

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING THE ANIMAL CONTROL CODE

Resolution 2022-043

WHEREAS, the Board of County Commissioners is expressly authorized by § 30-15-101, *et seq.*, Colorado Revised Statute (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, Adams County has developed this Resolution to function harmoniously with Ordinance No. 6 for the Control of Unleashed or Unclaimed Animals; and,

WHEREAS, Adams County Animal Management (“ACAM”) has recommended revisions to previously implemented animal control regulations that better enable ACAM to regulate the licensing and control of dogs and other animals and comply with recent legislative changes; 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 RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Animal Control Code, attached hereto and incorporated by reference herein, is approved and shall become effective as of March 1, 2022.

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

Henry _____ Aye
Tedesco _____ Aye
Pinter _____ Aye
O’Dorisio _____ Aye
Baca _____ Aye
Commissioners

STATE OF COLORADO)
County of Adams)

I, Josh Zygielbaum, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 25th day of January A.D. 2022.

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

Josh Zygielbaum:



By:



Deputy

ANIMAL CONTROL CODE

ARTICLE I: DEFINITIONS

Pursuant to § 2-4-101, C.R.S., as amended, all words and phrases contained in this Code 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 Management (ACAM)”** means the work unit within the Adams County Community Safety and Well-Being, tasked with the duties and responsibilities associated with the management, control, and enforcement of pet animal issues.
- 1-2. **“Abandon”** means the leaving of an animal without adequate provisions for the animal’s proper care by its owner, the person responsible for the animal’s care or custody, or any other person having possession of such animal.
- 1-3. **Altered Dog”** means a dog from which the reproductive organs have been removed (spayed or neutered).
- 1-4. **“Animal”** means any living pet animal.
- 1-5. **“Animal Management Officer”** means any employee of Adams County who is employed for the purpose of animal control.
- 1-6. **“Animal in heat”** means a female dog or other animal during its regular recurrent period of estrus (heat) or ovulation.
- 1-7. **“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.
- 1-8. **“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.
- 1-9. **“Caretaker”** or **“Custodian”** 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.
- 1-10. **“Cat”** means any animal of the genus and species *Felis catus*.
- 1-11. **“Confined”** means caged or restrained in a manner that prevents or precludes escape.
- 1-12. **“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 5-10, below.
- 1-13. **“Dog or domestic dog”** means any animal of the genus and species *Canis Familiaris* or that is related to the wolf.

- 1-14. “**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.
- 1-15. “**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 Code as it applies to animal owners caretakers, and custodians.
- 1-16. “**Impound**” means to take custody of and hold an animal at the Riverdale Animal Shelter (RAS).
- 1-17. “**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.
- 1-18. “**Livestock**” means cattle, swine, sheep, goats, and such horses, mules, donkeys, and other animals used in the farm or ranch production of food, fiber, or other agricultural products.
- 1-19. “**Mistreatment**” means every act or omission that causes or unreasonably permits the continuation of unnecessary or unjustifiable pain or suffering.
- 1-20. “**Neglect**” means failure to provide food, water, protection from the elements, or other care generally considered to be normal, usual, and accepted for an animal’s health and well-being consistent with the species, breed, and type of animal.
- 1-21. “**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 Code.
- 1-22. “**Person**” means any individual human being or any firm, corporation, or other organization.
- 1-23. “**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.
- 1-24. “**Provocation**” means threatening, tormenting, teasing, or striking an animal.
- 1-25. “**Rabies vaccination tag**” or “**vaccination tag**” means a valid metal tag issued by a licensed veterinarian evidencing a current rabies vaccination.
- 1-26. “**Riverdale Animal Shelter (RAS)**” 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, the Pet Animal Care and Facilities Act, § 35-80-101, *et seq.*, C.R.S., as amended, and § 35-80-106.6, C.R.S. titled the Care of Dogs and Cats in Animal Shelters and Pet Animal Rescues.
- 1-27. “**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.
- 1-28. “**Unaltered dog**” means a dog that is six (6) months of age or older and is not spayed or neutered.

- 1-29. “**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.
- 1-30. “**Wildlife**” means living things and especially mammals, birds, fishes, and reptiles that are neither human nor domesticated.

