

ORDINANCE NO. 126

AN ORDINANCE REPEALING CERTAIN PRIOR ORDINANCES RELATIVE TO ANIMAL AND DOG CONTROL AND ENACTING AN ANIMAL CONTROL CODE FOR THE TOWN OF MEAD.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, WELD COUNTY, COLORADO:

Section 1. All previous Ordinances and Resolutions or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 2. The Code of the Town of Mead shall be amended by the addition of Chapter 15, entitled ANIMAL CONTROL and shall read as follows:

Chapter 15

ANIMAL CONTROL

- PART I General Provisions
- PART II Definitions
- PART III Regulations

PART I

GENERAL PROVISIONS

15-1-1. Short Title. This Chapter shall be known and cited as the Mead Animal Control Code.

15-1-2. Scope. The provisions of this Chapter are intended to provide for the health, safety and welfare of the residents and visitors to the Town of Mead by providing for animal control. The matters herein are declared to be of local concern.

15-1-3. Penalties and Offenses. Penalties and offenses shall be as defined in 16-1-3, 16-1-4, and 16-1-5 of this Code.

PART II

DEFINITIONS

15-2-1. Dog. The word "dog" as used in this Code shall be construed to mean any dog, whelp, pup, bitch or hound of either sex and of any age.

15-2-2. Cat. The term "cat" shall mean any member of the felidae including the domestic cat, lion, tiger, leopard, jaguar, wildcat, lynx, cheetah, and any other member of the feline family of either sex and of any age.

15-2-3. Animal. The term "animal" shall include but not be limited to any cattle, hogs, horses, mules, sheep, goats, llamas, or other hard hoofed animal and shall include rabbits, mice, rats, gerbals, skunks, racoons, bears and other similar animals.

15-2-4. Fowl. The term "fowl" shall include but not be limited to chickens, ducks, turkeys, geese, guineas, pigeons, birds and other like fowl.

15-2-5. Reptiles. The term "reptile" shall include but not be limited to snakes and lizards and other similar reptiles.

15-2-6. Person. The term "person" shall mean any person, firm, corporation, partnership, association, or other legal entity.

15-2-7. Owner. The term "owner" shall mean every person in possession or control of any animal, dog, cat, fowl or reptile or every person who allows such animal, dog, cat fowl or reptile to remain in or about his or her premises.

PART III

REGULATIONS

15-3-1. Keeping of Reptiles, Fowl, and Animals. It shall be unlawful for any person to own, harbor, have custody or keep any animal, fowl, reptile or non-domestic cat on his or her premises, whether such premises is owned, rented or otherwise occupied, within the corporate limits of the Town of Mead unless such premises is licensed by the Town as an animal hospital, veterinary clinic or hospital, or kennel.

15-3-2. License for Dogs and Domestic Cats. No person shall own, keep, harbor or have custody of any dog or domestic cat in the Town of Mead without first obtaining a license therefore from the Town.

15-3-3. License Fee. There shall be imposed a \$5.00 fee for each dog or cat license application.

15-3-4. License Term. Each dog or domestic cat license obtained shall be valid for one (1) calendar year after issuance unless sooner revoked.

15-3-5. Rabies Vaccination Required. The owner of each dog or domestic cat within the Town of Mead shall have such dog or domestic cat inoculated against rabies by a Veterinarian licensed to practice veterinary medicine in the State of Colorado.

15-3-6. Prerequisite for License. Upon application for a dog or domestic cat license, the applicant shall exhibit to the Town Clerk a certificate of inoculation from a Colorado licensed

Veterinarian that the dog or domestic cat has been inoculated against rabies and that the inoculation is currently effective. Any lapse of the effective inoculation shall be unlawful and shall constitute a revocation of any license issued hereunder.

15-3-7. Tag Required. Upon approval of the license application and payment of the required fee, the Town Clerk shall issue a numbered tag which shall be worn by the dog or domestic cat for which the tag is issued in a plain and conspicuous manner.

15-3-8. Custody and Leash Requirements. It shall be unlawful for any owner of any dog or domestic cat to permit such dog or domestic cat to run at large when off or away from the premises of the owner thereof and not under the control of a competent person restrained by a substantial chain or leash not exceeding six (6) feet in length.

15-3-9. Vicious Dogs. No person shall own, keep, possess, or harbor a vicious dog or cat within the Town. For the purpose of this Ordinance, a vicious dog or cat is hereby defined and declared to be a dog or cat that unprovokedly bites or attacks human beings or other animals either on public or private property or in a vicious or terrorizing manner approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public or private ground or place. In the event a vicious dog or cat cannot be taken up and caught by an authorized person without such authorized person exposing himself to danger or personal injury from such dog or cat, it shall be lawful for the authorized person to forthwith destroy such dog or cat without notice to the owner thereof, whether such dog or cat is licensed or otherwise.

15-3-10. Impoundment of Dogs and Domestic Cats. It shall be lawful for an authorized person to impound any dog or cat which is not wearing an appropriate tag as herein provided and any dog or cat which he reasonably feels to be in violation of any of the provisions of this Ordinance, whether such dog or cat is wearing a tag or not. It shall be lawful for an authorized person to go upon private property for the purpose of catching any dog or cat.

15-3-11. Notice to Owner of Impoundment. As soon as practicable after the date of impoundment, the authorized person shall send by regular mail, a written notice of such impounding to the owner of such dog if the address of such person be known; if the owner, custodian, or keeper of such dog or cat is not known or if such address cannot be determined, the authorized person shall cause to be posted in a conspicuous place in the Town for seventy-two (72) consecutive hours, a notice of impoundment. Whether the notice herein provided be mailed or posted, it shall describe the dog or cat, state the date of impoundment, and set forth the location from which the dog or cat was taken.

