

ORDINANCE NO. 774

AN ORDINANCE PROVIDING FOR THE LICENSING OF DOGS AND FOR THE REGULATION OF ALL DOGS AND CATS WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION, AUTHORIZING THE IMPOUNDING AND DESTRUCTION OF UNLICENSED AND VICIOUS DOGS, PROVIDING A PENALTY, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. DEFINITION OF TERMS. As used in this Ordinance the following words or phrases shall have the following meanings, respectively;

"Dog" shall be intended to mean both male and female.

"Owner" shall be intended to mean any person or persons, firm, association or corporation owning, keeping or harboring a dog.

"Running at Large" shall be intended to mean off the premises of the owner and not under the control of the owner or other person by leash, cord, or chain.

"Vicious Dog" shall be intended to mean any dog which bites or snaps at or tears the clothes in an attempt to bite any person or persons upon the streets or sidewalks or other public places.

Section 2. LICENSE AND REGISTRATION REQUIRED. All dogs kept, harbored, or maintained by their owners in the City of Grand Junction shall be licensed and registered if over three months of age. Dog licenses shall be issued by the city treasurer upon payment of a license tax of \$2.00 for each male or spayed female, and \$4.00 for each unspayed female. The owner shall state at the time application is made for such license and upon printed forms provided for such purpose his name and address, and the name, breed, color and sex of each dog owned or kept by him. The provisions of this Section shall not be intended to apply to dogs whose owners are non-residents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor to "seeing-eye" dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place.

Section 3. 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; 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 shall see that the collar and tag are 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 4. 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 which is the property of any other person; or to have in his possession any dog which is the property of any other person, without the consent of the owner.

Section 5. IMPOUNDING. It shall be the duty of every police officer or dog catcher appointed by the Chief of Police to catch and impound any dog not wearing a license tag in a pound to be designated by the City Manager for such purpose. Upon impounding any dog, a record shall be made of the breed, color and sex of such dog, where it was caught, and whether licensed.

Section 6. NOTICE TO OWNER. 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, and when and where caught. If, after three full days after such notice of impounding have expired, no owner or person entitled to or claiming the possession of any such dog or dogs shall claim 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 7. REDEMPTION. The owner of any dog impounded for failure to have a license may re-claim such dog upon payment of the license fee, if unpaid, and paying all costs and charges incurred by the City of Grand Junction for impounding and maintaining the said dog. The following charges shall be paid to the Police Department: For impounding any dog \$1.00; for keeping any dog \$.50 per day; for giving notice \$1.00.

Section 8. CONFINEMENT OF CERTAIN DOGS. No dog of fierce, dangerous or vicious propensities and no female dog in heat, whether licensed or not, shall be allowed to run at large or upon the premises of one other than the owner. If any dog bites, snaps at, or tears the clothes in an attempt to bite any person or persons, and that fact shall be proven to the Police Magistrate, that dog shall be deemed and declared by the Police Magistrate to

be a vicious animal. Such animal shall be confined to the premises of the owner or muzzled with a muzzle of sufficient strength to prevent its biting any person. Any such vicious dog which is found unmuzzled and running at large shall be seized and killed without notice to the owner. If any dangerous, fierce, vicious or infected dog found running at large cannot be safely caught and impounded, such dog may be slain by any policeman.

Section 9. 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 10. 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 11. PENALTIES. Any person who shall violate, or who shall fail, neglect or refuse to comply with any of the provisions of this Ordinance 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.

Section 12. SEPARABILITY. It is the intention of the City Council that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

Section 13. REPEAL. Ordinance No. 546 and all other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Passed and adopted this 18th day of August, A. D. 1948.

/s/John C. Harper

President of the City Council

ATTEST:

/s/Helen C. Tomlinson

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 774 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 7th day of July, A. D. 1948, 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 19th day of August, A. D. 1948.

/s/Helen C. Tomlinson

City Clerk