

See Ord. # 7-1985 Adopted April 22, 1985
See Ord. #7-2009 Adopted February 9, 2009

CHAPTER 8

REGULATION OF ANIMALS PROVIDING FOR RABIES CONTROL, REPORTING OF ANIMAL BITES: LICENSING OF DOGS: RESTRAINT OF ANIMALS RUNNING AT LARGE: RESTRAINT OF VICIOUS ANIMALS: IMPOUNDMENT OF ANIMALS: LICENSING OF KENNELS AND PET SHOPS: PROHIBITION OF CERTAIN SPECIES OF ANIMALS: PROHIBITION OF INHUMANE TREATMENT OF ANIMALS: AND DESCRIBING PENALTIES FOR VIOLATING SUCH PROVISIONS.

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CHAPTER 8

ARTICLE 1

A. Definitions - When used in this Chapter, the following words and terms, unless the context indicates a different meaning, shall be interpreted as follows:

1. Bodily Injury: Any wrong, hurt, or damage done to a person such as a puncture, cut, bruise, broken limb or the like.
2. Cat: A domestic feline of either sex, including one neutered or sterilized.
3. Dog: A domestic canine of either sex, including one neutered or sterilized.
4. Domestic Animal: Shall include all species of animals commonly and universally accepted as being domesticated.
5. Harboring: The act of keeping and caring for an animal or of providing a premise to which the animal returns for food, shelter or care for a period of five (5) days.
6. Kennel: A kennel is any establishment designed for the permanent or temporary boarding or keeping of pet animals.
7. Livestock: Cattle, sheep, horses, rabbits, poultry, or any other similar animals.
8. Owner: Any person who has right of property in an animal or who harbors an animal or allows an animal to remain about his premises for a period of five (5) days.
9. Pet Animal: Shall include dogs, cats, rabbits, rodents, birds, reptiles, and any other species of animal which is sold or retained as a household pet but shall not include skunks, nonhuman primates in excess of eight (8) pounds in the Town of Grand Lake and any other species of wild, exotic or carnivorous animal that may be further restricted in this law.
10. Rabies Vaccination: Shall mean the vaccination of a dog or other domestic animal with an anti-rabies vaccine approved by the Colorado Department of Health and administered by a veterinarian licensed by the State of Colorado.
11. Running at Large: Shall pertain to an animal off the premises of the owner and not under the physical or audible control of the owner or his authorized representative. An animal intruding upon the property of another person other than the owner shall be prima facie "running at large". An animal within an automobile or other vehicle of its owner shall not be deemed "running at large".
12. Stray Animal: Any animal for which there is no identifiable owner or harborer.
13. Vicious Animal: Any animal that commits an unprovoked attack upon a person, domestic animal, pet animal, livestock, or wild animal on public or private property; or that attacks, threatens to attack or terrorizes a person, domestic animal, pet animal, livestock or wild animal on public property, at a public place, or private property not the property of the owner of the vicious animal.
14. Wild Animal: Shall include all species of animals which exist in a natural unconfined state and are usually not domesticated.

B. RABIES CONTROL

1. Vaccinations: Every owner of a dog six (6) months of age or older shall have such dog vaccinated against rabies. All dogs vaccinated at six (6) months of age or older shall be revaccinated every three (3) years thereafter. All dogs vaccinated before six (6) months shall be revaccinated one (1) year thereafter and every three (3) years thereafter. Any person moving into the Town shall comply with this Chapter within sixty (60) days

after having moved into the Town. If the dog has inflicted a bite on any person or another animal ten (10) days prior to a vaccination, the owner of said dog shall report such fact to the veterinarian, and no rabies vaccine shall be administered until after the ten (10) days observation period.

2. Certificate of Vaccination: Upon vaccination, the veterinarian shall execute and furnish to the owner of the dog as evidence thereof, a Certificate upon a form furnished by Grand County Animal Control. The veterinarian shall retain a duplicate copy and one (1) copy thereof shall be filed with Grand County Animal Control. Such Certificate shall contain the following information:
 - (a) The name, address and telephone number of the owner of the vaccinated dog.
 - (b) The date of vaccination.
 - (c) The type of rabies vaccine used.
 - (d) The year and number of the rabies tag.
 - (e) The breed, age, color and sex of the vaccinated dog.
3. Rabies Tag: Concurrent with the issuance and delivery of the Certificate of Vaccination referred to in sub-section 2, the owner of the dog shall cause to be attached to the collar or harness of the vaccinated dog a metal tag, serially numbered to correspond with the Vaccination Certificate number bearing the year of issuance and the name of the jurisdiction and State. Such tag shall be worn by the dog at all times.
4. Duplicate Tags: In the event of loss or destruction of the original tag provided in sub-section 3, the owner of the dog shall obtain a duplicate tag.
5. Proof: It shall be unlawful for any person who owns or harbors a vaccinated dog to fail or refuse to exhibit his copy of the Certificate of Vaccination upon demand to any person charged with the enforcement of this Chapter.

