


NORTHGLENN POLICE DEPARTMENT COUNCIL MEMORANDUM

#08-12

December 11, 2008

TO: Honorable Mayor Kathleen M. Novak and City Council Members

FROM: William Simmons, City Manager 
Commander Jim May, Acting Chief of Police 

SUBJECT: CR-173, 2009 Adams County Animal Shelter IGA

RECOMMENDATION:

Attached to this memorandum is a proposed IGA with Adams County for animal shelter services in 2009. Staff recommends approval of this IGA.

BACKGROUND:

Our shelter needs continue to include stray domestic animal housing, criminal case animal housing, exotic animal housing, stray pet animal adoption services, animal disease control, veterinary pre-care and referral, humane destruction, and dead animal carcass disposal. During the past three years, we have sheltered an average of 220 dogs, 106 cats, and 4 exotics (snakes, lizards, and etc.) per year. During the same period we have disposed of an average of 73 animal carcasses per year.

The Adams County Shelter IGA will cost ten percent more in 2009 than in 2008. The animal shelter cost for 2009 will be \$5,709.00 monthly for a total of \$68,508.00. The increased cost reflects the increased costs experienced by Adams County to operate the shelter. This increase was neither expected nor budgeted for. However, the Police Department expects it will be able to absorb the \$6,228.00 increase through expected savings in its Personnel Services accounts due to normal attrition.

The City Attorney has reviewed this IGA and approved it as to form.

BUDGET IMPLICATIONS:

There is a financial cost to the City. Sufficient funds (\$68,508.00) for this IGA are in the Police Department's 2009 budget.

STAFF REFERENCE:

If Council members have any comments or questions they may contact Commander Jim May (303-450-8967) or Chief Russ Van Houten (303-450-8864) or by e-mail at jmay@northglenn.org or rvanhouten@northglenn.org.

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-173
Series of 2008

Series of 2008

A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF NORTHGLENN FOR THE PURPOSE OF PROVIDING ANIMAL SHELTER/ADOPTION CENTER SERVICES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Intergovernmental Agreement between the Adams County Board of County Commissioners and the City of Northglenn for the purpose of providing animal shelter/adoption center services, attached hereto as **Exhibit 1**, is hereby approved and the Mayor is authorized to execute same on behalf of the City.

DATED at Northglenn, Colorado, this ____ day of _____, 2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

**ADAMS COUNTY, COLORADO
INTERGOVERNMENTAL AGREEMENT
ANIMAL SHELTER/ADOPTION CENTER SERVICES**

THIS INTERGOVERNMENTAL AGREEMENT FOR ANIMAL SHELTER/ADOPTION CENTER SERVICES (IGA) is made this day of **2008**, by and between the Adams County Board of County Commissioners, located at 450 S. 4th Ave., Brighton, CO 80601, hereinafter referred to as the "County," and the City of Northglenn, located at 11701 Community Center Dr., Northglenn, CO 80233, hereinafter referred to as "Northglenn." This IGA is for animal control, shelter, and adoption services to be provided by the Adams County Animal Shelter/Adoption Center (ACASAC), located at 10705 Fulton St. Brighton, CO 80601.

The County and Northglenn, for the consideration herein set forth, agree as follows:

SECTION I. DEFINITIONS

- A. Adoption fee: Means the amount charged to a person adopting an animal for the costs of administrative services associated with the adoption.
- B. Animal: Means a dog, cat, or other small domestic creature, and fowl.
- C. Boarding fee: Means the daily amount charged for the care of an animal while at ACASAC.
- D. Care: Means regularly providing food and water to animals in the ACASAC.
- E. Impoundment fee: Means the amount, in addition to the boarding fee, charged for costs associated with picking up and impounding an animal at ACASAC.
- F. Service fees: Means other fees charged for services provided by ACASAC, not otherwise specified herein, such as fees for euthanizing animals, disposing of dead animals, etc.
- G. Shelter: Means providing an enclosed cage or pen that is regularly cleaned and maintained for an animal.

SECTION II. RESPONSIBILITIES OF THE COUNTY

- A. ACASAC, along with Northglenn's animal control officer(s), shall enforce Chapter 14 of the City of Northglenn Ordinances, as it pertains to animal licensing and control, a copy of which is attached hereto and incorporated herein as Exhibit "A." It is, however, understood that the County will provide such services only as they pertain to dogs, cats, or other small domestic animals, and fowl. The fees charged by ACASAC for adoption, boarding, impoundment, and other services are as specified in Exhibit "B", which is attached hereto and incorporated herein by this reference.

- B. ACASAC shall provide for the shelter, care, adoption, euthanasia, and/or disposal of animals impounded because of violations of Chapter 14 of the City of Northglenn Ordinances.
- C. Any animal impounded for more than five (5) business days that is not reclaimed by its owner may be made available for adoption or may be humanely euthanized, at the sole discretion of the manager of the ACASAC. However, feral cats may be humanely euthanized after having been impounded for three (3) calendar days, as the circumstances at ACASAC may require based on the sole discretion of its manager.
- D. ACASAC shall have the right to immediately and humanely euthanize any animal impounded at its facility if such animal is diagnosed by a licensed veterinarian as being terminally ill, injured, or diseased.
- E. ACASAC shall quarantine animals for rabies observation, and shall report all animal bites or suspected rabid animals to the Tri-County Health Department.
- F. Any dog or cat impounded at ACASAC, with the exception of pregnant females, shall be inoculated with a multi-spectrum booster shot.
- G. ACASAC shall maintain a telephone answering service to receive inquiries on impounded animals during its normal business hours, which shall be from 9:00 a.m. to 5:00 p.m. on weekdays, and from 9:00 a.m. to 4:00 p.m. on Saturdays. ACASAC will be closed on Sundays and on County-designated holidays.
- H. ACASAC shall maintain records on all impounded animals, including a record of each animal's disposal, and shall allow Northglenn access to such records as reasonably requested. In addition, ACASAC shall submit to Northglenn by the fifth (5th) calendar day of each month a summary report of animals received and the disposition thereof.
- I. Fees charged to Northglenn residents for services provided hereunder shall not exceed the fees charged to other residents of Adams County for the same or similar services.
- K. The County will employ qualified personnel as necessary to perform the services to be provided hereunder.
- L. No animal impounded at ACASAC shall be sold or given away to any person, organization, company, or other entity for the purposes of medical research or experimentation.

SECTION III. RESPONSIBILITIES OF NORTHGLENN

- A. Northglenn hereby expressly authorizes ACASAC to enforce Chapter 14 of the City of Northglenn Ordinances, as it pertains to animal licensing and control. It is, however,

understood that the County will provide such services only as they pertain to dogs, cats, or other small domestic animals, and fowl.

- B. Northglenn agrees to notify the ACASAC, at least forty-eight (48) hours prior to the effective date thereof, of any changes or amendments to Chapter 14 of the City of Northglenn Ordinances.
- C. Northglenn's animal control officers shall cooperate with and provide assistance to ACASAC concerning routine impoundment functions including: getting impound numbers from the computer, vaccinating animals; placing identification collars on animals; placing animals in pens; and completing associated impoundment documentation (i.e. scanning animals and entering the scanned number on the impound cards, entering the animal's age, weight, and rabies tag number on the impound cards, etc.).

SECTION IV. PAYMENTS, FEES, AND ADDITIONAL EXPENSES

- A. Northglenn shall pay the County the base sum of Five Thousand, Seven Hundred Nine Dollars (\$5,709) per month for the services provided herein. Such payments shall be made in full to the County within thirty (30) days of the receipt by Northglenn of the monthly report provided by ACASAC.
- B. In addition, Northglenn shall reimburse the County for boarding and other service fees associated with holding animals in excess of five (5) business days due to court holds, protective custody holds, or police holds. The boarding fee charged for holding animals in excess of five (5) business days shall be seven dollars (\$7), and such additional fees shall be paid on a monthly basis.
- C. Northglenn shall also reimburse the County for any veterinary expenses incurred in association with animals impounded under the terms of this IGA, when and if ACASAC's staff or contract veterinarian is unable, for whatever reason, to provide the necessary treatment. Northglenn shall reimburse the County for such expenses on a monthly basis.
- D. The County shall retain all impoundment, boarding, adoption, service and/or other fees collected in association with this IGA. The County shall also retain all gifts or contributions received in association with any services provided in association with this IGA.

SECTION V. TERM

The term of this IGA shall be for a period of one (1) year commencing January 1, 2009 and terminating on December 31, 2009.

SECTION VI. INDEPENDENT CONTRACTOR

In providing services under this IGA, the County acts as an independent contractor. As such, the County shall be solely and entirely responsible for its acts, and the acts of its employees, agents, servants, and contractors during the term and performance of this IGA. No employee, agent, servant, or contractor of the County shall be deemed to be an employee, agent, or servant of Northglenn because of the performance of any services or work under this IGA. The County, at its expense, shall procure and maintain workers' compensation insurance and unemployment compensation insurance as required under Colorado law. **Pursuant to the Workers' Compensation Act, § 8-40-202(2)(b)(IV), C.R.S., as amended, the County understands that it and its employees and servants are not entitled to workers' compensation benefits from Northglenn. The County further understands that it is solely obligated for the payment of federal and state income tax on any moneys earned pursuant to this IGA.**

SECTION VII. NONDISCRIMINATION

The County shall not discriminate against any employee or qualified applicant for employment because of age, race, color, religion, marital status, disability, sex, or national origin. The County agrees to post in conspicuous places, available to employees and applicants for employment, notices provided by the local public agency setting forth the provisions of this nondiscrimination clause.

