

# Ridgway Municipal Code

## CHAPTER 11

### SECTION 1

#### Animals

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##### **11-1-1 GENERAL PROVISIONS.**

(A) This Section shall be applicable to all property within the Town and to the Town's animal pound premises.

(B) For purposes of this Section CUSTODIAN shall mean any person possessing, harboring, keeping or exercising control over any animal.

(C) The Town Council may issue such regulations as may be necessary for the enforcement, administration and interpretation of this Section, and any amendment thereto.

(D) For purposes of this Section TOWN shall mean the Town of Ridgway, Colorado, and any agent or employee thereof authorized by the Town Council to administer or enforce the provisions of this Section.

(E) For the purpose of this Section ANIMAL shall mean any mammal, bird or reptile.

##### **11-1-2 LICENSE REQUIRED FOR DOGS.**

(A) It shall be unlawful to own or have custody of any dog, within the Town, six months of age or older, unless a current license has been obtained from the Town. This Subsection shall not apply to a person visiting in Town for a period not exceeding thirty (30) days.

(B) License fees are as follows:

Spayed or neutered dog	\$10.00/year	(Ord 18-2006)
Unspayed or non-neutered dog	\$25.00/year	(Ord 18-2006)

(C) All licenses shall expire on December 31<sup>st</sup> of each year. (Ord 11-1998)

(D) No license shall be issued without proof of rabies vaccination and certification of spay or neuter. (Ord 3-1999)

(E) The license tag shall be attached to a collar or harness upon the dog. A duplicate tag may be issued for \$5.00 upon proof of loss of the original. (Ord 18-2006)

(F) It shall be unlawful to make use of or have any stolen or counterfeit tag or to use a tag on any dog except the dog for which the tag was issued.

### **11-1-3 RABIES CONTROL.**

(A) It shall be unlawful to own or have custody of any dog or cat three (3) months of age, or older, unless such dog or cat has been vaccinated against rabies with an approved vaccine by a licensed veterinarian, and such vaccination is currently effective. No rabies vaccination is required for a dog or cat temporarily within the Town for less than thirty (30) days if said dog or cat is currently licensed by another governmental licensing authority. (Ord 2-1999)

(B) The rabies vaccination required by this Section must be obtained within five (5) days of the acquisition of any dog or cat over three (3) months old. (Ord 2-1999)

(C) The veterinarian administering the vaccine shall execute and furnish to the owner or custodian of the animal a certificate of vaccination, keeping a duplicate copy for his files. Forms for such certificates may be provided by the Town and require information appropriate for the administration and enforcement of this Section, including the description of the animal.

(D) Certifications of first vaccination issued shall be good for twelve (12) months from the first vaccination and must be reissued every three (3) years in the case of vaccination with an approved three (3) year vaccine and annually in the case of vaccination with an approved one (1) year vaccine. It shall be unlawful for any person to make use of, or have in his or her possession or under his or her control, a stolen, counterfeit, or forged rabies vaccination certificate. (Ord 2-1999)

(E) It shall be unlawful for any person who owns or has custody of any dog or cat to fail or refuse to produce the Certificate of Vaccination upon request by any person charged with the enforcement of this Section.

(F) 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 rabies vaccination certificate.

(G) It is unlawful to make any fraudulent statement or misrepresentation with respect to any rabies vaccination application.

**11-1-4 ANIMAL ATTACKS.**

(A) Anyone, including physicians, having knowledge of any case of an attack or bite caused by any dog, cat or other animal occurring within the Ridgway Town limits shall notify the Town within 24 hours after the discovery of said attack or bite.

(B) Any animal which is known to have bitten or injured any person, causing an abrasion or cut of the skin, shall be quarantined for a period of not less than ten (10) days from the date of the incident. Animals for whom quarantine is refused or stray animals may be destroyed and tested for rabies. It is unlawful for any person to refuse to produce such an animal for quarantine or testing.  
(Ord 2-1999)

(C) The animal shall be quarantined and observed at either the owner or custodian's premises, or at any veterinary clinic or hospital of the owner or custodian's choice, whichever the Town determines is necessary for proper observation. Such confinement shall be at the expense of the owner or custodian. Stray animals whose owners cannot be located may be confined at any veterinary clinic or hospital.

