

**ADAMS COUNTY, COLORADO  
ORDINANCE NO. 6  
PET ANIMAL LICENSING AND CONTROL**

RESOLUTION APPROVING ORDINANCE NO. 6: PET ANIMAL LICENSING  
AND CONTROL

Resolution 2016-543

WHEREAS, the Board of County Commissioners is expressly authorized by § 30-15-101, *et seq.*, C.R.S., as amended, to adopt a resolution establishing reasonable regulations and restrictions concerning the control, licensing, and impoundment of dogs and other animals; and,

WHEREAS, the Board of County Commissioners is also expressly authorized by § 30-15-401(1)(e), C.R.S., as amended, to adopt an ordinance for the control of unleashed or unclaimed animals; and,

WHEREAS, the Board of County Commissioners adopted “Ordinance No. 6: Pet Animal Licensing and Control” on September 13, 2004, which established regulations and procedures for the control and licensing of dogs and other animals in the unincorporated areas of the County; and,

WHEREAS, Adams County Animal Management (“ACAM”) has recommended that Ordinance No. 6 be revised to incorporate regulations that better enable ACAM to regulate the licensing and control of dogs and other animals; and,

WHEREAS, the Board of County Commissioners concurs with the recommendations of ACAM, and finds that the licensing and regulation of dogs and other animals within the territory of unincorporated Adams County is a matter of local concern that is necessary for the protection of the health, safety, and welfare of the citizens of Adams County.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners, County of Adams, State of Colorado, that, upon the effective date of the new ordinance, “Ordinance No. 6: Pet Animal Licensing and Control” adopted on September 13, 2004, shall be rescinded in its entirety and superseded and replaced by a new “Ordinance No. 6: Pet Animal Licensing and Control,” which shall become effective as of the date set forth herein; and,

BE IT FURTHER ORDAINED that this Ordinance shall be recorded and published in accordance with § 30-15-405, C.R.S., as amended and shall come before the Board of County Commissioners for adoption on November 15, 2016; and,

BE IT FINALLY ORDAINED that a copy of this Ordinance shall be posted on the Adams County website.

## ARTICLE I: DEFINITIONS

Pursuant to § 2-4-101, C.R.S., as amended, all words and phrases contained in this Ordinance shall be read in context and construed according to the rules of grammar and common usage, unless otherwise particularly defined herein.

- 1-1. **“Adams County Animal Shelter/Adoption Center (ACASAC)”** means the animal shelter owned and operated by Adams County for the impoundment of animals, pursuant to § 30-15-101(1)(a)(IV), C.R.S., as amended, and the Pet Animal Care and Facilities Act, § 35-80-101, *et seq.*, C.R.S., as amended.
- 1-2. **“Adams County Animal Management (ACAM)”** means the work unit within the Adams County Department of Community and Economic Development, tasked with the duties and responsibilities associated with the management, control, and enforcement of pet animal issues.
- 1-3. **“Animal”** means any living dumb creature.
- 1-4. **“Animal Management Officer”** means any employee of Adams County who is engaged in pet animal control. Pursuant to § 30-15-105 and § 29-7-101 C.R.S., as amended, any Adams County employee engaged in animal control, however titled or administratively assigned, may issue citations or summonses and complaints enforcing this Ordinance and shall be included in the definition of a “peace officer” under § 18-3-201(2), C.R.S., as amended, as it pertains to assaults upon peace officers.
- 1-5. **“Animal in heat”** means a female dog or other animal during its regular recurrent period of estrus (heat) or ovulation.
- 1-6. **“Barking Dog”** means any dog, whether on or off the dog owner’s premises, that disturbs the peace of any person by loud, habitual, and persistent barking, howling, yelping, whining, or other utterance.
- 1-7. **“Bodily injury”** means any physical injury that results in severe bruising, muscle tears, or skin lacerations requiring professional medical treatment or any physical injury that requires corrective or cosmetic surgery, or any other injury as defined in § 18-9-204.5(2)(a), C.R.S., as amended.
- 1-8. **“Caretaker”** means any person who harbors an animal or has the custody, charge, care, or possession of a pet animal, including the owner of the animal.
- 1-9. **“Confined”** means caged or restrained in a manner that prevents or precludes escape.