SECTION VIII. INDEMNIFICATION

To the extent permitted by law, each Party agrees to indemnify and hold harmless the other, its officers, agents, and employees for, from, and against any and all claims, suits, expenses, damages, or other liabilities, including reasonable attorney fees and court costs, arising out of damage or injury to persons, entities, or property caused or sustained by any person(s) as a result of the its own performance or failure to perform pursuant to the terms of this IGA.

SECTION IX. INSURANCE

The County is a "public entity" within the meaning of the Colorado Governmental Immunity Act ("Act"), § 24-10-101, *et seq.*, C.R.S., as amended, and shall at all times during the term of this IGA maintain such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the Act.

SECTION X. TERMINATION

A. For Cause

If, through any cause, the County fails to fulfill its obligations under this IGA in a timely and proper manner, or if it violates any of the covenants, conditions, or stipulations of this IGA, Northglenn shall thereupon have the right to immediately terminate this IGA, upon giving written notice to the County of such termination and specifying the effective date thereof.

B. For Convenience

Either party may terminate the IGA at any time by giving written notice as specified herein to the other party, which notice shall be given at least thirty (30) days prior to the effective date of the termination. If the IGA is terminated by Northglenn, the County will be paid in full for any services provided hereunder prior and up to the date of termination.

SECTION XI. MUTUAL UNDERSTANDINGS

A. Jurisdiction and Venue

The laws of the State of Colorado shall govern as to the interpretation, validity, and effect of this IGA. The parties agree that jurisdiction and venue for any disputes arising under this IGA shall be with the 17th Judicial District, Colorado.

B. Compliance with Laws

During the performance of this IGA, the parties agree to strictly adhere to all applicable federal, state, and local laws, rules and regulations, including all licensing and permit requirements. The Parties hereto acknowledge that they are familiar with § 18-8-301, *et seq.*, C.R.S. (Bribery and Corrupt Influences), as amended, and § 18-8-401, *et seq.*, C.R.S. (Abuse of Public Office), as amended, and that no violations of such provisions are present.

C. Record Retention

The parties shall maintain records and documentation of the services provided under this IGA, including fiscal records, and shall retain the records for a period of three (3) years from the date this IGA is terminated. Said records and documents shall be subject at all reasonable times to inspection, review, or audit by authorized federal, state, County, or Northglenn personnel.

D. Assignability

Neither this IGA, nor any rights hereunder, in whole or in part, shall be assignable or otherwise transferable by either party without the prior written consent of the other party.

E. Waiver

Waiver of strict performance or the breach of any provision of this IGA shall not be deemed a waiver, nor shall it prejudice the waiving party's right to require strict performance of the same provision, or any other provision in the future, unless such waiver has rendered future performance commercially impossible.

F. Force Majeure

Neither party shall be liable for any delay or failure to perform its obligations hereunder to the extent that such delay or failure is caused by a force or event beyond the control of such party including, without limitation, war, embargoes, strikes, governmental restrictions, riots, fires, floods, earthquakes, or other acts of God.

G. Notice

Any notices given under this IGA are deemed to have been received and to be effective: (1) three (3) days after the same shall have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that a facsimile or electronic mail transmission was received. For the purposes of this agreement, any and all notices shall be addressed to the contacts listed below:

For the County:

Adams County Fiscal Affairs Department
Purchasing and Expenditures
450 S. 4th Avenue
Brighton, Colorado 80601
Attn.: Loren Imhoff
Phone No.: (303) 654-6049
Facsimile No.: (303) 654-6058
limhoff@co.adams.co.us

and

Adams County Attorney's Office
450 S. 4th Avenue
Attn: Jennifer Stanley
Hal Warren
Brighton, Colorado 80601
Phone No.: (303) 654-6116
Facsimile No.: (303) 654-6114
jstanley@co.adams.co.us
hwarren@co.adams.co.us

For Northglenn:

Chief Russell L. Van Houten
Northglenn Police Department
P.O. Box 330061
11701 Community Center Dr.

Northglenn, CO 80233-8061
Phone No.: (303) 450-8864
Facsimile No.: (303) 450-8873
E-mail: rvanhouten@northglenn.org

H. Integration of Understanding

This IGA contains the entire understanding of the parties hereto and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by the parties.

I. Paragraph Headings

Paragraph headings are inserted for the convenience of reference only.

J. Counterparts

This IGA may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

K. Parties Interested Herein

Nothing expressed or implied in this IGA is intended or shall be construed to confer upon or to give to, any person other than the parties, any right, remedy, or claim under or by reason of this IGA or any covenant, terms, conditions, or provisions hereof. All covenants, terms, conditions, and provisions in this IGA, by and on behalf of the County and Northglenn, shall be for the sole and exclusive benefit of the County and Northglenn.

L. Severability

If any provision of this IGA is determined to be unenforceable or invalid for any reason, the remainder of this agreement shall remain in effect, unless otherwise terminated in accordance with the terms contained herein.

M. Authorization

Each party represents and warrants that it has the power and ability to enter into this IGA, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the parties hereto have caused their names to be affixed.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO

Chairman

Date

ATTEST:
KAREN LONG
CLERK AND RECORDER

Approved as to form:

Deputy Clerk

Adams County Attorney's Office

CITY COUNCIL
CITY OF NORTHGLENN, COLORADO

Mayor

Date

ATTEST:
CITY CLERK

Approved as to form:

Northglenn City Attorney

CHAPTER 14
ANIMAL CONTROL

Article 14-1. Animal Control--General Provisions.

Article 14-2. Dog Control.

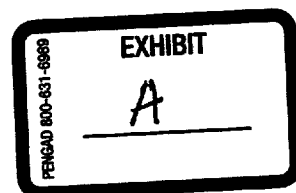
Article 14-3. Cats and Animals.

Article 14-4. Impounding.

Article 14-5. Repealed (Ord. 1291, 2001)

Article 14-6. Saving Clause--Severability.

Article 14-7. Repealed (Ord. 1292, 2001)



CHAPTER 14

ANIMAL CONTROL

Article 1. ANIMAL CONTROL--GENERAL PROVISIONS.

14-1-1. Definitions.

14-1-2. Animal Control Officer.

14-1-3. Police Officers--Authority and Assistance.

14-1-4. Unlawful Acts.

14-1-5. Violations-Penalty.

CHAPTER 14
ANIMAL CONTROL

ARTICLE 1. ANIMAL CONTROL--GENERAL PROVISIONS

Section 14-1-1. Definitions. As used in this ordinance and in the ordinances contained in Chapter 14 of the ordinances of the City of Northglenn.

(a) "Animal control officer" means and includes any animal control officer appointed pursuant to the provisions of this ordinance, and any person authorized by this ordinance to perform the duties of an animal control officer.

(b) "Dog" means a mammal of the species canis familiaris or other species of the family Canidae.

(c) "Cat" means a mammal of the species felis domestica or other species of the family Felidae.

(d) "Domestic animal" means and includes any domestic quadruped or biped not otherwise defined in this section; and any domestic fowl.

(e) "Bovine animal" means and includes any animal of the species commonly known as cattle or oxen, or other domestic animal of the genus Bos.

(f) "Reptile" means and includes any snake, alligator, lizard, tortoise, turtle or crocodile.

(g) "Estray" means and includes any bovine animal, horse, mule or ass found running at large upon public or private lands in the City of Northglenn.

(h) "Owner" means and includes every person owning, possessing, keeping, or otherwise having the custody or control of any dog, cat, domestic animal, or reptile, subject to the provisions of ordinances of the City; and every person, of the age of eighteen years or more, in possession or control of premises upon which is kept any such dog, cat, domestic animal or reptile.

(i) "Impoundment" means confinement in an animal control facility, or temporary holding facility, and includes custody or possession by an animal control officer or police officer in any authorized place, vehicle, enclosure or building, pending transfer to an animal control facility or temporary holding facility or such holding facility as City Council shall, by agreement, make use of on behalf of the City or pending any investigation.

(j) "Animal control facility" or "pound" means the animal control facility for the City of Northglenn, State of Colorado, or any other place or facility temporarily or permanently designated by the City Manager or by ordinance for the impounding of dogs, cats, domestic animals, reptiles, or estrays.

(k) "Manager" means the City Manager of the City of Northglenn, or his authorized representative.

(l) "Veterinarian" means a person licensed to practice veterinary medicine.

(m) "Guard dogs" means and includes every dog kept for the purpose of guarding or protecting real or personal property which by reason of special training, breeding, or the known propensities of such dogs, known or intended by the owner of such premises to be likely to attack, or being spirited.

(n) "Pound fee" means and includes all fees and charges established by the City of Northglenn for the impounding, care, boarding and release of any dog, cat, domestic animal, fowl, or reptile at the animal control facility.

(o) Except as otherwise provided in this section, the definitions and constructions contained in sections 1-1-5 and 11-5-2 of the Northglenn Municipal Code shall apply.

