

ORDINANCE NO. 546

AN ORDINANCE RELATING TO THE LICENSING, REGULATING AND IMPOUNDING  
OF DOGS, PRESCRIBING PENALTIES FOR VIOLATION THEREOF, AND  
REPEALING ORDINANCES IN CONFLICT THEREWITH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION,  
COLORADO:

ARTICLE I

LICENSE

Section 1. License. No person shall own, possess, harbor or keep any dog or dogs within the City of Grand Junction without first having paid to the City Treasurer of said city an annual license fee in the sum of One Dollar (\$1.00) for each and every male or spayed female dog, and in the sum of Two Dollars and Fifty cents (\$2.50) for each and every female dog, owned, possessed, harbored or kept by such person.

Section 2. License Tag. Upon payment of the aforesaid license fee the City Treasurer shall deliver or cause to be delivered to the person paying the same, a metallic license tag for each dog so licensed, upon which tag shall be marked the number and current year thereof, and he shall keep a record of all such licenses showing the date of issuance, to whom issued, and the number thereof; provided that during any period covered by proclamation under the provisions of Article III hereof, no such license shall be issued unless the City Treasurer is furnished with a certificate showing that such dog has been vaccinated against rabies as herein provided within the previous eighteen (18) months; and the owner or keeper of every dog shall provide it with a collar of leather, metal or other substantial material, to which such license tag shall be securely fastened, and which shall be worn at all times by the dog so licensed. Such license shall expire on the thirty-first (31st) day of December each year, and shall not be transferable.

Section 3. Unlawful Removal or Possession of License Tags. It shall be unlawful for any person, other than the owner, to take or remove the collar or license tag from any dog, unless with the consent of the owner, or to have in his possession, or on the neck or collar of any dog or dogs owned, possessed, harbored or kept by him, any license tag or dog collar, or to have in his possession any dog which is the property of any other person, without giving immediate notice to the Chief of Police of said City, with a full description of such property.

Section 4. Penalty. Any person who shall violate any of the provisions of this Article shall, upon conviction, be fined not less than Ten Dollars (\$10.00) and not more than One Hundred Dollars (\$100.00) for each and every offense.

## ARTICLE II

### DOG CATCHER

Section 1. Duties. There shall be appointed by the City Manager, a dog catcher, who shall serve from March 1st to November 1st in each year unless he shall be sooner discharged or removed by the City Manager. It shall be the duty of such dog catcher to catch and impound any unlicensed dog or dogs found running at large in violation of this Ordinance, in a pound to be designated by the City Manager for such purpose, where such dog or dogs shall be kept for a period of three full days after being so impounded, unless sooner redeemed; provided, however, that the dog catcher may release such dog to its owner, in lieu of actual impounding, upon payment to him of the license fee hereinbefore provided plus a fee of One Dollar (\$1.00) as an impounding charge.

Section 2. Notice of Impounded Dogs. Upon any dog being so impounded, it shall be the duty of the dog catcher to notify the owner, possessor, or person who harbors or keeps the same, if known, and if not known to post at the City Hall and at the pound, a notice containing a description of said dog or dogs, as near as may be. If, after such notice and time of impounding having expired, no owner or person entitled to or claiming the possession of any such dog or dogs shall demand the same, then any such dog or dogs may be sold, or the dog catcher, or any person duly authorized by the City Manager so to do, may, at the expiration of four days from the date of the receipt of any such dog at the pound, kill the same, provided that the dog catcher may sell or give away any such dog or dogs not redeemed or claimed by anyone, taking a receipt therefor from the purchaser or recipient thereof. The method of killing any such dog shall be determined by the City veterinarian.

Section 3. Impounding of Licensed Dogs Prohibited, Release Upon Proof, Exceptions. It shall be unlawful for the dog catcher to impound or retain in his possession as dog catcher any dog which has a license tag for the current year fastened to a collar around its neck as herein required; and it shall be the duty of the dog catcher to release any impounded dog without charge upon proof of ownership thereof and presentation of the City Treasurer's receipt dated prior to the impounding of such dog, showing that such dog was duly licensed at the time of its impounding; provided that this Section shall not apply to dogs impounded under Article III hereof, or to dogs impounded for violation of park rules, in which last event the owner or person entitled to or claiming possession of any such dog shall pay the prescribed pound fee as in the case of an unlicensed dog, in addition to proving previous payment of the required license fee as above provided, before any such dog shall be released. It shall also be the duty of the dog catcher to properly feed and water, or to cause to be properly fed and watered, any and all impounded dogs.

Section 4. Redemption, Purchase, Fees, Disposition of Funds. Any

owner desiring to redeem any impounded dog, or any person who may buy at auction or receive any dog from the pound, shall pay to the dog catcher the sum of One Dollar (\$1.00) for each such dog, in addition to the license fee provided by Section 1 of Article 1 hereof. Money received under the provisions of this Article as paid fees and penalties shall be paid into the general fund of the City.