(D) The owner or custodian of the dog, cat or other animal shall be liable for the costs of confinement and the animal shall not be returned until such costs are paid. The animal may be sold or destroyed if such costs are not paid by the owner or custodian.

(E) Any animal infected with rabies shall be destroyed.

**11-1-5 REVOCATION OR SUSPENSION OF LICENSE.**

The Town Council may revoke or suspend any license issued in accordance with the provisions of this Section upon a finding that the licensee has violated any provision of this Section. A hearing shall be held and reasonable notice given of the hearing to the licensee or custodian.

**11-1-6 RUNNING AT LARGE PROHIBITED.**

(A) It shall be unlawful for any owner or custodian of any animal to fail to confine it or cause it to be confined to the premises of the said owner or custodian, unless the animal is under effective and immediate control of the owner or custodian by a leash, cord, chain or other restraining device.

(B) It shall be unlawful for any owner or custodian of any animal to fail to have the animal under effective and immediate control of the owner or custodian by a leash, cord, chain or other restraining device at all times that such animal is within the Town, unless the animal is upon the premises of said owner or custodian.

(C) Any animal in violation of paragraphs (A) and (B) above may be impounded or caused to be impounded by the Town.

(D) A list of all impounded animals shall be posted in the Town Hall.

(E) The owner or a custodian of any animal so impounded may reclaim it within five (5) working days from the date the notice is posted with the Town Clerk upon payment of \$50.00 for licensed dogs, and \$75.00 for unlicensed dogs, plus a daily impoundment fee adequate to recover all Town costs of impoundment, plus any veterinary charges. No unlicensed dog will be released to the

owner or custodian without obtaining a license and rabies vaccination for the animal, if one is required by this Section. (Ord 18-2006)

(F) If any animal so impounded has not been reclaimed after the expiration of 5 working days from the date the notice is posted, the animal may be destroyed or disposed of by sale. No unclaimed dog or cat shall be sold without being vaccinated for rabies and licensed, if required.

(G) It is the purpose of this Subsection to impose strict liability upon the owner or custodian of any animal with respect to an animal at large.

(H) It shall be an affirmative defense to a violation of Subsections (A) or (B) that all of the following circumstances existed:

- (1) The owner or custodian, over the age of 16, accompanied and controlled the dog.
- (2) The owner or custodian was not accompanying or attempting to control more than two dogs.
- (3) The owner or custodian did not allow the dog upon the property of another without permission, other than Town owned parks, trails, streets and alleys.
- (4) The owner or custodian property disposed of any feces deposited by the dog.
- (5) The dog did not threaten any person by barking, growling, stalking or other conduct likely to cause a reasonable person to be alarmed.
- (6) The dog did not chase, charge, attack, snap at, or bite any person or animal.
- (7) The dog did not jump upon or subject any person to unwanted contact.
- (8) The owner or custodian had possession of an adequate leash for each dog.
- (9) The dog came to, and stayed with, the owner or custodian upon command.
- (10) The owner or custodian and the dog were not located within an area of the Town bounded by Charles Street extended, the Uncompahgre River, Hyde Street and Laura Street, within the Uncompahgre River Trail, Rollans Park, or any area posted for leash control only, or in attendance at a sporting event.

(Ord 5- 2010)

### **11-1-7 KEEPING OF POULTRY.**

(Subsection substituted by Ord 5 - 2009)

It shall be unlawful for any person to keep fowl or poultry within the Town, subject to the following exemption:

(A) A maximum of six (6) chicken hens may be kept per premises of the owner or custodian. "Premises" shall be defined as all contiguous lands of the owner, including buildings thereon.

(B) The chicken hens must at all times be kept within a secure enclosure upon the owner or custodian’s premises, and confined or caged when being transported.

(C) Chicken enclosures must be kept clean with no offensive odors at all times.

(D) Chicken enclosures must be setback at least eight feet (8’) from the property line.

(E) Roosters are prohibited.

**11-1-8 RELEASING RESTRAINED ANIMALS PROHIBITED.**

It shall be unlawful for any person to release any animal impounded or quarantined pursuant to this Section without the permission of the Town. It shall be unlawful for any person to set any animal free of any restraint or confinement without consent of the owner or custodian.

