

**ORDINANCE NO. 507
SERIES 2011**

AN ORDINANCE RELATING TO ANIMAL CONTROL ENFORCEMENT.

WHEREAS, it is necessary for conformity in the enforcement of the Town Ordinances, and

WHEREAS, the Town has determined that some of the existing Town Ordinances concerning Animal Control Enforcement do not provide for a uniform system of enforcement by the Town Marshal and Town staff, and

WHEREAS, this can be remedied by providing for code enforcement officers to enforce Town Animal Control Ordinances.

NOW THEREFORE, it is ordained by the Board of Trustees of the Town of Dolores, Colorado, that Town of Dolores Municipal Code Sections 6.04.130 Humane Officer Authority, 6.04.140 Human Officer Interference with, 6.04.150 Human Officer Duties, 6.04.160 Animal Pound Operations are hereby repealed in their entirety.

These Sections that are repealed shall be replaced with the following:

6.04.130 Animal Control/Code Enforcement Officer Authority – Any Town Marshal, Deputy Town Marshal, Animal Control Officer or Code Enforcement Officer as designated by the Town pursuant to 2.04.040 Duties is authorized to enforce any and all Sections of this Chapter.

6.04.140 Interference with Enforcement Prohibited - It shall be unlawful for any person or persons to interfere with, threaten, obstruct, delay or resist any duly appointed Town Marshal, Deputy Town Marshal, Animal Control Officer or Code Enforcement Officer in the performance and discharge of his duties under this chapter.

A person commits interference if he knowingly prevents or attempts to prevent or delay a Town Marshal, Deputy Town Marshal, Animal Control Officer or Code Enforcement Officer, acting under color of his official authority from discharging his duties by:

1. Using or threatening to use physical force or violence against the Town Marshal, Deputy Town Marshal, Animal Control Officer or Code Enforcement Officer or another;

2. Using any other means which creates a substantial risk of causing physical injury to the Town Marshal, Deputy Town Marshal, Animal Control Officer or Code Enforcement Officer or another.

A violation of 6.04.140 shall be punishable as set forth in Dolores Municipal Code Section 1.12.010, as may be amended from time to time.

6.04.150 The Town Marshal, Deputy Marshal, Animal Control Officer or Code Enforcement Officer shall have the authority to pick up and impound animals found to be in violation of this chapter at an official Town pound or other place contracted for or designated by the Town.

6.04.160 Animal Pound Operations

A. There is created a Town Animal Pound which may be operated by the Town, by vendors on an annual contract basis according to the terms, conditions, and specifications set up by the Town or through intergovernmental agreement or other agreement with another governmental entity which operates a pound.

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.

PUBLIC HEARING. This ordinance shall be considered for second or final reading on the 11th day of July, 2011, at the hour of 6:30 p.m. in the Town Board Chambers in Town Hall, Dolores, Colorado, at which time and place all persons may appear and be heard concerning the same.

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

TOWN OF DOLORES

ATTEST:

DUVALL TRUELSEN, MAYOR

LANA HANCOCK, TOWN CLERK

PASSED, ADOPTED AND APPROVED ON SECOND AND FINAL READING
THIS 11th DAY OF JULY, 2011.

TOWN OF DOLORES

ATTEST:

DUVALL TRUELSEN, MAYOR

LANA HANCOCK, TOWN CLERK

APPROVED AS TO FORM:

MICHAEL F. GREEN, Town Attorney