

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 769**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING SECTION 7-1-20, DEFINITIONS; AMENDING SECTION 7-1-70, FILING COMPLAINT; AMENDING SECTION 7-1-80, ABATEMENT OF NUISANCE; SECTION 7-1-90, RIGHT OF ENTRY IN EMERGENCY; SECTION 7-2-200, DEAD ANIMAL; REMOVAL; SECTION 7-2-220, VACANT DWELLINGS; SECTION 7-4-20, LAWN GRASSES, WEEDS, BRUSH, RUBBISH; RESPONSIBILITY; SECTION 7-4-30, LANDSCAPE BEST MANAGEMENT PRACTICES; SECTION 7-6-20, DEFINITIONS; SECTION 7-6-35, PROHIBITED ANIMALS; SECTION 7-6-40, SPECIAL USE PERMITS FOR KEEPING ANIMALS; SECTION 7-6-45, BACKYARD CHICKEN HANDS; SECTION 7-6-250, PREREQUISITE FOR LICENSE; SECTION 7-6-330, NOTICE TO OWNER OF IMPOUNDMENT; SECTION 7-6-340, REDEMPTION OF DOGS OR CATS; IMPOUNDMENT CHARGES; SECTION 7-6-345, SURRENDER OF DOGS OR CATS FOR ADOPTION; SECTION 7-6-380, CONFINEMENT OF DISEASED DOGS, CATS OR OTHER ANIMALS; AND THE REPEAL OF SECTION 7-2-260, OFFENSIVE OR UNWHOLESOME BUSINESSES.**

**WHEREAS**, it is a commitment of the Board of Trustees to continually review the municipal code and provide appropriate updates to the code; and

**WHEREAS**, in cooperation with Board of Trustees, staff and the town attorney, the following changes to the municipal code have been recommended for adoption and inclusion in the code as part of the annual update to the codification;

**NOW THEREFORE, BE IT ORDAINED** by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

**Section 1.** Sec. 7-1-20. Definitions, of the *Mead Municipal Code* is hereby amended by the repeal of the definition of *Administrative Officer* and its replacement with the following definition:

*“Administrative officer means the Town Manager or his designee.”*

**Section 2.** Sec. 7-1-20. Definitions, of the *Mead Municipal Code* is hereby amended by the repeal of the definition of *Trash* and its replacement with the following definition:

*“Trash means all accumulations of waste, refuse and rejected animal, mineral or vegetable matter, except garbage. The word trash shall include, but not be limited to, any grass clippings, weeds, leaves, shrubbery and tree trimmings, hay, straw, manure, shavings, excelsior, sawdust, packing materials, containers, boxes, glass, cans, bottles, wastepaper, broken china and ashes.”*

**Section 3.** Sec. 7-1-70. Filing complaint, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-1-70. Filing complaint.**

A person may make a complaint of the existence of a public nuisance to the code enforcement what happened is that you officer, a member of the Board of Trustees, or the Town Clerk. Such complaint shall include, whenever possible, the nature of the public nuisance, the location, including the address, the name of the owner, occupant or manager the property, the duration of the nuisance and the name and address of the complaint.”

**Section 4.** Sec. 7-1-80. Abatement of nuisance, of the *Mead Municipal Code* is hereby amended by the repeal of subsections (a), (b) and (c) in their entirety and their reenactment to read as follows:

- “(a) Should any such nuisance, within or upon any public or private premises or as aforesaid, not be abated forthwith after the notice herein provided shall be given, the Town Manager may declare the same to be a nuisance and order the code enforcement officer to abate the same, which order shall be executed without delay, and the code enforcement officer shall have the authority to call for the necessary assistance therefor.
- (b) In all cases where a nuisance shall be found in any building or upon any ground or other premises within the jurisdiction of the Town, twenty-four (24) hours' notice shall be given, in writing, signed by the Town Manager or his designee, to the owner of said premises or the occupant or person in possession, charge or control of such building or other premises where he or she is known and can be found, to remove such nuisance.
- (c) In case of any such nuisance in or upon any street, avenue, alley, sidewalk, highway or public grounds in the Town, the code enforcement officer may abate the same forthwith without such notice being given and shall have the authority to call for the necessary assistance therefor.”

**Section 5.** Sec. 7-1-90. Right of entry in emergency, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-1-90. Right of entry in emergency.**

Whenever the code enforcement officer has reason to believe that a public nuisance exists, and that such public nuisance constitutes an emergency presenting imminent danger of serious injury to persons or property, the code enforcement officer may immediately enter into any building or upon any premises within the jurisdiction of the Town for purposes of inspection or abatement.”

**Section 6.** Sec. 7-2-200. Dead animal; removal, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-2-200. Dead animal; removal.**

When any animal shall die in the Town, it shall be the duty of the owner or keeper thereof to take the body of such animal to a licensed veterinarian for cremation or taken beyond the town limits and disposed of at a rendering plant or at some other suitable facility. When the body of any dead animal shall be found in any street, highway or public grounds in the Town, it shall be the duty of the code enforcement officer to cause such body to be properly disposed of as provided in this subsection.

