

ORDINANCE NO. 2006-00 5

AN ORDINANCE PROHIBITING OWNING OR KEEPING OF VICIOUS
OR DANGEROUS DOGS WITHIN THE TOWN OF CRESTONE,
COLORADO

Be it hereby ordained by the Board of Trustees of the Town of Crestone:

1. It shall be unlawful for any person to own or keep any vicious or dangerous dog. A vicious or dangerous dog is one that bites, claws or attempts to bite or claw any person, bites another animal or in a vicious or terrorizing manner approaches any person in an apparent attitude of attack, whether or not the attack is consummated or is capable of being consummated.
2. It is a defense to the charge of owning or keeping a vicious or dangerous dog that the person or animal that was bitten, clawed or approached by the vicious animal was:
 - a. (Other than in self defense or defense of its young), attacking the dog or engaging in conduct reasonably calculated to provoke the dog to attack or bite;
 - b. Unlawfully engaging in entry into or upon a fenced or enclosed portion of the premises upon which the animal was lawfully kept or upon a portion of the premises where the dog was lawfully restrained by leash or lead;
 - c. Unlawfully engaging in entry into or in or upon a vehicle in which the dog was confined;
 - d. Attempting to assault another person;
 - e. Attempting to stop a fight between the dog or any other animal;
 - f. Attempting to aid the dog when it was injured; or
 - g. Attempting to capture the dog in the absence of the owner or keeper.
3. For the purposes of this Ordinance, a person is lawfully upon the premises of an owner or keeper when such person is on the premises in the performance of any duty imposed by law or by the express or implied invitation of the owner of such premises or the owner's agent.
4. The following penalties and fees, herewith set forth in full, shall apply to this ordinance:
 - a. It is unlawful for any person to violate any of the provisions of the Code adopted in this ordinance.

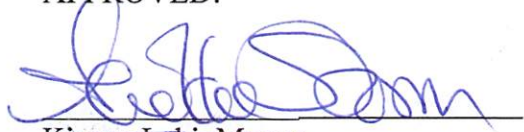
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Page 1 of 2
State of Colorado
Audrey E. Conley, San Juan County Recorder
04-03-2006 01:00 PM Recording Fee \$11.00

- b. Every person convicted of a violation of any provision adopted in this Ordinance shall be punished by a fine not exceeding three hundred (\$300.00), or imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment.
- c. Each day of continued violation of this Ordinance shall be considered a separate offense.

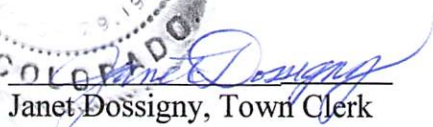
THE TOWN BOARD OF TRUSTEES FINDS THAT THIS ORDINANCE IS NECESSARY TO THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, AND SAFETY, AND SHALL TAKE EFFECT AND BE ENFORCED FROM AND AFTER PASSAGE OF THE SAME.

INTRODUCED, read in full, adopted, approved, and signed this 13th day of February, 2006.

APPROVED:


Kizzen Laki, Mayor
Anikke Storm, Mayor Pro-tem

ATTEST:

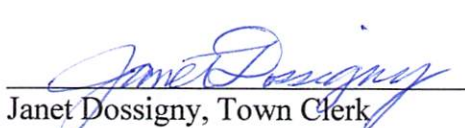

Janet Dossigny, Town Clerk

APPROVED AS TO FORM:

Eugene L. Farish, #2557
Town Attorney

CERTIFICATION

I hereby certify that the within Ordinance was introduced, read in full, approved and adopted at a ~~Public Hearing immediately preceding the regular~~ ^{the regular} meeting of the Board of Trustees of the Town of Crestone, Colorado on the 13th day of February, 2006, and will be published by title in the Crestone Eagle, a legal newspaper in the Town of Crestone, on the 1st day of March, 2006.


Janet Dossigny, Town Clerk