

## **Animals**

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**Chapter 7.04**

**Definitions**

**7.04.020 Animal.**

*Animal* means any live vertebrate creature, other than a plant, whether domesticated or wild. (Prior code §18.12(part); Ord. 5-72 §1(part), 1972; Ord. 14-90 §1, 1990)

**7.04.050 Enclosure.**

*Enclosure* means land surrounded by some visible obstruction, such as a fence. (Prior code §18.12(part); Ord. 5-72 §1(part), 1972; Ord. 15-97, 1997)

**7.04.110 Neighborhood.**

*Neighborhood* means an area within one thousand (1,000) feet of the property line of the property where an animal is kept or maintained. (Prior code §18.12(part); Ord. 5-72 §1(part), 1972; Ord. 14-90 §2, 1990)

**7.04.165 Vaccination.**

*Vaccination* means the administration by a veterinarian licensed by the State of a vaccine listed in the current Compendium of Animal Rabies Vaccines, (publication of the National Association of State Public Health Veterinarians) for use in the prevention of rabies. (Ord. 11-80 §1(part), 1980)

**Chapter 7.06**

**General Provisions**

**7.06.010 Fighting and fighting places prohibited.**

It is unlawful for any person to:

(1) Keep, or cause to be kept, any place where any animal is suffered to fight upon exhibition or for sport upon any wager;

(2) Permit, suffer or cause any animal, which is owned, kept, possessed or controlled by him or her, to fight with any other animal upon exhibition, or for sport upon any wager; or

(3) Engage in, aid or cause any contest or combat with any animal, or permit, aid in, cause or suffer on his or her premises any contest or combat between any person and any animal; the foregoing provisions of this paragraph shall not apply, however, to any show conducted solely for the purpose of judging animals for conformity to breed and displaying the characteristics of such breed or for the purpose of comparing animals one to another; provided, however, that such show or contest does not involve combat with or between animals and does not cause cruelty to animals. (Ord. 11-80 §1(part), 1980; Ord. 15-97, 1997)

**7.06.020 Cruelty generally.**

It is unlawful for any person to overdrive, overload, drive when overloaded, overwork, torture, deprive of necessary sustenance, cruelly beat, mutilate or kill needlessly, or to carry or transport in any vehicle or otherwise in a cruel and inhuman manner, any animal or to cause any of these acts to be done. Nothing herein shall be construed to prevent the carrying out of a program of animal control as may be authorized elsewhere in this Code. (Ord. 11-80 §1(part), 1980)

**7.06.030 Poisoning animals prohibited.**

It is unlawful for any person to poison any animal, or to distribute poison in any manner whatsoever with the intent to, or for the purpose of, poisoning any animal; provided, however, that for the purpose of this Section, the word *animal* shall not include mice, rats, bats or other rodents, but shall include hamsters, guinea pigs, rabbits and squirrels; provided further that it is unlawful for any person to poison any mice, rats, bats or other rodents, or to distribute in any manner whatsoever any poison with the intent, or for the purpose of, poisoning said mice, rats, bats or other rodents. The provisions of this Section shall not apply, however, to persons regularly engaged in the business of fumigation or pest extermination. (Ord. 11-80 §1(part), 1980; Ord. 15-97, 1997)

**7.06.040 Dog and cat waste removal.**

(a) The owner, custodian or possessor of any dog or cat shall be responsible for removal of any feces deposited by said dog or cat on public sidewalks, rights-of-way, streets, parks or recreation areas. Said person shall immediately remove and sanitarily dispose of the feces. Also, the owner, custodian or possessor shall be responsible for the removal of any feces deposited by his or her dog or cat on any private property not owned, controlled or possessed by said person. Said person shall immediately remove and sanitarily dispose of the feces.