C. REPORTING BITES FROM ANIMALS SUSCEPTIBLE TO RABIES; RELATED PROCEDURES

1. Duty to Report:
 - (a) Any person having knowledge that an animal has bitten a human shall immediately report the incident to the Grand County Health Officer, Animal Control Officer, or the Colorado Department of Health.
 - (b) Every physician or other medical practitioner who treats a person or persons for such bites shall, within twelve (12) hours, report such treatment to the Grand County Health Officer, Animal Control Officer, or to the Colorado Department of Health, giving the name, age, sex and precise location of the bitten person or persons and such other information as the Officer or Agency may require.
 - (1) Bites from rodents, rabbits, birds, and reptiles are excluded from the reporting requirements of this Section.
2. Suspected Rabies: Any veterinarian who clinically diagnoses rabies or any person who suspects rabies in a dog, cat, or other domestic or wild animal shall immediately report the incident to the Grand County Health Officer, Animal Control Officer, or the Colorado Department of Health stating precisely where such animal may be found. If a known or suspected rabid animal bites or attacks a domestic animal, such incident shall also be reported as required above.
3. Confinement of Dogs and Cats:

- (a) Any dog or cat which has bitten a person shall be observed for a period of ten (10) days from the date of the bite.
 - (1) The procedure and place of observation shall be designated by the investigating officer or responsible agency. Confinement shall be by impoundment in the Grand 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 or cats whose owners cannot be located shall be confined in the Grand County Animal Shelter.
 - (2) The investigating officer may allow dog to be confined by the owner at the owner's residence if the dog is current on its rabies vaccination.
 - (b) The owner of any dog or cat that has been reported to have inflicted a bite on any person shall on demand produce said dog or cat for impoundment, as prescribed in this Section. Refusal to produce said dog or cat constitutes a violation of this Section.
 - (c) It shall be unlawful for any person to remove from any place of confinement any dog or cat which has been confined as authorized and without the consent of the impounding agency.
4. Procedures for Other Animal Bites: Procedures concerning bites from other animals shall be discussed with the Grand County Health Officer, Animal Control Officer, or the Colorado Department of Health for proper disposition. Any wild animal which has bitten a person should be caught and killed and the brain immediately submitted to a qualified laboratory for rabies examination.
- (a) Rodents, rabbits, birds, and reptiles should not be submitted for laboratory examination of rabies.

D. LICENSING OF DOGS

1. License Required: Any owner of a dog six (6) months of age or older shall procure a license in accordance with Grand County Animal Control regulations adopted under Grand County Resolution 1985-8-6.
 - (a) No dog shall be licensed without proof of rabies vaccination.
2. 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. The original license receipt and rabies Vaccination Certificate shall be retained by the owner for inspection by any person charged with the enforcement of this Chapter.
 - (a) In the event of loss or destruction of the original license tag, the owner shall obtain a duplicate tag from the County or Town at a cost of fifty cents (\$.50) for each tag.
 - (b) If for some reason a dog cannot wear a collar or harness, the owner of said dog shall have the dog tattooed and that tattoo shall be registered with the Grand County Animal Control Department.
3. False and Stolen License Documents: It shall be unlawful for any person to make use of stolen, counterfeit or forged license receipt, license tag, rabies Vaccination Certificate, rabies vaccination tag, or other form.
4. Transferability: Dog licenses are not transferable and it shall be unlawful for any person to use any license or rabies tag for any dog other than the dog for which such tag was originally issued.

E. ANIMALS RUNNING AT LARGE

1. Restraining: It shall be unlawful for any person owning a dog or other pet animal to permit such animal to run at large. It shall be unlawful for any person in possession of someone else's dog or other pet animal to permit said animal to run at large.
 - (a) This shall not apply to dogs while actually working livestock, locating or retrieving wild game in season for a licensed hunter, assisting law enforcement officers, or while actually being trained for any of these pursuits.
2. Nuisance: It shall be unlawful for any owner to harbor any dog or other pet animal which, by any sound or cry or other activity, shall disturb the peace, comfort or property of the inhabitants of the neighborhood. Such disturbance is hereby declared to be a public nuisance.
3. Confinement During Estrus: Any unsprayed female dog in the state of estrus (heat) shall be confined during such period of time in a house, building or secure enclosure and said area of enclosure shall be so constructed that no other dog may gain access to the confined animal. Owners who do not comply shall be ordered to remove the animal in heat to a boarding kennel, veterinary hospital or animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner. Failure to comply with the removal order of the Animal Control Officer or other designated official shall be a violation of this Chapter and the dog will be impounded.
4. Injured Animals: Animals injured on public property may be impounded and given adequate veterinary medical treatment pending notification of the owner. If the injured animal is treated and/or impounded, the owner of such animal shall be liable for all expenses of treatment and/or impoundment.

