

## Chapter 4

# DOG REGULATIONS<sup>1</sup>

### SECTIONS:

- 6-4-1: Definitions and Terms**
- 6-4-2: Rabies Control**
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### **6-4-1: Definitions and Terms**

The definitions and terms used in this Ordinance, unless the context otherwise indicates, are herewith defined as follows:

1. Dog Owner: Every person in possession of or who harbors any dog or who shall suffer any dog to remain about his premises for a period of two (2) days. (Ord. 2-1976, eff. 5-1-1976)
  
2. Dog: Shall include both the male or female, neutered or sterilized. (Ord. 2-1976, eff. 5-1-1976)
  
3. Vicious Dog: Any dog that inflicts unprovoked bites or attacks human being or other animals either on public or private property, or in a vicious or terrorizing manner, approaches any person in apparent attitude of attack upon the street, sidewalks or any public ground or places. (Ord. 2-1976, eff. 5-1-1976)
  
4. Harboring: The occupant of any premises on which a dog is kept or to which it customarily returns daily for food and care for a period of two (2) days is presumed to be harboring or keeping the dog within

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This Ordinance (2-1976) repeals Ord. 151 which repealed Ord. 8. Effective 5-1-1976.

the meaning of this ordinance. (Ord. 2-1976, eff. 5-1-1976)

5. Rabies Vaccination: Shall mean the inoculation of a dog with a rabies vaccine approved by the Colorado Department of Health.(Ord. 2-1976, eff. 5-1-1976)

## **6-4-2: Rabies Control**

### A. Vaccinations

Every person owning or harboring a dog six months of age or older, for thirty (30) or more days shall have such dog vaccinated against rabies with an approved vaccine by a licensed veterinarian. Such vaccination shall be performed with not more than six months before licensing time. (Ord. 2-1976, eff. 5-1-1976)

### B. Certificate of Vaccination

Person having dog must have certificate from veterinarian. (Ord. 2-1976, eff. 5-1-1976)

### C. Rabies Tags

Concurrent with the issuance and delivery of the certificate of vaccination referred to in Section 6-4-2-B, the owner of the dog shall attach to the collar or harness of the vaccinated dog a metal tag, serially numbered and bearing the year of issuance and the name of the jurisdiction and state. (Ord. 2-1976, eff. 5-1-1976)

## **6-4-3: Reporting Dog Bites**

### A. Duty to Report

Any person having knowledge of a dog bite shall immediately report the incident to the Town of Westcliffe, Dog Control Officer, or to the Public Health Veterinary Section of the Colorado Department of Health. (Ord. 2-1976, eff. 5-1-1976)

### B. Quarantine of Dogs

Any animal which has bitten a person shall be confined and observed for a period of ten (10) days from the date of the bite. The procedure and place of observation shall be designated by the investigating officer. If the animal is not confined on the owner's premises, confinement shall be in the Humane Society of Fremont County Animal Shelter or at any veterinary hospital of the

owner’s choice. Such confinement shall be at the expense of the owner. Stray dogs whose owners cannot be located shall be confined in the Humane Society of Fremont County Animal Shelter. The owner of any dog that has been reported as having inflicted a bite on any person shall on demand produce said dog for quarantine as prescribed in this Section. Refusal to produce said dog constitutes a violation of this Section and each day of such refusal shall constitute a separate and individual violation. (Ord. 2-1976, eff. 5-1-1976)

**B. Removal of Dogs From Quarantine**

It shall be unlawful for any person to remove from any place of isolation or quarantine any dog which has been isolated or quarantined as authorized, without the consent of the impounding agency. (Ord. 2-1976, eff. 5-1-1976)

**6-4-4: Dog License**

**A. Dog License Required**

Any person having custody of any dog six months of age or older, thirty (30) days shall procure a dog license. License fees shall be paid annually to the Town Clerk. License fees shall be:

\$10.00	All Dogs
\$ 5.00	If dog is neutered or sterilized.
\$ 3.00	For neutered or sterilized dog if owner is over sixty-five (65) years of age.
\$ 7.00	For male or female dog not neutered or sterilized if owner is sixty-five (65) years of age.