ARTICLE II: DUTIES AND POWERS OF ANIMAL MANAGEMENT OFFICERS

- 2-1. Pursuant to § 30-15-102(3) and § 30-15-105, C.R.S., as amended, Animal Management Officers shall hereby have the duty and authority to enforce all sections of this Code as it pertains to pet animals, including issuing, signing, and serving citations or summonses and complaints and making all administrative determinations as required by this Code and shall be included in the definition of “peace officer” under § 18-3-201(2), C.R.S., as amended, as it pertains to assaults upon peace officers
- 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 Code 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. Animal Management Officers may be appointed to the State Bureau of Animal Protection pursuant to § 35-42-107, C.R.S. and nothing in this Code shall abrogate their powers and duties thereunder.
- 2-4. Nothing in this Code 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 licenses, summonses, complaints, warnings, and violations issued under this Code.

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 RAS. Each dog license shall be valid for a period of one year from the date of issuance and shall be renewed annually.

- 4-2. To obtain a dog license, the owner must present to RAS 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 by separate 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 RAS of valid proof from a licensed veterinarian that the dog has been neutered or spayed. Unaltered dogs may be licensed for this fee if RAS 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 this 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 Code.

ARTICLE V: PROHIBITED OR UNLAWFUL ACTS

- 5-1. **Rabies vaccinations required.** *Dog and cat 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 has a written statement from a state licensed veterinarian that vaccination against rabies would be detrimental to the health of such dog or cat and presents said statement to an animal management officer. 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) 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 or cat 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 or cat 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 Adams 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.**
- (a) It shall be unlawful for an owner or caretaker of any pet animal to permit excessive pet animal feces to accumulate.

(b) No summons and complaint for a violation of this Section 5-3 shall be issued unless at least one written warning, signed by an Animal Management Officer and at least one complainant, has been issued to an owner or keeper of the dog or dogs and/or the owner of the real property where the violation was found. Such written warning shall contain the date and time when the violation occurred and a brief explanation of the nature of the complaint and findings. 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.

5-4. **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 Article VII of this Code.

(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.

5-5. **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 without human assistance. 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.

5-6. **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.** 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 violation applies only to damages and injuries resulting in restitution of more than one thousand dollars (\$1,000).

5-7. **Cruelty to animals prohibited.**

(a) Pursuant to § 18-9-202, C.R.S., it shall be unlawful for any person to knowingly, recklessly, or with criminal negligence, cause and procure the over-driving, over-working, tormenting, deprivation of necessary sustenance, unnecessary and cruel beating, housing in a manner that results in chronic or repeated serious physical harm carrying in and upon a vehicle in a cruel or reckless man manner, engaging in sex act with, neglecting, abandoning, torturing, needless mutilating, needless killing of an animal or otherwise mistreat or neglect an animal. Animal Management Officers appointed to the State Bureau of Animal Protection pursuant to 35-42-107 are so authorized to conduct investigations and issues summons and complaints for the enforcement of §18-9-201 et seq. This unlawful conduct shall also serve as a violation of the Animal Control Code.

(b) 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 5-7 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.

5-8. **Habitual violations of Code prohibited.** It shall be a separate unlawful offense for an owner or caretaker of any animal to violate this Code after being convicted for violating this Code three (3) or more times during any consecutive twelve (12) month period of time.

5-9. **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 Code.

5-10. **Barking, Howling, or Other Unreasonable Animal Noise Prohibited.**

(a) It shall be unlawful for any person who owns or keeps a dog 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 5-10 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 exceed 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 5-10, 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.

5-11. **Provocation of animals prohibited.** It shall be unlawful for any person to engage in provocation of an animal.

5-12. **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, and § 18-1.3-503, C.R.S. any violation of this Code shall be a petty offense and shall be punishable by a fine of not more than three hundred dollars (\$300), imprisonment for not more than ten days in a county jail, or both, for each separate offense. Pursuant to Adams County Ordinance 6. For the Control of Unleashed or Unclaimed Animals, certain additional animal-related offenses are also subject to penalties and are incorporated into this table by reference.