(p) "Temporary holding facility" means and includes any building enclosure, vehicle, structure or place designated by the manager for temporary confinement of dogs, cats, domestic animals and reptiles subject to the provisions of this ordinance.

(q) "Holding fee" means the fee provided by ordinance to be charged and collected by the City of Northglenn or its designated agent for the temporary holding and handling of any dog, cat, domestic animal or reptile.

(r) "Potbellied Pig" A pig registered with a bona fide potbellied pig registry and weighing less than ninety-five (95) pounds.

[Source: Ord. 436, '76; 471, '77; 1075, '92]

Section 14-1-2. Animal Control Officer.

(a) A person appointed by the Manager as an animal control officer shall be an officer of the City of Northglenn and shall be authorized and empowered to enforce the ordinances of the City of Northglenn as such officer.

(b) An animal control officer shall be an authorized public inspector of the City of Northglenn for the purposes designated or required by the provisions of this Chapter 14 of the Northglenn Municipal Code.

(c) The animal control officer shall perform such duties as shall from time to time be provided by the ordinances of the City or by the Manager.

(d) Whenever any federal or state law imposes upon the City of Northglenn, or upon the Mayor or City Council thereof, a duty with respect to the care, custody, keeping, seizing, impoundment or control of any dog, cat, animal, fowl, fish, reptile, or insect, such duty shall be performed by the animal control officer under the authority of this ordinance.

[Source: Ord. 436, 1976]

Section 14-1-3. Police Officers--Authority and Assistance.

(a) It shall be lawful for any police officer of the City of Northglenn to do or perform any act or duty required, authorized or permitted to the animal control officer.

(b) It shall be lawful for the animal control officer, or any person performing the duties of an animal control officer, in the performance of any act or duty required, authorized or permitted by ordinance, regulation or the direction of the manager, to call to his assistance any police officer of the City or any person who is a peace officer under the laws of the State of Colorado.

[Source: Ord. 436, 1976]

Section 14-1-4. Unlawful Acts.

(a) It shall be unlawful for any person, by using or threatening to use violence, force, physical interference, or obstacle, intentionally to obstruct, impair or hinder an animal control officer or police officer in the performance of his duty.

(b) It shall be unlawful for any person to take, seize or remove from the custody or possession of an animal control officer any dog, cat, animal or fowl which has been seized or impounded by the animal control officer.

(c) It shall be unlawful for any person, except an animal control officer as defined by this ordinance or a person authorized by this ordinance to perform the duties of an animal control officer, to represent himself to be an animal control officer and thereby obtain possession of any dog, cat, animal or fowl.

[Source: Ord. 436, 1976]

Section 14-1-5. Violations--Penalty. Any violation of any of the provisions of Article 1 of Chapter 14 of the Northglenn Municipal Code shall be punishable as provided in Section 1-1-10(a)(2) of this Code.

[Source: Ord. 1130, 1995]

CHAPTER 14
ANIMAL CONTROL

Article 2. DOG CONTROL.

- 14-2-1. Purpose.
- 14-2-2. Title.
- 14-2-3. Rabies Vaccination Required.
- 14-2-4. Exhibition of Rabies Tag.
- 14-2-5. Biting Dogs--Reports.
- 14-2-6. Miscellaneous Unlawful Acts.
- 14-2-7. Confinement or Muzzling of Dogs During Rabies Danger-Impoundment of Dogs Not Confined or Muzzled.
- 14-2-8. Female Dogs in Heat.
- 14-2-9. Vicious Dogs.
- 14-2-10. Pit Bulls Prohibited.(Repealed)
- 14-2-11. Duties of Animal Control Officer.
- 14-2-12. Release of Impounded Dog--Compliance With Ordinance Procedures.
- 14-2-13. Guard Dogs--Permit Required.
- 14-2-14. Barking Dogs.
- 14-2-15. Sanitation.
- 14-2-16. Violations--Penalty.
- 14-2-17. Severability Clause.

CHAPTER 14
ANIMAL CONTROL

ARTICLE 2. DOG CONTROL

Section 14-2-1. Purpose. The purpose of this ordinance is to regulate the keeping of dogs in the City of Northglenn, to provide for the impounding and disposition of stray dogs found in the City, and to provide for the impounding and disposition of dogs kept or found in violation of the provisions of this ordinance.

[Source: Ord. 1019, 1991]

Section 14-2-2. Title. This ordinance shall be known and cited as the Northglenn Dog Control Ordinance.

[Source: Ord. 1019, 1991]

Section 14-2-3. Rabies Inoculation Required.

(a) Every dog kept in the City of Northglenn shall be inoculated against rabies by a licensed veterinarian as frequently as recommended by the "Compendium of Animal Rabies Control" as promulgated by the National Association of State Public Health Veterinarians.

(b) Any dog not previously inoculated against rabies as required by subsection (a) shall comply with this Section within thirty (30) days after the date on which:

- (1) such dog is brought into the City of Northglenn; or
- (2) such dog is purchased or acquired by the owner.

(c) Any dog not inoculated in compliance with this Section shall be inoculated by a veterinarian designated by the City, and the owner or keeper of such dog shall be charged for such inoculation.

[Source: Ord. 1019, '91; 1236, '99]

Section 14-2-4. Exhibition of Rabies Tag.

(a) It shall be unlawful for any person to keep within the City of Northglenn any dog required by the provisions of this article to be vaccinated against rabies unless there is fastened to each such dog a collar or harness made of durable material, to which a current rabies vaccination tag is securely attached.

(b) Any dog required by the provisions of Section 14-2-3 to be vaccinated against rabies, which is running at large in the City of Northglenn without a current rabies vaccination tag shall be seized and impounded by an animal control officer.

(c) It shall be unlawful to keep any guard dog in the City of Northglenn unless there is fastened on such guard dog, a collar or harness, made of durable material, to which a current rabies vaccination tag is securely attached.

[Source: Ord. 1019, 1991]

Section 14-2-5. Biting Dogs--Reports.

(a) Any owner of a dog in the City of Northglenn who knows or has probable cause to believe that such dog has bitten another person, shall report such fact to an animal control officer or police officer.

(b) Any dog reported under the provisions of this section, unless such dog has been vaccinated against rabies as provided by this article, may be confined by order of an animal control officer for rabies observation pursuant to the provisions of Section 14-4-12.

(c) Any vicious dog may be seized and impounded by an animal control officer. In the event such vicious dog cannot be seized by an animal control officer without exposing the officer to danger or personal injury by such dog, it shall be lawful for such officer, after making every reasonable effort to capture such dog, including the solicitation of assistance from the owner if such owner be ascertainable and available, to forthwith destroy such vicious dog.

(d) Any owner or keeper of a dog ordered held for observation, pursuant to the provisions of subsection (b) above, shall be assessed a fee as established by contract between the City of Northglenn and the City's designated animal control facility.

[Source: Ord. 1019, 1991]

Section 14-2-6. Miscellaneous Unlawful Acts.

(a) No person shall affix to the collar or harness of any dog, or permit to remain so affixed, any rabies tag except the rabies tag issued for such dog at the time of its vaccination against rabies.

(b) No person except the owner thereof shall remove or cause to be removed from the collar or harness of any dog the rabies tag thereto affixed at the time of its vaccination against rabies.

(c) No person shall keep or possess any dog in the City of Northglenn unless such dog has been vaccinated against rabies as required by this ordinance.

(d) No person shall willfully cause, instigate, encourage, or promote any dog fight in the City of Northglenn.

(e) A person, being the owner or keeper of a dog, shall be guilty of dog at large if such dog runs at large within the City. A dog shall be deemed to be running at large when it is off the premises of the owner or keeper, other than at a City-designated off-leash dog park, and not within the effective control of that owner or keeper, his agent, servant, or competent member of his family by means of a leash, cord or chain. A dog shall also be deemed to be running at large when it is on an unfenced portion of the premises of the owner or keeper and the owner or keeper is not physically

present within eyesight of the dog. For purposes of this definition, the "premises of the owner or keeper" shall not include the common areas of condominiums, townhouses, and apartment buildings, or any public sidewalk, park, other than a City-designated off-leash dog park, or right of way, and any dog not in the effective control of its owner or keeper upon the common area of any condominium, townhouse or apartment building, or any public area, shall be deemed to be running at large.

(f) No person shall intentionally, willfully or negligently cause any dog to attack or bite any person, dog, cat or domestic animal.

(g) No person shall exhibit to an animal control officer or police officer any rabies tag, or receipt for rabies vaccination of any dog, presenting the same to apply to any dog other than the dog for which such rabies tag or receipt was issued.

[Source: Ord. 1019, 1991; 1329, 2003]

Section 14-2-7. Confinement or Muzzling of Dogs During Rabies Danger Impoundment of Dogs Not Confined or Muzzled. Whenever the Mayor shall find that any danger exists from rabies, plague or other canine-carried disease or that any other danger exists from dogs running at large within the City, he may issue his proclamation requiring every owner, possessor, or keeper of any dog within the City to confine or muzzle securely the same for such time as he may designate, during which time it shall be unlawful for any dog to be within the City unless so confined or muzzled securely with a strong wire or leather muzzle fastened so as to prevent any such dog from biting. It shall be the duty of the animal control officer and all police officers of the City to seize and impound any dog that may be found during the time so designated by the Mayor unless confined or muzzled as provided in this ordinance.

