



Animal Licensing, Control & Treatment

Proposed revisions

August 2016

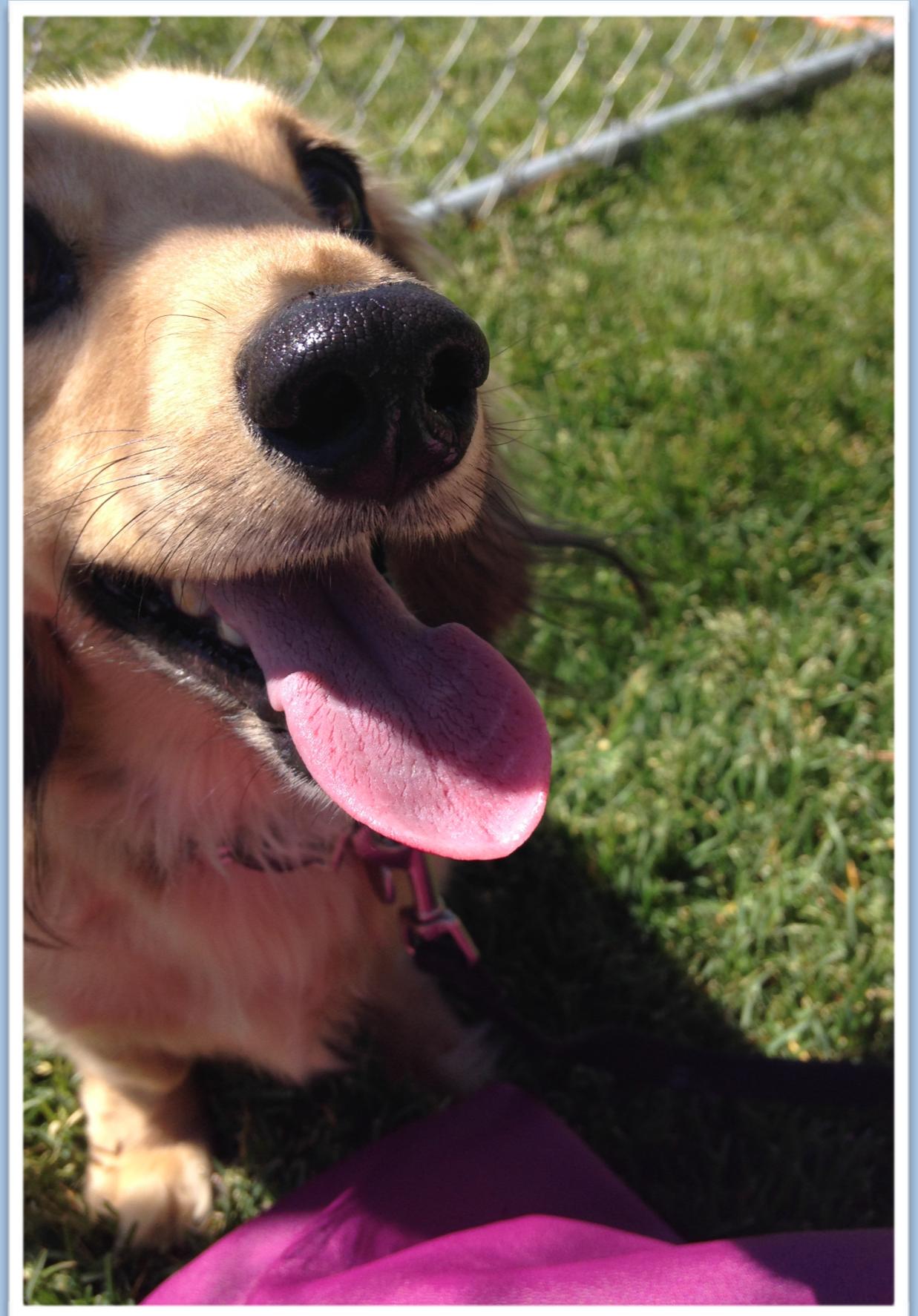


La Plata County
Colorado

Animal code update

Chapter 10 of the La Plata County Code addresses animal control, licensing & treatment. These regulations were adopted in the 1990s and warrant review and updating to consider:

- **Dogs at large**
- **Cruelty to animals**
- **Nuisance barking**
- **Vicious animals & guard dogs**



Dogs at large

The proposed revisions offer two alternatives for what constitutes a dog at large under the La Plata County Code.*



Both alternatives exempt working dogs from dog-at-large violations while performing any of the functions set forth in the code.