- 1-10. **“Control”** means:
- (a) Physical restraint of an animal by means of a leash, cord, or chain or confinement of a animal within the boundaries of the real property of its owner or caretaker; or
  - (b) Physical or verbal command, domination, or regulation of animals, such as working livestock, retrieving wild game in season with a licensed hunter, assisting law enforcement officers, or being trained for any of these pursuits; or
  - (c) Prevention of noise or disturbance that constitutes a violation of section 5-11, below.
- 1-11. **“Dog or domestic dog”** means any animal of the genus and species *Canis Familiaris* or that is related to the wolf.
- 1-12. **“Excessive pet animal feces”** means any accumulation of feces from one or more pet animals in sufficient quantity to generate odors off the premises of the owner or caretaker.
- 1-13. **“Harboring”** means occupying any premises on which an animal is kept or to which an animal customarily returns for food and care. Persons harboring an animal shall be subject to the provisions of this Ordinance as it applies to animal owners and caretakers.
- 1-14. **“Impound”** means to take custody of and hold an animal at the ACASAC.
- 1-15. **“Licensed facility”** means a dog kennel, boarding, or breeding facility duly regulated, inspected, and licensed by any federal or state governmental entity, including the United States Department of Agriculture and the Colorado Department of Agriculture.
- 1-16. **“Livestock”** means cattle, swine, sheep, goats, and such horses, mules, asses, and other animals used in the farm or ranch production of food, fiber, or other agricultural products.
- 1-17. **“Owner”** means any person who is eighteen (18) years of age or older, or the parent or guardian of any child under the age of eighteen (18) years, that has, possesses, controls, harbors, keeps, has a financial interest in, or has custody of an animal, including a vicious animal as the term is defined in this Ordinance.
- 1-18. **“Person”** means any individual human being or any firm, corporation, or other organization.
- 1-19. **“Pet animal”** means:
- (a) Any animal owned or kept by a person for companionship or protection or for sale to others for such purposes, pursuant to § 30-15-101(3), C.R.S., as amended.

(b) The definition of “pet animal” does not include feral cats, wildlife, livestock used for any purposes or that is stray as defined in § 35-44-101, C.R.S., as amended, or animals that are owned or bought and sold through the efforts of those that are licensed, inspected, or both, by the United States Department of Agriculture, the Colorado Department of Agriculture, or both.

- 1-20. “**Provocation**” means threatening, tormenting, teasing, or striking an animal.
- 1-21. “**Rabies vaccination tag**” means a valid metal tag issued by a licensed veterinarian evidencing a current rabies vaccination.
- 1-22. “**Running-at-large**” means an animal that is not on the property of its owner or caretaker or is not under the control of a person.
- 1-23. “**Altered Dog**” means a dog from which the reproductive organs have been removed (spayed or neutered).
- 1-24. “**Unaltered dog**” means a dog that is six (6) months of age or older and is not spayed or neutered.
- 1-25. “**Vicious or dangerous animal**” means:
- (a) Any pet animal that has inflicted bodily injury upon or has caused the death of a person, another animal, or livestock; or
  - (b) Any pet animal that has demonstrated tendencies that would cause a reasonable person to believe the animal may inflict bodily injury upon or cause the death of any person, another animal, or livestock; or,
  - (c) Any pet animal that has engaged in or been trained for animal fighting as described and prohibited in § 18-9-204, C.R.S., as amended; or
  - (d) A dangerous dog, as defined in § 18-9-204.5, C.R.S., as amended.
- 1-26. “**Wildlife**” means living things and especially mammals, birds, fishes, and reptiles that are neither human nor domesticated.

