

ORDINANCE NO. 153

AN ORDINANCE REPEALING IN ITS ENTIRETY, CHAPTER 7, OF THE MEAD MUNICIPAL CODE AND ADOPTING IN ITS PLACE A NEW CHAPTER 7 ENTITLED THE MEAD ANIMAL CONTROL CODE, AND PROVIDING A PENALTY FOR VIOLATIONS OF THE PROVISIONS THEREOF.

WHEREAS, it has become apparent to the Board of Trustees of the Town of Mead that the existing animal control regulations are in need of revision to better reflect the desires of the residents of the Town of Mead; and

WHEREAS, the revisions are so extensive that the repeal of the existing animal control code and the adoption of a new code is the appropriate method of accomplishing the changes necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, COLORADO:

Section 1. The existing Chapter 7, of the Mead Municipal Code is hereby repealed in its entirety and the following new Chapter 7 is adopted in its place, said new Chapter 7 to read as follows:

CHAPTER 7 ANIMAL CONTROL

SECTION 1. GENERAL PROVISIONS

- 7-1-1. Short Title
- 7-1-2. Scope.

7-1-1. Short Title. This Chapter shall be known and cited as the "Mead Animal Control Code."

7-1-2. 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.

SECTION 2. DEFINITIONS

7-2-1. Animal	7-2-10. Household Pets
7-2-2. Animal Unit	7-2-11. Keep
7-2-3. Cat	7-2-12. Owner
7-2-4. Corral	7-2-13. Person
7-2-5. Dog	7-2-14. Reptiles
7-2-6. Domestic Hoofed Livestock	7-2-15. Running at Large
7-2-7. Fowl	7-2-16. Small Livestock
7-2-8. Habitually Noisy Animal	7-2-17. Stable
7-2-9. Harboring	7-2-18. Vicious Animal

7-2-1. 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 dogs, cats, members of the weasel family, skunks, raccoons, bears and other similar animals.

7-2-2. Animal Unit. One animal unit equals one of any of the following domestic hoofed livestock: horse, cow, mule, llama. One animal unit equals three of any of the following domestic hoofed livestock: sheep or goats.

7-2-3. Cat. The term "cat" shall mean any member of the family Felidae including the domestic cat, lion, tiger, leopard, jaguar, wildcat, lynx, cheetah, and any other member of the feline family or either sex and of any age.

7-2-4. Corral. The term "corral" shall mean an enclosure or pen where animals are kept.

7-2-5. Dog. The word "dog" as used in this Code shall be construed to mean any member of the family Canidea, including any dog, whelp, pup, bitch or hound of either sex and of any age.

7-2-6. Domestic Hoofed Livestock. The term "domestic hoofed livestock" shall include but not be limited to horses, mules, sheep, goats, llamas, or other hard hoofed animals, but shall exclude swine.

7-2-7. Fowl. The term "fowl" shall include but not be limited to chickens, ducks, turkeys, geese, guineas, pigeons, birds and other like fowl.

7-2-8. Habitually Noisy Animal. The term "habitually noisy animal" shall mean any animal, domestic hoofed livestock, small livestock, fowl, or household pet, which by any sound or cry or other offensive noise or other activity shall disturb the peace, comfort or enjoyment of their property by the inhabitants of the neighborhood for a period in excess of fifteen (15) minutes.

7-2-9. Harboring. The occupant of any premises on which an animal, domestic hoofed livestock, small livestock, fowl, or household pet is kept or

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to which it customarily returns daily for food and care, is presumed to be "harboring" or keeping the animal, domestic hoofed livestock, small livestock, fowl, or household pet within the meaning of this Chapter.

7-2-10. Household Pets. The term "household pet" shall mean those small animals customarily permitted to be kept in dwellings for company and pleasure, including but not limited to dogs, cats, and common house birds.

7-2-11. Keep. The term "keep" shall mean to harbor, confine or be in possession of.

7-2-12. Owner. The term "owner" shall mean every person who owns, keeps, harbors or is in possession or control of any domestic hoofed livestock, small livestock, fowl, reptile, or household pet or every person who allows such domestic hoofed livestock, small livestock, fowl, reptile, or household pet to remain in or about his or her premises.

