

**CITY OF LEADVILLE, COLORADO
ORDINANCE NO. 1
SERIES OF 2022**

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE LEADVILLE MUNICIPAL CODE TO REMOVE SPECIFIC FEES FOR THE LEADVILLE-LAKE COUNTY ANIMAL SHELTER AND AUTHORIZING ANIMAL SHELTER FEES TO BE SET BY RESOLUTION

WHEREAS, the City Council of the City of Leadville (“City Council”) possesses the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of Leadville; and

WHEREAS, the City previously adopted animal impoundment and licensing fees set forth in various sections of Title 6 of the Leadville Municipal Code; and

WHEREAS, the City desires remove such fees from the Municipal Code and instead establish the fees by resolution to be included in the City’s fee schedule; and

WHEREAS, the City further desires to add a new section 6.04.150 to Chapter 6.04 of the Leadville Municipal Code authorizing additional fees for services provided by the Leadville-Lake County Animal Shelter to defray the cost of administering such services, as needed; and

WHEREAS, City Council has determined that adoption of this Ordinance is in the best interests of the public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF LEADVILLE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. **Title 6 Amended.** Title 6 of the Leadville Municipal Code, titled “Animals,” is hereby amended as follows with strikethrough text showing deletions and bold, underlined text showing additions:

6.04.070 - Seizure and impoundment.

- A. Animal control officers and police officers are authorized to take or capture animals deemed by them to be included in the categories listed below and such animals shall be impounded the at the animal shelter.
 - 1. Animals at large, vicious animals, animals creating a disturbance, mistreated animals or nuisance animals;
 - 2. Wild or exotic animals, livestock or fowl illegally kept within the city;

3. Animals which will be or apparently have been left uncared for as a result of death, injury, arrest, or detention of the owner, custodian or keeper.
- B. If by tags or other identification attached to the animal or any other information given to the animal control officer, police officer or animal shelter, the owner of an impounded animal can be identified, the official shall notify the owner by phone or mail.
- C. Unclaimed animals shall be kept at an animal shelter for not less than five days, unless euthanasia prior to that time is deemed necessary.
- D. Verification of rabies vaccination must be provided at the time an animal is released.
- E. ~~The impoundment fee shall be a mandatory ten dollars (\$10.00) daily or any part of a day and it~~ **It** is the responsibility of the owner, custodian or keeper to pay ~~the~~ **an** impoundment fee ~~and any~~ **or** other reasonable costs incurred in caring for the animal, **if any**, at the time of release.
- F. It is a violation of this code for an owner, keeper or custodian to fail to redeem the animal from the animal shelter within five days of being notified of the animal's impoundment.
- G. Any owner, keeper or custodian that fails to abide by subsection F of this section shall be fined a sum of not less than fifty dollars (\$50.00) and shall also be assessed the impoundment fee and other reasonable costs incurred in caring for the animal.

6.04.150 – Animal shelter fees.

City council shall set by resolution the fees for impoundment, which shall be assessed each day or part of any day an animal is impounded, and for the licenses required or authorized under title 6 of this code. Additional fees for animal shelter adoptions and other services may also be established by resolution of city council to defray the costs of administering such services provided by the animal shelter.

6.08.030 - Licensing requirements.

Any person owning, keeping, harboring or having custody of any dog or cat more than six months of age within the city must obtain a license.

- A. Written application shall be made to the Lake County department of health and shall include the name and address of the owner, a description of the animal, the appropriate fee and vaccination certificate issued by a licensed veterinarian.
- ~~B. Licensing shall be valid for three years and must be renewed every three years.~~
- ~~C.~~ **The owner shall pay a fee as follows: an annual a license fee for each license. Licenses shall be valid for a period of one or three years depending on the fee paid by the owner and must be renewed on or before the date the license expires.**

~~1. Unneutered male or unspayed female: thirty dollars (\$30.00).~~

~~2. Neutered male or spayed female: ten dollars (\$10.00).~~

Section 3. Remaining Provisions. Except as specifically amended hereby, all other provisions of the Leadville Municipal Code shall continue in full force and effect.

Section 4. Codification Amendments. The codifier of Leadville's Municipal Code is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Leadville Municipal Code.

Section 5. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

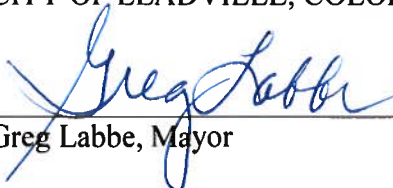
Section 6. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Section 7. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Leadville, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 8. Effective Date. This ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 18th day January, 2022.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Deputy City Clerk

PUBLISHED in full in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, on the 27th day of January, 2022.

PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY, with any amendments, this 15th day of February, 2022.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Deputy City Clerk

PUBLISHED BY TITLE ONLY, with any amendments, in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, following final reading on this 24th day of February, 2022.