



## EXHIBIT A DOG CONTROL AND LICENSING REGULATIONS

### **Article 1: Definitions**

**Animal Control Officer:** Any employee of the Adams County Animal Control Center whose job duties include the enforcement of the terms of this regulation.

**Animal Control Center:** The Adams County Animal Control Center.

**Bodily Injury:** Any physical injury that results in severe bruising, muscle tears, skin lacerations requiring professional medical treatment, or fracture of any bone or injury that requires corrective or cosmetic surgery.

**Control:** Physical control of a dog by a human being by means of a leash, cord or chain held by the human being except when a dog is actually working livestock, locating or retrieving wild game in season for a licensed hunter or assisting law enforcement officers, or are actually being trained for any specifically enumerated pursuits, or when the dog is within the confines of the real property of its owner, and means the prevention by a dog owner of barking and/or howling by the dog.

**County:** The unincorporated portion of Adams County.

**Dog:** Any domesticated animal related to the fox, wolf, coyote, or jackal.

**Domestic Animal:** Any dog, cat or livestock.

**Owner or Owns:** Any person, firm, corporation, or organization owning, possessing, harboring, keeping, having financial or property interest in, or having control or custody of a dog, including a dangerous dog as the term is defined in this section.

**Provocation:** Threatening, teasing or striking a dog or threatening or striking the dog's owner either on or off the dog owner's property.

**Running at Large:** Means that the dog is off of the property of the owner and not under control of a human being.

**Serious Bodily Injury:** Bodily injury which involves a substantial risk of death, serious permanent disfigurement, or protracted loss or impairment of the function of any part or organ of the body.

**Vicious Dog:** The same thing as Dangerous Dog: Means any dog that has inflicted bodily or serious bodily injury upon or has caused the death of a person or domestic animal; or has demonstrated tendencies that would cause a reasonable person to believe that the dog may inflict injury upon or cause the death of any person or domestic animal; or has engaged in or been trained for animal fighting as described and prohibited in C.R.S. 18-9-204.

## **Article 2: Violations - Penalties - Enforcement**

- A. It is unlawful for any dog owner to keep a dog within the County without complying with the licensing provision of this Regulation.
- B. It is unlawful for any dog owner to knowingly permit a tag evidencing licensing and rabies inoculation for one dog to be affixed to the collar or harness of another dog.
- C. It is unlawful for any dog owner's dog to run at large within the County.
- D. It is unlawful to harbor or keep a Vicious Dog within the County, pursuant to C.R.S. 18-9-204.5 (Exhibit B) which is hereby incorporated into and made part of this Adams County Dog Control and Licensing Regulation.
- E. It is unlawful for an owner of a dog impounded for running at large, to fail to reclaim their dog and pay all applicable fees and deposits to the Adams County Animal Control Center within five (5) days of being notified of impoundment of their dog.
- F. It shall be unlawful to keep or harbor any dog which by frequent, habitual and continued barking, yelping or howling shall cause a serious annoyance to a neighbor or to people passing to and from upon the public streets or sidewalks, and the same is hereby declared to be a public nuisance and a violation of this Chapter. The Animal Control officer or a member of the Sheriff's Department shall have the authority to use all reasonable means to abate such nuisance, including but not limited to requiring that the owner make bona fide efforts to quiet his dog and impoundment of the dog when the owner is absent from the premises. Upon impoundment of a dog for violation of this Section, the Animal Control Officer or police officer shall attempt to locate and notify the absent owner by any reasonable means as readily as possible. No summons and complaint shall be issued nor shall there be a conviction for violation of this Section unless there are at least two (2) or more complaining witnesses from separate households who shall have signed such complaint and shall have testified at trial. An Animal Control Officer who has personally investigated the complaint of a single complainant and observed the behavior of the dog complained of, with regard to its frequent, habitual and continued barking, yelping or howling, may satisfy the requirement for the second complaining witness and may testify to his observations at trial.
- G. Any violation of the above not involving bodily injury to any person shall be a Class 2 petty offense punishable by a fine of not more than \$300 or imprisonment in the County Jail for not more than 90 days, or both such fine and imprisonment for each separate offense.