[Source: Ord. 1019, 1991]

Section 14-2-8. Female Dogs in Heat. Any unspayed female dog, while in heat, shall be securely confined during such period in the owner's, possessor's, or keeper's home, pen, or other enclosure.

[Source: Ord. 1019, 1991]

Section 14-2-9. Vicious Dogs.

(a) It shall be unlawful for any person to own, possess, keep, exercise control over, maintain, harbor, transport, or sell within the City of Northglenn any vicious dog.

(b) No person shall will fully cause, instigate, encourage, or promote any dog to aggressively threaten, attack, attempt to bite, or bite any person or other animal in the City; provided, however, that no violation of this subsection shall be deemed to have occurred where a dog is caused or encouraged to attack any person engaged in attacking or molesting another person.

(c) For the purpose of this Section 14-2-9, a vicious dog is defined as a dog, which at any place in the City, attacks or bites a human being or dog, cat or domestic animal or which repeatedly

attack or has, bitten or attempted to bite; or aggressively threatened by charging, baring its teeth, growling and snapping or otherwise demonstrates vicious behavior toward a human being or another animal; provided, however, that no dog shall be deemed vicious solely by reason of having attacked, threatened, attempted to bite or bitten:

(1) A person who attacked such dog or who engaged in conduct reasonably calculated to provoke such dog to attack, threaten, or bite such person or another person; or

(2) Any person engaged in provoking or stopping a dog fight or any altercation between such dog and any other animal; or

(3) Any person engaged in attacking or molesting another person; or

(4) Any person engaged in unlawful entering into or upon the fenced or enclosed portion of the premises upon which such dog is kept; or into or upon any automobile or other vehicle parked or stored in, upon, OR on the street adjacent to such premises; or

(5) Any person engaged in unlawful or unauthorized entering into or UPON any vehicle in which such dog is kept or confined; or

(6) Any other animal engaged in the authorized entry into or upon the fenced or enclosed portion of the premises upon which such dog is kept; or

(7) Any person other than an authorized police officer or animal control officer engaged in capturing or attempting to capture such dog in the absence of the owner excepting any person attempting to capture a dog on such person's own property.

(d) Any dog displaying vicious propensities, or having been deemed vicious by any court shall be restrained or confined and secured in an enclosure at all times.

(1) For the purposes of this Section 14-2-9 restrained shall mean that the dog is under the immediate physical control of a responsible person by a leash or lead and muzzled when not confined or enclosed.

(2) For the purposes of this Section 14-2-9 confinement shall mean that the dog is housed inside the owner's residence or in a secure enclosure which includes a top permanently attached to opaque sides at least six feet (6') high, a bottom that is either permanently connected to the sides or embedded into the ground no less than one foot (1'), and must be of such material and closed with a gate or door which cannot be opened by the dog or unauthorized persons.

(3) For the purposes of this Section 14-2-9 temporary enclosure shall be a secure enclosure used for the purposes of transporting the dog and which includes a top and bottom permanently attached to the sides except for a door for removal of the dog. Such enclosure shall be of such material, and such door closed and secured in such a manner, that the dog cannot exit the enclosure on its own.

(e) Law enforcement canines under the control of their handler and on official business are exempt from the provisions of this Section 14-2-9.

(f) Notwithstanding any other provisions of this Section 14-2-9, any vicious dog that causes life threatening injuries or death to any person shall be humanly destroyed.

[Source: Ord. 1221, 1999]

Section 14-2-10, Pit Bulls Prohibited, is hereby repealed in its entirety.

[Source: Ord. 1221, 1999]

Section 14-2-11. Duties of Animal Control Officer. In addition to any other duties which may be required from him by the Manager or by the ordinances of the City;

(a) The animal control officer may seize and impound any dog which is in violation of any of the provisions or requirements of this Chapter.

(b) The animal control officer may, whenever a violation of the provisions of this Chapter is committed by any person in his presence or whenever he shall have probable cause to believe that a violation of the provisions of this Chapter has been committed by any person, institute proceedings in the Municipal Court of the City of Northglenn for the prosecution of such violation, by issuing a summons and complaint.

(c) The animal control officer may, whenever he has reason to believe that any violation of this Chapter has been committed or exists, notify the owner of any dog, or dogs of the existence of such violation and request the discontinuance or correction of such violation within a reasonable time stated within such notice. Such notice shall contain a statement that the ordinances of the City provide for issuance of the summons and complaint for violations of the ordinance, and the possible penalties provided by the ordinance. This provision shall not apply to violations of Sections 14-2-9 and 14-2-10.

(d) The animal control officer may enter upon private property for the purpose of seizing a dog to be impounded if the animal control officer is in pursuit of a dog which he has probable cause to believe to be in violation of any of the provisions of this Chapter and which has strayed to or taken refuge on such private property in the course of such pursuit, or if such entry onto private property is necessary to remove a danger of imminent bodily harm to a human being, animal, dog or cat.

(e) The animal control officer may enter upon private property for the purpose of seizing and impounding any dog kept upon such property in violation of the provisions of this Chapter;

(1) Pursuant to order of a municipal judge; or

(2) With the permission of the owner or tenant of such property.

(f) The animal control officer may seize and impound any injured dog found at large in the

City, when the owner cannot be immediately located.

(g) The animal control officer shall dispose of any dead dogs found in the City. If such dead dog has a rabies tag attached, the animal control officer shall notify, or cause to be notified the owner thereof. The animal control officer shall remove and dispose of the rabies tag attached to such dead dog.
[Source: Ord. 1019, 1991]

Section 14-2-12. Release of Impounded Dog--Compliance With Ordinance Procedures.

(a) No impounded dog shall be released from impoundment except upon compliance with the procedures provided by the Northglenn Impounding Ordinance.

(b) No impounded dog shall be released from impoundment until the pound fee has been paid to the animal control facility.

(c) Whenever any dog is released from impoundment, the owner shall be required to sign a receipt for the release of such dog, containing a description of the dog, and an acknowledgment of ownership on the part of such owner.

[Source: Ord. 1019, 1991]

Section 14-2-13. Guard Dogs--Permit Required, is hereby amended to read as follows:

(a) No person shall keep any guard dog for the purpose of guarding or protecting real or personal property, in the City of Northglenn without first obtaining a permit therefor from the City Clerk of the City of Northglenn.

(b) Application for the permit required by this section shall be made to the City Clerk and shall be accompanied by payment of a permit fee of ten dollars (\$10.00) for each dog therein described. The permit shall specify the location at which such dog is to be kept, shall be non-transferable to any other location, and shall expire on the date specified in the permit, which date shall not be later than one year after the date of issue.

(c) No person shall keep any guard dog for the purpose of guarding or protecting real or personal property unless such dog is securely confined within a building or enclosure, with provision for adequate safeguards, against entry thereto by children and against accidental or unintentional entry by any person. Such building or enclosure shall be marked with a sign declaring the danger at every door, gate or entrance thereto and at intervals of every 100 feet of fenced enclosure.

(d) It shall be unlawful for any person, firm, corporation, or association to cause to permit any dog to be kept in violation of this section; and any dog so kept in violation of this section may be seized and impounded by the animal control officer.

(e) No vicious dog, as defined in Section 14-2-9, shall be licensed as a guard dog.

[Source: Ord. 1019, 1991; 1221, 1999]

Section 14-2-14. Barking Dogs. It shall be unlawful for any person to own, keep, or have in his possession or harbor any dog which, without provocation, by frequent or habitual howling, barking, or otherwise, shall cause annoyance or disturbance to any persons. This section shall not apply to an animal control officer in the performance of his duties nor to hospitals conducted for treatment of dogs and small animals.

[Source: Ord. 1019, 1991]

Section 14-2-15. Sanitation. The owner of any dog kept in the City of Northglenn shall cause excreta to be removed from any dog run or yard in which such dog is kept to prevent contamination of the dog and to prevent diseases, hazards and odors. The accumulation of excreta upon any premises in violation of the provisions of this section shall be unlawful and shall be deemed a public nuisance.

[Source: Ord. 1019, 1991]

Section 14-2-16. Violations--Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of this ordinance, Article 2 of Chapter 14 of the Municipal Code of the City of Northglenn.

(b) Proceedings for prosecution of violations of Section 14-2-6 (e) of this article shall be conducted in compliance with the applicable procedural requirements of Section 14-4-14 of this chapter.

(c) Violations of the provisions of Section 14-2-6 (e) of this article shall be punishable by a fine of at least twelve dollars (\$12.00) for the first offense within a one (1) year time period measured from the date of any prior violation of said provision. Additional violations within a one (1) year period shall be punishable by fines of at least twenty-five dollars (\$25.00) for a second offense and at least sixty dollars (\$60.00) for each offense thereafter. No single violation shall be punishable by a fine of more than four hundred ninety-nine dollars (\$499.00).

(d) Violations of the provisions of Section 14-2-9 shall be punishable as follows:

(1) For a first violation involving a threatening of, attack upon, or biting of, a human being, a mandatory fine, not subject to suspension, of not less than two hundred dollars (\$200.00) and the mandatory implantation in the dog of a unique identifying computer microchip by a licensed veterinarian at the owner's expense plus any additional penalty allowed hereunder, including the humane destruction of the dog, which the court deems proper. Evidence of such implantation and the unique identifying microchip number shall be certified by the veterinarian to the City's animal control officer (s) within ten (10) days of conviction or upon release of the dog from impoundment, whichever is less.

