

ORDINANCE # 3-2011

AN ORDINANCE REPEALING CHAPTER 5 OF TITLE 6 (STANDARD AND PENALTIES CONCERNING ANIMALS) OF THE TOWN OF WESTCLIFFE, COLORADO CODE OF ORDINANCES; AND REPEALING AND REPLACING, IN ITS ENTIRETY, CHAPTER 4 OF TITLE 6 (DOG REGULATIONS) OF THE TOWN OF WESTCLIFFE, COLORADO CODE OF ORDINANCES; WITH A NEW CHAPTER 4 TO BE TITLED "DOMESTIC ANIMAL CONTROL"; SAID CHAPTER SHALL DEFINE AND ENUMERATE FINES FOR CERTAIN INFRACTIONS AND FEES FOR THE REDEMPTION OF IMPOUNDED ANIMALS.

WHEREAS, the Board of Trustees of the Town of Westcliffe has discovered an error in the codification process resulting in redundancy within the above mentioned Chapters of the Code of Ordinances of the Town of Westcliffe, Colorado; hereinafter referred to as "The Code", and

WHEREAS, the supporting Ordinance for Chapter 4 of Title 6 of The Code (Ordinance #2-1976) was repealed by Ordinance #5-1985 and its amendments; and this action was not reflected in The Code, resulting in the need to now repeal and replace said Chapter, and

WHEREAS, the Colorado State Legislature has repealed the Statutes (C.R.S. 25-4-1101 to 1111) supporting the definition of "kennel" contained in Chapter 5 of Title 6 of The Code (Ordinance #4-1991) leaving the section on kennels unenforceable, and

WHEREAS, the Board of Trustees of the Town of Westcliffe has determined that Chapter 5 of Title 6 of The Code no longer has Statutory support, and

WHEREAS, The Board of Trustees of the Town of Westcliffe has determined that in order to protect the health, safety and welfare of the citizens of Westcliffe, Colorado a comprehensive Domestic Animal Control Ordinance is required;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO; THAT CHAPTER 5 OF TITLE 6 OF THE CODE IS REPEALED IN ITS ENTIRETY; AND THAT CHAPTER 4 OF TITLE 6 BE REPEALED AND REPLACED, TO READ AS FOLLOWS:

PURPOSE: The purpose of this ordinance is to promote the general health, safety and welfare of the community by prohibiting the running through the community of stray, unvaccinated or uncontrolled domesticated animals.

SECTION 1. DEFINITIONS

Animal:

Animal shall mean any male or female member of the canine or feline species, or any other male or female domesticated animal.

Animal Control Officer:

Animal control officer shall mean any person employed by the Town to enforce the provisions of this ordinance and any and all officers in the employ of the Custer County Sheriffs Department.

Dangerous or Vicious Animal:

Dangerous or vicious animal shall mean any animal which shall bite, or in any manner attack, or attempt to attack, any person or kill domestic animals provided, however, that no animal which bites or attacks or attempts to attack, any person or domestic animal lawfully upon its owner's or keeper's premises, shall be deemed a dangerous or vicious animal.

Dog Kennels:

Dog kennels shall mean and include a collection of four (4) or more dogs, kept at any time by the same owner or in carrying on the business of boarding or breeding and raising dogs for sale, or kept for any other purpose, and either kept at one (1) place or two (2) or more places.

Catteries;

Catteries shall mean and include a collection of five (5) or more cats, kept at any time by the same owner in carrying on the business of keeping or breeding and raising cats for sale, or kept for any other purpose, and either kept at one (1) place or two (2) or more places.

Owner:

Owner shall mean any person, corporation or entity owning, harboring or keeping any animal or animals or any person who permits any animal to remain on or about his premises for a period of thirty (30) days. "Owner" shall not mean or include any person or persons owning, harboring or keeping any animal when such person or persons are merely traveling through the Town or visiting or sojourning in the Town for a period of less than thirty (30) days, nor shall it mean or include the licensee of any kennel as defined in this section.