(b) Any person who owns, possesses or controls any lot, building or other place where a dog or cat is kept shall keep the building and premises in a clean and sanitary condition and shall remove all feces from the premises at least once each week. (Ord. 15-00 §2, 2000)

**Chapter 7.08**

**Livestock**

**7.08.010 Premises kept clean.**

Any person who owns or controls any lot, barn, stable, shed, building or other place where animals are kept shall keep the building and premises in a clean and sanitary condition and shall remove all manure from the premises at least once each week. (Prior code §18.4; Ord. 14-90 §5, 1990)

**7.08.020 Livestock running at large.**

It is unlawful for any person who is the owner, possessor or custodian of any horses, asses, mules, cattle, sheep, swine or goats to suffer or permit the same to run at large within the Town limits. Any such animals found running at large may be taken up, impounded and disposed of by the Police Department in the manner provided by State law. (Prior code §18.5)

**7.08.030 Disturbance of neighborhood prohibited.**

(a) It is unlawful for any person to keep or maintain any animal within the Town which habitually or continuously disturbs the peace and quiet of any individual or neighborhood by barking, whining, howling or making any other noise. It shall be presumed that a resident or occupant of the premises upon which the animal is located is a person keeping or maintaining such animal.

(b) Any animal within the Town which habitually or continually disturbs the peace and quiet of any individual or neighborhood by barking, whining, howling or making any other noise is a public nuisance. The animal control officer or a police officer has authority, without liability, to use all reasonable means to abate such public nuisance, including the authority to enter upon private property to impound such

animal where the owner or custodian of such animal is or appears to be absent from the premises; provided, however, that this authority does not extend to entering the owner's or custodian's resident dwelling.

(c) The impoundment provisions of Sections 7.12.060 and 7.12.070 of this Code shall be applicable for all animals impounded pursuant to this Section. (Prior code §18.11; Ord. 5-72 §1(part), 1972; Ord. 14-90 §6, 1990)

**7.08.040 Hogs, sheep and goats prohibited.**

It is unlawful for any person to keep or harbor within the Town limits any hogs, sheep or goats. (Prior code §18.1; Ord. 15-97, 1997)

**7.08.050 Cattle and horses restricted.**

It is unlawful for any person to herd, keep, maintain or harbor any cattle, horses or other livestock within the Town limits except as provided in this Chapter. (Prior code §18.2-1; Ord. 230 §1(part), 1962)

**7.08.060 Permit required for horses.**

(a) No person shall keep or maintain a horse within the Town limits unless such person has a valid permit so to do.

(b) Application for a permit to keep a horse shall be made in writing to the Town Clerk and shall contain an adequate description of the real property upon which horses are to be kept and maintained. Following application, the Building Official shall cause the premises to be inspected, and if all the requirements of this Code are complied with, he or she shall authorize issuance of the permit. The Town Clerk shall issue all permits upon the payment of a fee of twenty-five dollars (\$25.00) per year. A permit shall continue to the end of the calendar year unless revoked as herein provided. (Prior code §18.2-2; Ord. 230 §1(part), 1962; Ord. 23-86 §1(B), 1986; Ord. 15-97, 1997)

**7.08.070 Conditions required for permit for horses.**

The Town Building Official shall authorize issuance of a permit to keep and maintain horses on certain described premises within the Town upon his or her determination that the following conditions or requirements are complied with:

(1) Permits may be issued to resident owners or resident lessees of real property located within the RE-1, RE and E-1 Estate residential districts for their personal horses, provided that the minimum lot size is five (5) acres or more and the number of horses shall not exceed four (4). Any real property included in a permit issued hereunder shall not be included in any other permit.

(2) Permits may be issued to owners and lessees of property located within C-D or C-O districts, provided that the minimum lot size is fifteen (15) acres or more and the number of horses shall not exceed four (4).

(3) Any shed, shelter or corral in which horses are kept or maintained shall not be closer than twenty-five (25) feet to any building occupied as a residence or used for human habitation or use and fifty (50) feet from any street or property line. All property where horses are to be kept or maintained shall be fenced by a lawful fence as defined by the state statutes, which fence shall be constructed at least fifty (50) feet from the outside boundary line of the property described in the application for a permit.