(Ord. 2-1976, eff. 5-1-1976)

All dog licenses issued hereunder shall expire May 31 of each year and any fraction of year shall be paid on a quarterly basis. License year shall be June 1 through May 31. Upon collection of the dog license fee by the Town Clerk, a dated receipt shall be issued stating the name and address of the owner, dog tag number, description of dog, together with a Westcliffe dog license tag stamped with a serial number, year and county and state of issuance. A Kennel License must be purchased by any person keeping three or more dogs six months of age or older per human dwelling. A petition signed by all neighbors within four hundred (400) feet approving of the kennel must be presented to the Town Board before license will be considered. Cost of Kennel License will be:

\$30.00 over and above cost of regular license and immunization for each dog.  
A thirty (30) day grace period will be granted for new people moving into the Town to comply with this section. (Ord. 2-1976, eff. 5-1-1976)

#### B. License Displayed

The license tag shall be attached to a collar, harness or other device and shall be worn with the rabies tag by the licensed dog at all times, and shall not be removed from any dog by an unauthorized person. The original dog license receipt and rabies vaccination certificate shall be retained by the owner or harbinger for inspection by any person charged with the enforcement of this Ordinance. (Ord. 2-1976, eff. 5-1-1976)

#### C. Rabies Vaccination

No dog shall be licensed without proof of rabies vaccination as provided in this Ordinance. (Ord. 2-1976, eff. 5-1-1976)

#### D. Duplicate Tags

In the event of loss or destruction of the original license tag, the owner of the dog shall obtain a duplicate tag from the Town Clerk. The price of such duplicate tag shall be at cost. (Ord. 2-1976, eff. 5-1-1976)

#### E. False and Stolen License Documents

It shall be unlawful for any person to make use of, or have in his possession or under his control, a stolen, counterfeit or forged dog license receipt, dog license tag, rabies vaccination certificate or other form issued in accordance with this Ordinance. (Ord. 2-1976, eff. 5-1-1976)

#### F. Transferability

Dog licenses are not transferable and it shall be unlawful for any person to attach any license or rabies tag to any dog other than the dog for which tag was originally issued. (Ord. 2-1976, eff. 5-1-1976)

### **6-4-5: Nuisance**

#### A. Nuisance

It shall be unlawful for any dog owner or keeper to harbor, maintain or permit on any lot, parcel of land or premises under his control, any dog which by any sound or cry shall disturb the peace and comfort of the inhabitants of the neighborhood or interfere with any person in the reasonable and comfortable enjoyment of life or property. (Ord. 2-1976, eff. 5-1-1976)

**6-4-6: Vicious Dogs**

## A. Vicious Dogs

No person shall own, keep or harbor a vicious dog within the Town of Westcliffe. Such dogs shall be impounded as a public nuisance unless dog is kept on premises and premises are posted. (Ord. 2-1976, eff. 5-1-1976)

**6-4-7: Impounded Dogs**

## A. Animal Shelter

An Animal Shelter shall be provided for the purpose of boarding and caring for any dog impounded under provisions of this Ordinance, and such shelter shall be constructed to facilitate cleaning and sanitizing and shall provide fenced runs and adequate heating and water supply. (Ord. 2-1976, eff. 5-1-1976)

## B. Removal of Dogs From Animal Shelter

It shall be unlawful for any person to remove any impounded dog from the Animal Shelter without the consent of the Town Clerk. (Ord. 2-1976, eff. 5-1-1976)

## C. Removal of Bite Dogs From Quarantine

Animals impounded because of bites shall not be removed from the pound until after the ten (10) day observation period and Westcliffe Department of Health release is secured. (Ord. 2-1976, eff. 5-1-1976)

## D. Disposition of Impounded Dogs

As soon as practicable after impoundment, notice of impoundment shall be posted in a conspicuous place at Town Hall for three (3) days. If the owner of the impounded dog is known, immediate notice shall be given to him. Any impounded dog which is licensed may be redeemed by the owner upon payment of the impound fee, care and feeding charges, veterinary charges, and such other costs as set by the Town Board. If such dog is not redeemed within five (5) days, it shall be deemed abandoned and become the property of The Humane Society of Fremont County Animal Shelter. Impound costs shall be paid by the dog owner. Costs:

\$10.00 for first day  
\$ 2.00 per day thereafter

(Ord. 2-1976, eff. 5-1-1976)

**6-4-8: Safety Provisions****A. Interference with Humane Officer of His Authorized Representatives**

It shall be unlawful for any person to interfere with, molest, hinder, the Humane Officer or his authorized representatives in the discharge of their duties as herein prescribed, or to violate any of the provisions of this Ordinance. (Ord. 2-1976, eff. 5-1-1976)

**B. Penalty For Violation**

Any person who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed \$300.00 (300 dollars), or by confinement in the Custer County jail for not more than ninety (90) days, or by both such fine and imprisonment. (Ord. 2-1976, eff. 5-1-1976)

**C. Severance Clause**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid such decision shall not affect the validity of the remaining portions of this Ordinance. (Ord. 2-1976, eff. 5-1-1976)