Dogs at large

Alternative A: Outside of the Animas River Trail, an enclave or a dog park, a dog other than a working dog shall be deemed at-large when not under physical restraint or immediate command of the owner.



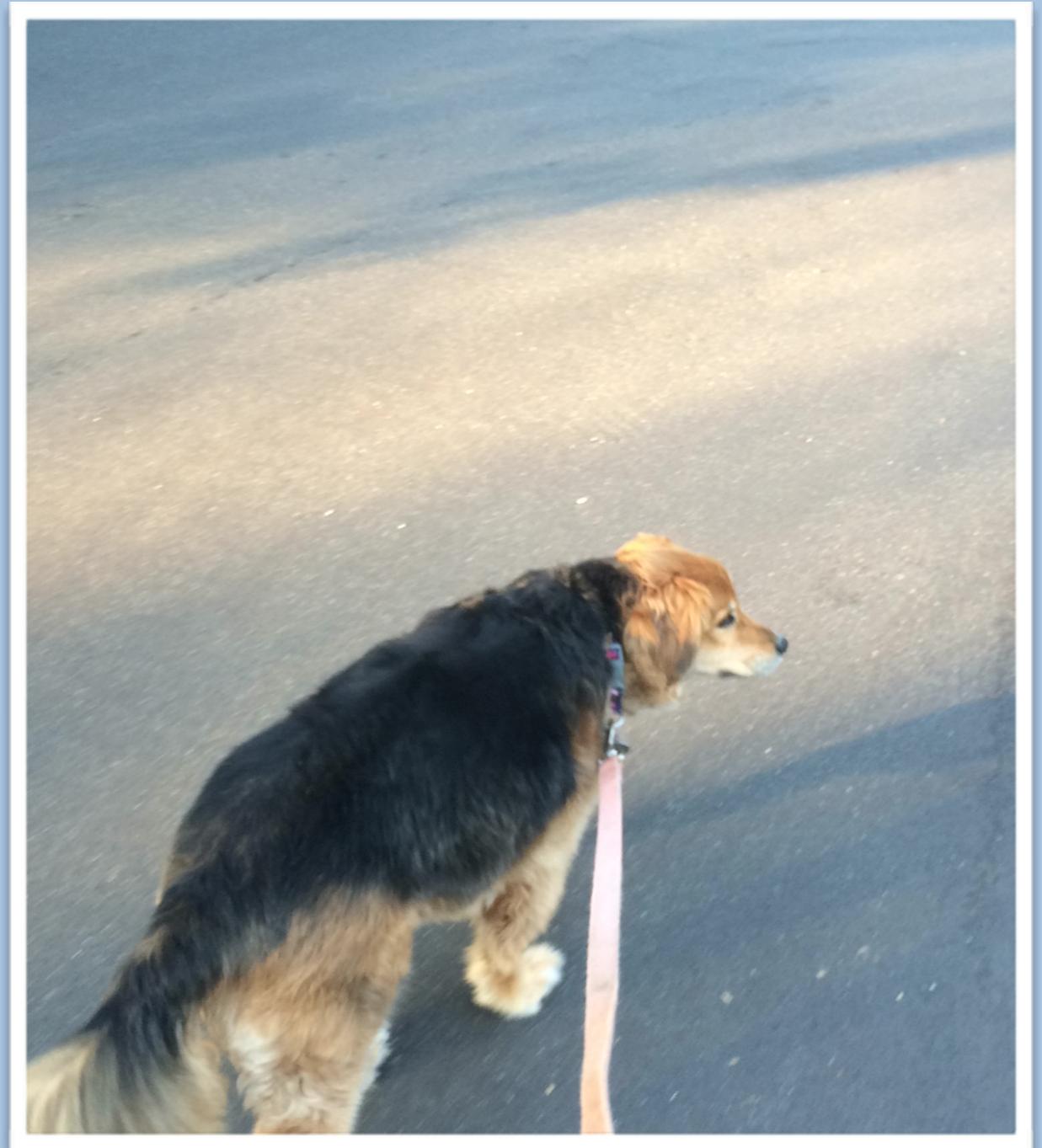
Dogs at large

Alternative B: Outside of the Animas River Trail, an enclave or a dog park, a dog other than a working dog shall be deemed at-large when off the premises of the owner and not under physical restraint or immediate command of the owner.