7-2-13. Person. The term "person" shall mean any person, firm, corporation, partnership, association or other legal entity.

7-2-14. Reptiles. The term "reptile" shall include but not be limited to snakes and lizards and other similar reptiles.

7-2-15. Running at Large. The term "running at large" shall mean the animal, domestic hoofed livestock, small livestock, fowl, reptile, or household pet is not under the owner's direct physical control.

7-2-16. Small Livestock. The term "small livestock" shall include but not be limited to rabbits, chinchillas and similar animals.

7-2-17. Stable. The term "stable" shall mean any building, structure or shed, whether or not entirely or partially enclosed by walls in which animals are kept.

7-2-18. Vicious Animal. The term "vicious animal" shall mean any household pet or other animal 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.

SECTION 3. GENERAL REGULATIONS

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|--------|---|---------|--|
| 7-3-1. | Keeping of Animals, Domestic Hoofed Livestock, Small Livestock, Fowl, Reptiles, or Non-domestic Cats                      | 7-3-7.  | Fences   |
| 7-3-2. | Special Use Permits for Keeping Animals, Domestic Hoofed Livestock, Small Livestock, Fowl, Reptiles, or Non-domestic Cats | 7-3-8.  | Minimum Area of Corrals                        |
| 7-3-3. | Lot Area Requirements For The Keeping of Domestic Hoofed Livestock, Fowl or Small Livestock; Number of Animals Permitted  | 7-3-9.  | Fowl and Small Livestock Enclosures - Distance |
| 7-3-4. | Lot Area Requirements For The Keeping of Small Livestock; Number of Animals Permitted                                     | 7-3-10. | Household Pets Housing; Enclosures - Distance  |
| 7-3-5. | Animals and Fowl Not To Be Raised for Commercial Purposes   | 7-3-11. | Sanitation                                     |
| 7-3-6. | Lot Area Requirements For The Keeping of Household Pets; Number of Household Pets Permitted                               | 7-3-12. | Corral Drainage                                |
|        |   | 7-3-13. | Abatement of Unclean Conditions                |
|        |   | 7-3-14. | Notice to Abate                                |
|        |   | 7-3-15. | Failure to Abate                               |
|        |   | 7-3-16. | Assistance to Abate Authorized                 |
|        |   | 7-3-17. | Recovery of Expenses                           |
|        |   | 7-3-18. | Authority to Enter on Property                 |
|        |   | 7-3-19. | Cruelty to Animals                             |
|        |   | 7-3-20. | Habitually Noisy Animals Prohibited            |
|        |   | 7-3-21. | Vicious Animal                                 |
|        |   | 7-3-22. | Injured Animals                                |
|        |   | 7-3-23. | Impoundment of Animals Found Running at Large  |

7-3-1. Keeping of Animals, Domestic Hoofed Livestock, Small Livestock, Fowl, Reptiles, or Non-domestic Cats. It shall be unlawful for any person to own, harbor, have custody or keep any animal, domestic hoofed livestock, small livestock, fowl, household pet, 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 except as provided by this Chapter, or unless such premises has been granted a special use permit as provided by Section 7-3-2.

7-3-2. Special Use Permits for Keeping Animals, Domestic Hoofed Livestock, Small Livestock, Fowl, Reptiles, or Non-domestic Cats. The Board of Trustees may issue a special use permit for the keeping of animals, domestic hoofed livestock, small livestock, fowl, reptile, or non-domestic cats. Such special use permits shall be issued only after a public hearing called for that purpose and after placing appropriate conditions upon the permit, including the term of the permit. Criteria to be considered in the issuance of the permit shall include but not be limited to noise, smell, proximity to adjacent property, the number of animals, the size of animal(s), the facilities of the applicant, and sanitation facilities and requirements.

Adjacent property owners shall be given written notice by first class mail, not less than seven (7) days prior to the date of the hearing. The Special use permit may not be transferred to another owner or to another property. The application fee for the special use permit shall be \$10.00, and is non-refundable.

7-3-3. Lot Area Requirements For The Keeping of Domestic Hoofed Livestock; Number of Animals Permitted. The minimum lot size for the keeping of domestic hoofed livestock shall be 3/4 acres. No owner shall keep more than one animal unit of domestic hoofed livestock for each one third acre of area of the premises. Young animals under four months of age or until weaned, may be kept without counting toward the allowable number of animals.

