

**ORDINANCE NO. 3248**

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE III OF THE  
CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION,  
COLORADO**

RECITALS: On November 22, 1999, the Mesa County Commissioners revised the Animal Control Regulations, partly in response to Senate Bill 99-112, which changed the requirements regarding animal rabies vaccinations. Additionally, before this date, the Animal Control Ordinances have not been revised since 1992. These changes were made to sections referring to Rabies Control, Impoundment and Disposition of Animals, and Penalties for violation of said articles. The changes reflect the policy of the City Council of protecting the health, safety and welfare of the citizens of the City of Grand Junction, and requiring that animal owners take full responsibility for their animals.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
GRAND JUNCTION THAT:**

Chapter 6, Articles III of the Code of Ordinances of the City of Grand Junction, be amended as follows:

That Section 6-58 (a) be repealed and a new Section 6-58 (a) be added to read:

Vaccination Required. No person shall own, keep or harbor in the City any dog or cat over four months of age unless such dog or cat is vaccinated against rabies. All dogs and cats vaccinated at four months of age or older shall be revaccinated thereafter in accordance with the recommendation in the "Compendium of Animal Rabies Control" as promulgated by the National Association of State Public Health Veterinarians. After vaccinating a cat or dog for rabies, the veterinarian shall give the owner written certification of such vaccination. Any dog or cat owner who moves into the City and owns any dog or cat four months of age or older, including for purposes of this Section shall comply with this Article within thirty days afterward. If any dog or cat has bitten any person or animal within the last ten days, the owner of said dog or cat shall report that fact to the vaccinating veterinarian and to the animal control facility, and no rabies vaccine shall be administered to that dog or cat until after the ten-day observation period.

That Section 6-63 (d)(1) be repealed and a new Section 6-63 (d) be added to read:

Minimum period. Any animal impounded at Animal Control which is not reclaimed by the owner shall be held by Animal Control for a minimum of five (5) days after acquisition by Animal Control, before it may become available for adoption or otherwise disposed of at the discretion of Animal Control. If the owner does not properly claim and redeem the animal within this period of impoundment, the animal may be subject to disposition under Section 6-64. That Section 6-63(d)(2) be repealed and a new Section 6-63(d)(2) be added to read:

Sick or injured animal. An impounded animal which is sick or injured and in pain or contagious to other animals, and which is not identifiable to an owner, is subject to a minimal impoundment period and may immediately be humanely disposed of through euthanasia, if (1) in the opinion of a veterinarian the animal is experiencing extreme pain or suffering; and (2) Animal Control has exhausted reasonable efforts to contact the owner for up to 24 hours.

That Section 6-63 (g) be repealed and a new Section 6-63 (g) be added to read:

Impoundment Alternatives. Nothing in this Section shall be construed to prevent an Animal Control Officer from taking whatever action is reasonably necessary to protect his person or members of the public from injury by any animal.

That Section 6-64 (c)(1) be repealed and a new Section 6-64 (c)(1) be added to read:

A dog found to be vicious by any court, as defined by Subsection 6-57 (1), (2), (3), or (4) of this Article, may be finally disposed of by humane euthanasia.

That Section 6-64 (d) be amended to remove:

Transfer of ownership of the dog or cat shall not be effected until sterilization has occurred.

That Section 6-65 (a) be repealed and a new Section 6-65 (a) be added to read:

Responsibility. This provisions of this Article shall be enforced within the City by the Director of Animal Control, Animal Control Officers, and any other person however administratively assigned or titled, as authorized by the Grand Junction City Council. Enforcement by the City employees shall be limited to City limits and such additional areas as the Council may designate by Contract or Resolution pursuant to C.R.S. 30-15-101 (2). Animal Control Officers shall be deemed "peace officers" without regard to certification requirements, as authorized by C.R.S. 30-15-105. The City Attorney shall prosecute at his discretion any violation of this Article.

That a new Section 6-71 shall be added to read:

Any violation of Sections 6-58, 6-59, 6-60, 6-61, 6-63 (f), 6-64 (d), 6-65 (d), 6-65 (e), or 6-65 (f), of this Article and any subsections thereof which do not involve bodily injury to any person or animal, shall be punishable upon conviction by a fine of not more than five-hundred dollars (\$500.00). If the dog owner has been convicted of three or more violations of any Section of this Article not involving bodily injury within a two year period, the court may impose a sentence of imprisonment in the county jail for not more than ninety (90) days in addition to any fine and may order the destruction of the animal.

That a new Section 6-72 shall be added to read:

Any violation of Sections 6-58, 6-59, 6-60, 6-61, 6-63 (f), 6-64 (d), 6-65 (d), 6-65 (e), or 6-65 (f) of this Article and any subsections thereof which involve bodily injury to any person or bodily injury or death to an animal by a dog or other pet animal shall be punishable upon conviction by a fine of not less than two-hundred fifty dollars (\$250.00) nor more than one-thousand dollars (\$1,000.00), or by imprisonment of not less than three (3) months nor more than twelve (12) months, or by both such fine and imprisonment for each separate offense. In addition, the Court may order the destruction of the dog upon conviction of the owner of any violation with bodily injury.

That a new Section 6-73 be added to read:

- A. In addition to payment of any fine or other punishment, a violator shall be required as a condition of sentencing to pay the Animal Control Center all applicable fees and charges pursuant to Section 6-68, and cost of prosecution as be required by the Court.
- B. Suspension of any penalty or punishment may be conditioned upon compliance with any reasonable order or condition designed to protect the public or abate a public nuisance caused by an owner's animal. Such conditions may include but are not limited to those set forth in Section 6-64 (c).

That a new Section 6-74 be added to read:

If any provision of this Chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this Chapter which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Resolution are declared to be severable.

That a new Section 6-75 be added to read:

The City of Grand Junction City Council, the Health Officer, Animal Control Officers, or any other employees, persons or agents authorized to enforce the provisions of this Chapter shall not be held responsible for any accident or subsequent disease or for any loss or damages resulting from administration of this Chapter.

Introduced this 3rd day of May, 2000.

Passed and adopted this 17th day of May, 2000.

/s/ Gene Kinsey  
President of the Council

ATTEST:

/s/ Theresa F. Martinez  
Deputy City Clerk