## **ARTICLE II: DUTIES OF ANIMAL MANAGEMENT OFFICERS**

- 2-1. Pursuant to § 30-15-102(3), C.R.S., as amended, Animal Management Officers shall have the duty and authority to enforce all sections of this Ordinance as it pertains to pet animals, including issuing, signing, and serving summonses and complaints and making all administrative determinations as required by this Ordinance.
- 2-2. It shall be lawful for an Animal Management Officer to enter upon private property to capture an animal to be impounded for violation of this Ordinance if:

- (a) The Animal Management Officer has obtained a search warrant; or
- (b) The Animal Management Officer has obtained the consent of the owner or resident of the property; or
- (c) The Animal Management Officer is in pursuit of an animal that has been running-at-large, except that the Animal Management Officer shall not enter into any enclosed building or structure on private property without a search warrant or the consent of the owner or resident of the property upon which the enclosed building or structure is located.

2-3. Nothing in this Ordinance shall be construed to prevent any Animal Management Officer from taking whatever action is reasonably necessary to protect his or her person or members of the public from injury by any animal.

### **ARTICLE III: RECORDS**

3-1. It shall be the duty of ACAM to keep, or cause to be kept, accurate, detailed, and complete records of all summonses, complaints, warnings, and violations issued under this Ordinance.

### **ARTICLE IV: LICENSING OF DOGS**

4-1. Owners of dogs that are six (6) months of age or older shall cause such dogs to be licensed by ACASAC. Each dog license shall be valid for a period of three hundred sixty-five (365) days from the date of issuance and shall be renewed annually.

4-2. To obtain a dog license, the owner must present to ACASAC a valid rabies vaccination certificate indicating the dog has been vaccinated against rabies by a licensed veterinarian.

4-3. The fees for licensing shall be established annually by resolution of the Board of County Commissioners and shall be assessed as follows:

(a) Spayed and neutered dogs. The annual licensing fee for spayed and neutered dogs shall apply upon presentation to ACASAC of valid proof from a licensed veterinarian that the dog has been neutered or spayed. Unaltered dogs may be licensed for this fee if ACASAC finds, in its sole discretion, that there is a valid medical reason precluding the dog from being spayed or neutered.

(b) Unaltered dogs. The annual licensing fee for dogs that do not meet the criteria established under section 4-3(a) shall be the fee established for unaltered dogs.

(c) Exemption for licensed facility owners. Owners of licensed facilities shall be exempt from paying licensing fees but shall be subject to all other provisions of this Ordinance.

#### **ARTICLE V: PROHIBITED OR UNLAWFUL ACTS**

5-1. **Rabies vaccinations required.** *Dog owners shall be strictly liable for violations of this section, regardless of the actions of any non-owner caretakers.*

(a) Vaccination required. The owner or custodian of any dog or cat shall have such dog or cat vaccinated against rabies by a licensed state veterinarian, unless such owner or custodian presents to the animal management officer a written statement from a state licensed veterinarian that vaccination against rabies would be detrimental to the health of such dog or cat. Such vaccination shall be performed on or before the appropriate anniversary date of the initial vaccination as determined by the compendium of animal rabies control § 25-4-615(2), C.R.S. Any person who acquires within the county a dog or cat shall have such dog or cat vaccinated within 30 days of such acquisition or within 30 days after the dog or cat reaches six months of age, whichever occurs later.

(b) Unlawful to possess unvaccinated dog or cat. It is unlawful for any person to possess any dog or cat which has not been vaccinated for rabies as provided for in subsection (a) of this section or which cannot be identified as having a current certificate of vaccination

(c) It shall be unlawful for a dog to be off of the property of its caretaker without wearing its current rabies vaccination tag, which shall be affixed to the dog by means of a collar or harness.

(d) It shall be unlawful for a dog to have affixed to it a license/rabies tag other than its own.

