

TITLE 10

ANIMAL CONTROL

CHAPTER

1. DOGS.
2. PIT BULLS.

CHAPTER 1

DOGS

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10-101. Registration and inoculation required. It shall be unlawful for any person to own, harbor, keep or possess any dog over the age of six (6) months within the City of Grand Junction, without first obtaining a certificate from a veterinarian certifying that said dog has been inoculated against rabies for the current year, together with a metal tag showing such inoculation, which may be attached to the harness or collar of each dog of said city.

It shall be the duty of every person who owns, harbors, keeps, or possesses a dog or dogs in the City of Grand Junction to have the same inoculated against rabies between January 1 and May 1 of each year, and to secure a certificate of inoculation in such form as shall be satisfactory to the city recorder or mayor. Said certificate shall be presented on demand at any time to any police officer or any authorized agent thereof. A metal tag or plate for rabies shall be presented at the time of such inoculation and shall be attached to the collar or harness of the dog inoculated and shall be worn at all times. (Ord. #3, Dec. 1954, modified)

10-102. Running at large. Any dog found running at large in the city in violation of any of the provision of this chapter shall be seized, and may be destroyed. (Ord. #3, Dec. 1954)

10-103. Enforcement. The duty and responsibility of enforcing this chapter and seeing that the provisions herein are strictly complied with is

hereby vested in the police department of the City of Grand Junction. (Ord. #3, Dec. 1954)

10-104. Fee for inoculation and tag. The board or mayor and aldermen may by resolution set a fee to be charged for inoculation and furnishing of a tag. (Ord. #3, Dec. 1954)

10-105. Seizure and disposition. Any dog found running at large in the City of Grand Junction, which, according to the provisions of the chapter, should be inoculated, and is without a metal tag or place showing that said dog has been inoculated for the current year shall be seized. Any dog that has been seized may be destroyed by the police department or by some person designated to do so.

Whenever the marshall or any member of the police department shall be reasonably sure that any dog is afflicted with rabies, or in case of any emergency such as might arise when a dog is seen running at large and acting in a manner that would give intimation of rabies, it shall be the duty of the marshall or police department immediately in such instances to shoot such animal. The killing of any dog by the police department in the line of duty shall absolve said department and the City of Grand Junction from any blame. (Ord. #3, Dec. 1954)

10-106. Nuisance prohibited. It shall be unlawful for any person or persons owning, keeping, harboring or possessing any dog, to permit same to go at large at any time in said city to the danger or annoyance of any of its inhabitants. (Ord. #3, Dec. 1954)

10-107. Females to be confined while in heat. It shall be unlawful for any person being the owner, harboring, possessor or keeper of any female dog to permit her to run at large while in heat. (Ord. #3, Dec. 1954)

CHAPTER 2

PIT BULLS

SECTION

- 10-201. Definitions.
- 10-202. Restrictions.
- 10-203. Standards and requirements.
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- 10-206. Rebuttable presumptions.
- 10-207. Failure to comply.
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10-201. Definitions. The words, terms, and phrases, and their derivations as used in this chapter, except where the context clearly indicates otherwise, shall have the following meanings:

(1) "Impoundment" means the taking or picking up and confining of an animal by any police officer, animal control officer or any other public officer under the provisions of this chapter.

(2) "Muzzle" means a device constructed of strong, soft material or of metal, designed to fasten over the mouth of an animal to prevent the animal from biting any person or other animal.

(3) "Pit bull" means and includes any of the following dogs:

(a) The bull terrier breed of dog;

(b) The Staffordshire bull terrier breed of dog;

(c) The American pit bull terrier breed of dog;

(d) The American Staffordshire terrier breed of dog;

(e) Dogs of mixed breed or of other breeds than above listed which breed or mixed breed is known as pit bull, bull dogs or pit bull terriers; and

(f) Any dog which has the appearance and characteristics of being predominantly of the breeds of dogs known as bull terrier, Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, and any other breed commonly known as pit bulls, pit bull dogs or pit bull terriers; or a combination of any of these breeds.

(4) "Owner" means any person, partnership, corporation or other legal entity owning, harboring or possessing any pit bull, or in the case of a person under the age of eighteen (18), that person's parent or legal guardian. A pit bull shall be deemed to be harbored if it is fed or sheltered for three (3) or more consecutive days. This definition shall not apply to any veterinary clinic or boarding kennel.

(5) "Predominantly" means knowledge through identification procedures or otherwise, or admission by owner, keeper, or harborer that the

dog is more than fifty percent (50%) pit bull. Predominantly also means that the dog exhibits the physical characteristics of a pit bull more than that of any other breed dog.

(6) "Sanitary condition" means a condition of good order and cleanliness to minimize the possibility of disease transmission.