Dogs at large

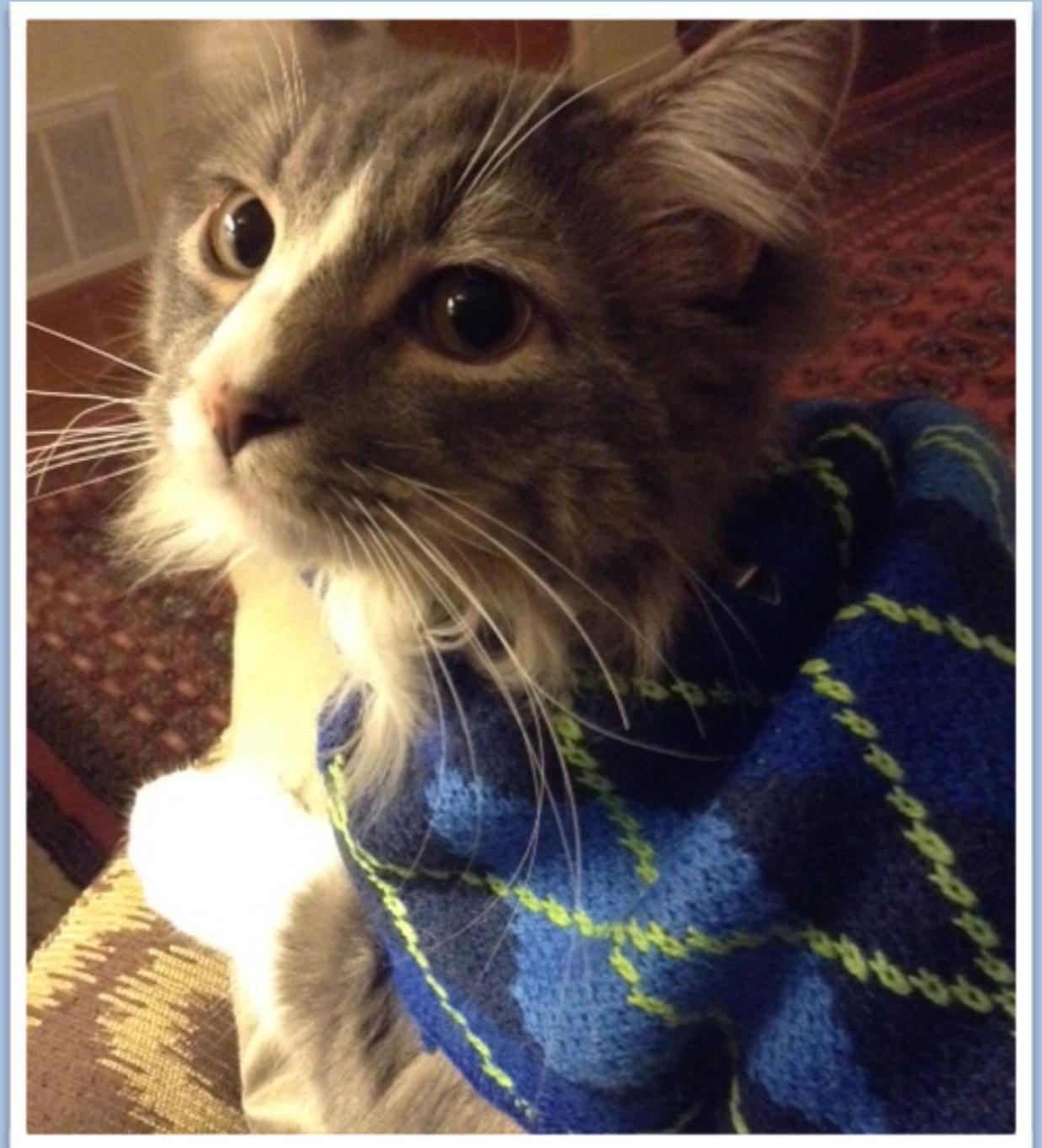
Any dog found running at large may be restrained by an Animal Control officer or any other person and impounded at the animal shelter.*



Cruelty to Animals

The proposed revisions make it unlawful for the owner of any pet animal, including livestock to:

Fail to provide it with proper supervision, safe confinement and necessary care.*