5-2. **Licensing.** *Dog owners shall be strictly liable for violations of this section, regardless of the actions of any non-owner caretakers.*

(a) It shall be unlawful for a dog that is age six (6) months or older to not be licensed as prescribed herein.

(b) It shall be unlawful for a dog to be off of the property of its caretaker without wearing its current county license tag, which shall be affixed to the dog by means of a collar or harness.

(c) It shall be unlawful for a dog to have affixed to it a license/rabies tag other than its own.

5-3. **Accumulation of excessive pet animal feces prohibited.** It shall be unlawful for an owner or caretaker of any pet animal to permit excessive pet animal feces to accumulate.

5-4. **Animals-at-large prohibited.**

(a) It shall be unlawful for the owner or custodian of any animal to permit the same to run, go, or be at large on any street or public place within the county, or upon the premises of any other person, without prior written permission of such other person.

(b) Exception: This section shall not apply to areas designated by the county as dog training areas or off leash dog park sites. At such sites, owners or custodians may allow dogs to run, go, or be at large off leash, subject to the conditions listed below. Violation of any of these conditions shall constitute a violation of this section:

1. Owners and custodians shall not bring their dogs into an off-leash site, or remain at the site with their dogs, after sunset or before sunrise.
2. Owners and custodians shall keep their dogs leashed when entering or leaving the fenced enclosure of the off-leash site and must have a visible leash with them at all times.
3. Dogs must be accompanied by a person at least eighteen (18) years of age when inside the enclosure.
4. Children under the age of 18 must be supervised by a person eighteen (18) years or older.
5. Owners and custodians shall not allow their dogs to chase or harass wildlife or other dogs.
6. Owners and custodians shall not leave their dogs unattended.
7. Owners and custodians shall immediately remove their dog's waste.
8. Pinch (prong) and spike collars must be removed prior to entering the enclosure.
9. No more than two (2) dogs per owner or custodian are allowed.
10. Owners/custodians shall not bring any of the following dogs into the off-leash site:
  - Dangerous or aggressive dogs;
  - Female dogs in heat;
  - Dogs without a current vaccination tag attached to the collar worn by the dogs;
  - Dogs without a current identification tag attached to the collar worn by the dog or a traceable microchip;
  - Unvaccinated dogs;
  - Dogs known to be ill or exhibiting signs of illness; or
  - Dogs not under voice command, unless in areas at the site designated for training.
11. Any person who brings a dog to an off-leash dog park or dog training site designated by the county shall be treated as the owner or custodian of the dog for purposes of this section.
12. Anyone entering an off-leash dog park or dog training site designated by the county assumes the risk of injury and property damage caused by their

own dog, other dogs, other persons, or any of the facilities at the site. By entering this site, every person agrees to release the County of Adams and its employees from liability for injuries or property damage caused by any act or omission of the county or its employees. The owner or custodian assumes liability for any injury or property damage to persons or other dogs caused by their dog.

**5-5. Animals prohibited from causing damage.**

(a) It shall be unlawful for the owner or custodian of any animal to permit said animal, with or without the direct knowledge of that owner or custodian, to destroy, damage, or injure any shrubbery, plants, flowers, grass, lawn fence, structure, part of any structure, other domestic animal, or anything whatsoever upon any private property owned or occupied by a person other than the owner or custodian of such animal. The owner or custodian may not permit or allow their animal to come into contact with a motor vehicle owned by someone other than the owner or custodian of the animal in such a way so as to cause damage to the motor vehicle when said motor vehicle is on property other than that of the animal owner or custodian. Any animal permitted to engage in the activities prohibited by this section may be impounded as provided in section 7-1.

(b) Any animal found trespassing or found causing damage to property as described in subsection (a) of this section may be humanely restrained by the owner or occupant of such property, or by such owner's or occupant's agent, for a reasonable time, during which time such owner, occupant, or agent shall notify animal management of his possession of the animal, release the animal to the owner or custodian, release the animal at the site of its capture, or transport the animal to the animal shelter.

