

**Ordinance Number 113**

AN ORDINANCE RELATING TO THE KEEPING OF CERTAIN ANIMALS WITHIN THE CORPORATE LIMITS OF THE TOWN OF ARRIBA; PROVIDING FOR IMPOUNDMENT FOR SUCH ANIMALS; PROVIDING PENALTIES FOR VIOLATION; REPEALING ALL ORDINANCES OR PARTS OR ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Board of Trustees of the Town of Arriba, Colorado as follows:

THAT NO PERSON SHALL BE PERMITTED TO KEEP OR MAINTAIN ANY HARD-HOOFED ANIMAL WITHIN THE CORPORATE LIMITS OF THE TOWN OF ARRIBA.

**SECTION 1. DEFINITIONS.**

- 1.1 The word "animal" or "animals" as used herein shall include any cattle, horses, mules, sheep, goats, swine or other hard-hoofed animals.
- 1.2 The word "person" when used herein shall mean any person, persons, firm, partnership, corporation or association.
- 1.3 The "authorized agent of the Town of Arriba, Colorado" is any person or persons appointed by the Board of Trustees. Any Trustee, the Mayor, Town Clerk, and Town Maintenance Man are authorized agents for the enforcement of this Ordinance.

**SECTION 2. IMPOUNDMENT.**

- 2.1 It shall be unlawful for any person to harbor or house hard-hoofed animal(s) within the corporate limits of the Town of Arriba, Colorado.
- 2.2 It is the duty of the authorized agent of the Town of Arriba, Colorado to immediately institute proceedings on behalf of the Town of Arriba, Colorado, against any person(s) violating any of the sections of this Ordinance.
- 2.3 It shall be unlawful for any person to interfere with, molest, hinder or obstruct the authorized agent of the Town of Arriba, Colorado in the discharge of their duties under this Ordinance.
- 2.4 Any person desiring to redeem such animal(s) from impoundment shall pay the Town of Arriba, Colorado the sum of \$10.00 per animal as an impoundment fee together with the sum of \$10.00 for each day of impoundment as a cost of care fee.
- 2.5 Said animal(s) will be released only upon proof of

ownership and evidence that they will be removed from the corporate limits of the Town of Arriba.

SECTION 3. PENALTIES. Any person, firm, or corporation violating any of the provisions of this ordinance shall, upon conviction in the Municipal Court for the Town of Arriba, Colorado be assessed according to the following schedule of fines:

- 3.1 The first offense, a fine of not less than ten (10) dollars nor more than three hundred (300) dollars.
- 3.2 The second offense within any consecutive 365 day period, a fine of not less than twenty (20) dollars nor more than three hundred (300) dollars.
- 3.3 The third offense within any consecutive 365 day period, a fine of not less than forty (40) dollars nor more than three hundred (300) dollars.
- 3.4 For each subsequent offense over and above the third offense within any consecutive 365 day period, the minimum fine will be increased in increments of fifty (50) dollars.
- 3.5 The minimum fines prescribed herein for violations of any of the provisions of this Ordinance shall be mandatory and no Court shall grant a suspension thereof in whole or in part.

SECTION 4. REPEAL.

- 4.1 All ordinances or parts of ordinances of the Town of Arriba, Colorado in conflict herewith are hereby repealed, specifically Ordinance #102.

SECTION 5. SEVERANCE.

- 5.1 Provisions of this ordinance are separable, and if any part of this ordinance shall be held invalid by a court of competent jurisdiction the remainder of this ordinance shall remain valid and enforceable.

WHEREAS, the keeping of animals in business and residential areas promotes the breeding of flies and rodents and increases the possibility of disease, the Board of Trustees is of the opinion and finds that an emergency exists, and therefore this ordinance is necessary for the immediate preservation of the public peace, health and safety.

THEREFORE, this ordinance shall be in full force and effect after its final passage and publication.

INTRODUCED, READ IN FULL, ADOPTED AND ORDERED published

on second reading by the Board of Trustees of the Town of  
Arrila, Colorado this

9th day of September, 1991

Mayor Lawell K. Gilbert

SEAL

Attest:

Town Clerk

Dennis A. Schuppert

Published Sept. 19, 1991

**Ordinance Number 113B**

AN AMENDMENT TO ORDINANCE NUMBER 113 OF THE TOWN OF ARRIBA, COLORADO: PROVIDING FOR A SPECIAL PERMIT TO BE ISSUED BY THE BOARD OF TRUSTEES FOR THE KEEPING OF HARD-HOOFED ANIMALS WITHIN THE CORPORATE LIMITS OF THE TOWN OF ARRIBA, COLORADO; AND MODIFYING SUBSECTION 2.1 OF ORDINANCE 113.

