police who enforces the provisions of this Article.

(2) *Cat* means any domesticated animal of the feline species.

(3) *Certificate of vaccination* means the certificate issued by a veterinarian licensed to practice veterinary medicine, who shall retain a duplicate copy for not less than twenty-four (24) months after issuance, which shall contain the following information:

a. The name, address, license number and state of practice of the registered veterinarian;

b. The name, current address and telephone number of the owner and of the premises at which the inoculated animal will be harbored;

c. The type of vaccine used, the name of the manufacturer, the number identifying the vaccine used and the expiration date;

d. The rabies inoculation date;

e. The breed, age, color, sex and name of the inoculated animal; and

f. Statement by the veterinarian whether or not the animal is neutered, spayed or sterilized at the time of issue of the certificate.

(4) *Dog* means any domesticated animal of the canine species.

(5) *Harassing animal* means any animal that:

a. Chases, snaps at, bites or attacks an animal or person;

b. Has demonstrated tendencies that would cause a reasonable person to believe that the animal may inflict injury upon any person or animal, whether or not the offending animal inflicts injury.

(6) *Kennel or cattery* means any premises wherein any owner engages in the business of boarding, breeding

more than two (2) litters per calendar year, buying, letting for hire, training for a fee or selling dogs or cats.

(7) *Owner or owns* means any person owning, possessing, harboring, keeping, having financial or property interest in, or having control or custody of an animal, for a period of not less than five (5) days, consecutively or cumulatively.

(8) *Vicious animal* means any animal that:

a. Has inflicted bodily or serious bodily injury upon or has caused the death of a person or domestic animal;

b. Has demonstrated tendencies that would cause a reasonable person to believe that the animal may inflict injury upon or cause the death of any person or domestic animal; or

c. Has engaged in or been trained for animal fighting as described and prohibited in Section 18-9-204, C.R.S. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-82. Animal litter prohibited.

Any owner of any animal shall promptly, and in a public place immediately, pick up, remove and dispose of in a sanitary fashion any and all animal litter attributable to such animal. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-83. Animal premises.

No owner shall keep or maintain any place where animals are kept, harbored or maintained, except in a clean condition, free from noxious odors. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-84. Animals prohibited on public property.

(a) It shall be unlawful for any person to permit any animal to enter upon or remain in the immediate vicinity of any swimming pool open to the public.

(b) The Chief of Police may from time to time designate certain areas where animals will not be permitted, to maintain the public health, safety and welfare. Appropriate signs must be conspicuously posted in order for such designation to be valid. (Ord. 3-1992 §2; Ord. 4-1999 §1)



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### Sec. 7-85. **Cruelty to animals prohibited.**

(a) No owner or person shall poison any animal, or distribute poison in any manner whatsoever with the intent and purpose of poisoning any animals.

(b) An owner or person commits cruelty to animals if he or she knowingly or with criminal negligence overdrives, overloads, overworks, tortures, torments, deprives of necessary sustenance, unnecessarily or cruelly beats, needlessly mutilates, needlessly kills, carries or confines in or upon any vehicles in a cruel or reckless manner, or otherwise mistreats or neglects any animal, or causes or procures it to be done, or, having the charge or custody of any animal, fails to provide it with proper food, drink or protection from the weather, or abandons it.

(c) No owner or person shall confine any animal within a parked vehicle without adequate ventilation or water. The Animal Control Officer may remove the animal from the vehicle if the Animal Control Officer reasonably determines that probable cause exists that the animal is subject to a hazard to its health. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-86. **Leghold traps.**

It shall be unlawful to use, set or place any leghold, steel jaw or similar animal trap. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-87. **Prohibited animals.**

No owner shall keep, harbor or maintain any animal other than a dog, cat or horse, or an animal authorized by Chapter 16 or Chapter 16a of this Code, without the expressed approval of the Town Council. Exempt from this Section are the keeping of small, caged birds or aquatic and amphibian animals, and small animals kept solely as pets inside the premise of the owner. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-88. **Unattended animals.**

No owner shall tether an animal in a public place and then leave the same unattended. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-89. **Harassment.**

No owner of an animal shall permit the animal to harass any other person or animal. An animal shall be deemed harassing whether or not the offending animal inflicts injury. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-90. **Vicious animals.**

Vicious animals are prohibited. Upon issuance of a summons and complaint to the owner of a vicious animal, the vicious animal may be impounded as a public nuisance or the owner shall be ordered to confine the animal in a manner that protects public safety pending final disposition of the charge. Upon conviction of the owner, and the exhaustion of any right the owner has to appeal, the Court may order that the owner's vicious animal be destroyed by lethal injection administered by a licensed veterinarian. (Ord. 3-1992 §2; Ord. 4-1994 §1; Ord. 4-1999 §1; Ord. 8-2009 §1)

### Sec. 7-91. **Animal bites.**

(a) Reporting. Any person having knowledge of an animal who bites a person or other animal shall immediately report the incident to the Police Department or the Animal Control Officer.