(4) The construction of feeding facilities and the construction, drainage, flooring, ventilation, waste removal and fly screening of all sheds or other shelters shall be governed by any regulations adopted by the Board of Trustees. (Prior code §18.2-3; Ord. 230 §1(part), 1962; Ord. 8-83 §§1, 2, 1983; Ord. 17-96, §1; Ord. 11-01 §2, 2001)

**7.08.080 Exception regarding horses.**

The area requirements or proximity of enclosures to residences, property lines and streets as provided in this Chapter shall not be applicable to the display of horses by entrants in any show or fair authorized by the Town during such show or fair. (Prior code §18.2-4; Ord. 230 §1(part), 1962; Ord. 15-97, 1997; Ord. 11-01 §2, 2001)

**7.08.090 Revocation or denial of horse permit.**

(a) The Building Official may recommend the revocation of any permit upon the grounds that the permittee is violating or has violated any of the provisions in this Chapter. Such recommendation shall be filed with the Town Clerk, who shall cause a written notice to be mailed to the permittee notifying him or her that a hearing on the Building Official's recommendations will be held at the Board of Trustees meeting to be held not less than ten (10) days from the date of mailing such notice. Such notice shall specify the time and place of the hearing. If, upon such hearing, the Board of Trustees finds that the permittee has violated any of the provisions of this Chapter, the Board of Trustees may forthwith revoke his or her permit and the permittee shall be allowed forty-eight (48) hours within which to remove all horses and ten (10) days to remove any offensive or prohibited material.

(b) Upon the denial of a permit under the provisions of this Chapter, the Town Clerk shall cause written notice of such denial to be mailed to the applicant, notifying the applicant. An applicant desiring to appeal such denial shall, within ten (10) days of receipt of the notice of denial, file with the Town Clerk a written request for a hearing before the Board of Trustees. Upon receipt of a request for hearing, the Town Clerk shall give notice of the hearing to

the applicant in the manner provided in Subsection (a) of this Section for hearings upon revocation. The Board of Trustees shall, following such hearing, direct that the permit be either issued or denied. (Prior code §18.2-5; Ord. 230 §1(part), 1962; Ord. 15-97, 1997)

**7.08.100 Premises requirements for horses.**

The premises upon which horses are kept shall be maintained in a sanitary condition and shall comply with all sanitary regulations adopted by the Town Health Department. The premises shall at all reasonable hours be subject to inspection by representatives of the Town Health Officer. It is unlawful for any person to refuse to permit such inspection. (Prior code §18.2-6; Ord. 230 §1(part), 1962; Ord. 15-97, 1997)

**7.08.110 Fowl and rabbits; restraint required.**

It is unlawful for any person who owns, harbors or keeps within the Town limits any chickens, ducks, geese, turkeys or other domestic fowl, or any hare or rabbits, to fail to keep them securely enclosed in a pen or building, or to permit them to run at large or to go upon the premises of another. (Prior code §18.3)

**Chapter 7.12**

**Domestic Animals**

**7.12.010 License required.**

It is unlawful for any person to keep any dog three (3) months of age or older within the Town without obtaining a license therefor from the Town Clerk and without having the animal vaccinated against rabies. All dogs vaccinated at three (3) months of age or older shall be again vaccinated at one (1) year and three (3) months

of age and thereafter at intervals recommended in the current Compendium of Animal Rabies Vaccines. Such licenses shall be obtained prior to May 1 of each year, and they shall expire on December 31 of the year for which they are issued. Proof of vaccination shall be by certificate signed by a veterinarian. (Prior code §18.6; Ord. 297 §1; Ord. 11-80 §2, 1980)