(2) For the second violation involving the threatening of, attack upon, or biting of, a human being by the same dog as was involved in the first violation, or any dog owned by the same person over a three (3) year period following the first violation, a fine up to three hundred fifty

dollars (\$350.00) and the owner of the dog shall be required to obtain and maintain liability insurance on the dog in an amount of at least one hundred thousand dollars (\$100,000) the evidence of such insurance shall be made by the insurer to the City's animal control officer(s), to spay or neuter the dog, to keep the dog securely confined as defined in subsection (d) when on the property of the owner, to keep the dog securely leashed and muzzled or secured in a temporary enclosure as defined in subsection (d) when away from the property of the owner, to refrain from selling or transferring ownership of the dog, to notify the City's animal control officer (s) immediately if the dog is lost or stolen, and/or any additional penalty allowed hereunder, including the humane destruction of the dog, which the court deems proper.

(3) For a third violation involving the threatening of, attack upon, or biting of a human being by the same dog as was involved in the first or second violation, or any dog owned by the same person over a three (3) year period following the first or second violation, a fine or not less than four hundred ninety-nine dollars (\$499.00) and a mandatory jail sentence, not subject to suspension, of not less than five (5) days. Additionally, the dog shall be humanely destroyed.

(4) Notwithstanding any other provisions of this Section 14-2-9, any vicious dog that causes life threatening injuries or death to any person shall be destroyed.

(e) Violations of provisions of Section 14-2-13 of this article shall be punishable by a fine of not more than three hundred dollars (\$300.00), or by imprisonment in the City jail or county jail for not more than ninety (90) days or by both fine and imprisonment.

(f) Except as otherwise provided in Section 14-2-16 (b), (c), (d) and (e) of this article, violations of the provisions of this Article 2 of Chapter 14 of the Municipal Code shall be punishable as provided in Section 1-1-10 (a) (2) of this Code.

[Source: Ord. 1130, 1995; 1221, '99]

Section 14-2-17. Severability Clause. If any provisions of this article or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions

or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

[Source: Ord. 1019, 1991]

CHAPTER 14
ANIMAL CONTROL

Article 3. CATS AND ANIMALS

- 14-3-1. Estrays.
- 14-3-2. Impounding of Cats.
- 14-3-3. Impounding of Animals.
- 14-3-4. Entry on Private Property.
- 14-3-5. Removal of Dead and Injured Cats, Domestic Animals and Reptiles.
- 14-3-6. Rabies Vaccination Required.
- 14-3-7. Exhibition of Rabies Tag.
- 14-3-8. Unlawful Acts.
- 14-3-9. Biting Cats and Animals--Reports.
- 14-3-10. Duties of Animal Control Officer.
- 14-3-11. Violations--Penalty.
- 14-3-12. Severability Clause.
- 14-3-13. Three or More Rabbits--License Required.
- 14-3-14. Limitation on Number of Rabbits Kept.
- 14-3-15. Limitation on Area and Location of Keeping Rabbits.
- 14-3-16. Cancellation, Suspension or Revocation of License.
- 14-3-17. Reserved.

CHAPTER 14
ANIMAL CONTROL

ARTICLE 3. CATS AND ANIMALS

Section 14-3-1. Estrays. When any estray shall be found in the City of Northglenn, the animal control officer shall pick up such estray, shall within five (5) days thereafter, unless such estray is first claimed by the owner, notify by mail the state board of stock inspection commissioners, and shall otherwise comply with the provisions of article 4 of Chapter 8, Colorado Revised Statutes 1963, as amended. Such estray shall be kept and cared for as provided by the Northglenn Impounding Ordinance.
[Source: Ord. 196, 1973]

Section 14-3-2. Impounding of Cats.

(a) The animal control officer may seize and impound any cat which is found strayed or running at large in any public highway, street or public way, or upon public property.

(b) The animal control officer may seize and impound any cat which is in violation of the provisions of this ordinance.

[Source: Ord. 196, 1973]

Section 14-3-3. Impounding of Animals. The animal control officer may seize and impound any domestic animal except an estray as defined in Section 14-1-1(g), or any reptile which is found running at large in the City.

[Source: Ord. 106, 1973]

Section 14-3-4. Entry on Private Property. The animal control officer may enter upon private property for the purpose of seizing a cat, domestic animal or reptile to be impounded, or for the purpose of seizing an estray, which has strayed to or taken refuge on such private property in the course of pursuit thereof by the animal control officer, or if such entry onto private property is necessary to remove or prevent a hazard or danger to any person or property, or if such entry is authorized by order of a municipal judge. The animal control officer may enter upon private property, with the consent of the owner of such property, in the performance of his duties under this ordinance.

[Source: Ord. 196, 1973]

Section 14-3-5. Removal of Dead and Injured Cats, Domestic Animals and Reptiles. The animal control officer may remove or cause to be removed from any public or private place in the City any dead or injured cat, domestic animal or reptile, and thereupon impound or destroy the same. If any dead or injured cat has a rabies tag attached, the animal control officer shall notify, or cause to be notified, the owners thereof.

[Source: Ord. 196, 1973]

Section 14-3-6. Rabies Inoculation Required.

(a) Every cat kept in the City of Northglenn shall be inoculated against rabies by a licenses veterinarian as frequently as recommended by the "Compendium of Animal Rabies Control" as promulgated by the National Association of State Public Health Veterinarians.

(b) Any cat not previously inoculated against rabies as required by subsection (a) shall comply with this Section within thirty (30) days after the date on which:

- (1) such cat is brought into the City of Northglenn; or
- (2) such cat is purchased or acquired by the owner.

[Source: Ord. 196, '73; 1236, '99]

Section 14-3-7. Exhibition of Rabies Tag.

(a) It shall be unlawful for any person to keep within the City of Northglenn any cat required by the provisions of Section 14-3-6 to be vaccinated against rabies unless:

- (1) there is fastened on each such cat a collar or harness made of durable material, to which a current rabies vaccination tag is securely attached, or
- (2) the owner of such cat has in his possession, and exhibits to the animal control officer, evidence that such cat has been vaccinated against rabies within the time required by this ordinance.

[Source: Ord. 196, 1973]

Section 14-3-8. Unlawful Acts.

(a) No person shall keep or possess an adult cat unless such cat has been vaccinated against rabies as required by Section 14-3-6 of this ordinance.

(b) It shall be unlawful for the owner of any cat or potbellied pig to permit or allow such cat or potbellied pig to run at large. Whenever any cat or potbellied pig shall be found running at large in the City, it shall be presumed until the contrary appears that such cat or potbellied pig is permitted by the owner of such cat or potbellied pig to run at large.

(c) It shall be unlawful for the owner of any female cat in heat to permit the same to run at large, or to fail to keep the same confined within a building or enclosure.

(d) It shall be unlawful for any person to keep or possess, in the City of Northglenn any Canada lynx, cougar, tiger, leopard, mountain lion, panther, puma, bob cat, lynx cat, wild cat, timber wolf, grey wolf, prairie wolf, fox, coyote, badger, raccoon, hybrid wolf-dog, or any animal now or hereafter classified as a precatory animal by the statutes of the State of Colorado except as provided in Section 14-3-8(e) of this ordinance. A hybrid wolf-dog is defined as any dog displaying the majority of physical traits of a timber wolf, grey wolf, or prairie wolf.

(e) Section 14-3-8(d) shall not apply to animals kept in secure confinement upon premises occupied and used for purposes of a circus, exhibition or other entertainment when such animals are kept in the City of Northglenn for not more than seven (7) days.

(f) It shall be unlawful for any person to own, keep, have in his possession or harbor any

cat, potbellied pig or domesticated animal which without provocation, shall cause annoyance or disturbance to any person by habitual howling, barking, meowing, squawking, squealing or otherwise disturbing the peace. This section shall not apply to an animal control officer in the performance of his duties, nor to hospitals conducted for treatment of small animals and cats.

(g) The owner of any cat, potbellied pig, domestic animal or reptile kept in the City of Northglenn shall cause excreta to be removed from any pen, cage or yard in which such cat, potbellied pig, domestic animal or reptile is kept to prevent contamination, diseases, hazards and odors. The accumulation of excreta upon any premises in violation of the provisions of this section shall be unlawful and shall be deemed a public nuisance.

[Source: Ord. 196, '73; 271, '73; 1048, '92; 1075, '93]

Section 14-3-9. Biting Cats and Animals-Reports.

(a) Any owner of a cat, domestic animal or reptile in the City of Northglenn, who knows or has probable cause to believe that such cat, domestic animal or reptile has bitten another person, shall report such fact to an animal control officer or police officer.

(b) Any person who knows or has probable cause to believe that any cat, domestic animal or reptile in the City of Northglenn has bitten any person or has bitten another cat, domestic animal or dog, may report such fact to an animal control officer or police officer.

(c) Any cat, domestic animal or reptile reported under the provisions of this section, unless theretofore vaccinated against rabies as provided by this article, may be confined by order of an animal control officer for rabies observation pursuant to the provisions of Section 14-4-12.