F. VICIOUS ANIMALS

1. Vicious Animals: No person shall own or harbor a vicious animal within the Town. Such animal shall be impounded as a public nuisance. If the impoundment of a vicious animal which is running at large cannot be made with safety to the Animal Control Officer, other designated official, or other persons, the animal may be destroyed without notice to the owner or harborer.
2. Guard Dogs: It shall be unlawful to place or maintain any dog which has been specifically trained to attack, in any area for the protection of persons or property unless the dog is physically confined to a specific area, or is under complete and absolute control. The area or premises in which a guard dog is confined must be conspicuously posted with warning signs bearing letters not less than two inches (2") high.

G. IMPOUNDED ANIMALS

1. Impoundment: Animals owned or harbored in violation of this Chapter shall be taken into custody by the Animal Control Officer or other designated official and impounded. Stray animals shall be similarly impounded.
2. Animal Shelter: A suitable animal shelter shall be provided for the purpose of boarding and caring for any animal impounded under the provisions of this Chapter. Such shelter shall be constructed in accordance with recommendations from the Colorado Department of Health.
3. Removal of Animals from Animal Shelter: It shall be unlawful for any person to remove any impounded animal from the animal shelter without the consent of the Animal Control Officer or designated official or agency.

4. Removal of Biting Dogs and Cats From Confinement: The impoundment of dogs and cats that have inflicted human bites shall be for a period of ten (10) days for observation and shall not be terminated until consent from the proper officer or agency is secured.
5. Disposition of Impounded Dogs: As soon as practicable after impoundment, notice of impoundment shall be posted in a conspicuous place in 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 may be redeemed by the owner upon payment of the impoundment fee, care and feeding charges and such other costs as set by Grand County Animal Control. If such animal is not redeemed within five (5) days, and if said notice has been posted at least three (3) days, it shall be considered abandoned, and
 - (a) may be placed for adoption subject to payment of the impoundment fee, care and feeding charges, veterinary charges, and such other costs as set by the Grand County Animal Control; or
 - (b) Grand County Animal Control may euthanize (kill) the animal under the supervision of a licensed veterinarian; or
 - (c) Grand County Animal Control may release such dog to a bona fide Humane Society. Grand County Animal Control may require the dog to be neutered or spayed prior to adoption.
6. Disposition of Impounded Animal Being Held on Complaint: If a complaint has been filed in Grand Lake Municipal Court against the owner of an impounded animal for a violation of Section 8-1-F(1), the animal shall not be released except on the order of the Court. Said Court Order may direct the owner to pay any or all fees associated with the impoundment in addition to any penalty authorized by law.
 - (a) The Court may, upon making a finding that such animal is vicious or that it represents a clear and present danger to the citizens or other animals in the community, order said animal to be euthanized in a humane manner. Surrender of an animal by the owner thereof to Grand County Animal Control does not relieve or render the owner immune from the decision of the Court, nor to the costs, fees, and fines which may result from conviction for violating this Chapter.

H. KENNELS

1. Operation of Kennels – Requirements: No person, group of persons or business entity shall own, keep or harbor more than three (3) dogs of more than six (6) months of age or more than one (1) litter of pups or engage in the commercial business of breeding, buying, selling, trading, training, or boarding dogs or other pet animals without having obtained a valid kennel license from Grand County Animal Control.
2. Licenses – Issuance – Renewal: Kennel licenses shall be issued and administered by Grand County Animal Control in accordance with the rules and regulations established by the Grand County Board of County Commissioners and the State of Colorado.
3. Revocation or Suspension of Licenses: Any kennel licensed under this Chapter found to be in violation of any zoning law, health law, or any other applicable law of the Town of Grand Lake, Grand County, or the State of Colorado, or any kennel which is maintained in such a manner as to be detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity may have its kennel license suspended or revoked.