Cruelty to Animals

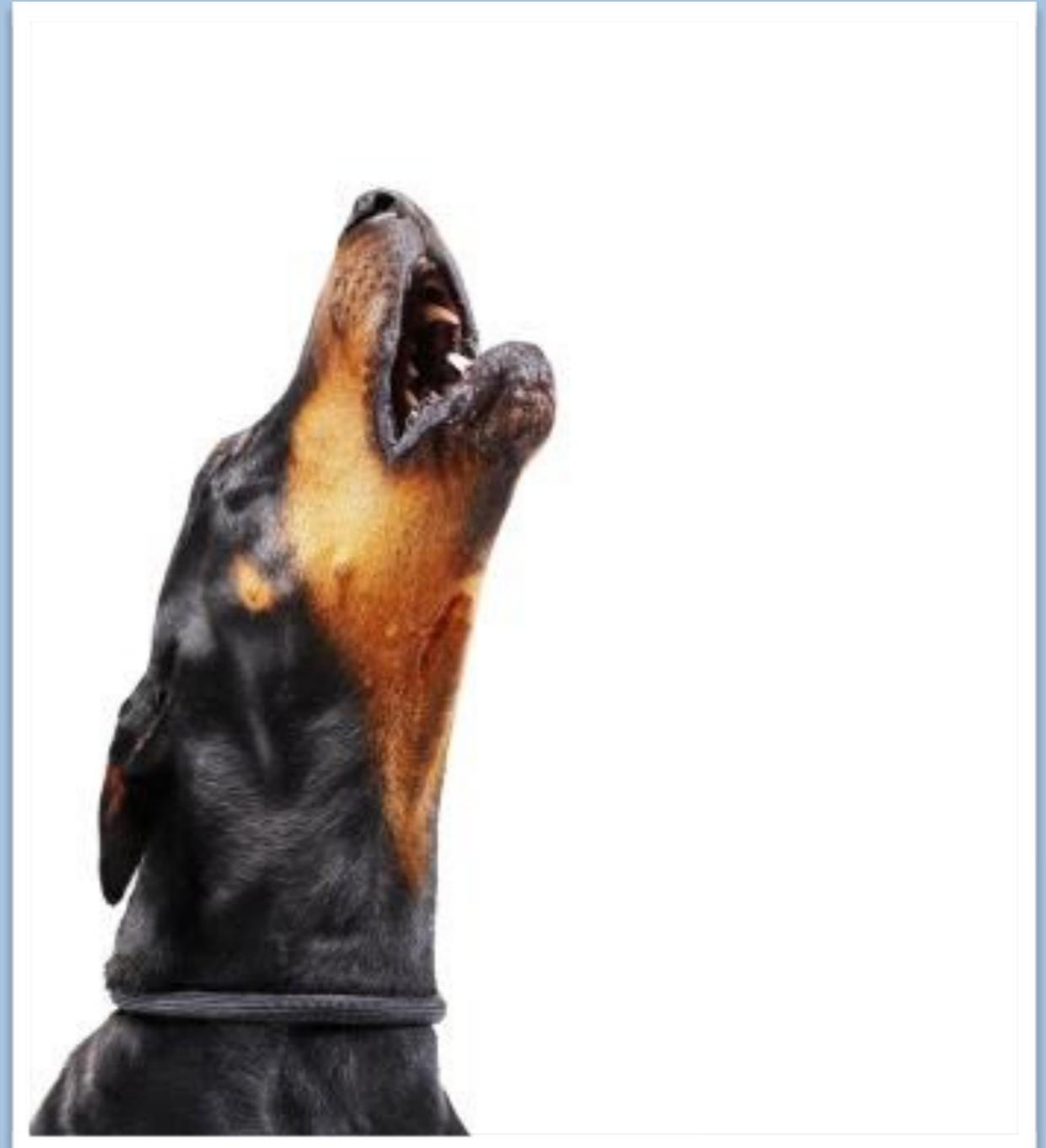
If an Animal Control officer has probable cause to believe that any pet animal or livestock is abandoned, neglected, mistreated or has otherwise been subjected to cruelty, the animal may be seized and impounded.



Nuisance Barking

The proposed revisions prohibit nuisance barking, specifically:

- It is unlawful to keep a dog that disturbs its neighbors by making loud, habitual and persistent barking, howling, yelping or whining noises for a continuous 20 minutes in any 24-hour period.*



Nuisance Barking

Warning notices: An Animal Control officer may issue a written warning after receiving a complaint from one neighbor who signs a statement.

- The owner will have 10 days after the warning is issued to correct the problem.
- No warnings will be issued based on anonymous complaints.