6-2. Pursuant to § 30-15-102, 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 Code 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 Code shall be imposed as follows:

VIOLATION	SECTION OF CODE	NUMBER OF OFFENSES	FINE
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
License tag not affixed to animal (continued)	§ 5-2(b)	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	\$25
		2	\$50
		3 or more	\$100
Property Damage	§ 5-4	1	\$75
		2	\$150
		3 or more	\$300
Animal in heat and not confined	§ 5-5	1	\$100
		2	\$200
		3 or more	\$300
Dangerous dog causing injury or damage	§ 5-6	1 or more	\$300
Cruelty	§ 5-7	1 or more	\$300 or Court Summons
Habitual violations	§ 5-8	1 or more	\$300
Interference with an Animal Management Officer	§ 5-9	1 or more	\$300
Barking, Howling, or Other Unreasonable	§ 5-10	1	\$25
		2	\$50

Animal Noise Prohibited		3 or more	\$100
Provocation of an animal	§ 5-11	1	\$50
		2	\$75
		3 or more	\$100
Unsafe Tethering	§ 5-12	1	\$100
		2	\$200
		3 or more	\$300
Animal-at-large	Ordinance No. 6	1	\$75
		2	\$150
		3	\$300
		4 or more	\$1000
Vicious or dangerous animal-at-large	Ordinance No. 6	1 or more	\$1000
Habitual Ordinance Violations	Ordinance No. 6	1 or more	\$1000

- 6-4. The graduated fines enumerated above shall be imposed when any owner, caretaker, custodian, or other person violates this Code or Ordinance 6 as indicated
- 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 Code 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.
- 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 Code 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 17th 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, in person or online, 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.

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 or rabies vaccination, 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 Code.
- 7-2. **Disposition of animals found running-at-large.** Animals found running-at-large shall be impounded in accordance with § 35-80-106.3, C.R.S., as amended, during which time the staff of the RAS 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 RAS in boarding and caring for the pet animal.
- (b) If the RAS staff is unable to identify or notify the owner of a pet animal of its impoundment, after making reasonable efforts to do so, the pet animal may be made available for adoption or may be humanely euthanized at the sole discretion of the Director or their designee of the RAS in accordance with § 35-80-106.3, C.R.S., as amended.
- (c) If an impounded animal is determined by the Director or their designee of the RAS 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, impoundment at the RAS or licensed veterinarian or licensed kennel facility of owner's choice if a 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 pursuant to §18-9-202.5.

The provisions of § 25-4-601, *et seq.*, C.R.S., as amended, concerning rabies control, shall be applicable to such incidents of impoundment.

- 7-4 **Disposition of animals that inflict bodily injury.** Upon the issuance of a summons specified in and pursuant to §18-9-202.5, C.R.S. the owner's dangerous dog may be taken into custody and placed in a public animal shelter, at the owner's expense, pending final disposition of the charge against the owner. In addition, in the event the court, pursuant to the Colorado rules of criminal procedure and part 1 of article 4 of title 16, C.R.S., sets bail for an owner's release from custody pending final disposition, the court may require, as a condition of bond, that the owner's dangerous dog be placed by an impound agency, as defined in §18-9-202.5 (5), C.R.S. at the owner's expense in a location selected by the impound agency including a public animal shelter, licensed boarding facility, or veterinarian's clinic, pending final disposition of the alleged violation of this section. The owner is liable for the total cost of board and care for a dog placed pursuant to this provision.

- 7-5. **Disposition of unclaimed animals.** Any animal that remains impounded and unclaimed shall be processed in accordance with §18-9-202.5, C.R.S. and all applicable laws. Otherwise all animals impounded and unclaimed for 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 Code was at issue, shall become the property of the RAS. The animal may thereafter be adopted or humanely euthanized in accordance with the policies of the RAS, 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 Code.** 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 issue animal management and licensing resolutions and to impose penalties for violations of the same 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 Code, shall not be held responsible for any accident or subsequent disease that may occur to any animal in connection with the administration of this Code.
- 8-3. **Disposition of fines.** Pursuant to § 30-15-103, C.R.S., as amended, all fines and licensing fees collected for violations of this Code shall be paid into the treasury of the County, and deposited into the County's general fund, as such fines and fees are collected. Court costs, if any, shall be paid directly to the Court.
- 8-4. **Limitation on suits.** Prosecutions for the commission of any violation of this Code shall be barred one (1) year after the commission of the offense.

- 8-5. **Severability.** If any section, paragraph, clause, or provision of this Code 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 Code, 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 Code shall take effect on March 1, 2022.