**7.12.020 License fee.**

Every person desiring to keep a dog within the Town shall make application to the Town for a license; and shall pay a fee of five dollars (\$5.00) per year for each neutered or sterilized dog, and fifteen dollars (\$15.00) per year for each dog which has not been neutered or sterilized. (Prior code §18.6-1; Ord. 18-73 §1(part), 1973; Ord. 36-75 §1(part), 1975; Ord. 15-97, 1997)

**7.12.030 Display of license.**

The Town shall issue a license and a tag for each dog licensed, upon the payment of the necessary fee in advance and upon presentation showing that the dog to be licensed has received all necessary vaccinations. The owner or custodian shall attach the tag to the collar or harness of the dog so licensed, which collar or harness must be worn by such dog at all times. If the original tag becomes lost or destroyed, a duplicate may be obtained from the Town. The Town shall keep a record of the date of issuance of each dog tag, the name and address of the person to whom the tag is issued, the number and a description of the dog licensed. (Prior code §18.6-2; Ord. 36-75 §1(part), 1975; Ord. 11-80 §3, 1980; Ord. 15-97, 1997)

**7.12.035 Certificate of vaccination.**

The certificate of vaccination required by this Chapter shall contain the name, address and telephone number of the owner of the vaccinated cats and dogs, the date of vaccination, the date

of expiration of vaccination, the type of rabies vaccine used, the breed, age, color and sex of the vaccinated cats and dogs and the signature of the veterinarian administering the vaccine. No such rabies vaccine shall be issued until after a ten-day observation period after any cat or dog has inflicted a bite on any person or other animal. Concurrently with the issuance and delivery of the certificate of vaccination referred to herein, the owner of the cats and dogs shall cause to be attached to the collar or harness of the vaccinated cats and dogs a metal tag, serially numbered to correspond with the vaccination certificate number and bearing the year of issuance. Such tag shall be attached to the collar or harness of the cats and dogs so vaccinated, which collar or harness must be worn by such cats and dogs at all times. (Ord. 11-80 §4, 1980; Ord. 1-04 §1, 2004)

**7.12.040 Dogs or cats running at large prohibited.**

(a) Every person owning or having charge, care, custody or control of any dog or cat shall keep the dog or cat exclusively upon his or her own premises, except that the dog or cat may be off the premises if it is under the effective control of a person. The dog or cat shall be construed to be under the effective control of a person as follows:

- (1) Confinement within a vehicle, fencing or other adequate enclosure where the dog or cat has no access to a passerby; or
- (2) Attachment to a leash and held by a person of sufficient size and strength to restrain the dog or cat.

(b) Notwithstanding the provisions of Subsection (a) of this Section, a dog or cat shall be deemed to be not under effective control of a person as follows:

(1) Every female dog or cat in heat or in season shall be confined in a building or secure enclosure in such a manner that the female dog or cat cannot come into contact with a male dog or cat for unplanned breeding;

(2) The dog or cat inflicts damage or injury to the person or property of someone other than its owner, custodian or possessor; or

(3) A dog or cat is tethered on the premises of its owner, custodian or possessor such that it has access to a passerby on a public street, sidewalk or right-of-way.

(c) Nothing herein shall restrict the ordinary uses of seeing-eye dogs.

(d) Dogs under the control of a public law enforcement agency and dogs not under restraint within a designated dog park within the Town are exempt from Subsection (a) above. (Prior code 18.7; Ord. 4-85 §1, 1985; Ord. 14-90 §7, 1990; Ord. 15-97, 1997; Ord. 11-07 §1, 2007)

**7.12.050 Impoundment; when.**

When any animal control officer or police officer finds a dog or cat within the Town, off the premises of its owner, possessor or custodian, and in violation of Section 7.12.040 of this Code, said dog or cat shall be impounded by such officer. (Prior code §18.8; Ord. 36-75 §1(part), 1975; Ord. 11-07 §1, 2007)