Nuisance Barking

Citation or Summons: After the 10-day grace period, and within six months after the issuance of a warning, a citation or summons may be issued. However:

- No citation will be issued unless **two neighbors from different households sign statement** (except in cases where only one neighbor owns / leases property within 500 feet).
- Animal Control officers will take **no action on anonymous complaints**.
- **Working dogs, licensed facilities and veterinary hospitals are exempt** from these provisions

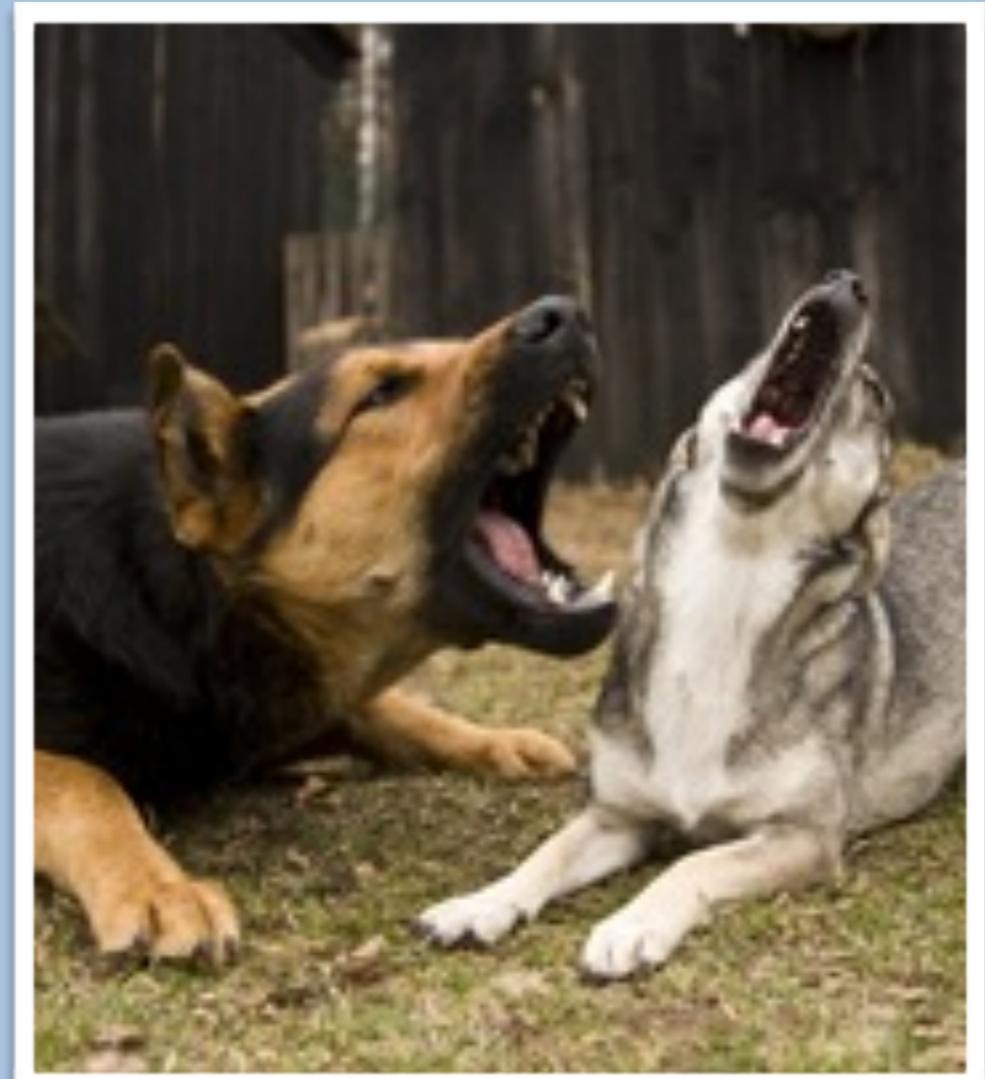


Nuisance Barking

Evidence and Defense:

While not required, demonstrative evidence such as audio or video recordings is recommended.

Provocation of a dog is an affirmative defense to any charge of nuisance barking.