Running at Large:

Running at large shall mean any animal, when off the premises of the owner, possessor, or keeper thereof, and not under the control of such owner, possessor, or keeper, or his agent or servant or member of his immediate family, by a leash (standard or retractable), cord, or chain of not more than sixteen (16) feet in length, all animals so constrained shall be drawn in to a distance of not more than six (6) feet from the person in control of the animal when approaching other persons or blind corners. An animal within an automobile or other vehicle of its owner that is confined so as to prevent the animal from inflicting injury on passersby shall not be deemed "running at large."

All animal owners or keepers shall exercise due diligence in the confinement of such animals to their property by keeping fences and gates in such condition so as to prevent the escape of the animal. Animals that regularly escape by jumping, climbing or burrowing and witnesses can attest to such behavior, shall be deemed at large even if they have returned to the owner or keepers property and the penalties for "running at large" shall apply.

Wild Animal:

Wild animal shall mean all species of animals which exist in a natural unconfined state and are usually not domesticated.

SECTION 2. VACCINATION REQUIRED

No animal over the age of six (6) months shall be harbored by any person in the Town of Westcliffe, for a period of more than thirty (30) days, without said animal having been inoculated with a rabies vaccine approved by the Department of Health of the State of Colorado and common veterinary practices recommend the vaccination of such animals. Evidence of vaccination shall be in the form of a tag attached to the collar of such animal; impounded animals belonging to a person living within the Town limits and not having evidence of vaccination, shall not be released without the certification of the veterinarian who vaccinated the animal, when no such evidence can be produced the animal shall be held in impound until arrangements can be made to have said animal vaccinated and all accumulated impound fees have been paid. Under certain circumstances pursuant to C.R.S. 25-4-607 (2) a veterinarian licensed in Colorado may issue a written waiver exempting an animal from a rabies vaccination, which will be honored if in the form stipulated by the above mentioned C.R.S. section. Evidence of vaccination will not be required for impounded animals belonging to persons residing outside the Town limits of Westcliffe, however, impound redemption fees will apply.

SECTION 3. ANIMAL BITES

a. Duty to Report:

Any person having knowledge that an animal has bitten a human shall immediately report the incident to the Custer County Department of Health, the Colorado Department of Health or the Custer County Sheriff.

b. Confinement:

Any dog, cat or any other animal kept as a pet, which has bitten a person shall be observed for a period of ten (10) days from the date of the bite. The procedure and place of observation shall be designated by the investigating officer or responsible authority, such confinement for observation may be on the owner's property at the direction of the investigating officer. If the animal is not confined on the owner's choice, such confinement shall be at the expense of the owner. Stray animals whose owners cannot be located shall be confined in a location designated by the investigating officer or responsible authority. The owner of any animal that has been reported as having inflicted a bite on any person, shall on demand, produce said animal for confinement as prescribed in this Section. Refusal to produce such animal constitutes a violation of this Section, and each day of such refusal shall constitute a separate and individual violation.

It shall be unlawful for any person to remove from any place of isolation or confinement any animal which has been isolated or confined as authorized, without consent of the investigating officer or responsible authority.

SECTION 4. VICIOUS ANIMALS AND GUARD DOGS

Any animal that exhibits vicious or aggressive behavior or that may otherwise endanger the health and welfare of the inhabitants of the Town of Westcliffe shall be declared (by the Town Manager or Animal Control Officer) to be a vicious animal. It shall be unlawful for any person, entity or corporation to keep,

harbor or maintain an aggressive or vicious animal as defined above without confining such animal to a building or an escape proof enclosure.

Any person, entity or corporation that harbors a vicious animal or uses guard dogs for the protection of person or property shall post a notice that such animal(s) are on the premises and exercise all due diligence in keeping such animal(s) confined to their property and shall bear all liability for incidents arising from the escape of such animal(s).