Section 5. Penalty. Any person who shall violate any of the provisions of this Article, or who shall interfere with, molest, hinder, or prevent any person in the discharge of his duty as herein prescribed, shall, upon conviction thereof, be fined in a sum of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for each and every offense.

### ARTICLE III

#### PROTECTION AGAINST DOGS

Section 1. Rabies. (a) Proclamation. Whenever, in the opinion of the City Physician, the public health and safety of the said city require that dogs and cats be immunized by inoculation against rabies, the City Manager shall issue a proclamation to that effect;

(b) Violation. Upon the issuance of such proclamation it shall be unlawful for any person to own or harbor any dog or cat in said City that has not been properly immunized against rabies, as required herein, unless such dog shall be securely muzzled or unless such cat shall be kept in a pen or other confining quarters from which it is impossible for it to escape.

(c) Inoculation. Under such proclamation the inoculation of dogs and cats with proper vaccine for the prevention of infection from rabies shall be performed by a licensed veterinarian, who shall issue to the owner or keeper of such dog or cat a certificate showing the fact and date of inoculation thereof, which certificate shall be exhibited by the holder thereof to any police officer in said City, upon request. The fees for such inoculation shall be paid by the owner or keeper of such dog or cat. Such veterinarian shall, without additional charge, also furnish such owner or keeper a tag to be attached to the collar of such dog; and it is hereby made the duty of the owner or keeper of such dog to securely attach such tag to the collar of such dog.

(d) Unmuzzled Dogs. It shall be the duty of every police officer to kill any unmuzzled dog found running at large within said City during such emergency period and not displaying the inoculation tag provided by this Ordinance.

(e) Cats. All cats within said City shall be securely confined by the owner or keeper thereof for such time as may be designated in said proclamation; and it shall be the duty of every police officer to kill any cat found running at large during such time.

Section 2. Female Dogs. It shall be unlawful for the owner or possessor, or any person who harbors or keeps any female dog to permit the same to run at large within said City while in heat; and it shall be the duty of the dog catcher and all police officers to impound, or cause the impounding of any such animal found running at large.

Section 3. Vicious Dogs. It shall be unlawful for any owner, possessor, or person who harbors or keeps any vicious dog, as hereinafter defined, to permit the same to run at large within said City; and it shall be the duty of the dog catcher and all police officers to impound or cause the impounding of any such animal found running at large. It shall not be necessary, in order to convict any person of a violation of the provisions of Section 3 of this Article, to prove any previous knowledge of such person that any dog owned, possessed, harbored or kept by him was a vicious dog as defined by Section 4 of this Article.

Section 4. Definitions. A vicious dog is hereby defined for all purposes of this Ordinance to be any dog that bites, barks at, or snaps at any person or persons upon the streets or other public places, or that runs after, or barks at, snaps at, or bites horses or vehicles upon the streets or other public places, within said City.

A dog shall be deemed to be running at large when off or away from the premises where owned or where it belongs, and beyond immediate supervision or control of the person or persons who have authority over the same.

The word "dog" as used in this Ordinance includes both male and female of the canine species.

The word "person" as used in this Ordinance shall include any number of association of persons and any firm or corporation.

Section 5. Construction as to Non-Residents. The provisions of this Ordinance, except those contained in Article III, shall not apply to dogs owned by transient non-residents who come temporarily into or pass through said City, or to dogs brought into said City for exhibition.

Section 6. Poisoning Dogs. It shall be unlawful for any person to poison any dog or dogs, or to distribute poison in any manner whatsoever with the intent or for the purpose of poisoning any dog or dogs.

Section 7. General Penalty. Any person who shall violate, or who shall fail, neglect or refuse to comply with any of the provisions of this Article, or of this Ordinance where no other penalty is prescribed, shall, on conviction, be fined in the sum of not less than Five Dollars (\$5.00 nor more than Two Hundred Dollars (\$200.00) for each and every offense.

ARTICLE IV

REPEAL OF CONFLICTING ORDINANCES.

Section 1. Sections 1 to 8, inclusive, of Article 2 of Ordinance No. 83, as amended in part by Ordinances Nos. 305, 306, 454, 458, 485, and 514, as well as said amendatory Ordinances and all other Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance, are hereby repealed.

Passed and adopted this 1st day of April, 1936.

/s/ Porter Carson  
President of the Council

ATTEST:

/s/ Helen C. Tomlinson  
City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 546 was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 18th day of March, A. D. 1936, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 1st day of April, A. D. 1936.

/s/ Helen C. Tomlinson  
City Clerk

First publication March 20th, 1936  
Last publication April 3, 1936