- H. Whenever a County Animal Control officer has probable cause to believe that a violation of this Animal Control and Dog Licensing regulation, involving bodily injury, has been committed or has personal knowledge of any violation of this Dog Control and Licensing Regulation, he/she may issue a Summons and Complaint to the violator, stating the nature of the violation with sufficient particularity to notice of such charge to the violator. The penalty assessment procedure, for violations not involving bodily injury, provided in C.R.S. 16-2-201 (mail-in fines), may be followed, as permitted by law, by the Animal Control Officer or arresting law enforcement officer. The schedule of mail-in fines for violations of this regulation, not involving bodily injury, are set forth in Exhibit C.
- I. Animal Control officers shall enforce all of the provisions of this Regulation as set forth herein.

### **Article 3: Impoundment of Dogs**

- A. An Animal Control officer may take into custody and impound at the Animal Control Center any dog found at large within the County and which is not under control as defined in this Resolution. When an Animal Control officer observes a dog at large and not under control, which returns to its owner's property, the officer may enter upon the property of the owner (except for the dwelling) to take the dog into custody.
- B. An Animal Control officer may take into custody and impound any dog in violation of C.R.S. 18-9-204.5 (Dangerous Dog) who's owner has been issued a Summons and Complaint for the violation.
- C. Upon serving of the third Summons and Complaint, within one year for a barking dog violation, pursuant to Article 2, Section F of this regulation, against the same dog, an Animal control officer may take into custody and impound said dog.
- D. When any dog has been taken up and impounded, the Animal Control officer shall give notice of such impoundment to the owner, if known, who may thereupon recover possession of such dog upon payment of all license fees, rabies deposits and costs of impoundment as set forth herein. If no owner appears to claim any such dog and to pay applicable license fees, rabies deposits and costs incurred by impoundment within five days of receipt of notice of impoundment, or within five days after such dog is impounded when said owner is unknown, the dog shall be placed for adoption or destroyed in a humane manner.
- E. EXCEPTION: A dog impounded for violation of C.R.S. 18-9-204.5(5) (Dangerous Dog) will be held at the Adams County Animal Control Center until final disposition of charges against the owner.

### **Article 4: Licensing of Dogs**

- A. Each dog over the age of six (6) months located within unincorporated Adams County shall be required to be furnished with a County identification and registration or license number. Each registration or license application shall contain the dog owner's name and address, description of the dog, breed, color, age, sex, dog owner's telephone number and the registration or license number

issued for said dog. No registration permit or license shall be issued unless and until the owner of a dog shall exhibit a valid rabies vaccination certificate indicating that the dog has been vaccinated against rabies by a licensed veterinarian. Every dog owner of each dog within the County shall register each dog over six (6) months of age and pay the following license fees:

1. free for each dog, male or female, which has been spayed or neutered.
2. \$25.00 for each dog, male or female, which has not been spayed or neutered.
3. \$9.00 Rabies deposit (refunded when proof of vaccination is provided).
4. Such registration or licensing shall be renewable annually on or before the first day of March of each succeeding year.
5. The Animal Control Center shall keep a record of the date of issue of each dog tag and the number thereof. If the dog tag issued in this regulation is lost or destroyed, a duplicate tag may be obtained from the shelter upon the payment of a fee of \$1.00.

**Article 5: Liability for Accident or Subsequent Disease from Impoundment**

The Board of County Commissioners, any assistants or employees, or any other person authorized to enforce the provisions of this Dog Control and Licensing Regulation shall not be held responsible for any accident or subsequent disease that may occur to the dog in connection with the administration of said Dog Control and Licensing Regulation.

**Article 6: Severability**

Should any sections, clause, sentence or part of this Regulation be adjudged by any Court or competent jurisdiction, to be unconstitutional or invalid, the same shall not affect, impair, invalidate the regulation as a whole or any part thereof, other than a part so declared to be invalid.