Should a vicious animal be found running at large, the animal control officer is hereby given the authority to destroy such animal if it creates an immediate and clear danger to the safety of persons and animals and no other means of controlling such animal is likely to be effective.

SECTION 5. ANIMALS RUNNING AT LARGE; LEASH REQUIRED

It shall be unlawful for any person to allow any canine animal to “run at large”, as defined above. This section shall apply to all public land, including parks, and private land (not belonging to the owner) located within the Town limits of the Town of Westcliffe. An animal found running at large shall be impounded by the animal control officer.

Any unspayed female dog in a state of estrus (heat) shall be confined during such period of time in a house, building or other secure enclosure and said enclosure shall be so constructed so that no other dog may gain access to the confined animal. Owners that do not comply shall be ordered to remove the animal in estrus to a boarding kennel, veterinary hospital or animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner. Failure to comply with a removal order of any animal control officer shall be a violation of this ordinance subject to the same penalties as allowing a dog to run at large.

SECTION 6. ANIMAL NUISANCES

Any animal that habitually or continuously barks, howls, cries, crows, whimpers, screeches or otherwise disturbs the peace and quiet of the inhabitants of Westcliffe; are allowed to bark or make any disturbing noise for more than a fifteen (15) minute period between the hours of 11:00 pm and 7:00 am or are kept or maintained in such a manner or in such numbers as to disturb by noxious or offensive odors or otherwise endanger the safety, health and welfare of the inhabitants of the Town of Westcliffe are declared to be an animal nuisance. It shall be unlawful for any person to keep, harbor or maintain an animal nuisance as herein described.

SECTION 7. MAXIMUM NUMBER OF DOGS AND CATS

The maximum number of canine animals over the age of six (6) months that may be harbored in any one household shall be three (3). The maximum number of feline animals over the age of six (6) months that may be harbored in any one household shall be four (4). The maximum number of animals in aggregate shall be five (5) while not exceeding the maximum number allowed per species.

SECTION 8. KENNELS AND CATTERIES; LICENSE REQUIRED

Every person, corporation or other entity desiring to keep or maintain more than the maximum number of canines or felines as defined above shall make application for a kennel or cattery license therefore to the Town Clerk. The application shall state the name of the applicant, the size of the kennel or cattery and the place or places where the kennel or cattery is proposed to be kept. Such license shall not issue unless the consent to the keeping of such kennel or cattery is obtained, in writing, of all persons residing within four hundred (400) feet in any direction from the place or places of the proposed kennel or cattery.

If the requirements of this section are met, the Town Clerk shall issue a kennel or cattery license to the applicant, upon payment of a one hundred (\$100.00) dollar license fee. Such license shall be valid for one (1) year following the date of its issuance and shall be renewed, by payment of the license fee, within the thirty (30) days preceding such expiration.

No person, corporation or entity shall maintain a kennel or cattery of more than fifteen (15) dogs or cats, nor permit any dogs or cats belonging to such kennel or cattery or under its care to run at large. If any person, corporation or entity holding a kennel or cattery license violates the provisions of this Section, such license may be deemed revoked upon conviction of aforesaid.

The license may be revoked if six (6) or more complaints are received from three (3) different persons within the license period. Should the Town Manager receive three (3) or more complaints from three (3) different persons within any thirty (30) day period it may result in immediate revocation of the license.

SECTION 9. INHUMANE TREATMENT

a. CRUELTY TO ANIMALS:

It shall be unlawful for any person to commit or cause to be committed any act of cruelty, harassment or torture to any animal or intentionally cause such animal to be mutilated or killed. Ownership or the commission of such acts on private property shall not be a justifiable defense for violation of this section.

b. POISONING:

It shall be unlawful for any person to poison any domestic animal or to distribute any poison or toxicants on public or private property in any manner whatsoever with the intent of poisoning any domestic animal.

c. ABANDONING ANIMALS:

It shall be unlawful for any person to willfully abandon any animal or to withhold food, water or shelter from any animal under his or her control such that the health of the animal is endangered.

d. FIGHTING ANIMALS:

It shall be unlawful for any person to cause, instigate or encourage any dog or other animal to fight with another of its own species or with another of a different species. It shall be unlawful for any person to maintain a place where any dog or other animal is permitted to fight for exhibition or for wager or for sport.