[Source: Ord. 246, 1973]

Section 14-3-10. Duties of Animal Control Officer. In addition to any other duties which may be required from him by the administrator or by the ordinances of the City:

(a) The animal control officer may seize and impound any cat which is in violation of any of the provisions or requirements of this ordinance.

(b) The animal control officer may, whenever a violation of the provisions of this ordinance is committed by any person in his presence or whenever he shall have probable cause to believe that a violation of the provisions of this ordinance has been committed by any person, institute proceedings in the Municipal Court of the City of Northglenn for the prosecution of such violation, by issuing a summons and complaint.

(c) The animal control officer may, whenever a violation under the provisions of this ordinance is committed by any person in his presence, or whenever he shall have probable cause to believe that a violation of the provisions of this ordinance has been committed by any person, issue a warning notice requiring the correction or discontinuance of any violation or existing condition within a period of not more than seven (7) days.

(d) The animal control officer may, whenever he has reason to believe that any violation of this ordinance has been committed or exists, notify the owner of any cat, or cats, of the

existence of such violation and request the discontinuance or correction of such violation within a reasonable time stated within such notice. Such notice may contain a statement that the ordinances of the City provide for issuance of the summons and complaint for violations of the ordinance, and the possible penalties provided by the ordinance.

(e) The animal control officer may enter upon private property for the purpose of seizing a cat to be impounded if the animal control officer is in pursuit of a cat which he has probable cause to believe to be in violation of any of the provisions of this ordinance and which has strayed to or taken refuge on such private property in the course of such pursuit, or if such entry onto private property is necessary to remove a danger of imminent bodily harm to a human being, animal, dog or cat.

(f) The animal control officer shall seize and impound any cat which is in violation of any of the provisions of this ordinance.

(g) The animal control officer may seize and impound any injured cat found at large in the City, when the owner cannot be immediately located.

(h) The animal control officer shall dispose of any dead cats found in the City. If such dead cat has a rabies tag attached, the animal control officer shall notify, or cause to be notified, the owner thereof. The animal control officer shall remove and dispose of the rabies tag attached to such dead cat.

[Source: Ord. 196, 1973]

Section 14-3-11. Violations--Penalty.

(a) It shall be unlawful for any person to violate any of the provisions of this ordinance, article 3 of Chapter 14 of the Municipal Code.

(b) Proceedings for prosecution of violations of Section 14-3-8(b) of this article shall be commenced only in compliance with the procedural requirements of Section 14-4-14 of this chapter.

(c) Except as provided in Section 14-3-11(b) of this article, violation of any of the provisions of this ordinance, Article 3 of Chapter 14 of the Northglenn Municipal Code, shall be punishable as provided in Section 1-1-10(a)(2) of this Code.

[Source: Ord. 318, '74; 1130, '95]

Section 14-3-12. Severability Clause. If any provisions of this ordinance, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

[Source: Ord. 196, 1973]

Section 14-3-13. Three or More Rabbits--License Required.

(a) Any person residing in the City of Northglenn desiring to keep upon the premises upon which he resides three (3) or more rabbits may apply for a license pursuant to the provisions of this ordinance.

(b) A license issued under this ordinance may authorize the keeping by the person named in the license, and members of the immediate family of such person, upon the premises stated in the license, of the number of rabbits stated in the license as family pets.

(c) The keeping of rabbits for commercial purposes in residential zones is prohibited by the zoning ordinance, Chapter 11, of the Municipal Code, and a license issued under this ordinance does not authorize the keeping of rabbits for commercial purposes.

(d) Application for such license shall be made to the City Clerk upon forms provided by the City and accompanied by payment of a license fee of ten dollars (\$10.00). Such application shall contain such information as the City Clerk may require for purposes of enforcement of the provisions of this ordinance, including at least the following:

(1) The name and address of the applicant;

(2) A description of the rabbits proposed to be kept and the number thereof;

(3) A statement of the number of rabbits, if any, kept at the same premises by any other person, and the name of such person.

(e) The holder of a license issued pursuant to the provisions of this ordinance may make application for an amended license as provided in Section 14-3-13(d).

[Source: Ord. 646, 1982]

Section 14-3-14. Limitation on Number of Rabbits Kept.

(a) No occupant of any residential dwelling unit in the City shall keep or permit to be kept upon the premises more than two (2) rabbits, unless such occupant or another occupant of the same dwelling unit has obtained and has in effect a license under the provisions of this ordinance authorizing the keeping of more than two rabbits.

(b) No occupant of any residential dwelling unit in the City for which a license authorizing the keeping of more than two rabbits has been issued under the provisions of this ordinance shall keep or permit to be kept upon such premises any rabbit or rabbits in excess of the number authorized by such license.

(c) No license issued under the provisions of this ordinance shall authorize the keeping of more than six (6) rabbits upon the premises of the same dwelling unit.

[Source: Ord. 334, 1974]

Section 14-3-15. Limitation on Area and Location of Keeping Rabbits.

(a) The total area used for keeping of rabbits on the premises of any dwelling shall not exceed five hundred (500) square feet.

(b) Any area used for keeping of rabbits pursuant to a license issued under the provisions of this ordinance shall be located at the rear of the lot and shall not be located within seventy-five

(75) feet of any dwelling.

[Source: Ord. 334, 1974]

Section 14-3-16. Cancellation, Suspension or Revocation of License.

(a) Any license issued under the provisions of this ordinance for the keeping of rabbits shall be subject to cancellation, suspension and revocation as provided by article 1 of Chapter 18 of the Municipal Code.

(b) In addition to the grounds stated in said article 1 of Chapter 18 of the Municipal Code, the following shall be grounds for suspension or revocation of such license.

(1) The keeping of rabbits in such manner as to create a nuisance.

(2) Mistreatment of rabbits by the licensee.

(c) Except as otherwise provided in this section, proceedings for the cancellation, suspension or revocation of any license issued under the provisions of this ordinance shall be as provided in Section 14-2-17 and article 1 of Chapter 18 of the Municipal Code.

[Source: Ord. 334, 1974]

Section 14-3-17. Reserved.

CHAPTER 14
ANIMAL CONTROL

Article 4. IMPOUNDING

- 14-4-1. Title and Purpose.
- 14-4-2. Pound Facilities.
- 14-4-3. Care of Estrays.
- 14-4-4. Disposition of Injured Dog or Animal.
- 14-4-5. Notice of Impoundment.
- 14-4-6. Procedure for Release of Impounded Dog or Cat.
- 14-4-7. Procedure for Release of Impounded Domestic Animal or Reptile.
- 14-4-8. Disposition of Impounded Dogs.
- 14-4-9. Disposition of Impounded Cats and Other Animals.
- 14-4-10. Exceptions--Authority of Manager.
- 14-4-11. Authority of Municipal Court to Order Disposition of Dog or Animal.
- 14-4-12. Confinement for Rabies Observation.
- 14-4-13. Temporary Holding Facility.
- 14-4-14. Procedure for Impounding and Release of Dogs and Cats--Temporary Holding Fee.
- 14-4-15. Temporary Holding--Records Required.
- 14-4-16. Other Records Required.

CHAPTER 14
ANIMAL CONTROL

ARTICLE 4. IMPOUNDING

Section 14-4-1. Title and Purpose.

(a) The provisions of this article 4 of Chapter 14 of the Municipal Code shall be known and cited as the Northglenn Impounding Ordinance.

(b) The provisions of this article shall govern the impounding, custody, control, release and disposition of dogs, cats, domestic animals and reptiles impounded or confined pursuant to the ordinances of the City.

[Source: Ord. 436, 1976]

Section 14-4-2. Pound Facilities.

(a) The City Council shall designate an appropriate animal holding facility as the animal control facility of the City of Northglenn, wherein shall be kept all dogs, cats, domestic animals and reptiles impounded, pursuant to the ordinances of the City, except as otherwise provided in this section.

(b) The Manager may designate one or more temporary holding facilities for the temporary impoundment, holding or confinement of dogs, cats, domestic animals and reptiles subject to the provisions of this chapter.

[Source: Ord. 436, '76; 982, '89; 1221, '99]

Section 14-4-3. Care of Estrays. Any bovine animal, horse, mule or ass taken up as stray shall be properly cared for, fed, and provided with necessary services of a veterinarian, and kept or housed at the animal control facility of the City of Northglenn, or at such other suitable place or facility as the Manager shall direct.

[Source: Ord. 436, 1976]

Section 14-4-4. Disposition of Injured Dog or Animal.

(a) In the event a seriously or critically injured dog, cat, domestic animal, or reptile is in the custody of the animal control facility without identification, without a rabies tag, or other means of identifying the owner, the supervisor of Animal Control of the City of Northglenn is hereby and herewith authorized to dispose of such dog, cat, domestic animal, or reptile without holding the same for any period.

(b) In the event a seriously or critically injured dog, cat, domestic animal or reptile impounded by an animal control officer is without identification, without a rabies tag, or other means of identifying the owner, such animal control officer is hereby and herewith authorized to dispose of such injured dog, cat, domestic animal or reptile without holding the same for any period and without placing the same in the animal control facility.

[Source: Ord. 436, '76; 982, '89]

Section 14-4-5. Notice of Impoundment. In every case of impoundment, the animal control officer shall cause to be entered in the records of the Northglenn Police Department within eight (8) hours after seizure, and for six consecutive days thereafter, a description of each dog, cat, domestic animal or reptile impounded; the date, place and approximate time of seizure; and the name and address of the animal control facility in which the same is impounded. Such records shall be open to inspection by any person during regular business hours.

