

**ORDINANCE NO. 2022-8**  
**AN ORDINANCE REPEALING ORDINANCE NO. 2019-01, AND AMENDING AND**  
**RE- ENACTING THESE RULES AND REGULATIONS GOVERNING ANIMAL**  
**CONTROL**

**RECITALS**

A. The Board of County Commissioners has the authority under C.R.S. § 30-15-101(1)(a), as amended, to adopt an ordinance for the control of dogs and other pet animals, and to establish such other reasonable regulations and restrictions as may be deemed necessary; and

B. The Board of County Commissioners has the authority under C.R.S. § 30-15-105 to appoint animal control officers to enforce the county animal control ordinance or any other county ordinances concerning control of pet animals, and other animal control concerns; and

C. The Board of County Commissioners has the authority pursuant to C.R.S. § 30-15-401(1)(e), as amended, to adopt an ordinance to control unleashed or unclaimed animals; and

D. The Board of Health of Boulder County has ordered that all dogs, cats, and ferrets in the county be vaccinated against rabies pursuant to its authority under C.R.S. § 25-4-607; and

E. The Boulder County Sheriff and his deputies are authorized by C.R.S. § 25-4-604, § 25-4-605, § 25-4-610, and § 25-4-612, as amended, to assist and cooperate with the health department in rabies confinement, capturing and impounding any dog, cat, or other pet animal that has not been properly inoculated for rabies or is found running at large; and

F. The Boulder County Board of Health and the Board of County Commissioners find that there is a real and present danger to the public health, safety and welfare of community members of Boulder County caused by rabies, dogs running at large, vicious dogs and dangerous dogs; and

**BE IT ORDAINED**, by the Board of County Commissioners of the County of Boulder that the following rules and regulations governing animal control are hereby adopted for application in the entire unincorporated area of Boulder County; and the provision governing rabies control, Section 3, below, is hereby adopted by the Board of Health for application in the entire unincorporated area of Boulder County. Nothing herein shall prohibit the application of this Ordinance to incorporated municipalities that contract with the County for animal control services.

**SECTION 1. APPLICABILITY OF CONTROL PROVISIONS**

- (a) The provisions of this Ordinance regarding the control of barking dogs and dogs at large shall apply to all dogs in the entire unincorporated area of Boulder County except for those dogs acting as service animals within the definition of implementing regulation 28

C.F.R. § 35.104 of the Americans with Disabilities Act, 42 U.S.C. § 12101, et seq., which defines a service animal as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability; dogs actually working livestock; dogs lawfully locating, pursuing or retrieving wild game in season when accompanied by and under the control of a licensed hunter; dogs assisting search and rescue or law enforcement personnel; dogs housed in licensed facilities such as kennels, training facilities, or veterinary facilities; and dogs participating in an approved obedience trial, dog show or other sanctioned event or being trained for any of the above pursuits, while accompanied by and under the control of an owner or handler.

- (b) Nothing in this Section shall be construed to permit any exception or alteration to the leash control requirements on Boulder County Parks and Open Space Lands or to any other public park or open space lands where leash control is required by the managing agency.

## **SECTION 2. DEFINITIONS**

The following definitions shall apply to the interpretation and enforcement of this Ordinance, unless the content otherwise requires:

- (a) “Abandon,” means the leaving of an animal without adequate provisions for the animal’s proper care by its owner or any person having custody or possession of such animal.
- (b) “Animal Control Officer” means any person authorized by the Boulder County Sheriff to engage in dog and animal control in Boulder County including, but not limited to, Law Enforcement Officers and Boulder County Parks and Open Space Rangers.
- (c) “Animal Control Section” means that section of the Boulder County Sheriff’s Office that is engaged in dog and animal control and is vested with the power and authority to enforce this Ordinance. This term shall also include the Sheriff’s Office duly authorized officers, employees and agents.
- (d) “Bite” means to cut, wound, tear, or grab hold of with the teeth, causing bodily injury or serious bodily injury.
- (e) “Bodily Injury” means any physical injury that results in bruising, muscle tears, skin lacerations requiring professional medical treatment, or injury that requires corrective or cosmetic surgery.
- (f) “Confine” shall mean to securely enclose indoors or constrain in a secure enclosure as outlined in Section 3(d) of this Ordinance.
- (g) “Control” means under leash control or, when accompanied by a person, within view and hearing and under electronic or voice control.