BE IT ORDAINED by the Board of Trustees of the Town of Arriba, Colorado that:

NO PERSON SHALL BE PERMITTED TO KEEP OR MAINTAIN ANY HARD-HOOFED ANIMALS WITHIN THE CORPORATE LIMITS OF THE TOWN OF ARRIBA, COLORADO WITHOUT PRIOR WRITTEN APPROVAL OF THE BOARD OF TRUSTEES AND THAT SUCH PERSONS WILL BE SUBJECT TO STRICT GUIDELINES AS SET FORTH BY THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA , COLORADO AS NEEDED TO INSURE PUBLIC HEALTH, SAFETY AND WELFARE

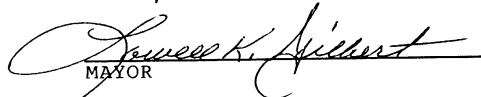
AND

AMENDS SUBSECTION 2.1 TO READ AS FOLLOWS:

- 2.1 It shall be unlawful for any person to harbor or house hard-hoofed animal(s) within the corporate limits of the Town of Arriba, Colorado without prior approval of the Board of Trustees of the Town of Arriba, Colorado.

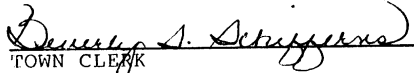
IT IS THE OPINION OF THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, COLORADO THAT THIS AMENDMENT TO ORDINANCE 113 IS NECESSARY FOR THE IMMEDIATE PROTECTION AND PRESERVATION OF PUBLIC HEALTH, SAFETY AND WELFARE AND IS ENACTED FOR THAT PURPOSE AND SHALL BE IN FULL FORCE AND EFFECT AFTER FINAL PASSAGE AND POSTING.

INTRODUCED, READ IN FULL, ADOPTED AND ORDERED posted on first reading by the Board of Trustees of the Town of Arriba, Colorado this 12<sup>th</sup> day of April, 1993

  
MAYOR

SEAL

ATTEST:

  
TOWN CLERK

**ORDINANCE NO. 113C**

**AN AMENDMENT TO ORDINANCE NUMBER 113 OF THE TOWN OF  
ARRIBA, COLORADO CONCERNING THE KEEPING OF HARD HOOFED  
ANIMALS WITHIN THE CORPORATE LIMITS OF THE TOWN OF ARRIBA.**

**BE IT ORDAINED** by the Board of Trustees of the Town of Arriba, Colorado that:

**AMENDMENTS AND MODIFICATIONS TO THE TOWN ORDINANCE  
NUMBER 113.**

**SECTION 2:**

Section 2, Subsections 2.4 and 2.5, regarding impoundment and release of animals,  
shall be deleted in their entirety.

**SECTION 3:**

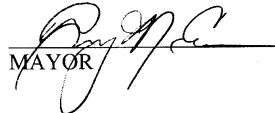
Section 3, Subsections 3.1, 3.2 and 3.3 amended as follows:

- 3.1 The first offense, a fine of not less than fifty (50) dollars nor more than three hundred (300) dollars.
- 3.2 The second offense within any consecutive 365 day period, a fine of not less than seventy five (75) dollars nor more than three hundred (300) dollars
- 3.3 The third offense within any consecutive 365 day period, a fine of not less than one hundred (100) dollars nor more than three hundred (300) dollars.

**IT IS THE OPINION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
ARRIBA, COLORADO, THAT THIS AMENDMENT TO ORDINANCE 113 IS  
NECESSARY FOR THE IMMEDIATE PROTECTION AND PRESERVATION  
OF THE PUBLIC HEALTH, SAFETY, AND WELFARE AND IS ENACTED  
FOR THAT PURPOSE AND SHALL BE IN FULL FORCE AND EFFECT  
AFTER FINAL PASSAGE AND POSTING.**

**INTRODUCED, READ IN FULL, ADOPTED AND ORDERED** posted on first  
reading by the Board of Trustees of the Town of Arriba, Colorado, this 10<sup>th</sup> day of  
March, 2003.

SEAL

  
MAYOR

ATTEST:

  
TOWN CLERK