**7.12.060 Impoundment notice procedure.**

Upon the impoundment of an animal, the Police Department shall notify the owner or custodian of the animal that the animal has been impounded and will be released upon proof that the animal is properly licensed, upon payment of an impound fee, care and feeding fee and any

expenses incurred for veterinary care and treatment; and that, if the animal is not released within five (5) days from the day of said notice, it will be disposed of at the direction of the Police Department. The notice shall be delivered to such owner or custodian, or if such owner or custodian is not available, by posting said notice on the premises from which the animal was impounded. (Prior code §18.8-1; Ord. 7-73 §1(part), 1973; Ord. 36-75 §1(part), 1975; Ord. 21-78 §1, 1978; Ord. 3-80 §1, 1980; Ord. 14-90 §8, 1990; Ord. 15-97, 1997; Ord. 1-04 §1, 2004)

**7.12.070 General procedure for impoundment.**

All animals impounded shall be kept for a period of five (5) days unless sooner released to their owners or custodians, provided that no vicious animal shall be released unless provisions suitable to the Police Department have been made for the animal by its owner or custodian to protect the public against said propensity, and that no female animal in heat shall be released unless the owner or custodian has facilities for the caring and confining of such animal satisfactory to the Police Department. No animal shall be released from the impound facility until the production of satisfactory proof of ownership, the payment of an impound fee, care and feeding fee and any expenses incurred by the Town for veterinary care and treatment, and submission of proof that the animal has been properly licensed and inoculated against rabies as required by this Chapter. Upon the expiration of five (5) days after notice of impoundment as provided in Section 7.12.060, any animal unclaimed shall be disposed of in accordance with the directions of the Police Department. (Prior code §18.8-2; Ord. 7-73 §1(part), 1973; Ord. 18-73 §1(part), 1973; Ord. 36-75 §1(part), 1975; Ord. 13-78 §1, 1978; Ord. 15-97, 1997; Ord. 1-04 §1, 2004)

**7.12.080 Kennel restrictions.**

It is unlawful for any person to keep or maintain a kennel for the keeping of dogs within the Town limits, except where kennels are permitted in accordance with the provisions of Section 13.3.129 of the Estes Valley Development Code. As used herein, *kennel* shall mean a commercial or noncommercial use with indoor and/or outdoor facilities for the keeping, breeding, boarding or training of four (4) or more adult dogs, over the age of three (3) months. (Prior code §18.9; Ord. 24-71 §1, 1971; Ord. 14-03 §§1, 2, 2003)

**7.12.090 Vicious animals prohibited.**

(a) It is unlawful for any person to keep, possess or permit any vicious animal within the Town, except as provided in Subsection (d) below. A vicious animal shall be deemed a public nuisance, and shall be impounded as provided in Sections 7.12.060 and 7.12.070. In the event the owner or possessor of the animal disputes the determination that the animal is vicious, said person may request, in writing, a hearing in Municipal Court on the question of whether or not the animal is vicious. Said hearing shall be held as soon as practical. At said hearing, the Municipal Judge may determine and order that an animal should be humanely euthanized if the Municipal Judge determines that the animal is vicious.

(b) Any vicious animal, which cannot be safely captured and impounded, may be destroyed by any police officer of the Town, or by any other person duly authorized by the Chief of Police for this purpose.

(c) For the purposes of Subsections (a) and (b) above, any animal which attacks human beings or animals, whether domestic or wild, upon public or private property, whether by causing bodily injury or by approaching its victim in an aggressive or threatening manner shall be deemed a vicious animal, except when

in defense of persons who would themselves be permitted to use a similar degree of force as that used by the animal.

(d) It shall be an affirmative defense to charges under this Chapter if the victim of the attack has made an unlawful entry into the dwelling or enclosed premises of the owner or custodian or has been injured by an animal during the commission of a crime against the owner or custodian.