SECTION 10. IMPOUNDING

a. **LOCATION:**

When impoundment of animals is permitted by this ordinance, the animal control officer shall confine such animal at 107 So. 7th St. Westcliffe, CO (Town Shop). The Board of Trustees shall have the authority to contract with third parties to provide facilities for the continued impoundment of animals provided for in this section. After a three (3) day impoundment at the abovementioned address, the animal will be transported to the Humane Society Shelter House, located at 110 Rhodes Ave., Canon City, CO to be let for adoption.

b. **NOTICE:**

As soon as practical after the impoundment of any animal, notice of impoundment shall be posted in a conspicuous place at the Town Hall of Westcliffe for five (5) consecutive days. If the owner of the impounded animal can be determined by examination of identifying tags or markings, immediate notice shall be given to said owner.

c. **REMOVAL AND REDEMPTION:**

It shall be unlawful for any person to remove any impounded animal from impoundment without the consent of the designated official or authority. Any impounded animal may be redeemed by the owner upon payment of any fine imposed, the impoundment fee, care and feeding charges, veterinary charges, if any, and such other charges as periodically set by the Town of Westcliffe. If an animal is not redeemed within three (3) days after the receipt of notice by the owner or within three (3) days after impoundment, if the owner cannot be determined, it shall be transported to the Humane Society Shelter House at the address given in subsection (a) of this Section 10.

d. **IMPOUND REDEMPTION FEES:**

The following redemption fees shall apply to all impounded animals:

First Impoundment: Twenty five dollars (\$25.00) for the first day or fraction thereof and ten dollars (\$10.00) per day for each additional day or fraction thereof.

Second Impoundment; occurring within sixty (60) days of first impoundment: Fifty dollars (\$50.00) for the first day or fraction thereof and ten dollars (\$10.00) per day for each additional day or fraction thereof.

Third Impoundment; occurring within sixty (60) days of first impoundment: One hundred dollars (\$100.00) for the first day or fraction thereof and ten dollars (\$10.00) per day for each additional day or fraction thereof.

Any Additional Impoundments; occurring within sixty (60) days of first impoundment: The impounded animal will be released to the owner after the payment of two hundred dollars (\$200.00) for the first day and twenty dollars (\$20.00) per day for each additional day or fraction thereof.

The impound redemption fees for a vicious animal or guard dog shall be double (two times) the fees noted above.

All such fees shall be paid prior to the release of the impounded animal at the impound location or Westcliffe Town Hall (305 Main St.) Monday through Friday from 8:00 am to 5:00 pm. On weekends and after hours the animal may be redeemed by contacting the Custer County Sheriff's Office at 205 So. 6th Street (783-2270) and an Officer will collect the impound fee and release the animal.

In the event the owner of an impounded animal refuses to pay the fees such animal will be transported to the Canon City location referred to in Subsection (a) of this Section to be let for adoption, with the stipulation that it may not be adopted back by the same said owner or anyone else residing in Custer County.

SECTION 11. SANITATION

It shall be unlawful for any person owning or in control of an animal to allow such animal to defecate in the public parks, public right-of-way or on another person's private property without cleaning up the feces and disposing of such in a proper receptacle.

SECTION 12. INTEFERENCE WITH ANIMAL CONTROL OFFICERS

It shall be unlawful to interfere with, harass, threaten or in any manner hinder any Animal Control Officer in the discharge of their duties pertaining to the enforcement of this Ordinance.

