

ORDINANCE NO. 2 (SERIES OF 1987)

AN ORDINANCE PERTAINING TO ANIMAL CONTROL.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ECKLEY,
COLORADO:

1.1. DEFINITIONS. As used in this chapter, unless the context otherwise indicates, the following terms shall be defined as follows:

A. "At Large" means off the premises of the owner and not within a vehicle or other confinement, or not accompanied by and under the immediate control of the owner, keeper, some member of the owner's immediate family or some employee or agent of the owner, either by leash, cord, chain, or "at heel" to such accompanying person.

B. "Dog" means both male and female.

C. "Dog of fierce, dangerous or vicious propensities" means a dog which has bitten any person without provocation.

D. "Owner" means any person or persons, firm, association or corporation owning, keeping or harboring a dog.

E. "Altered Dog" means a female who has been spayed or a male who has either been neutered or has had a vasectomy.

1.2. CRUELTY TO ANIMALS. It shall be unlawful for any person inhumanely, unnecessarily or cruelly to beat, injure or otherwise abuse any animal.

1.3. LICENSES REQUIRED. It shall be unlawful for any person to own, keep or harbor a dog of any description within the town limits without having obtained a license for such dog on or before December 31st of each year.

1.4. LICENSE FEES. Any person who shall own or keep a dog shall pay an annual license fee for each such dog so kept as follows:
For each altered dog, an annual license fee of One Dollar (\$1.00);
For each unaltered dog, an annual license fee of Two Dollars and Fifty Cents (\$2.50).

1.5. RABIES CONTROL. Each dog shall be innoculated against rabies at least once every three years by a licensed veterinarian. Dog licenses shall be issued by the Town Clerk upon proof of vaccination.

1.6. DOGS IN HEAT. It is unlawful for any owner, possessor, or person who keeps any female dog to permit the same to be or run at large while the dog is in estrus (in heat or season) or to permit the same to create a nuisance by attracting other dogs to the premises, and the same is declared to be a nuisance.

1.7. POISONING DOG UNLAWFUL. It is unlawful for any person to poison any dog or dogs or to distribute poison in any manner whatever with the intent or for the purpose of poisoning any dog or dogs.

1.8. PERMITTING ANIMALS TO RUN AT LARGE UNLAWFUL. It is unlawful for any person who is the owner of, or who has control or charge of any horses, cattle, sheep, swine, goats, or dogs to suffer or permit the same to run at large within the town. Any such animals found running at large may be taken up, impounded and disposed of by the sheriff's department in the manner provided by state law.

1.8. PERMITTING ANIMALS TO RUN AT LARGE UNLAWFUL. It is unlawful for any person who is the owner of, or who has control or charge of any horses, cattle, sheep, swine, goats, or dogs to suffer or permit the same to run at large within the town. Any such animals found running at large may be taken up, impounded and disposed of by the sheriff's department in the manner provided by state law.

1.9. BARKING OR HOWLING DOGS. It is unlawful for any owner or keeper of any dog to permit such dog, by loud and persistent or habitual barking, to disturb any person or neighborhood, and the same is declared to be a public nuisance. No person shall be charged with a violation of this provision unless he has, within the twelve (12) month period immediately preceding the date of issuance of a summons and complaint charging a violation thereof, received at least one warning by a police officer, and further, unless either two (2) or more complaining witnesses can testify at a trial or other evidence can be presented corroborating the testimony of the complaining witnesses at such trial.

1.10. DOGS. CUSTODY & LEASH REQUIREMENTS. Every person owning or having charge, care, custody or control of any dog of any age shall keep such dog exclusively upon his own premises; provided, that such dog may be off such premises if it is under the control of a competent person and restrained by a substantial chain or leash not exceeding six (6) feet in length.

1.11. DOGS. VICIOUS DOGS. No biting, vicious or dangerous dog shall be harbored, kept or suffered to be kept, or suffered to be at large unless the same is securely muzzled. Whenever such biting, or vicious or dangerous dog shall be outside the enclosure of its owner or keeper without being so muzzled, it shall be deemed to be a public nuisance and may be killed by any peace officer, whether such dog is licensed, registered and numbered, or otherwise.

1.12. DOGS. DOG FIGHTS. It shall be unlawful for any person to cause, instigate or encourage a dog fight in any public or private place in this town. It shall be unlawful for any person to own a dog whose purpose is for use in dog fights.

1.13. KEEPING DOMESTIC ANIMALS AND FOWL WITHIN THE CITY LIMITS. Premises to be kept clean. It is unlawful for any person who keeps any cattle, horses, sheep, goats or other domestic animals or fowl within the town, to permit the yard or place within which the same are kept to become foul, noisome, putrid, malodorous, unwholesome, offensive or in any wise dangerous or detrimental to human health, comfort or welfare.

1.14. PENALTIES. That violation of the within ordinance shall be punishable by a fine of up to \$300.00 or 90 days in jail, or both.

PASSED, ADOPTED, SIGNED, AND APPROVED THIS 1st day of September, 1987.

TOWN OF ECKLEY


Peter R. Berghuis, Mayor

ATTEST:


Sandra S. Stroup
Town Clerk-Treasurer

(SEAL)