[Source: Ord. 955, 1989]

Section 14-4-6. Procedure for Release of Impounded Dog or Cat.

(a) No dog or cat shall be released from impoundment except upon compliance with the redemption procedure provided by ordinance, or upon order of a municipal judge, the manager, or an animal control officer.

(b) Any dog or cat impounded solely by reason of violation of the requirements of this chapter relating to rabies vaccination or the display of a rabies tag or rabies vaccination receipt, may be redeemed by the owner or the agent of the owner upon:

(1) Satisfactory proof of ownership;

(2) Proof of compliance with the rabies vaccination requirements of this chapter;

and

(3) Payment of all fees for impoundment or holding animals at the animal control facility, shall be as established by contract between the City of Northglenn and the City's designated animal control facility.

(c) Any dog or cat impounded by reason of being found running at large in the City of Northglenn may be redeemed by the owner or the agent of the owner upon:

(1) Satisfactory proof of ownership;

(2) Proof of compliance with the rabies vaccination requirements of this chapter;

(3) Payment of all fees for impoundment or holding animals at the animal control facility shall be as established by contract between the City of Northglenn and the City's designated animal control facility.

(4) Compliance with the requirements of Sections 14-4-14 and 14-4-15 of this article.

(d) A dog or cat impounded by order of any court shall not be released except as ordered by such court.

(e) Any impounded dog or cat who has been found running at large shall be required to have a unique identifying computer microchip implanted in the dog or cat by a licensed veterinarian at the

owner's expense. Evidence of such microchip implantation and the unique identifying microchip number shall be provided by the veterinarian to the City's animal control officer(s) within ten (10) days of conviction or upon release of the dog or cat from impoundment, whichever is less.

[Source: Ord. 852, '87; 982, '89; 1221, '99]

Section 14-4-7. Procedure for Release of Impounded Domestic Animal or Reptile. Any impounded domestic animal, fowl or reptile, except an estray subject to the provisions of Section 14-3-1, may be redeemed by the owner thereof or the agent of the owner upon satisfactory proof of ownership together with the payment of the appropriate fee.

[Source: Ord. 471, 1977]

Section 14-4-8. Disposition of Impounded Dogs.

(a) If a complaint has been filed in the municipal court, an impounded dog shall not be destroyed except by order of a municipal judge.

(b) If a complaint has not been filed in the municipal court, because the owner of an impounded dog is not known or cannot be located, and such dog has not been claimed within five (5) days of the date of impoundment, not counting the day of impoundment, such dog may be sold, given away or destroyed in accordance with the procedures established by the City of Northglenn and the animal control facility. For purposes of this paragraph, "days" means days during which the pound is open to the public.

(c) If a complaint has not been filed in the municipal court, but the owner, possessor or keeper of an impounded dog has been notified of the impoundment as provided by this ordinance and such dog has not been claimed within six days of the date of impoundment, such dog may be destroyed or otherwise disposed of in the manner provided in subsection (b) of this section.

(d) The date on which notice of the impoundment of such dog is posted in a public place pursuant to the provisions of this ordinance shall conclusively be presumed to be the date of impoundment for all purposes of this ordinance.

[Source: Ord. 935, '88; 982, '89; 1236, '99]

Section 14-4-9. Disposition of Impounded Cats and Other Animals.

(a) If an impounded cat has not been claimed within five (5) days of the date of impoundment, not counting the day of impoundment, such cat may be sold, given away or destroyed in accordance with the procedures established by the City of Northglenn and the animal control facility. For purposes of this paragraph, "days" means days during which the pound is open to the public.

(b) If any domestic animal or reptile, except an estray subject to the provisions of Section 14-3-1, has not been claimed within five (5) days of the date of impoundment, not counting the first day of impoundment, such domestic animal or reptile may be sold, given away or destroyed in accordance with the procedures established by the City of Northglenn and the animal control facility. For purposes of this paragraph, "days" means days during which the pound is open to the public.

[Source: Ord. 935, '88; 1236, '99]

Section 14-4-10. Exceptions--Authority of Manager. The provisions of any other section of this ordinance notwithstanding, the Manager shall have the power and authority, whenever in his judgment the interest of the City of Northglenn requires such action, to extend any time period provided by this ordinance; to waive or refund payment of any fee required by this ordinance when it shall appear that such fee has been unlawfully imposed or collected; or to order that any dog, cat, domestic animal or reptile shall not be destroyed or disposed of as may be provided by this ordinance.

[Source: Ord. 436, 1976]

Section 14-4-11. Authority of Municipal Court to Order Disposition of Dog or Animal.

(1) The Municipal Court of the City of Northglenn shall have the authority:

(a) To order the destruction of a vicious dog, cat, domestic animal or reptile, whether or not impounded, in accordance with the provisions of subsection (2) below.

(b) To order the disposition of any dog, cat, domestic animal or reptile impounded and subject to disposition by order of court under the provisions of any City ordinance.

(c) To order the waiver or refund of any fee required by this ordinance when it shall appear that such fee has been unlawfully imposed or collected.

(d) To order that any dog, cat, domestic animal or reptile shall not be destroyed as permitted by this ordinance.

(e) To extend any time period provided by this ordinance.

(f) To order the confinement for rabies observation of any dog, cat or domestic animal in any circumstances in which such confinement is provided or permitted under the provisions of this article.

(g) To order the release from impoundment or confinement of any dog, cat, domestic animal or reptile impounded or confined under the provisions of this chapter.

(h) To make and enforce such orders as the judge shall deem necessary or desirable to accomplish the purposes and enforcement of this ordinance, or to correct or prevent injustice in the application of any provisions of this ordinance.

(2) Prior to ordering the destruction of a dog, cat, domestic animal or reptile, the court shall conduct a hearing at the earliest date available to the court and the parties to determine if the animal shall be destroyed. At said hearing, the Colorado Rules of Evidence shall not apply, and the court shall ensure that evidence shall be offered and questioning shall be conducted in an orderly manner and according to basic notions of fairness. At said hearing, the Court shall consider, as applicable, the following:

- (A) Any evidence presented at any trial involving the animal;
- (B) The conduct of the animal during the incident charged;
- (C) Any other evidence of dangerous or violent behavior by the animal, or threats thereof;
- (D) Any prior violations by the owner, possessor, keeper or controller of the animal of this chapter or similar laws of any state or political subdivision thereof;
- (E) Any prior violations by any other owner, possessor, keeper or controller of the animal, involving the same animal, of any violation of this chapter or any similar laws of any state or political subdivision thereof;
- (F) Any other conditions existing on the property where the animal has been or will be kept which would affect the likelihood of any danger to any person, animal or property;
- (G) Any evidence of any ameliorative action taken by the owner, possessor, keeper or controller of the animal which would affect the likelihood of any danger to any person, animal or property;
- (H) Any other evidence relevant to the issues to be determined by the court;
- (I) If the defendant is not an owner of the animal, and if the name and address of an owner is known to the City or the court, said owner shall be notified in writing of the date, time, place and purpose of said hearing at least five days before said hearing. Notice shall be sufficient if served in compliance with C.M.C.R. 206(F);
- (J) If at such hearing, the City establishes by a preponderance of the evidence, that there is a reasonable likelihood of future injury to person, property or animals, the court shall order the animal to be destroyed in a humane manner. Upon oral motion of the defendant or an owner, said order shall be stayed for 30 days to allow the movant to appeal said order, provided the movant pays the estimated costs of impoundment within 24 hours of the entering of the stay;
- (K) If the court determines that it is not appropriate to order the animal destroyed, the court may order the animal returned and to be kept under such circumstances as will ensure the safety of persons, property or other animals.

[Source: Ord. 905, 1988]

Section 14-4-12. Confinement for Rabies Observation.

(a) An animal control officer may by order cause any dog, cat, or domestic animal to be confined for a period of ten (10) days for rabies observation when:

- (1) He has probable cause to believe that such dog, cat or domestic animal has bitten

any person, or has bitten any dog, cat or domestic animal of different ownership; or

(2) He has probable cause to believe that a person has been bitten by a dog, cat or domestic animal, and a reasonable basis for believing that the dog, cat or domestic animal proposed to be confined has bitten or could have bitten such person; or

(3) He has probable cause to believe that such dog, cat or domestic animal has rabies;
or

(4) He has probable cause to believe that such dog, cat or domestic animal has been exposed to rabies.

(b) Whenever any dog, cat or domestic animal is ordered confined under the provisions of Section 14-4-12(a), and such dog, cat or domestic animal has not been vaccinated against rabies as provided by this chapter, the animal control officer shall order such confinement at the place provided by Section 14-4-12(d)(1) or (2).

(c) Whenever any dog, cat or domestic animal which has been vaccinated against rabies as provided in this chapter is ordered confined under the provisions of Section 14-4-12(a), the animal control officer may order such confinement on the premises of the owner of such dog, cat or domestic animal, if he determines:

(1) That such owner resides in the City of Northglenn; and

(2) That such confinement can be accomplished without exposing the public to danger from the dog, cat or domestic animal so confined.