**5-6. Animals in heat must be confined.** Any unspayed dog in the stage of estrus (heat) shall be confined during such time in a house or secure and enclosed building, and said area of enclosure shall be so constructed that no male dog may gain access to the confined animal. The Animal Management Officer shall order any unspayed dog that is in the state of estrus and that is not properly confined, or any such dog that is creating a neighborhood nuisance to be removed to a boarding kennel, to a veterinary hospital, or to the animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner or custodian.

**5-7. Dangerous dog (unlawful ownership), Damages/destroys property of another, Bodily injury to person, Serious bodily injury to person, Injury/death to an animal is prohibited.**

(a) It shall be unlawful for any person to unlawfully, own, possess, harbor, keep, have a financial/property interest in, have custody/control over a dangerous dog and said dog cause bodily injury to a person, serious bodily injury to a person, injury/death of a domestic animal, or damage/destruction of property of another. This is reserved for restitution of more than one thousand dollars (\$1,000) involving injury.



(b) Notice and Payment for cost of care of pet animals pursuant to § 18-9-202-5, C.R.S. The purpose of this notice and payment is to provide for the cost of impoundment, care, and provisions of identified pet animal(s) in the custody of ACASAC for a period of 30 days, including the day on which the pet animal(s) was taken into custody.

5-8. **Cruelty to animals prohibited.** Pursuant to § 18-9-202, C.R.S., it shall be unlawful for any person to knowingly, with criminal negligence, cause and procure the over-driving, over-working, torturing, tormenting, deprivation of necessary sustenance, unnecessary and cruel beating, needless mutilation, needless killing, carrying in and upon a vehicle in a cruel manner, engage in sex act with or otherwise mistreat and neglect an animal, or with criminal negligence cause and procure the over-driving, over-working, tormenting, deprivation of necessary sustenance, unnecessary and cruel beating, needless mutilation, needless killing, carrying in and upon a vehicle in a cruel manner, engage in sex act with or otherwise mistreat and neglect an animal.

(a) Neglect of animals is prohibited. It shall be unlawful for the owner or custodian of any animal to deprive such animal(s) of adequate nutrition, potable water available at all times, proper protection from the elements and extremes in temperature, opportunity for exercise, adequate veterinary care, grooming, socialization, or otherwise neglect such animal in any manner as to endanger its health or cause it to suffer.

(b) Abandonment of animal is prohibited. It shall be unlawful to intentionally abandon any animal.

(c) An Animal Management Officer, having authority to act under this section, may take possession of and impound an animal that the Animal Management Officer has probable cause to believe is a victim of a violation of subsection (a) of this section, or is a victim of a violation of § 18-9-204, C.R.S., and as a result of the violation is endangered if it remains with the owner or custodian. If, in the opinion of a licensed veterinarian, an animal impounded pursuant to this Section 5-8 is experiencing extreme pain or suffering, or is severely injured past recovery, severely disabled past recovery, or severely diseased past recovery, the animal may be euthanized without a court order.

5-9. **Habitual violations of ordinance prohibited.** It shall be a separate unlawful offense for an owner or caretaker of any animal to be convicted of violating this Ordinance three (3) or more times during any consecutive twelve (12) -month period of time.

5-10. **Interference with an Animal Management Officer prohibited.** It shall be unlawful for any person to knowingly interfere with, hinder, or obstruct an Animal Management Officer in the performance of his or her duties under this Ordinance.

**5-11. Barking, Howling, or Other Unreasonable Animal Noise Prohibited.**

(a) Any person who owns or keeps a dog commits a class two (2) petty offense if such dog individually makes, or in combination with another dog or dogs together make, any noises or disturbances by barking, howling, yelping, whining or other utterance that is audible beyond the premises on which the dog is kept, for a consecutive period in excess of twenty (20) minutes during the day (7 A.M. to 9 P.M.) or for a consecutive period in excess of ten (10) minutes during the night (9:01 P.M. to 6:59 A.M.), and/or a cumulative period in excess of one-hundred twenty (120) minutes during any twenty-four (24) hour period.