7-3-4. Lot Area Requirements For The Keeping of Small Livestock; Number of Animals Permitted. No owner shall keep more than 10 small livestock on the premises regardless of the size of the premises. Young animals under six (6) months of age may be kept without counting toward the allowable number of animals.

7-3-5. Lot Area Requirements For The Keeping of Household Pets; Number of Household Pets Permitted. Household pets may be kept by a owner regardless of the size of the premises, provided that the number is limited and they are housed, penned and controlled in the manner prescribed by this Chapter. Young animals under six (6) months of age may be kept without counting toward the allowable number of animals.

7-3-6. Animals Not To Be Raised for Commercial Purposes. No domestic hoofed livestock, small livestock, or household pets are to be raised for commercial purposes. The offering for sale of one (1) litter, brood or offspring of an animal domiciled on the premises, under four months of age or until weaned for domestic hoofed livestock and under six (6) months of age for small livestock and household pets, each year shall be permitted. Kennels, boarding facilities and commercial activities are not allowed except as licensed by the Town, and unless such premises has been granted a special use permit as provided by Section 7-3-2.

7-3-7. Fences. Fences shall be constructed in accordance with all municipal ordinances. Barbed wire and electrical fences are not permitted.

7-3-8. Minimum Area of Corrals. Although the entire lot may be fenced, a corral must be provided where domestic hoofed livestock will normally be penned and given supplementary feed. The corral shall be adequate in size for the number of animals involved and shall not exceed twenty-five percent (25%) of the gross lot acreage or one-quarter (1/4) acre which ever is least.

7-3-9. Small Livestock Enclosures - Distance. Small livestock must have proper shelter available to the animal (ie., rabbit hutches, or within an enclosed building) and shall not be located closer to the adjacent property than the setback requirements of the land use Code. If a containment area for small livestock is provided, it shall be fenced in such a manner as to prevent the escape of the animal and prevent the entrance of other animals or unauthorized persons into the containment area.

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7-3-10. Household Pets Housing; Enclosures - Distance. Household pets must have proper shelter available (i.e., within a residence or an enclosed building or other appropriate shelter) which shall not be located closer to the adjacent property than the setback requirements of the land use Code. If an outdoor containment area is provided, it shall be fenced in such a manner as to prevent the escape of the animal and prevent the entrance of other animals or unauthorized persons into the containment area.

7-3-11. Sanitation. The bases and floors of lots, pens, cages, stables, corrals shall be cleaned weekly by removal of manure and other material soiled by animal wastes. Every place, property or premise in the Town where any domestic hooped livestock, small livestock, fowl, or household pet is kept shall be clean, sanitary and free of obnoxious odors and shall be maintained in such a manner as will effectively prevent reproduction of flies in or about such places or premises. Other than a light spread of manure which may be applied on lawns, gardens or pastures for fertilizing purposes, manure shall not be kept on any property for any purpose, or kept in any place for later use, but shall be either plowed under or removed by the owner.

7-3-12. Corral Drainage. Drainage facilities or improvements in corral areas must be approved by the Town before construction.

7-3-13. Abatement of Unclean Conditions. If any of the premises are not kept in a clean and sanitary condition or become dangerous or detrimental to human health, the Code Enforcement Officer or the Mayor shall have the power to declare such premises a nuisance and the same shall be abated as such.

7-3-14. Notice to Abate. Any situation or condition declared to be a nuisance shall be abated upon written notice being given to the owner of the property or premises. Written notice to abate the nuisance shall be given and served by any person designated by the Mayor or by certified mail to the last known address of the property owner.

7-3-15. Failure to Abate. Failure to abate a nuisance upon written notice being given shall be a misdemeanor and punishable as provided herein.

7-3-16. Assistance to Abate Authorized. Any person who shall be duly authorized to abate a nuisance shall have authority to engage the necessary assistance, and incur the necessary expense thereof.

7-3-17. Recovery of Expenses. The expense incurred by the Town in abating any nuisance may be recovered from the property owner through appropriate legal action.