SECTION 13. PICKETING AND GRAZING ANIMALS

It shall be unlawful for any person to picket or tie any animal on or along any street, alley or sidewalk in such manner that such animal may graze or browse upon the grass, herbage or trees growing upon or along such street, alley or sidewalk, or in such manner as to obstruct or impede the full use thereof.

SECTION 14. FOWL, RABBITS, HARES AND CAVIES (hamsters, gerbils)

a. It shall be unlawful for any person to suffer or permit any chicks, chickens, geese, ducks or turkeys, or any hare or hares, rabbit or rabbits, or cavy or cavies owned or controlled by such person to run at large or to go upon the premises of any other person in the Town.

b. It shall be unlawful for any person to keep or maintain any chicks, chickens, geese, ducks, turkeys, pigeons, doves or squabs in an enclosed structure or building within ten (10) feet of the property line of any adjacent improved lot or parcel of land or in an unenclosed structure or open pen or run within fifteen (15) feet of such property line or, whether enclosed or unenclosed, within thirty (30) feet of any dwelling other than that occupied by such person.

c. It shall be unlawful for any person to keep or maintain any hare or hares, rabbit or rabbits, or cavy or cavies in any structure, enclosed or unenclosed, within ten (10) feet of the property line of any adjoining improved lot or parcel of land or within thirty (30) feet of any dwelling other than that occupied by such person.

d. It shall be unlawful for any person to allow an accumulation of manure to build up in or around any enclosure for the abovementioned animals or anywhere on the owner's property.

SECTION 14.1 MAXIMUM NUMBER OF FOWL, RABBITS, HARES AND CAVIES

- a. It shall be unlawful for any person to keep or maintain in the Town more than ten (20) "standard" chickens or ten (10) "bantam" chickens over the age of four (4) months. A "bantam" chicken is one which weighs less than thirty (30) ounces at maturity. A "standard" chicken is any chicken other than a "bantam" chicken as herein defined.
- b. It shall be unlawful for any person to keep or maintain in the Town more than twenty (20) adult pigeons or doves over the age of three (3) months and their young.
- c. It shall be unlawful for any person to keep or maintain in the Town more than ten (10) rabbits, hares or cavies over the age of eight (8) months, and the offspring of such rabbits, hares or cavies.
- d. It shall be unlawful for any person to keep or maintain in the Town more than ten (10) units of animals, fowls or animals and fowls mentioned in this Section, mixed or otherwise, except as hereinabove provided. For purposes of computation, each adult rabbit over the age of eight (8) months shall be considered as one (1) unit, each adult chicken over the age of four (4) months shall be considered one half (1/2) unit, and two (2) adult pigeons or doves over the age of three (3) months shall be considered as one (1) unit.
- e. Nothing contained in Subsections (a), (b), (c) and (d) of this Section shall be construed to limit the number of animals kept or maintained upon land zoned for agricultural use, provided that said animals are kept or maintained in compliance with all applicable ordinances of the Town.

SECTION 15. PROHIBITED ANIMALS

- a. It shall be unlawful for any person to keep, pasture or maintain in the Town any wild animals, poisonous snakes, constricting snakes over eight (8) feet in length, hogs, pigs, swine, sheep, horses, emus, rheas, ostriches, llamas, cattle, pea fowl, guinea hens or goats; except that hogs, pigs, swine, sheep, horses, emus, rheas, ostriches, llamas, cattle, pea fowl, guinea hens or goats may be kept upon land zoned for agricultural use, provided that said animals are kept, pastured and maintained in compliance with this and all applicable ordinances of the Town.
- c. Notwithstanding anything to the contrary in Subsection (a) of this Section, it shall not be unlawful for any person to possess, harbor, keep or maintain not more than one (1) domesticated potbellied pig upon any premises within the Town, provided that said person complies with all other provisions of this ordinance.