(e) An animal kept or possessed for protection or security purposes, which by its nature or training would otherwise come under the foregoing provision, shall not be deemed a vicious animal so long as it is securely confined in an enclosure which keeps it physically segregated from persons other than its owner, custodian or possessor. (Prior code 18.10; Ord. 18-73 §1(part), 1973; Ord. 21-77 §2, 1977; Ord. 15-97, 1997; Ord. 1-04 §1, 2004)

**7.12.100 Duty regarding bites from animals.**

(a) Any person having knowledge that an animal has bitten a human shall immediately report the incident to the Police Department.

(b) Bites from rodents, rabbits, birds and reptiles are excluded from the reporting requirements of this Section.

(c) Any veterinarian who clinically diagnoses rabies or any person who suspects rabies in a dog, cat or other animal shall immediately report the incident to the Police Department stating exactly where such animal may be found.

(d) A dog or cat which has bitten a person shall be impounded for a period of ten (10) days for rabies observation or may be taken for observation to a hospital or a veterinarian for said ten-day period. Such confinement shall be at the expense of the owner or custodian. The owner or custodian of any dog or other animal

that has been reported to have inflicted the bite on any person shall, on demand, produce said animal for impoundment as prescribed in this Section.

(e) It is unlawful for any person to remove from any place of confinement any animal which has been confined as authorized, without the consent of the Police Department.

(f) If a known or suspected rabid animal bites or attacks a domestic animal, such incident shall also be reported as required in this Section. (Ord. 11-80 §5, 1980; Ord. 14-90 §9, 1990)

**7.12.110 Animal waste removal.**

(a) The owner, custodian or possessor of any animal shall be responsible for removal of any feces deposited by said animal on public sidewalks, rights-of-way, streets, parks or recreation areas. Said person shall immediately remove and sanitarily dispose of the feces. Also, the owner, custodian or possessor shall be responsible for the removal of any feces deposited by his or her animal on any private property not owned, controlled or possessed by said person. Said person shall immediately remove and sanitarily dispose of the feces.

(b) Any person who owns, possesses or controls any lot, building or other place where an animal or animals are kept shall keep the building and premises in a clean and sanitary condition and shall remove all feces from the premises at least once each week. (Ord. 4-85 §2, 1985; Ord. 15-97, 1997; Ord. 15-00 §1, 2000; Ord. 1-04 §1, 2004)

**7.12.120 Disturbance of neighborhood prohibited.**

(a) It is unlawful for any person to keep or maintain any animal within the Town which habitually or continuously disturbs the peace and quiet of any individual or neighborhood by barking, whining, howling or making any other

noise. It shall be presumed that a resident or occupant of the premises upon which the animal is located is a person keeping or maintaining such animal.

(b) Any animal within the Town which habitually or continually disturbs the peace and quiet of any individual or neighborhood by barking, whining, howling or making any other noise is a public nuisance. The animal control officer or a police officer has authority, without liability, to use all reasonable means to abate such public nuisance, including the authority to enter upon private property to impound such animal where the owner or custodian of such animal is or appears to be absent from the premises; provided, however, that this authority does not extend to entering the owner's or custodian's resident dwelling. (Ord. 15-97, 1997; Ord. 1-04 §1, 2004)

**7.12.130 Special sanctions.**

The animal control officer, or the Town Attorney or his or her designee, may recommend that one (1) or more special sanctions be levied against any animal owner or custodian convicted of any violation of this Chapter. This recommendation may be presented to the Municipal Court as a proposed condition of sentencing upon conviction and may be in lieu of or in addition to the penalties or fines as imposed by the Municipal Court. The Municipal Court may take into consideration the severity of the incident, the prior history of the owner or custodian and the recommendation of the animal control officer or Town Attorney. Special sanctions include, but are not limited to the following:

- (1) Construction of a secure animal enclosure (built to the specifications of Animal Control) and in compliance with the zoning ordinance;
- (2) Spaying or neutering of the animals;