7-3-18. Authority to Enter on Property. The Code Enforcement Officer or the Mayor may enter upon or into any lot, house, or other building or premises, with proper respect for the occupant's constitutional rights, to examine the same and to ascertain whether any such nuisance exists, and shall be free from any action of liability on account thereof.

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7-3-19. Cruelty to Animals. No owner or other person shall fail to provide his animal, domestic hoofed livestock, small livestock, fowl, or household pet with adequate food and water, proper shelter and protection from the weather, veterinary care when necessary, and humane care and treatment. No person shall beat, cruelly ill treat, torment, needlessly mutilate, needlessly kill, carry in or upon any vehicle in a cruel manner or otherwise abuse any animal, domestic hoofed livestock, small livestock, fowl, or household pet. No owner shall abandon the animal, domestic hoofed livestock, small livestock, fowl, or household pet. It is unlawful for any person to poison any animal, domestic hoofed livestock, small livestock, fowl, or household pet or to distribute poison in any manner whatsoever with the intent of poisoning any animal, domestic hoofed livestock, small livestock, fowl, or household pet. Commission of any of the acts designated in this subsection shall be deemed cruelty to animals and is a misdemeanor.

7-3-20. Habitually Noisy Animals Prohibited. It shall be unlawful for any owner to harbor animal, domestic hoofed livestock, small livestock, fowl, or household pet, which by any sound or cry or other activity shall disturb the peace, comfort or property of the inhabitants of the neighborhood for a period in excess of fifteen (15) minutes. The owning, keeping, harboring or possessing of a habitually noisy animal is hereby declared a nuisance.

7-3-21. Vicious Animal. No person shall own, keep, possess or harbor a vicious animal within the Town. It shall be the duty of Code Enforcement Officer to take up and impound any animal which is vicious. In the event a vicious animal cannot be taken up and caught by an authorized person without such authorized person exposing himself to danger or personal injury from such animal, it shall be lawful for the authorized person to forthwith destroy such animal without notice to the owner thereof, whether such animal is licensed or otherwise.

7-3-22. Injured Animals. Animals injured on public property may be impounded and given adequate veterinary medical treatment pending notification of the owner. If the injured animal is treated and/or impounded, the owner of such animal shall be liable for all expenses of the treatment and/or the impoundment.

7-3-23. Impoundment of Animals Found Running at Large. It shall be the duty of the Code Enforcement Officer to take up any animal found running at large as defined in this Code, to impound the animal and proceed as provided by the law or by Town ordinances with the disposition of the animal.

SECTION 4 REGULATIONS FOR DOGS AND CATS

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| 7-4-1. License for Dogs and Domestic Cats    | 7-4-13. Notice to Owner of Impoundment                                |
| 7-4-2. License Fee                           | 7-4-14. Redemption of Dogs or Cats, Impoundment Charges               |
| 7-4-3. License Term                          | 7-4-15. Sale or Other Disposal of Impounded Dogs and Cats             |
| 7-4-4. Rabies Vaccination Required           | 7-4-16. Liability for Accident or Subsequent Disease from Impoundment |
| 7-4-5. Prerequisite for License Tag Required | 7-4-17. Establishment and Operation of Pound                          |
| 7-4-6. Duplicate Tags                        | 7-4-18. Confinement of Biting Dogs or Cats                            |
| 7-4-7. False and Stolen License Documents    | 7-4-19. Nuisance  |
| 7-4-8. License not Transferrable             | 7-4-20. Dog or Cat Fights   |
| 7-4-9. Number of Dogs and Cats               |   |
| 7-4-10. Custody and Leash Requirements       |   |
| 7-4-11. Dogs and Cats May Be Impounded       |   |

7-4-1. License for Dogs and Domestic Cats. No person shall own, harbor, have custody or keep any dog or domestic cat six (6) months of age or older in the Town of Mead without first obtaining a license therefore from the Town.

7-4-2. License Fee. There shall be imposed a \$3.00 license fee for each neutered or spayed dog or cat and \$8.00 license fee for each unneutered or unspayed dog or cat.

7-4-3. License Term. Each dog or cat license obtained shall be valid between January 1 and December 31 of the year purchased unless sooner revoked.