(b) No summons and complaint for a violation of this Section 5-11 shall be issued unless at least one written warning, signed by the Animal Management Officer and at least one complainant, has been issued to an owner or keeper of the dog or dogs that have exceeded the noise limits. Such written warning shall contain the date and time when the violation occurred and a brief explanation of the nature of the noise complaint. Once a written warning has been issued, a summons and complaint may be issued for any violations that have occurred seven (7) days after the written warning without the necessity of an additional warning.

(c) No summons and complaint shall be issued, nor shall there be a conviction for a violation of this Section 5-11, unless there are two (2) complaining witnesses from separate households who have signed such complaint; except that only one (1) complaining witness shall be required to sign the complaint under either of the following circumstances:

(1) An Animal Management Officer or Deputy Sheriff has personally investigated the complaint of a single complainant and observed the nature and duration of the noise created by the dog(s) and can testify as to such observations, or

(2) A complainant has presented to the Animal Management Officer or Deputy Sheriff at the time of the complaint other credible and admissible corroborative evidence of the alleged violation.

**5-12. Provocation of animals prohibited.** It shall be unlawful for any person to engage in provocation of an animal.

**5-13. Unsafe tethering.** It shall be unlawful for the owner or custodian of any animal to tether any animal in such a manner that the animal may become entangled and unable to reach shelter or water, or in such a manner that the animal may be injured, strangled, or otherwise caused to suffer.

(a) It shall be unlawful to tether any animal on any property other than that of the owner or custodian without prior written permission of the property owner or occupant, or to allow any animal tethered on the property of the owner or custodian to have access to property other than that of the animal owner or custodian.

(b) Any injured animal on public property or property other than that of the owner or custodian without permission of the property owner or occupant shall be removed by the Animal Management Officer and given any stabilizing veterinary treatment deemed reasonable under shelter guidelines, pending notification of the owner or custodian. The owner or custodian of such animal shall be liable for all veterinary expenses and impoundment fees.

**ARTICLE VI: PENALTIES FOR VIOLATIONS**

- 6-1. Pursuant to § 30-15-102(1), C.R.S., as amended, any violation of this Ordinance shall be a class two (2) petty offense and shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than ninety (90) days, or by both such fine and imprisonment for each separate offense.
- 6-2. Pursuant to § 30-15-402, C.R.S., as amended, Animal Management Officers, and/or any arresting law enforcement officers, are hereby authorized to assess penalties for violations of this Ordinance in accordance with the penalty assessment procedures of § 16-2-201, C.R.S., as amended, and as otherwise specified herein.
- 6-3. Accordingly, a graduated fine schedule for violations of this Ordinance shall be imposed as follows:

<b>VIOLATION</b>	<b>SECTION OF ORDINANCE</b>	<b>NUMBER OF OFFENSES</b>	<b>FINE</b>
Failure to vaccinate against rabies	§ 5-1(a)	1	\$50
		2	\$100
		3 or more	\$150
Rabies vaccination tag not affixed	§ 5-1(c)	1	\$50
		2	\$100
		3 or more	\$150
Misuse of rabies vaccination tag	§ 5-1(d)	1	\$50
		2	\$100
		3 or more	\$150
Failure to license animal	§ 5-2(a)	1	\$25
		2	\$50
		3 or more	\$100
License tag not affixed to animal	§ 5-2(b)	1	\$25
		2	\$50
		3 or more	\$100
Misuse of animal license tag	§ 5-2(c)	1	\$25
		2	\$50
		3 or more	\$100
Excessive accumulation of pet animal feces	§ 5-3	1	Warning
		2	\$50
		3 or more	\$100

