

TOWN OF LA JARA, COLORADO

ORDINANCE NO. 1999 - 1

AN ORDINANCE AMENDING ORDINANCE NO. 1975-1 AND ORDINANCE NO. 1990-5 CONCERNING THE LICENSING OF DOGS, PROVIDING FOR THE CONTROL AND RESTRAINT OF DOGS, PROVIDING FOR THE FEE FOR THE LICENSING OF DOGS; PRESCRIBING THE DUTIES OF THE OWNERS OF DOGS; PROVIDING A PENALTY FOR THE VIOLATION THEREOF, AND REPEALING ANY AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, on the 14th day of January, 1975, the Board of Trustees of Town of La Jara adopted Ordinance No. 1975-1, an Ordinance Concerning the Licensing of Dogs; Providing for the Fee for the Licensing of Dogs; Prescribing the Duties of the Owners of Dogs; Providing a Penalty for the Violation Thereof, and Repealing any and all Ordinances and Parts of Ordinances in Conflict Therewith, and

WHEREAS, on October 11, 1990, by means of Ordinance No. 1990-5, the Board of Trustees of the Town of La Jara amended Ordinance No. 1975-1 in part, particularly those portions dealing with the penalty provisions thereof, and

WHEREAS, since the adoption of said Ordinance and the prior amendment thereof, the Board of Trustees of the Town of La Jara has determined it to be in the best interest, convenience, and necessity to amend such Ordinance in part, particularly those portions dealing with the impoundment of dogs and the disposal of dogs whose owners or harborers cannot be located.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of La Jara, Colorado, as follows:

Section 1. Amendment: All of subparagraphs (b) and (d) of Section 6 - IMPOUNDMENT GENERALLY - of Ordinance 1975-1 as hereinabove referenced and now reading as follows:

"Section 6 - IMPOUNDMENT GENERALLY.

(b) Notice to Owner or Harborer of Dog. Upon the impounding of any dog it shall be the duty of the persons impounding such dog to notify the owner thereof, if known. If the owner is not known, there shall be posted at the main door of the Town Hall, for a period of not less than five (5) days a notice containing a description of the dog impounded. All dogs so impounded shall be kept for a period of five (5) days unless sooner redeemed by their respective owners, and a fraction of a day shall be computed as being a full day for the purpose of this Section."

(d) Disposal of Dog Whose Owner or Harborer Cannot be Located. If a complaint has not been filed in Municipal Court because the owner or harborer of an impounded dog is not known or cannot be located and such dog has not been claimed within five (5) days from the date of impoundment, not counting the first day of impoundment, the dog may be destroyed in any humane manner by a police officer or such other persons authorized by the Board of Trustees of the Town of La Jara."

are hereby repealed in their entirety, and the following are enacted in replacement thereof:

"Section 6 - IMPOUNDMENT GENERALLY.

(b) Notice to Owner or Harborer of Dog. Upon the impounding of any dog it shall be the duty of the persons impounding such dog to notify the owner thereof, if known. If the owner is not know, there shall be posted at the main door of the Town

Hall, for a period of not less than three (3) days a notice containing a description of the dog impounded. All dogs so impounded shall be kept for a period of three (3) days unless sooner redeemed by their respective owners, and a fraction of a day shall be computed as being a full day for the purpose of this Section."

(d) Disposal of Dog Whose Owner or Harborer Cannot be Located. If a complaint has not been filed in Municipal Court because the owner or harborer of an impounded dog is not known or cannot be located and such dog has not been claimed within three (3) days from the date of impoundment, counting the first day of impoundment, the dog may be destroyed in any humane manner by a police officer or such other persons authorized by the Board of Trustees of the Town of La Jara."

Section 2. Retention: All of the terms and provisions of Ordinance No. 1975-1 and Ordinance No. 1990-5 not otherwise amended by any Ordinance of the Board of Trustees of the Town of La Jara with respect thereto subsequent to the initial adoption of said Ordinance No. 1975-1 and Ordinance No. 1990-5, or by this Ordinance, shall remain in full force and effect without deletion or amendment thereto.

Section 3. Savings Clause: If any part, section, or subsection of this Ordinance is, for any reasons, held to be invalid, such decision shall not affect the validity of the remaining sections of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4. Repeal: Any and all ordinances or parts of ordinances of the Town of La Jara, Colorado, in conflict or inconsistent therewith, are hereby repealed, PROVIDED, HOWEVER, that the repeal of any ordinance or parts of ordinances of the Town of La Jara, Colorado, shall no revive any other section of any ordinance or ordinances heretofore repealed or superseded.

Section 5. Publication: The Town Clerk shall certify to the passage of this Ordinance, cause notice of its contents and passage to be published, as provided by law, and shall cause copies of this Ordinance to be attached to each copy of the previously-adopted Ordinance No. 1975-1 and Ordinance No. 1990-5.

Section 6 - Emergency Enactment - Effective Date: Whereas, for the reasons set forth in the Preamble of this Ordinance, the Board of Trustees finds, determines, and declares that an emergency exists and that this Ordinance is necessary for the immediate preservation of the public health and safety and the same shall be in full force and effect immediately upon adoption and the publication thereof as by law provided.

INTRODUCED, READ, APPROVED, ADOPTED AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES OF THE TOWN OF LA JARA AT A REGULARLY-SCHEDULED MEETING OF THE BOARD AT WHICH A MAJORITY OF THE BOARD WAS PRESENT THIS 8TH DAY OF APRIL, 1999.

TOWN OF LA JARA

By: Larry Buhr
Larry Buhr, Mayor

(S E A L)

Helen J. Hutchins
Helen J. Hutchins
La Jara Town Clerk

Date of Publication: _____, 1999