- (3) Obedience training/behavior modification;
- (4) Responsible pet ownership class;
- (5) Community service work;
- (6) Euthanasia of the animals;
- (7) Prohibition from owning animals for a specified period;
- (8) Use of humane training devices for behavior modification;
- (9) Inspections of premises where animals are kept;
- (10) Restitution for costs of care rendered or shelter given at the Town's designated animal shelter, costs of veterinary care and costs of medical treatment;
- (11) Treatment or counseling programs; and
- (12) Placement of a permanent microchip identification device under the skin of an animal. (Ord. 1-04 §1, 2004)

**Chapter 7.16**

**Enclosures**

**7.16.010 Opening enclosures prohibited.**

It is unlawful to in any manner open, directly or indirectly, or aid or assist in opening any pen, fence or other enclosure, with intent of releasing any animal confined therein, or which opening will permit the release of the animal so confined, without the authorization of the owner or custodian of such animal. (Ord. 18-73 §2, 1973; Ord. 15-97, 1997)

**Chapter 7.17**

**Animal Control Program**

**7.17.010 Discharge of weapon.**

No person shall discharge any weapon as part of a program for the control or extermination of animals except persons regularly engaged in the business of fumigation or pest extermination. (Ord. 15-97, 1997)

**Chapter 7.18**

**Animal Rescue**

**7.18.010 License required.**

Every person desiring to maintain an animal rescue operation in the Town as an accessory use in a single-family residential zoning district shall obtain a license from the Town. (Ord. 16-03 §1, 2003)

**7.18.020 Definition.**

An *animal rescue operation* is the not-for-profit care, short-term boarding and active searching for placement in appropriate foster homes of abandoned dogs. Said operation is an accessory use in a single-family residential zoning district of the Town. (Ord. 16-03 §1, 2003)

**7.18.030 Restrictions.**

The boarding of dogs in an animal rescue operation within the Town pursuant to this Chapter shall be subject to the following restrictions:

- (1) No more than eight (8) dogs may be boarded at any one (1) time on the property.

(2) The holder of the license must be the owner or occupant of the property on which the animal rescue operation is being conducted and at all times must be the occupant of the residential structure on the property.

(3) The holder of the license must be affiliated with a local nonprofit organization or a local veterinary clinic for the purpose of receiving locally abandoned dogs.

(4) Any other dogs residing on the property shall count against the eight (8) dogs set forth in Subsection (1) above. In no event shall more than eight (8) dogs be maintained on the property at any time. (Ord. 16-03 §1, 2003)

**7.18.040 Revocation of license.**

The Town may revoke the license of any animal rescue operation for a violation of any provision of this Chapter as follows:

(1) The Town Clerk, upon the receipt and verification of any violation of this Chapter or a violation of Section 7.12.040, Dogs Running at Large Prohibited, Section 7.12.110, Animal Waste Removal, and/or Section 7.12.120(a), Disturbance of Neighborhood Prohibited, of this Code, which concerns dogs maintained on the licensed property, shall give written notice to the holder of the license that a violation has occurred.

(2) Upon the receipt and verification of any subsequent violation of the terms and conditions of this Chapter, within two (2) years of the date of the written notice set forth in Subsection (1) above, the Town Clerk shall revoke the license by giving written notice to the holder of the license. Said revocation shall be for one (1) year from the date of the notice.

(3) A license may be reinstated following the one-year revocation period upon written application by the owner or occupant.

(4) Upon the receipt and verification of any subsequent violation of the terms and conditions of this Chapter within two (2) years of reinstatement, the Town Clerk shall revoke the license by giving written notice to the holder of the license of the revocation of the license. Said revocation shall be for two (2) years from the date of the notice.

(5) Upon revocation of the license, the holder's right to operate an animal rescue operation on the property shall terminate. (Ord. 16-03 §1, 2003)

**7.18.050 Exemption.**

The holder of the animal rescue license shall be exempt from the provisions of Section 7.12.080, Kennel Restrictions. (Ord. 16-03 §1, 2003)