(d) If the animal control officer determines that confinement of such dog, cat or domestic animal cannot be accomplished as provided in Section 14-4-12(c), he may order such dog, cat or domestic animal confined for the purposes of Section 14-4-12(a);

(1) At a private veterinary hospital, at the expense of the owner of such dog, cat or domestic animal, if such owner agrees to be responsible for such expense; or

(2) At the animal control facility, in which event the owner of such dog, cat or domestic animal shall be responsible for payment of the pound fee established by this ordinance.

(e) Whenever any dog, cat or domestic animal is confined in the animal control facility for the purposes of Section 14-4-12(a), and the owner thereof is known or is located:

(1) The owner shall be given written notice of the period of confinement and the purpose thereof;

(2) Such notice shall state that upon expiration of the period of confinement, if such dog, cat or domestic animal is not found to be rabid, the same will be deemed impounded subject to redemption as provided in the Municipal Code.

(f) Upon the expiration of any period of confinement for rabies observation, any dog, cat or domestic animal confined in the animal control facility for such observation shall be deemed impounded. The day following expiration of such period of confinement shall be the first day of impoundment, and notice thereof shall be posted in the municipal building of the City of Northglenn as provided by Section 14-4-5. Such impounded dog, cat or domestic animal may be claimed, redeemed or disposed of as provided in this article.

[Source: Ord. 436, 1976]

Section 14-4-13. Temporary Holding Facility.

(a) Any dog, cat, domestic animal or reptile impounded under the provisions of the ordinances of the City, if the owner thereof can be identified and located, may be placed in the discretion of the Manager or an animal control officer, in a temporary holding facility.

(b) Except as otherwise provided in this article, any dog, cat, domestic animal or reptile placed in a temporary holding facility, or temporarily held under the provisions of this ordinance, may be released as provided in Section 14-4-14 of this ordinance.

[Source: Ord. 436, 1976]

Section 14-4-14. Procedure for Impounding and Release of Dogs and Cats--Temporary Holding Fee.

(a) As used in this section:

(1) "Notice" means a notice issued by an animal control officer to the owner of a dog or cat, notifying such owner that such dog or cat was running at large in the City on a date certain, and containing a schedule or statement of the penalties and fees provided therefore by ordinance.

(2) "Incident" means any date on which any dog or cat was running at large in the City, as shown by the records of the City, as the result of which:

(i) Such dog or cat was impounded; or

(ii) A notice was issued to the owner pursuant to the provisions of this section; or

(iii) A summons and complaint was issued to the owner for violation of a City ordinance.

(3) "Running at large" means running at large in violation of a City ordinance.

(4) The words "summons may issue" mean that the animal control officer, if he shall have probable cause to believe that a violation of the provisions of Section 14-2-6(e) or Section 14-3-8(b) of this chapter has been committed by the owner of such dog or cat, shall institute proceedings for the prosecution of such violation, by issuing to the owner of such dog or cat a summons and complaint which shall require the appearance of said owner before the Municipal Court, or at the clerk's

office of said court, to answer the charges therein specified.

(b) In the case of any impounded dog or cat, whose owner has not previously been the subject of an incident, found running at large by an animal control officer; such dog or cat shall be released from the temporary holding facility, to the owner, upon compliance with the provisions of Section 14-4-15 of this article and the following:

(1) Payment of all fees for impoundment or holding animals for each day the animal is held at the animal control facility shall be as established by contract between the City of Northglenn and the City's designated animal control facility.

(2) Display of proof of rabies vaccination.

(c) In the case of any impounded dog or cat, whose owner has once previously been the subject of an incident, found running at large by an animal control officer a summons may issue and such dog or cat shall be released from the holding facility, to the owner, upon compliance with the provisions of Section 14-4-15 of this article and the following:

(1) Payment of fees as established by contract between the City of Northglenn and the City's designated animal control facility.

(2) Display of proof of rabies vaccination.

(d) In the case of any impounded dog or cat, whose owner has more than once previously been the subject of an incident, found running at large by an animal control officer such dog or cat shall be released from the temporary holding facility, to the owner, upon compliance with the provisions of Section 14-4-15 of this article and the following:

(1) Payment of all fees as established by contract between the City of Northglenn and the City's designated animal control facility; and

(2) Display of proof of rabies vaccination; and

(3) The animal control officer, if he shall have probable cause to believe that a violation of the provisions of Section 14-2-6(e) or Section 14-3-8(b) of this chapter has been committed by the owner of such dog or cat, shall institute proceedings for the prosecution of such violation, by issuing to the owner of such dog or cat a summons and complaint which shall require the mandatory appearance of said owner before the Municipal Court of the City of Northglenn to answer the charges therein specified. If for any reason proceedings are not commenced as herein provided, a notice shall issue to the owner of such dog or cat.

(e) Whenever any dog or cat shall be found running at large by an animal control officer, but the animal control officer is unable to capture such dog or cat outside the enclosed premises of the owner thereof, summons may issue. The animal control officer shall, in any case in which summons does not issue:

(1) If such dog or cat has not previously been the subject of an incident, issue a notice to the owner thereof.

(2) If such dog or cat has once previously been the subject of an incident, issue a notice, containing the words "second notice", to the owner thereof.

(3) If such a dog or cat has more than once been the subject of an incident, and the animal control officer has probable cause to believe that a violation of the provisions of Section 14-2-6(e) or Section 14-3-8(b) of this chapter has been committed by the owner of such dog or cat, the animal control officer shall institute proceedings for the prosecution of such violation, by issuing to the owner of such dog or cat a summons and complaint which shall require the mandatory appearance of said owner before the Municipal Court of the City of Northglenn to answer the charges therein specified.

(f) Whenever any dog or cat is found running at large in the City, the determination that the owner of such dog or cat has previously been the subject of one or more incidents shall be made on the basis of records of incidents during the period of one (1) year immediately preceding the date of the violation for the purposes of which the determination is made.

(g) If the owner of any impounded dog or cat subject to a temporary holding fee under the provisions of this ordinance shall establish, by affidavit or as otherwise provided by rule of the Manager, that he is an indigent person without money or property to pay the temporary holding fee, the animal control officer may release such dog or cat without payment of such temporary holding fee.

[Source: Ord. 436, '76; 829, '86; 982, '89]

Section 14-4-15. Temporary Holding--Records Required.

(a) The records required by this section are in addition to all other records required by ordinance or by order of the Manager.

(b) At the time of release of any dog, cat, domestic animal or reptile from any temporary holding facility pursuant to the provisions of Section 14-4-13 and 14-4-14 of this ordinance, the Manager shall make and keep or cause to be made and kept a record or records containing at least the following information:

(1) The name and address of the owner of such dog, cat, domestic animal or reptile;

(2) The date, time and place at which such dog, cat, domestic animal or reptile was seized by the animal control officer;

(3) The date of release;

(4) The holding fee paid;

(5) The name and address of the person receiving such dog, cat, domestic animal or reptile upon release;

(6) The signature of the person named pursuant to Section 14-1-6(d)(5), affirming or verifying the information required by Sections 14-1-6(d)(1) to (5).

[Source: Ord. 436, 1976]

Section 14-4-16. Other Records Required.

(a) At the time of release to the owner of any dog, cat, domestic animal or reptile, not impounded or held in a temporary holding facility, the animal control officer shall make and cause to be filed with the Manager a record or records containing at least the information provided by Section 14-4-15(b) of this article.

(b) At the time of issuance of any notice pursuant to the provisions of Section 14-4-14 of this article, the animal control officer shall make and cause to be filed with the Manager a record or records containing at least the information provided by Section 14-4-15(b) of this article.

(c) An animal control officer issuing a summons and complaint pursuant to the provisions of Section 14-4-14 of this article shall make and cause to be filed with the Manager a record or records containing at least the information provided by Section 14-4-15(b) of this article.

(d) The records required by the provisions of this section and Section 14-4-15 to be made and kept shall be filed for the purpose of providing an accurate and complete record of all incidents and violations and for the proper and fair administration of the provisions of this chapter.

[Source: Ord. 436, 1976]

CHAPTER 14
ANIMAL CONTROL

ARTICLE 5. REPEALED (Ord. 1291, 2001)

CHAPTER 14

ANIMAL CONTROL

Article 6. SAVING CLAUSE--SEVERABILITY

14-6-1. Severability clause.

CHAPTER 14
ANIMAL CONTROL

ARTICLE 6. SAVING CLAUSE--SEVERABILITY

Section 14-6-1. Severability Clause. If any provision of this ordinance or of Chapter 14 of the Northglenn Municipal Code or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or application of this ordinance or this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance and this chapter are declared to be severable.

[Source: Ord. 197, 1973]

CHAPTER 14
ANIMAL CONTROL

ARTICLE 7. REPEALED (Ord. 1292, 2001)

Item	Price
Cat Adoption	\$50
Dog Adoption	\$100
Bad Check Fee	\$25
Boarding	\$7/day
Disposal	\$35
Euthanasia	\$50
Cat Impound	\$40
Dog Impound Fee Without Tags 1st violation	\$50
Dog Impound Fee Without Tags 2nd violation	\$60
Dog Impound Fee Without Tags 3rd violation	\$70
Dog Impound Fee With Tags 1st violation	\$40
Dog Impound Fee With Tags 2nd violation	\$50
Dog Impound Fee With Tags 3rd violation	\$60
Release Fee (all animals)	\$50