SECTION 16. PENALTIES FOR VIOLATION

- A. Penalties for the violation of the various sections of this ordinance shall be as follows:
1. Vaccination Required: **(Section 2)** Any person known to be harboring an animal in violation of this section shall be notified, in writing, by the animal control officer that such violation exists and shall be allowed five (5) days to have said animal vaccinated and provide proof thereof. Should such owner not comply in the allotted time, a fine in the amount of twenty five

(\$25.00) dollars shall be assessed with an additional fine of twenty five (\$25.00) dollars per day of noncompliance.

2. Confinement: **(Section 3 (b))** An owner that refuses to produce for confinement any animal reported as having inflicted a bite on any person shall be fined one hundred (\$100.00) dollars for the initial refusal and one hundred (\$100.00) dollars per day for each subsequent day that the owner refuses to produce the animal for confinement.

Any owner removing an animal from confinement prior to obtaining authorization from the investigating officer or responsible authority shall be fined one hundred (\$100.00) dollars per day for each day remaining in the confinement period, as designated by the investigating officer or responsible authority.

3. Vicious Animals and Guard Dogs: **(Section 4)** Any owner, entity or corporation that harbors a vicious animal or guard dog and does not post notice that such animal(s) are on the premises shall be fined twenty five (\$25.00) dollars for the initial infraction and ten (\$10.00) dollars for each day that such notice is not posted.

The owner of a vicious animal or guard dog that is found “running at large” shall be subject to fines treble (three times) the amounts stated in subsection (4) of this Section 16.

4. Animals Running at Large; Leash Required: **(Section 5)** The owner of any dog which is found running at large or found off or away from the premises of the owner, possessor, or keeper thereof, and not under the control of such owner, possessor, or keeper or its agent, servant or member of his immediate family, by leash or chain of not more than sixteen (16) feet in length, shall be guilty of a misdemeanor and shall be fined in accordance with the following schedule:

When a violation of Section 5 results in the impoundment of the animal the fine for the first offense may be waived at the discretion of the Impounding Officer, Animal Control Officer or Town Manager; however, all impound fees shall apply.

First Offense: A fine of twenty (\$20.00) dollars.

Second Offense: Occurring within sixty (60) days of the first violation; a fine of forty (\$40.00) dollars.

Third Offense: Occurring within sixty (60) days of the first violation; a fine of sixty (\$60.00) dollars.

Additional Offenses: Occurring within sixty (60) days of the first violation; a fine of one hundred (\$100.00) dollars per occurrence.

Habitual Offenders: May be issued a summons to appear in Municipal Court.

5. Animal Nuisances: **(Section 6)** when a written complaint of an animal nuisance, as described above, is received by the Custer County Sheriffs Dept., the Westcliffe Town Manager or Animal Control Officer the owner of the animal(s) shall be notified (in writing) that an animal nuisance complaint has been made and the owner shall be allowed five (5) days from the time of notification to remedy the situation. Should a second complaint be received by the abovementioned entity or persons, within ninety (90) days of the notification, the owner shall be fined in accordance with the following schedule:

Failure to remedy the nuisance within the five (5) day period after notification shall result in a fine of forty (\$40.00) dollars and an additional fine of twenty \$(20.00) dollars per day for each day the nuisance is not remedied.

Should a second complaint be lodged within ninety (90) days of the first complaint the owner shall be fined eighty (\$80.00) dollars and an additional fine of forty (\$40.00) dollars per day for each day the nuisance is not remedied.

Habitual violation of Section 6 may result in the confiscation of the nuisance animal(s).

6. Maximum Number of Animals: **(Section 7)** Should it be reported or discovered that any single household is harboring more animals than the maximum allowed in Section 7, the head of such household shall be allowed ten (10) days to remove the excess animals. If the maximum number of animals is not met in the time allowed there shall be a fine of twenty (\$20.00) dollars per day per animal above the maximum for as long as the condition persists.

Continuous violation of Section 7 may result in the confiscation of all animals in excess of the maximum stated.