**11-1-9 VICIOUS ANIMALS.**

(A) It shall be unlawful for the owner or custodian of any vicious animal to fail to confine it within a building or secure enclosure or to fail to have it securely muzzled or caged and on a leash or other restraining device, capable of providing effective and positive restraint and control of the animal, whenever off the premises of the owner or custodian.

(B) A vicious animal is any animal that:

(1) Has inflicted physical injury upon any person or animal that results in death, severe bruising, muscle tears, skin lacerations requiring medical treatment, fracture of any bone, or which requires surgery; (Ord 11-1998)

(2) Has demonstrated tendencies that would cause a reasonable person to believe the animal may inflict injury or death upon any person or animal; (Ord 11-1998)

(3) Has been trained to attack or fight. (Ord 11-1998)

(C) The owner or custodian of a vicious animal shall post a warning of the presence of such an animal at the entrances to the building or enclosure in which the animal is kept.

(D) If any dangerous, fierce or vicious animal is at large and cannot be safely impounded, it may be destroyed by the Town.

**11-1-10 CRUELTY TO ANIMALS.**

(A) It shall be unlawful for any person owning or having custody of any animal to fail to provide any animal with adequate food, water, shelter and veterinary care when reasonably required.

(B) It shall be unlawful for any person to beat, cruelly treat, overload, overwork or otherwise abuse any animal, or cause or permit any dog fight, cockfight, bullfight or other combat between animals or between animals and humans.

(C) It shall be unlawful for the owner or custodian of any animal to abandon such animal.

**11-1-11 NUISANCE.**

(A) Any animal which produces or creates any unreasonable disturbance by excessive or continuing screeching, barking or other noise, or which habitually threatens or molests persons, chases vehicles, attacks other animals, damages property, or is at large without control, is hereby declared to be a nuisance.

(B) It is unlawful for the owner or custodian of any animal to allow it to become a nuisance, or to create a nuisance, or to have custody of any animal which is a nuisance.

(C) The Town may abate any such nuisance by an action in a court of proper jurisdiction or otherwise in accordance with law.

(D) In addition to other authority allowed by law, the Municipal Judge shall have authority to issue warrants causing the impoundment of any vicious animal or abatement of a nuisance, and following a conviction for any violation of this Section, may enter such orders as appropriate to abate any nuisance caused by any animals, including vicious animals, including the destruction of the animal or its removal from Town. (Ord 11-1998)

**11-1-12 FEMALE ANIMALS IN HEAT.**

Any female dog or cat in heat shall be confined to a building or secure enclosure adequate to prevent indiscriminate contact with any male dog or cat.

**11-1-13 FARM LIVESTOCK.**

(A) It shall be unlawful to keep livestock within the Town, except one such animal may be kept for each one acre of premises area. Premises devoted to lawful agricultural use, including the keeping of livestock, at the effective date of this Section, or at the time annexed to the Town, may continue to be so used unless such use is discontinued for a period of nine (9) months. No such agricultural use may be materially enlarged.

(B) It shall be unlawful for anyone to herd or drive livestock through the streets or alleys of the Town without having said animals under control as required by this Section, except that stockmen may drive stock through the Town if no other route is practical, providing the Ridgway Town Marshal is given 24 hours prior notice of such activity. Such stockmen driving stock through the Town shall be liable for all damages done to private or public property by such stock whether or not such damage is caused by the negligence of the said stockman or his agents. The Town may specify the route to be used.

(C) Nothing herein shall be construed to restrict the keeping of livestock and other animals upon the County Fairgrounds property as part of official fairs and other events.

**11-1-14 PENALTY.**

(A) Any person convicted of a violation of any of the provisions of this Section shall be punished by a fine not to exceed \$300 or by imprisonment of not more than ninety (90) days or by both such fine and imprisonment; provided however that no person under the age of 18 years may be

sentenced to any term of imprisonment in excess of ten (10) days.

(Ord 11-1998)

(B) The Municipal Judge is hereby authorized and directed to impose increased penalties for subsequent violations by the same defendant, for subsequent violations involving the same animal regardless of the named defendant, and for violations involving animal attack.

(Ord 11-1998)