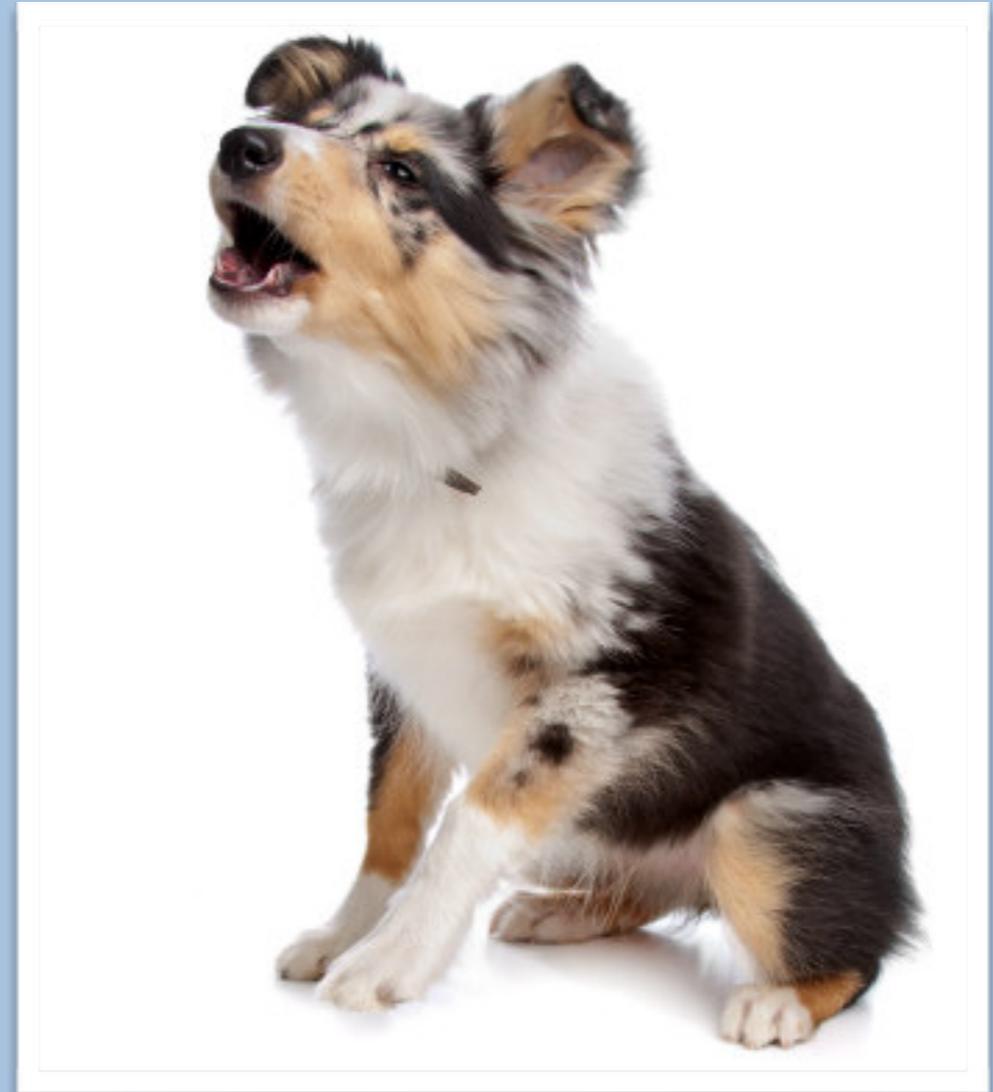


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Nuisance Barking

Proposed Fines*

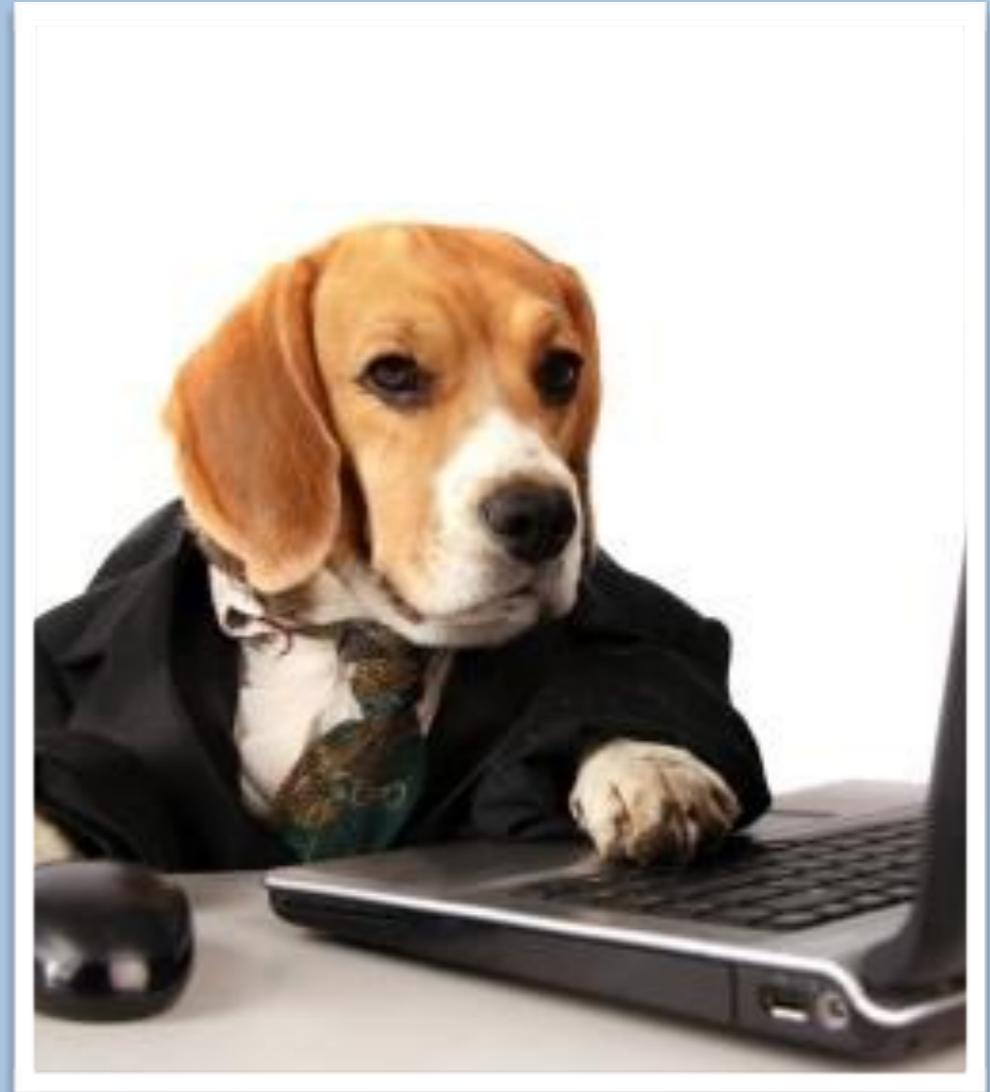
- Warning notice: \$0
- First offense: \$50
- Second offense: \$100
- Third+ offense: \$250
& court appearance



Nuisance Barking

Working dogs:

As with the dog-at-large provisions, working dogs performing duties articulated in the code, are exempt from nuisance barking violations.



Vicious or Dangerous Animals

The proposed revisions make it unlawful to own or harbor a vicious animal unless:

- The animal is **registered annually** with the La Plata County Humane Society.
- The required **fee is paid**.
- A **copy of the court order finding the animal to be vicious is provided** at the time of registration.*



Vicious or Dangerous Animals

When outside the owner's residence, vicious or dangerous animals must be:

- **Confined in kennel, run or pen** approved by La Plata County Animal Control officers or **kept on a leash no longer than four feet.**
- **Confined in a manner that complies with any additional court-ordered safety restrictions.**

Vicious or Dangerous Animals

Impoundment, Destruction and Defense: If an Animal Control officer has probable cause to believe that an animal is vicious or dangerous, or is in violation of the confinement provisions, the animal may be seized or impounded.

- If impoundment cannot be safely accomplished, Animal Control officers are authorized to take measures to prevent death or bodily injury to themselves, other people, domestic animals or wildlife.
- Provocation of a dog is an affirmative defense to any charge of owning or harboring a vicious animal.

Guard Dogs

The proposed revisions define guard dogs as any dog other than a working dog that is:

- **Kept on a property to protect people and property**, whether trained for such purposes or not.
- **Trained for protection or to attack.***



Guard Dogs

Registration*: Guard dogs must be registered annually with the La Plata County Humane Society. Such registration must include:

- The animal's breed, sex, age and description.
- Name, address and telephone numbers for the owner and alternate contact person.
- Current license information
- A description of any training and commands.

