

TOWN OF LA JARA

ORDINANCE NO. 2001 - 1

AN ORDINANCE AMENDING ORDINANCE NO. 1975-1 AS AMENDED BY ORDINANCE 1990-5 CONCERNING THE LICENSING OF DOGS, PROVIDING FOR THE CONTROL 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 the Town of La Jara adopted Ordinance No. 1975-1, an Ordinance Concerning the Licensing of Dog, 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 in conflict therewith, and

WHEREAS, Ordinance No. 1975-1 was subsequently amended by Ordinance No. 1990-5 adopted by the Board of Trustees of the Town of La Jara on October 11, 1995, and

WHEREAS, the matter of wide-spread noncompliance by the general public with respect to the terms and provisions of said Ordinances, including, but not necessarily limited to, dogs still being permitted to run at large, are matters of increasing concern to the Board of Trustees of the Town of La Jara, and

WHEREAS, since the adoption of Ordinance No. 1975-1, and as amended by Ordinance No. 1990-5, 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 Ordinances in part, particularly those portions dealing with the penalty provisions thereof.

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

Section 1. Amendment: All of subparagraph 1 of subparagraph (b) of Section 9 of Ordinance No. 1975-1 as amended by Ordinance No. 1990-1 as hereinabove referenced now reading as follows:

"Section 9. Safety provisions.

(b) Penalties. Any person who violates any of the provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished according to the following schedule:

- 1. Permitting a dog to run at large:
 - (a) First offense \$15.00
 - (b) Second Offense \$20.00
 - (c) Third offense within a 12-month period \$25.00
 - (d) The Municipal Judge, may, upon conviction for the fourth time of any person on the charge of permitting a dog to run at large within a 12-month period, order the dog to be destroyed as a public nuisance."

is hereby repealed and the following is enacted in replacement thereof:

“Section 9. Safety provisions.

(b) Penalties. Any person who violates any of the provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished according to the following schedule:

1. Permitting a dog to run at large:
 - (a) First offense \$45.00
 - (b) Second Offense \$70.00
 - (c) Third offense within a 12-month period \$120.00
 - (d) The Municipal Judge, may, upon conviction for the fourth time of any person on the charge of permitting a dog to run at large within a 12-month period, order the dog to be destroyed as a public nuisance.”

Section 2. Retention: - All of the terms and provision of Ordinance No. 1975-1 and all of the terms and provision of 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 or by 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 section of this Ordinance. The Board of Trustees of the Town of La Jara 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.

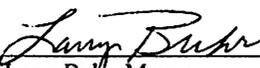
Section 4. Repeal: Any and all ordinances or parts of ordinances of the Town of La Jara, Colorado, in conflict or inconsistent therewith, are hereby repealed, **PROVIDED, HOWEVER,** that the repeal of any ordinance or parts of ordinances of the Town of La Jara, Colorado, shall not revive any other section of any ordinance or ordinances theretofore repealed or superceded.

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 amending said Ordinance No. 1975-1.

Section 6. Emergency Enactment - Effective Date: Whereas, for the reasons set forth in the Preamble of this Ordinance, the Board of Trustees of the Town of La Jara 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 OF TRUSTEES AT WHICH A QUORUM OF THE BOARD WAS PRESENT THIS 9TH DAY OF AUGUST, 2001.

THE BOARD OF TRUSTEE OF THE
TOWN OF LA JARA

By: 
Larry Bulfr, Mayor

(TOWN SEAL)

ATTEST:

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

Date of Publication _____, 2001.