(b) Quarantine of animals. Any animal which has bitten a person shall be quarantined and observed for a period of ten (10) days from the date of the bite, at the expense of the owner. The procedure and place of quarantine and observation shall be designated by the Animal Control Officer. The owner of any animal that has been reported as having inflicted a bite on any person shall, on demand, produce the animal for quarantine. Refusal to produce the animal for quarantine constitutes a violation of this Section, and each day of such refusal shall constitute a separate and distinct violation.

(c) Removal of animals from quarantine. No person shall remove from any place of isolation or quarantine any animal which has been isolated or quarantined, without the approval of the Animal Control Officer. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-92. **Impoundment.**

Animals shall be taken up and held in a suitable place provided therefor when found in violation of this Article. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-93. **Disposition of impounded animals.**

As soon as practical after impoundment, notice of impoundment shall be given to the owner thereof if known, and, if not known, reasonable notice shall be posted at the location designated by the Town for public notices, for a minimum of five (5) days. If such animal is not reclaimed within five (5) days, it shall be deemed abandoned and may be euthanized or disposed of by adoption. No dog or cat shall be released from impoundment without the owner having



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produced a certificate of vaccination and, in the case of a dog, a valid license. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-94. **Impoundment fees.**

There shall be charged and collected from each owner or person redeeming an impounded dog or cat the following fees and costs:

(1) Base impound fee for dogs, twenty-five dollars (\$25.00). For each day the dog is impounded, the impoundment fee shall be ten dollars (\$10.00) per day or any fraction thereof, in addition to the base fee.

(2) Base impound fee for cats, ten dollars (\$10.00). For each day the cat is impounded, the impoundment fee shall be five dollars (\$5.00) per day or any fraction thereof, in addition to the base fee.

(3) An owner will also be responsible for any additional charges incurred while the animal is impounded, including veterinarian services. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-95. **Abandonment.**

It shall be unlawful for any person to abandon any animal or cause or permit such abandonment within the Town. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-96. **Relinquishment of ownership.**

A Town resident may legally relinquish ownership of a dog, cat or domestic small animal by releasing the animal to the Animal Control Officer. The owner must provide proof of ownership, such as a veterinarian record or registration, in order to release the animal. The Animal Control Officer may elect to adopt out the animal or have the animal humanely euthanized immediately upon receipt of the animal. The owner shall pay a fee of fifty dollars (\$50.00) and any additional costs related to the relinquishment. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-97. **Adoptions.**

The Animal Control Officer may elect to present for adoption, for a fee determined by the Animal Control Officer, an animal that has been released to Animal Control by an owner, or an animal that has been impounded in the shelter for a minimum of five (5) days and whose owner cannot be located. All animals adopted out shall be spayed or neutered. The Animal Control Officer retains the right to screen all potential adopters and shall have the right to refuse adoption to anyone. (Ord. 3-1992 §2; Ord. 4-1999 §1)

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### Sec. 7-98. **Animals disturbing the peace and quiet.**

No owner shall keep, harbor or maintain any animal which disturbs the quiet or safety of any person or neighborhood. No owner shall permit any animal, by loud and persistent or habitual barking, howling, meowing, squawking or emission of noise, to disturb or annoy any person or neighborhood; and the same is hereby declared to be a public nuisance. (Ord. 3-1992 §2; Ord. 4-1994 §1; Ord. 4-1999 §1)

### Sec. 7-99. **Vaccination required for cats.**

Every owner of a cat six (6) months of age and older must obtain a certificate of vaccination. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-100. **Proof of vaccination for cats.**

The owner of a cat shall produce a copy of a valid certificate of vaccination upon demand to the police or the Animal Control Officer. Failure to produce the certificate of vaccination shall be presumed that the cat is unvaccinated. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-101. **Cats; mandatory confinement.**

Any female cat in heat shall be securely confined in the owner's home or in a secure enclosure in such a manner that contact with other animals is prevented. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-102. **Catteries prohibited.**

Catteries are prohibited except in areas authorized by Chapter 16A of this Code. (Ord. 3-1992 §2; Ord. 4-1999 §1; Ord. 4-1998 §1)

### Sec. 7-103. **Frightening horses.**

No person shall willfully do any act which is calculated or intended to frighten any horse which is being driven or ridden. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-104. **Horses and livestock limited.**

Horses and other livestock shall be kept, harbored or maintained only in areas authorized by Chapter 16 or Chapter 16a of this Code. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Secs. 7-105—7-120. **Reserved.**



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### Sec. 7-121. Dog collar or harness.

Every owner of a dog shall place upon the dog such a collar or harness made of durable material to which any required tags, such as rabies tags, and licensing tags for dogs, shall be attached. All dogs shall wear such a collar or harness at all times. Any dog found without the required tag is subject to immediate impoundment. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-122. Dog kennels prohibited.