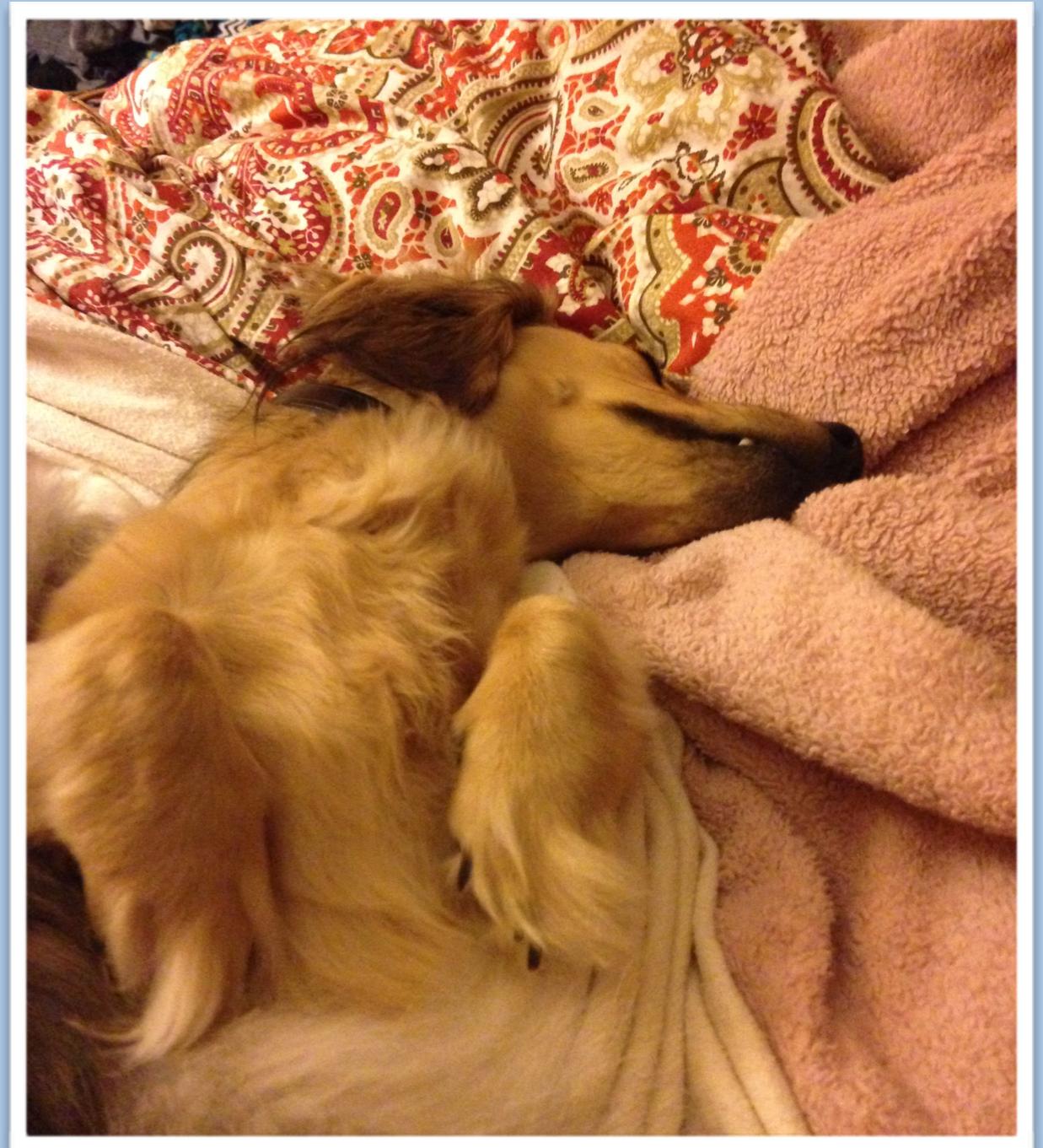
Guard Dogs

Confinement and Warning: Guard dogs must be:

- Properly confined in an enclosed area adequate to ensure that the animal will not escape.
- Be enclosed in an area with conspicuously posted warning signs indicating the presence of a guard dog
- Signs must display the words “Guard Dog” in letters at least four inches tall.
- Signs must display an image of a dog and a telephone number where a responsible party can be reached.

Guard Dogs

Impoundment: If an Animal Control officer has probable cause to believe that a guard dog is not properly confined or controlled, the dog may be seized and impounded.



Questions & Comments

- Comment here
- Email comments:
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- Comment online:
<http://svy.mk/2c8Zifu>