**Section 7.** Sec. 7-2-220. Vacant dwellings, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-2-220. Vacant buildings.**

- (a) Any dilapidated building of whatever kind which is unused by the owner, or uninhabited because of deterioration or decay, which condition constitutes a fire hazard or subjects adjoining property to danger of damage by storm, soil erosion or rodent infestation, or which becomes a place frequented by trespassers and transients seeking a temporary place of shelter is a public nuisance.
- (b) All broken windows in each vacant building shall be replaced or boarded up by the owner or agent within seventy-two (72) hours after notice is given by the code enforcement officer.”

**Section 8.** Sec. 7-2-260. Offensive or unwholesome businesses, of the *Mead Municipal Code* is hereby repealed in its entirety.

**Section 9.** Sec. 7-4-20. Lawn grasses, weeds, brush, rubbish; responsibility, subsections (d) and (e), of the *Mead Municipal Code* are hereby repealed in their entirety and reenacted to read as follows:

- “(d) The code enforcement officer is authorized and empowered to examine or cause to be examined every premises suspected to contain an unlawful accumulation of lawn grasses, weeds, brush, refuse and/or rubbish, and growing lawn grasses, weeds and brush which exceed the maximum height, and if violations are found, to issue to the owner, occupant or other responsible person, summonses to appear in Municipal Court and answer said charges. Such summonses shall describe the basis of the violation. Compliance with the requirements of this Section prior to court appearance shall be considered in mitigation of the fine imposed, if any.
- (e) In event of failure of any owner of said lot, parcel and tract of real property to cut said lawn grasses, weeds, or remove brush, rubbish or refuse as set forth in this Section, the code enforcement officer shall forthwith cause the same to be cut and/or removed and the entire cost thereof, plus five percent (5%) for inspection and administrative expenses will be assessed against said lot, parcel and tract of real property. The code enforcement officer of the Town, after such removal, shall forthwith file with the Town Clerk a statement showing the amount to be assessed against any such lot, parcel and tract of real property in payment of said cutting, removal and related expense.”

**Section 10.** Sec. 7-4-30. Landscape Best management practices, subsection (c) of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

- “(c) Areas that are propagated with a ground cover not intended as a traditional turf lawn shall be allowed to achieve the natural mature height of the cover type, provided that it is maintained in a healthy state. Allowable ground covers shall include buffalo grass or similar drought-tolerant native-type lawn species. Weed species are not allowed.”

**Section 11.** Sec. 7-6-20. Definitions, of the *Mead Municipal Code* is hereby amended by the addition of the following definition:

“*Impound* means to seize or take possession of an animal by the code enforcement officer on behalf of the Town. Animals impounded are subject to all fees and penalties imposed by the Town, without regard to the length of possession by the Town.”

**Section 12.** Sec. 7-6-35. Prohibited animals, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-6-35. Prohibited animals.**

The keeping of wild animals, non-domestic cats, non-domestic dogs, and dangerous or poisonous reptiles shall be prohibited within the corporate limits of the Town.

**Section 13.** Sec. 7-6-40. Special use permits for keeping animals, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-6-40. Special use permits for keeping animals.**

The Town may issue a special use permit for the keeping of domestic hoofed livestock, small livestock, fowl, reptiles, swine or other animals not otherwise prohibited by Section 7-6-35 above or regulated by this Article. Such special use permits shall be issued administratively by the code enforcement officer after placing appropriate conditions upon the permit, including the term of the permit and the conditions of confinement and care of the animal. Criteria to be considered in the issuance of the permit shall include but not be limited to noise, smell, proximity to adjacent property, the kind and number of animals, the size of animals, the facilities of the applicant, sanitation facilities and requirements, and other neighborhood considerations. The special use permit may not be transferred to another owner or to another property. Property owners within three hundred (300) feet of any lot line of the premises of the applicant shall be given written notice by first-class mail, not less than fifteen (15) days prior to the date of issuance of the permit. The application fee for a special use permit shall be fifty dollars (\$50.00), which is not refundable and includes the Town's cost to mail the notices to adjacent property owners.

A special use permit for keeping of animals may be revoked for failure to comply with the requirements stated in the special use permit. Revocation is administrative following investigation and fact-finding by the code enforcement officer. An appeal of the revocation may be made to the Board of Trustees, which following a public hearing that purpose, may uphold the revocation, or modify the order of the code enforcement officer, or repeal the revocation.”