Animal-at-large	§ 5-4	1	\$75
		2	\$150
		3 or more	\$300
Animal in heat and not confined	§ 5-6	1	\$100
		2	\$200
		3 or more	\$300
Vicious or dangerous animal not confined	§ 5-7	1	\$300
		2 or more	\$500
Habitual violations	§ 5-9	1 or more	\$500
Interference with an Animal Management Officer	§ 5-10	1 or more	\$1,000
Barking, Howling, or Other Unreasonable Animal Noise Prohibited	§ 5-11	1	Warning
		2	\$50
		3 or more	\$100
Provocation of an animal	§ 5-12	1	\$50
		2	\$75
		3 or more	\$100

- 6-4. The graduated fines enumerated above shall be imposed when any caretaker or other person violates this Ordinance.
- 6-5. Pursuant to § 30-15-102(3), C.R.S., as amended, whenever an Animal Management Officer has probable cause to believe a violation of this Ordinance has occurred, the officer shall issue a penalty assessment notice to the alleged offender, which shall be in the form of a summons and complaint substantially similar to the example attached hereto and incorporated herein as “Exhibit A.”
- 6-6. Pursuant to § 16-2-201(2), C.R.S., as amended, the summons and complaint shall identify the alleged offender, state with specificity the sections of this Ordinance that were allegedly violated by the offender, state the applicable fine for the offense or each offense, and state that the alleged offender must pay the fine(s) by a date certain or appear to answer the charge(s) at a specified time and place. A duplicate copy of the summons and complaint shall be sent to the County Court Clerk of the 17<sup>th</sup> Judicial District.
- 6-7. Pursuant to § 16-2-201(3), C.R.S., as amended, if the person given a summons and complaint chooses to acknowledge guilt, the person may pay the assessed fine by mail within the time specified in the summons and complaint.
- 6-8. If the person given a summons and complaint chooses not to acknowledge guilt and to contest the violation(s) alleged, the person shall appear in court at the date, time, and place specified in the summons and complaint.
- 6-9. Pursuant to § 30-15-402(1), C.R.S., as amended, any person convicted of violating section 5-4 of this Ordinance shall be subject to the surcharges imposed pursuant to § 30-15-402(2), C.R.S., as amended.

## ARTICLE VII: IMPOUNDING ANIMALS

- 7-1. **Animals running-at-large.** Pursuant to §§ 30-15-101(1)(a)(IV) and (V), C.R.S., as amended, an Animal Management Officer may impound any animal not under control or found running-at-large, including dogs found without license tags, any animal that has inflicted bodily injury, any animal that appears to be sick or injured and in need of medical attention, and/or any animal otherwise in violation of this Ordinance.
- 7-2. **Disposition of animals found running-at-large.** Animals found running-at-large shall be impounded for up to five (5) business days, during which time the staff of the ACASAC shall make reasonable efforts to identify and notify the owner of the pet animal of its impoundment.
- (a) If the owner of the animal is identified and notified, the animal may be released to the custody and control of the owner or the owner's designee upon payment in full of the costs incurred by the ACASAC in boarding and caring for the pet animal.
- (b) If the ACASAC staff is unable to identify or notify the owner of a pet animal of its impoundment, after making reasonable efforts to do so for at least five (5) business days, the pet animal may be made available for adoption or may be humanely euthanized at the sole discretion of the manager of the ACASAC.
- (c) If an impounded animal is determined by the Director or their designee of the ACASAC to be critically injured or ill, and it is deemed by the Director or their designee to be in the best interests of the animal for it to be humanely euthanized, such euthanization may occur immediately at the sole discretion of the Director or their designee.
- (d) If the owner of an animal is identified after the animal is adopted or euthanized, the owner shall be liable for the costs of board and care during the animal's impoundment.
- 7-3 **Animals that inflict bodily injury.** Any animal that is suspected of having bitten or that bites a person causing bodily injury shall be immediately impounded for a minimum of ten (10) days from the date of the suspected bite or bites to be observed for symptoms of rabies. The impoundment can be in home quarantine or impoundment at the ACASAC if a serious bodily injury occurs. During the impoundment period, the animal shall not be placed for adoption, placed in foster care, or returned to its owner or caretaker. The owner of the pet animal shall be liable for the costs of board and care incurred by the ACASAC during the period of impoundment.

