

ORDINANCE NO. 504
SERIES 2011

AN ORDINANCE OF THE TOWN OF DOLORES, COLORADO AMENDING THE DOLORES MUNICIPAL CODE TO ALLOW FOR THE KEEPING OF CHICKEN HENS WITHIN THE TOWN LIMITS AND FOR THE REGULATION AND ENFORCEMENT OF SAME.

WHEREAS, the town of Dolores currently prohibits the keeping of fowl or poultry within town limits; and

WHEREAS, the Town Board of Trustees has determined that the keeping of chicken hens within the town limits if regulated and with proper enforcement by town staff is appropriate.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF DOLORES, COLORADO :

SECTION 6.04.310 Fowl or poultry prohibited. Is repealed in its entirety and replaced with:

SECTION 6.04.310 Fowl or poultry prohibited, exception

It shall be unlawful for any person to keep fowl or poultry within the Town, subject to the following exemption:

(A) A maximum of six (6) chicken hens may be kept per premises of the owner or keeper. "Premises" shall be defined as all contiguous lands of the owner or keeper, including buildings thereon.

(B) The chicken hens must at all times be kept within a secure predator resistant enclosure upon the owner or keeper's premises, and confined or caged when being transported.

(C) At all times chicken enclosures must be kept clean with no offensive odors, excessive dust or waste at all times.

(D) Chicken enclosures must be set back at least eight feet (8') from the property line.

(E) Roosters are prohibited.

(F) The chicken enclosures shall not be kept in a manner which constitutes a nuisance, safety hazard or health problem.

(G) The municipal judge is hereby authorized and directed to impose increased penalties for subsequent violations by the same owner or keeper (defendant) for subsequent violations involving the same poultry and the municipal judge shall have the authority to issue warrants or other orders causing the abatement of any nuisance caused by poultry and after conviction for any violation of this section may enter such orders are appropriate to abate any nuisance caused by any poultry including its destruction or its removal from Town.

THERE IS HEREBY ADDED A NEW SECTION 6.04.360 PENALTIES. WHICH SHALL READ AS FOLLOWS:

The penalty for violating any of the sections of this chapter shall be punished as set forth in section 1. 12. 010 Penalties.

In addition to other authority allowed by law, the Municipal Judge shall have authority to issue warrants causing the impoundment of any vicious animal or abatement of a nuisance, and following a conviction for any violation of this chapter, may enter such

orders as appropriate to abate any nuisance caused by any animals, including vicious animals, including the destruction of the animal or its removal from Town.

Repealer. All orders, bylaws, ordinances, and resolutions of the Town, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

Severability. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Recording and Authentication. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the Town Clerk.

PASSED, ADOPTED AND APPROVED ON FIRST READING THIS 9TH DAY OF MAY, 2011.

TOWN OF DOLORES

ATTEST:


LANA HANCOCK, TOWN CLERK


DUVALL TRUELSEN, MAYOR

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING THIS 13TH DAY OF JUNE, 2011.

TOWN OF DOLORES

ATTEST:


LANA HANCOCK, TOWN CLERK


DUVALL TRUELSEN, MAYOR

APPROVED AS TO FORM:


MICHAEL F. GREEN, Town Attorney