7-4-4. Rabies Vaccination Required. The owner of each dog or cat within the Town of Mead shall have such dog or cat inoculated against rabies by a Veterinarian licensed to practice veterinary medicine in the State of Colorado.

7-4-5. Prerequisite for License. Upon application for a dog or cat license, the applicant shall exhibit to the Town Clerk a certificate of inoculation from a Colorado licensed Veterinarian that the dog or 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 hereunder.

7-4-6. 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 at all times by the dog or cat for which the tag is issued.

7-4-7. Duplicate Tags. In the event of loss or destruction of the original license tag, the owner shall obtain a duplicate tag from the Town Clerk at a cost of fifty cents (\$0.50) for each tag.

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7-4-8. False and Stolen License Documents. It shall be unlawful for any person to make use of a stolen, counterfeit or forged license receipt, license tag, rabies vaccination certificate, rabies vaccination tag, or other form.

7-4-9. License not Transferrable. Licenses are not transferrable and it shall be unlawful for any person to use any license or rabies tag for any dog or cat other than the dog or cat for which such tag was originally issued.

7-4-10. Number of Dogs and Cats. No owner shall keep more than than two dogs and two cats more than six (6) months of age. Young animals under six (6) months of age or until weaned, may be kept without counting toward the allowable number of animals. This section shall not apply to:

- a. A veterinary hospital operated by a licensed veterinarian which retains animals for veterinary medical care.
- b. A licensed pet shop.

7-4-11. Custody and Leash Requirements. It shall be unlawful for any owner of any dog or cat to permit such dog or cat to run at large except on the premises of the owner. When off or away from the premises of the owner the dog or cat shall be restrained by a substantial chain or leash not exceeding six (6) feet in length and shall be under the control of a competent person.

7-4-12. Dogs and Cats May Be Impounded. 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 Code, 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.

7-4-13. 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.

7-4-14. Redemption of Dogs or Cats, Impoundment Charges. Any owner of a dog or cat desiring to redeem such dog or cat from the Town of Mead pound shall pay to the Town a redemption fee as established herein. In addition, if such dog or cat is unlicensed, the owner must license the dog or cat pursuant to the provisions of the Mead Animal Control Code prior to the animals released. If such dog or cat is licensed but the license has been lost, the

license tag must be replaced prior to the release of the dog or cat. The charges assessed against each dog or cat impounded shall be:

- a. For the first animal pickup, a twenty (\$20.00) dollars impoundment fee, plus twelve (\$12.00) dollars per day or portion thereof for feeding and maintenance of the animal.
- b. For the second animal pickup, a forty (\$40.00) dollar impoundment fee, plus twelve (\$12.00) dollars per day or portion thereof for feeding and maintenance of the animal.
- c. For the third and each subsequent animal pickup, a one-hundred (\$100.00) dollar impoundment fee, plus twelve (\$12.00) dollars per day or portion thereof for feeding and maintenance of the animal.

7-4-15. Sale or Other Disposal of Impounded Dogs and Cats. Any dog or cat which shall not have been redeemed within three (3) days of the time of such impoundment may at once be put up for adoption in accordance with the normal procedure of the director of the impounding facility. Any owner or keeper of a dog or cat who does not claim or redeem said dog within the five-day impounding period shall forfeit all right, title and interest to said dog or cat. Any dog or cat which has not been redeemed or adopted as herein provided, may be humanely destroyed under the direction of the director of the impounding facility and be removed and buried or cremated, provided that no dog or cat shall be put up for adoption or destroyed until the owner has received notice, if the whereabouts of such owner is known or can be ascertained from a license tag or other identification found on the dog or cat. Receipt of notice by the owner shall be presumed three days after such notice is mailed. Notice may be either written or oral. If notice is given orally the designated agent shall make a written record of the time and date of the notice and the name of the individual giving such notice.

7-4-16. Liability for Accident or Subsequent Disease from Impoundment. The Town, the designated agent, the assistance or employees or any person enforcing the provisions of this Chapter shall not be held responsible for any accident or any subsequent disease in connection with the administration of this ordinance.

7-4-17. 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.

7-4-18. 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 Code Enforcement Officer, Animal Warden 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 Code Enforcement Officer, Animal Warden 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 Code Enforcement Officer, Animal Warden 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.