The provisions of § 25-4-601, *et seq.*, C.R.S., as amended, concerning rabies control, shall be applicable to such incidents of impoundment. Pursuant to § 18-9-202.5, C.R.S, the purpose of this notice and payment is to provide for the cost of

impoundment, care and provision of identified animal(s) in the custody of the impound agency for a period of at least 30 days, including the day on which the animal(s) is/are taken into custody.

- 7-4 **Disposition of animals that inflict bodily injury.** An animal that bites a person causing bodily injury may be euthanized following the minimum period of impoundment, unless otherwise ordered by a court of competent jurisdiction.
- 7-5. **Disposition of unclaimed animals.** Any animal that remains impounded and unclaimed for a period of forty-eight (48) consecutive hours following notification of its owner of its impoundment, or following a court hearing at which violation of this Ordinance was at issue, shall become the property of the ACASAC. The animal may thereafter be adopted or humanely euthanized in accordance with the policies of the ACASAC, but the owner of the animal shall not thereby be discharged from liability for the costs associated with the board and care of the animal during its impoundment.

### **ARTICLE VIII: ADDITIONAL PROVISIONS**

- 8-1 **Validity of ordinance.** Pursuant to § 18-9-204.5(5)(b), C.R.S., as amended, nothing in § 18-9-204.5, C.R.S., as amended, shall be construed to abrogate Adams County's authority to adopt animal management and licensing ordinance and to impose penalties for violations of such ordinance as provided by law.
- 8-2. **No liability associated with enforcement.** Pursuant to § 30-15-104, C.R.S., as amended, the Board of County Commissioners, Animal Management Officers, employees at the ACASAC, and any other persons authorized to enforce this Ordinance, shall not be held responsible for any accident or subsequent disease that may occur to any animal in connection with the administration of this Ordinance.
- 8-3. **Disposition of fines.** Pursuant to § 30-15-103, C.R.S., as amended, all fines and licensing fees collected by the County for violations of this Ordinance shall be paid into the treasury of the County, and deposited into the County's general fund, as such fines and fees are collected.
- 8-4. **Limitation on suits.** Pursuant to § 30-15-409, C.R.S., as amended, prosecutions for the commission of any violation of this Ordinance shall be barred one (1) year after the commission of the offense.
- 8-5. **Severability.** If any section, paragraph, clause, or provision of this Ordinance shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining sections, paragraphs, clauses, or provisions of this Ordinance, it being the intention that the various parts hereof are severable.
- 8-6. **Effective Date.** Pursuant to § 30-15-405, C.R.S., as amended, this Ordinance shall take effect on December 1, 2016.

Adopted this 15<sup>th</sup> day of November, 2016

Steven J. O'Dorisio  
Steven O'Dorisio, Chair  
Board of County Commissioners  
Adams County, Colorado

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

O'Dorisio \_\_\_\_\_ Aye  
Henry \_\_\_\_\_ Aye  
Tedesco \_\_\_\_\_ Excused  
Hansen \_\_\_\_\_ Excused  
Pawlowski \_\_\_\_\_ Aye  
Commissioners

Commissioners

**CERTIFICATE OF ATTESTATION**

STATE OF COLORADO     )  
County of Adams         )

I, Stan Martin, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

The foregoing text is authentic text of Adams County Ordinance No. 6. The first reading of said Ordinance took place on October 4, 2016, at a regular Board of County Commissioners meeting. It was published in full in a newspaper of general circulation at least ten days before its adoption; to wit, in the Denver Post on October 11, 2016. The Ordinance was adopted on second reading at a regular Board of County Commissioners meeting on November 15, 2016. The Ordinance shall become effective on December 1, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 15<sup>th</sup> day of November, A.D. 2016.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Stan Martin:



By:



Deputy