**Section 14.** Sec. 7-6-45. Backyard chicken hens, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-6-45. Backyard chicken hens.**

The Town may issue a special use permit for the keeping of backyard chicken hens. Such special use permit shall be issued administratively as provided by Sec. 7-6-40 above, without requiring a public hearing and subject to the following criteria:

- (a) No more than four (4) chicken hens are permitted per parcel.
- (b) Roosters are prohibited. No person may own or keep a rooster in any district not zoned agricultural. Upon determining that a chick is actually a rooster, the permit holder shall have seven (7) days to remove the rooster from the property.
- (c) Backyard chicken hens are restricted to the rear yard or backyard of any lot in a residential zoning district or the rear yard or backyard of a residential use in all other zoning districts.
- (d) All chicken hens shall be kept in a coop that shall meet the following requirements:
  - 1. Be predator-proof with a solid top.
  - 2. Provide water at all times.
  - 3. Are limited to a maximum of one hundred twenty (120) square feet (including coop and chicken run) with at least four (4) square feet of space per chicken for the chicken coop and run.
  - 4. Be no taller than seven (7) feet at the highest point of the roof.
  - 5. Not be located between the rear of the dwelling and the front yard lot line.
  - 6. Meet the setback requirement for the zoning district in which the property is located.
  - 7. All coops shall be regularly cleaned, not less than monthly to control dust, odor and waste, and shall not constitute a nuisance, safety hazard or health problem to surrounding properties. All waste shall be removed from the premises.
  - 8. No slaughtering allowed.
  - 9. Chicken feed must be stored in a re-sealable, airtight, metal, rat proof container to discourage attracting mice, rats and other vermin.
  - 10. The minimum lot size required for a permit to be issued shall be seven thousand (7,000) square feet.
- (e) The cost of the special use permit is twenty-five dollars (\$25.00), which is non-refundable.
- (f) No more than thirty (30) permits shall be issued by the Town.
- (g) A permit may be revoked administratively for a violation of this section.
- (h) After the effective date of the ordinance codified herein, the Town staff shall review the merits and impacts of this Section and submit a written report regarding the same to the

Board of Trustees three (3) months prior to the conclusion of a trial period ending December 31, 2012.”

**Section 15.** Sec. 7-6-250. Prerequisite for license, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-6-250. Prerequisite for license.**

- (a) Upon application for a dog or cat license, the applicant shall exhibit to the Town Clerk a certificate of inoculation from a state 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.
- (b) Microchipping of animals being licensed is encouraged, although not required. If the animal is microchipped, the applicant shall provide the information regarding the location of the microchip, the unique identification code contained on the microchip, and the microchip registration information.”

**Section 16.** Sec. 7-6-330. Notice to owner of impoundment, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-6-330. Notice to owner of impoundment.**

As soon as practicable after the date of impoundment, the Code Enforcement Officer or other employee, agent or official of the Town shall send by regular mail a written notice of such impounding to the owner of such dog or cat if the address of such person is known. If the owner, custodian or keeper of such dog or cat is not known, or if such address cannot be determined, the Code Enforcement Officer shall cause a notice of impoundment to be posted for seventy-two (72) consecutive hours. The notice shall be posted in the manner specified for the posting of ordinances in Sec. 1-3-60. Whether the notice herein provided is 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. The posting shall also be placed on the Town’s Website.”

**Section 17.** Sec. 7-6-340. Redemption of dogs or cats; impoundment charges, of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

**“Sec. 7-6-340. - Redemption of dogs or cats; impoundment charges.**

Any owner of a dog or cat desiring to redeem such dog or cat from impoundment 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 this Article prior to the animal's release. 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, an impoundment fee of fifty dollars (\$50.00), plus thirty dollars (\$30.00) per day or portion thereof for feeding and maintenance of the animal.

(b) For the second animal pickup, an impoundment fee of one hundred dollars (\$100.00), plus thirty dollars (\$30.00) per day or portion thereof for feeding and maintenance of the animal.

(c) For the third and each subsequent animal pickup, an impoundment fee of one hundred fifty dollars (\$150.00), plus thirty dollars (\$30.00) per day or portion thereof for feeding and maintenance of the animal.

**Section 18.** Sec. 7-6-345. Surrender of dogs or cats for adoption, the *Mead Municipal Code* is hereby amended by the addition of a new Section 7-6-345, to read as follows:

**“Sec. 7-6-345. Surrender of dogs or cats for adoption.**

The owner of any dog or cat wishing to surrender their animal for adoption to the Town’s contracted impoundment service provider, shall pay the service provider’s “surrender fee” and pay the Town a \$50 surrender fee for each private animal surrender.”

**Section 19.** Sec. 7-6-380. Confinement of disease dogs, cats or other animals., the *Mead Municipal Code* is hereby amended by the addition of a new subsection (d), to read as follows:

“(d) Any dog, cat or animal which has bitten, or is suspected to have bitten any person, or which is suspected of having rabies, or being otherwise afflicted with a contagious infectious disease shall be reported to the Weld County Department of Health and Environment.”

**Section 20. Effective Date.** This ordinance shall be published and become effective as provided by law.

**Section 21. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

**Section 22. Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

**Section 23. Certification.** The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 27<sup>th</sup> DAY OF April, 2015.**

**ATTEST:**

**TOWN OF MEAD**

By Linda Blackston  
Linda Blackston, CMC, Town Clerk

By Gary R. Shields  
Gary R. Shields, Mayor