7-4-19. 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. Violation of this Section shall be a misdemeanor.

7-4-20. Dog or Cat Fights. It shall be unlawful for any person to cause, instigate, or encourage any dog or cat fight within the Town.

- a. No person shall cause, sponsor, arrange, hold, or encourage a fight between dogs for the purpose of monetary gain or entertainment.
- b. For the purpose of this Section, a person encourages a fight between dogs for the purpose of monetary gain or entertainment if he:
  1. Is knowingly present at such a fight;
  2. Owns, trains, transports, possesses, or equips a dog with the intent that such dog will engage in such a fight; or
  3. Knowingly allows any such fight to occur on any property owned or controlled by him.
- c. Nothing in this Section shall prohibit normal hunting practices as approved by the state department of wildlife.
- d. Nothing in this Section shall be construed to prohibit the training of dogs or the use of equipment in the training of dogs for any purpose not prohibited by law.
- e. Violation of this Section is a misdemeanor.

SECTION 5. ENFORCEMENT

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| 7-5-1. Penalties                            | 7-5-4. Interference with Code Enforcement Officer, Animal Warden or Police or Sheriff's Officer Performing Duties |
| 7-5-2. Authority for Destruction            |   |
| 7-5-3. Knowledge of Violation Not Necessary |   |

7-5-1. Penalties. The minimum fine for animals running at large shall be fifteen (\$15.00) dollars for the first offense, twenty-five (\$25.00) dollars for the second offense and fifty (\$50.00) dollars for the third and subsequent offenses. The maximum fine for each offense shall be three-hundred (\$300.00) dollars. The penalty for violation of any other section of this ordinance shall be a minimum of Ten Dollars (\$10.00) and a maximum of three-hundred (\$300.00) dollars. To each penalty there shall also be added court costs.

7-5-2. Authority for Destruction. The municipal judge shall have the authority, upon making the finding that a dog or cat, or other animal, fowl or pet constituted a nuisance or a clear and present danger to the community, to order that such dog or cat or other animal, fowl or pet be destroyed in a humane manner by the designated agent or by the police.

7-5-3. Knowledge of Violation Not Necessary. For the purpose of prosecution for violations of this Chapter, it shall not be necessary to prove notice or knowledge on the part of the owner, custodian, or keeper of the animal in question that such animal was violating any of the provisions of this Chapter at the time and place charged in order to obtain a conviction. It is the purpose and intent of this Chapter to impose strict liability upon the owner, custodian, or keeper of any animal for the actions, conduct, and conditions of such animal.

7-5-4. Interference with Code Enforcement Officer, Animal Warden or Police or Sheriff's Officer Performing Duties. It shall be unlawful for any person to interfere with, molest, hinder, or obstruct the Code Enforcement Officer, Animal Warden or any police or sheriff's officer in the discharge of their official duties under this Section. Violation of this Section is a misdemeanor.

Section 2. Validity. The provisions 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 intent of the Board of Trustees that this ordinance would have been adopted even if such unconstitutional or invalid matter had not been included herein. It is further declared that if any section, provision or part of this ordinance or the application thereof to any person or circumstances, if held invalid, the remainder of this ordinance and the application thereof to other persons or circumstances shall not be affected thereby.

Section 3. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this ordinance is necessary for the preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Mead.

Section 4. Violations. Any person convicted of a violation of this Chapter shall be punished by a fine of not more than three hundred (\$300.00) dollars, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Each day that such violation continues to exist shall be considered a separate offense.

In addition to any of the foregoing remedies, the Town Attorney, acting in behalf of the Town Board, may institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate or remove such violations. The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies.

Section 5. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than three copies of the adopted Code available for inspection by the public during regular business hours.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD AND ORDERED PUBLISHED THIS 10 DAY OF August, 1987, AND ORDERED TO BECOME EFFECTIVE 30 DAYS FROM THE DATE OF ADOPTION.

PUBLISHED IN FULL IN "THE LONGMONT TIMES-CALL" ON THE 26<sup>th</sup> DAY OF August, 1987

Harvey O. Potts  
MAYOR  
TOWN OF MEAD

ATTEST:

Bertina B. Willard  
Town Clerk

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