15-3-12. Redemption of Dogs or Cats. Any owner of a dog or cat desiring to redeem such dog from the Town of Mead pound shall pay to the Town the following redemption fee:

a.) For the first twenty-four (24) hour period or any portion thereof: \$20.00.

b.) For each twenty-four (24) hour period or portion thereof after the initial twenty-four (24) hour period: \$5.00

In addition, if such dog or cat is unlicensed, the owner must license said dog or cat pursuant to this Chapter prior to its release. If such dog or cat is licensed but the license tag has been lost, said license tag must be replaced prior to the release of the dog or cat.

15-3-13. Disposition of Dogs or Cats. If an impounded dog or cat has not been claimed within seventy-two (72) hours from the date of mailing or posting notice of said impoundment, the dog or cat may be disposed of in any humane manner prescribed by persons so authorized to do so by the Town.

15-3-14. Dog or Cat Fights. It shall be unlawful for any person to cause, instigate, or encourage any dog or cat fight within the Town.

15-3-15. Establishment and Operation of Pound. The Mayor shall have the right to establish a pound for the Town to be operated by Town personnel, or at his election, he may, subject to approval of the Board of Trustees, contract with a public or private person or organization for the operation of a pound for and on behalf of the Town.

15-3-16. Confinement of Biting Dogs or Cats. The owner, of any dog or cat which has bitten or which is suspected to have bitten any person or which is suspected of having rabies shall immediately notify the dog catcher or any police or sheriff's officer of such fact.

Any dog or cat which has bitten or which is suspected to have bitten any person or which is believed to have rabies or to have been exposed to rabies may be confined, upon order of the dog catcher or any police or sheriff's officer, for a period of fifteen (15) days for observation. Such dog or cat shall either be confined at the residence of the owner thereof, if such confinement can be accomplished without exposing such dog or cat to the public, or, at the option of the dog catcher or any police or sheriff's officer such dog shall be confined at the Town pound, at a private veterinarian hospital, or other proper and suitable facility designated by the Board of Trustees, at the expense of the owner of the dog or cat. It shall be unlawful for any owner of such dog or cat to permit such dog or cat during confinement to come into contact with the public.

15-3-17. Nuisance. It shall be unlawful for any owner to fail to exercise proper care and control of his dog or cat to prevent them from becoming a public nuisance. Excessive, loud and persistent or habitual noise, molesting passers-by, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds, or trespassing upon private property in such a manner as to damage property, shall be deemed a nuisance.

It shall be unlawful for any owner to fail to provide sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinarian care when needed to prevent suffering, and with humane care and treatment. It shall be unlawful for any owner, to beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse any dog or cat.

15-3-18. Notice of Knowledge of Violation of Ordinance Not Necessary for Prosecution of Owner. For the purpose of prosecution for violations of this Chapter, it shall not be necessary in order to obtain a conviction to prove notice or knowledge on the part of the owner of the dog or cat in question that such dog or cat was violating any of the provisions of this Chapter at the time and place charged, it being the purpose and intent of this Chapter to impose strict liability upon the owner of any dog or cat for the actions, conduct, and conditions of such dog or cat.

15-3-19. Tag to be Worn by Licensed Dogs or Cats Only. No person shall affix to any dog or cat or permit to remain so affixed a tag evidencing licensing and rabies inoculation except the tag issued to that dog or cat at the time of issuance of the license.

15-3-20. Records to be Kept of Issuance; Duplicates; Transfers. The Town Clerk shall keep a record of the date of issuance of each tag provided for in this Chapter and the person to whom such tag is issued and the number thereof. If the tag herein provided for is lost or destroyed, a duplicate tag may be obtained from the Town Clerk upon the payment of a fee of \$2.50. In the event that the ownership or possession of a dog or cat is changed, a new tag must be obtained and such new tag shall be issued by the Town Clerk upon proof being presented that the inoculation and licensing requirements of this section have been complied with and upon the payment of the fee of \$2.50.

15-3-21. Sanitary Regulations. The premises upon which dogs or cats are kept shall be maintained in sanitary condition and shall comply with all sanitary regulations adopted by the Town of Mead. Said premises shall at all reasonable hours be subject to inspection by representatives of the Town of Mead. It shall be unlawful for any person to refuse to permit such inspection.

15-3-22. Maximum Number of Dogs and Cats. Not more than two (2) dogs or two (2) cats or combination of one (1) dog

and one (1) cat shall be allowed per living unit.

15-3-23. Violations. Violations of the provisions of this Chapter shall be petty offenses with the exception of a violation of 15-3-9 which shall be deemed a misdemeanor.

Section 3. All Ordinances, Resolutions, and Motions of the Board of Trustees of the Town of Mead or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict hereby superseded and repealed.

Section 4. The Sections of this Ordinance are hereby declared to be severable, and if any section, provision, or part thereof shall be held unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance would have been adopted even if such unconstitutional or invalid matter had not been included therein. It is further declared that if any provision or part of this Ordinance, or the application thereof to any person or circumstances, is held invalid, the remainder of this Ordinance and the application thereof to other persons shall not be effected thereby.

In the opinion of the Board of Trustees of the Town of Mead, Weld County, Colorado, this Ordinance is necessary for the immediate protection and preservation of public health, safety, convenience, and general welfare, and it is enacted for that purpose and shall be in full force and effect after passage and final publication.

Approved, adopted and ordered published by the Board of Trustees of the Town of Mead on this 12 day of November, 1983.

MAYOR:

Harvey G. Potts

ATTEST:

Diane Hodge
Town Clerk

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