(7) "Under restraint" means that the dog is secured by a leash, led under the control of a person physically capable of restraining the dog and obedient to that person's commands, or securely enclosed within the real property limits of the owner's premises. (as added by Ord. #07-03, Sept. 2007)

10-202. Restrictions. It shall be unlawful to keep, harbor, own or in any way possess a pit bull dog within the corporate limits of the City of Grand Junction. Provided, however, that persons owning such dogs at the time this chapter is adopted shall be allowed to keep them, provided that they comply with all of the provisions of this chapter, including § 10-203, within thirty (30) days of the effective date of the ordinance comprising this chapter. (as added by Ord. #07-03, Sept. 2007)

10-203. Standards and requirements. The following standards and requirements apply to pit bull dogs located within the corporate limits.

(1) **Registration.** Each owner, keeper, harbinger, or possessor of a pit bull dog shall register such dog with the town recorder.

(2) **Leash.** No person having charge, custody, control, or possession of a pit bull shall permit the dog to go outside its kennel, pen, or other proper enclosure unless such dog is securely leashed with a leash no longer than four feet (4') in length. No person shall permit a pit bull to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person of suitable age and discretion is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, or structures.

(3) **Muzzle.** It is unlawful for any owner or keeper of a pit bull to allow the dog to be outside its kennel, pen, or other proper enclosure unless it is necessary for the dog to receive veterinary care. In such cases, the dog must wear a properly fitted muzzle sufficient to prevent such dog from biting persons or other animals. Such muzzle shall not interfere with the dog's breathing or vision.

(4) **Confinement.** Except when leashed and muzzled as provided in this section, all pit bull dogs shall be securely confined indoors or confined in a locked pen, kennel, or other secure enclosure that is suitable to prevent the entry of children and is designed to prevent the dog from escaping. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine pit bull dogs must be locked with a key or combination lock when such animals are within the structure and the structure must have a secure floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet (2'). All structures erected

to house pit bull dogs must comply with zoning and building ordinances and regulations of the City of Grand Junction. The enclosure shall include shelter and protection from the elements and shall provide adequate exercise room, be adequately lighted and ventilated and kept in a clean and sanitary condition.

(5) Confinement indoors. No pit bull dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacles preventing the dog from exiting the structure.

(6) Signs. All owners, keepers, harborers, or possessors of pit bull dogs shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign must be posted on the kennel or pen of such animal.

(7) Insurance. All owners, keepers, harborers or possessors of pit bull dogs must provide proof to the town recorder of public liability insurance in a single incident amount of one hundred thousand dollars (\$100,000.00) for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from owning, possessing, keeping or maintaining of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days written notice is first given to the city recorder.

(8) Identification photographs. All owners, keepers, possessors, or harborers of pit bull dogs must provide to the town recorder two (2) color photographs of the dog clearly showing the color and approximate size of the animal.

(9) Reporting requirements. All owners, keepers, possessors, or harborers of pit bull dogs must within ten (10) days of the incident report the following information in writing to the town recorder as required hereinafter:

- (a) The removal from the town or death of a pit bull dog;
- (b) The birth of offspring of a pit bull dog;
- (c) The new address of a pit bull dog owner should the owner move within the corporate limits of the town. (as added by Ord. #07-03, Sept. 2007)

10-204. Sale or transfer of ownership prohibited. No person shall sell, barter or in any other way transfer possession of a pit bull dog to any person within the City of Grand Junction unless the recipient person resides permanently in the same household and on the same premises as the owner of such dog; provided that the owner of a pit bull dog may sell or otherwise dispose of a pit bull dog or the offspring of such dog to persons who do not reside within the City of Grand Junction. (as added by Ord. #07-03, Sept. 2007)

10-205. Animals born of registered dogs. All offspring born of pit bull dogs within the City of Grand Junction must be removed from the City of Grand

Junction within six (6) weeks of the birth of such animal. (as added by Ord. #07-03, Sept. 2007)

10-206. Rebuttable presumptions. There shall be a rebuttable presumption that any dog registered within the City of Grand Junction as a pit bull dog or any of those breeds defined by § 10-201 of this chapter is in fact a dog subject to the requirements of this code. (as added by Ord. #07-03, Sept. 2007)

10-207. Failure to comply. It shall be unlawful for the owner, keeper, harbinger, or possessor of a pit bull dog within the City of Grand Junction to fail to comply with the provisions of this chapter. Any dog found to be the subject of a violation of this chapter shall be subject to immediate seizure and impoundment. In addition, failure to comply will result in the revocation of the license of such animal resulting in the immediate removal of the animal from the City of Grand Junction. (as added by Ord. #07-03, Sept. 2007)

10-208. Violations and penalties. Any persons violating or permitting the violation of any provision of this chapter shall be guilty of a civil offense, and upon conviction shall be subject to the fine at not less than twenty-five dollars (\$25.00) and not more than fifty dollars (\$50.00). Each day such violation shall continue constitutes a separate offense. In addition to the foregoing penalty, any person who violates this chapter shall pay all expenses, including sums for shelter, food, handling, veterinary care and expert testimony, which are necessitated by the person's failure to abide by the provisions of this chapter. (as added by Ord. #07-03, Sept. 2007)