Kennels are prohibited except in areas authorized by Chapter 16 or Chapter 16a of this Code. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-123. Dogs; mandatory confinement.

Any female dog in heat shall be securely confined in the owner's home or in a secure enclosure in such a manner that contact with other animals is prevented. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-124. Dogs; running at large prohibited.

It shall be unlawful for any owner, possessor or person who keeps a dog to permit the same to run at large within the Town. A dog shall be deemed to be running at large when it is off or away from the premise of the owner, possessor or keeper thereof or on any property accessible by the public and is not under the direct control of such owner, possessor or keeper by a leash no longer than ten (10) feet in length, or within a vehicle or other confinement. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-125. Dog license required.

It shall be unlawful for any owner to keep, harbor or maintain any dog six (6) months old or greater within the Town without obtaining a license therefor. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-126. Dogs; exemptions from license.

Licenses shall not be required if the owner resides less than fifteen (15) consecutive days in the Town and does not own real property in the Town, provided that a valid certificate of vaccination properly issued by the authorities in the regular place of residence of the owner, and a valid proof of licensing, exist for the dog. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-127. Dog vaccination required.

No dog shall be licensed without a valid certificate of vaccination. Every owner of a dog six (6) months of age and older shall have the dog vaccinated and obtain a certificate of vaccination. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-128. Dog license term.

The license shall be obtained by the owner once each year. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-129. Dog license fees.

Every person desiring to keep a dog within the Town shall make a license application therefor and pay the following fee:

Male dog	\$10.00
Female dog	10.00
Neutered dog	3.00
Replacement license	1.00

The above fees shall be waived for Seeing Eye dogs and/or Hearing dogs which are necessary and trained to assist the disabled, if certification or proof acceptable to the Animal Control Officer is provided. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-130. Dogs; change of location.

A change of location where the animal is harbored shall be registered with the Animal Control Officer within ten (10) days after such change. (Ord. 3-1992 §2; Ord. 4-1999 §1)

### Sec. 7-131. Dog license tag.

(a) The Animal Control Officer shall keep a record of the date of issuance and tag number of each license tag; the name, address and phone number of the owner; a name and description of the animal licensed and the date of its certificate of vaccination.

(b) No person shall transfer any license tag to any dog for which the tag has not been issued or remove the tag from any dog to which it is issued, except for emergencies, cleaning, health and safety reasons or renewal. (Ord. 3-1992 §2; Ord. 4-1999 §1)



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**Sec. 7-132. Dogs; proof of license and vaccination.**

The owner of a dog shall produce a copy of the valid license and valid certificate of vaccination upon demand to the police or the Animal Control Officer. Failure to produce the license or certificate of vaccination shall be presumed that the dog is unlicensed and unvaccinated. (Ord. 3-1992 §2; Ord. 4-1999 §1)

**Sec. 7-133. Interference with Animal Control Officer.**

No person shall interfere with, molest, hinder or impede the Animal Control Officer in the discharge of his or her duties as herein prescribed, or to violate any of the provisions of this Article. (Ord. 3-1992 §2; Ord. 4-1999 §1)

**Sec. 7-134. Enforcement.**

(a) The police or the Animal Control Officer shall have the power to issue summonses and complaints for violations of this Article, as well as to issue warning notices to persons in violation of the provisions of this Article.

(b) The police or Animal Control Officer shall have the right to enter any premises in the Town at reasonable hours to enforce the provisions of this Article. (Ord. 3-1992 §2; Ord. 4-1999 §1)

**Sec. 7-135. Penalty assessment.**

The following penalty assessments are declared to be mandatory and minimum:

<b>Animal litter prohibited</b>	(Sec. 7-82)
First offense within 1 year	\$50.00
Second offense within 1 year	Summons
<b>Unattended animals</b>	(Sec. 7-88)
First offense within 1 year	25.00
Second offense within 1 year	Summons
<b>Harassment</b>	(Sec. 7-89)
First offense within 1 year	50.00
Second offense within 1 year	Summons
<b>Animal disturbing peace and quiet</b>	(Sec. 7-98)
First offense within 1 year	50.00
Second offense within 1 year	100.00
Third offense within 1 year	Summons
<b>Proof Vaccination required cat</b>	(Sec. 7-100) 25.00
<b>Frightening Horses</b>	(Sec. 7-103) 50.00
<b>Dog Collar or Harness Required</b>	(Sec 7-121) 25.00
<b>Dogs running at large prohibited</b>	(Sec. 7-124)
First offense within 1 year	
altered	35.00
unaltered	50.00
Second offense within 1 year	
altered	50.00
unaltered	75.00
Third offense within 1 year	Summons
<b>Dog license required</b>	(Sec. 7-125) 35.00
<b>Dog vaccination required</b>	(Sec. 7-127) 35.00

(Ord. 3-1992 §2; Ord. 4-1999 §1)

**Secs. 7-136—7-150. Reserved.**