7. Kennels and Catteries; License Required: **(Section 8)** Any person, entity or corporation holding a Kennel or Cattery License and found to be in violation of any of the provisions of Section 8 shall be issued a summons to appear in Westcliffe Municipal Court.

The holder of a Kennel or Cattery License shall be subject to all the regulations, fees and fines as stated herein.

8. Inhumane Treatment: **(Section 9)** Any person, entity or corporation found to be in violation of Section 9 shall be issued a summons to appear in Westcliffe Municipal Court.

9. Impound Fees: **(Section 10)** Any person removing an animal from impound without the consent of the Impounding Officer, the Animal Control Officer or the Town Manager shall be fined double (two times) the accumulated impound fees assessed up to the time of removal.

If the impoundment was an ordered confinement as the direct result of the animal biting a person the owner shall be issued a summons to appear in Westcliffe Municipal Court for the early removal of such animal.

10. Sanitation: **(Section 11)** Any person in control of an animal, that allows the animal to defecate in the areas described in Section 11, and does not pick up the feces shall be fined five (\$5.00) dollars.

11. Interference with Animal Control Officers: **(Section 12)** Any person interfering with an Animal Control Officer in the performance of his/her duties shall be issued a summons to appear in Westcliffe Municipal Court.

12. Picketing and Grazing Animals: **(Section 13)** Violation of this section shall follow the same fine schedule as enumerated for violations of (Section 5 Animals Running at Large; Leash Required).

13. Fowl, Rabbits, Hares and Cavies: **(Section 14)** Violators of this section shall be given ten (10) days to abate the condition constituting the violation. If after the ten (10) day period, the violation is not abated the violator shall be fined twenty (\$20.00) dollars per day for each day the violation continues. Should the violation persist for another ten (10) days the violator shall be issued a summons to appear in Municipal Court.


13.1. Fowl, Rabbits, Hares and Cavies: **(Section 14.1)** Should it be reported or discovered that any single household is harboring more animals than the maximum allowed in Section 14.1, the head of such household shall be allowed ten (10) days to remove the excess animals. If the maximum number of animals is not met in the time allowed there shall be a fine of ten (\$10.00) dollars per day per animal above the maximum for as long as the condition persists.

Continuous violation of Section 14.1 may result in the confiscation of all animals in excess of the maximum number of animals stated in Section 14.1 and the violator may be issued a summons to appear in Municipal Court.

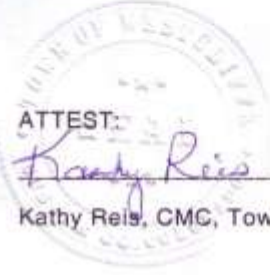

14. Prohibited Animals: **(Section 15)** Violators of this section, shall be given ten (10) days to abate the condition constituting the violation. If after the ten (10) day period, the violation is not abated the violator shall be fined twenty (\$20.00) dollars per day for each day the violation continues. Should the violation persist for another ten (10) days the violator shall be issued a summons to appear in Municipal Court.

All fines imposed may be paid at Westcliffe Town Hall, 305 Main Street or at the discretion of the defendant may be heard in Westcliffe Municipal Court, where, if found guilty, additional court costs may be assessed. The maximum penalty that may be imposed in Municipal Court is a three hundred (\$300.00) dollar fine or ninety (90) days in jail or both such fine and imprisonment.

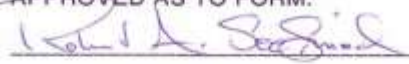
INTRODUCED, READ AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETIN HELD AT THE TOWN OF WESTCLIFFE, ON THE 7th DAY OF June 2011, EFFECTIVE THIRTY (30) DAYS AFTER FINAL PASSAGE.



Christy Veitrie, Mayor


ATTEST:


Kathy Reis, CMC, Town Clerk

APPROVED AS TO FORM:


Robert A. Seefried, Town