4. This Section shall not apply to and will not be construed to require a kennel license for:
 - (a) A veterinary hospital operated by a licensed veterinarian which retains animals for veterinary medical care.
 - (b) A bona fide publicly or privately owned zoological park.
 - (c) A bona fide research institution using animals for scientific study.
 - (d) A publicly owned animal pound.
 - (e) A bona fide animal shelter operated by an organized humane society.

I. ANIMALS PROHIBITED

1. It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor or permit in Town any monkey or other nonhuman primate weighing over eight(8) pounds, skunk, raccoon, jaguar, leopard, lynx, tiger, lion, ocelot, bobcat, cheetah, mountain lion, wildcat, panther, bear, wolf, coyote, fox, other carnivorous animal or poisonous reptile.
2. It is hereby prohibited and it shall be unlawful for any person to import, offer for sale, keep, maintain, harbor or permit in Town any endangered species of animal as defined by the United States Department of Interior or the Colorado Department of Natural Resources.
3. This Section shall not apply to:
 - (a) A bona fide publicly or privately owned zoological park.
 - (b) A bona fide research institution using animals for scientific research.
 - (c) A circus or rodeo duly authorized to do business in the Town.
 - (d) Animals which are raised for the commercial sale of their fur.

J. INHUMANE TREATMENT

1. It is hereby prohibited and it shall be unlawful for any person to commit or cause to be committed any act of cruelty, harassment, or torture to any animal or intentionally cause such animal to be mutilated or inhumanely killed.
 - (a) Ownership or the commission of such acts of cruelty on private property shall not be justifiable defenses.
2. It is hereby prohibited and it shall be unlawful for any person to poison any domestic animal or to distribute poison or toxicants on public or private property in any manner whatsoever with the intent of poisoning any domestic animal.
3. It is hereby prohibited and shall be unlawful for any person to willfully abandon any animal; or to withhold food or water from any animal such that its health is endangered or it is caused to suffer unduly.
4. It is hereby prohibited and it shall be unlawful for any person to possess, display, sell, barter or give away dyed, colored or in any way artificially treated baby chicks, ducklings, fowl, rabbits or any animals as pets, playthings, novelties, gifts or for any other purpose.
 - (a) This Section shall not be construed to prohibit their display by hatcheries, stores, owners, dealers or persons engaged in the business of selling such immature animals to be raised for food; but no such hatcheries, stores, owners, dealers or persons shall sell or give away baby chicks, ducklings, or any other immature domestic fowl as pets, playthings, novelties or gifts.
5. It is hereby prohibited and shall be unlawful for any person to cause, instigate or encourage any dog or other animal to fight with another of its own species or with another of a different species. It shall be unlawful for any person to train or keep any

dog or other animal for the purpose of fighting. It shall be unlawful for any person to maintain a place where any dog or other animal is permitted to fight for exhibition or for wage or for sport.

K. ENFORCEMENT

1. The provisions of this Chapter shall be enforced by the Grand County Sheriff, his deputies, the Grand County Animal Control Officers, or any peace officer employed by the Town of Grand Lake.
 - (a) Personnel engaged in dog control, however titled or administratively assigned, may issue citations or summons and complaints enforcing this Chapter without regard to certification requirements of Part 3 of Article 31 of Title 24, Colorado Revised Statutes. Personnel so engaged shall be included within the definition of “peace officer engaged in the performance of his duties” in Colorado Revised Statutes 18-3-201(2).
2. It shall be unlawful for any person to interfere with, molest, hinder, or prevent the Grand County Animal Control Officer or his authorized representatives in the discharge of their duties as herein prescribed.
3. Any person authorized to enforce the provisions of this Chapter shall not be held responsible for any accident or subsequent disease that may occur to the animal in connection with the administration of this Chapter.

L. PENALTIES

1. Any person violating any of the provisions of this Chapter not where the violation does not involve bodily injury to any person shall be issued a summons and, upon conviction of such violation, be fined in an amount not to exceed Three Hundred Dollars (\$300.00). Each day of violation shall constitute a separate offense.
 - (a) A Penalty Assessment may be issued to the violator for first and second offenses under this subsection.
 - (1) The Penalty assessment for a first offense shall be Fifty Dollars (\$50.00).
 - (b) The Penalty Assessment for a second offense shall be One Hundred Dollars (\$100.00).
2. Any person violating any of the provisions of this Chapter where the violation involves bodily injury to any person shall be issued a summons and, upon conviction of such violation, be fined in an amount not less than One Hundred Dollars (\$100.00) and not to exceed Three Hundred Dollars (\$300.00) in addition to any other remedies provided herein or allowed by ordinance, law, rule or regulation. Each day of violation shall constitute a separate offense.