- (h) “Current” as used in connection with a rabies inoculation means in compliance with the Compendium of Animal Rabies Prevention and Control as promulgated by the National Association of State Public Health Veterinarians ([www.nasphv.org/documentsCompendia.html](http://www.nasphv.org/documentsCompendia.html)).
- (i) “Dangerous dog” means any dog that, without provocation:
- (1) has inflicted bodily or serious bodily injury upon or has caused the death of a person or domestic or wild animal; or
  - (2) has demonstrated tendencies that would cause a reasonable person to believe that the dog may inflict serious bodily injury upon or cause the death of any person or domestic or wild animal; or
  - (3) has engaged in or been trained for animal fighting as described in C.R.S. § 18-9-204.
- (j) “Dog” means any domesticated animal related to the fox, wolf, coyote or jackal.
- (k) “Domestic animal” means any animal owned or kept by a person for companionship or protection or for sale to others for such purposes, or livestock.
- (l) “Electronic control” means the use of a device which is physically attached to the dog which is used to positively control the dog’s behavior through electromagnetic signal transmitted to the device by the owner.
- (m) “Health Department” means the Colorado Department of Public Health and Environment or Boulder County Public Health.
- (n) “Indirect supervision” means supervision in which the supervising licensed veterinarian directs or supervises the authorized delegated treatment or collection of diagnostic information of a patient at veterinary premises without being on the premises but being readily available for communication.
- (o) “Injure or injury” means to do harm to; to hurt; damage; impair or wound.
- (p) “Leash Control” means firmly attached to a secured tether or leash that is being held by a person who is thereby in fact able to prevent the dog from charging, chasing or otherwise disturbing or interfering with any person, domestic animal or wildlife, irrespective of the presence of any distraction or provocation.
- (q) “Minimum Care” includes food of sufficient quality and quantity to allow for normal growth and body weight, access to water, access to an enclosed structure with adequate bedding for animals, consistent with the species, breed and type of animal, and veterinary care necessary to relieve distress from injury, neglect or disease.

- (r) “Mistreatment” means every act or omission that causes or unreasonably permits the continuation of unnecessary abuse or unjustifiable pain or suffering.
- (s) “Neglect” means failure to provide food, water, protection from the elements or other care generally considered to be normal, usual and accepted for an animal’s health and well-being consistent with the species, breed and type of animal.
- (t) “Owner” means any person, firm, corporation or organization owning, possessing, harboring, keeping, having financial or property interest in, or having control or custody of an animal. If an animal has more than one owner, each shall be considered an “owner” and subject to the provisions of this Ordinance.
- (u) “Premises” means the area of land surrounding the residence of the owner of the dog, which is owned, occupied or under the control of the owner of the dog, or any other confined area which is under the control or immediate supervision of the owner of the dog. “Premises” does not mean the unenclosed property of a condominium or townhouse or the common passageway, parking facility, or unenclosed common yard of an apartment building or shopping center, or any public right of way.
- (v) “Running at Large” means a dog which is off of or away from the premises of its owner or keeper and not under control as more specifically set forth in Section 6 of this Ordinance. A dog that is not under control but is on private property with the permission of the owner of the property shall not be considered to be at large.
- (x) “Serious bodily injury” means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, or a substantial risk of protracted loss or impairment of the function of any part, or organ in, the body, or breaks or fractures.
- (y) “Vicious Dog” means a dog that has bitten or attempted to bite any person, without provocation, or has bitten a domestic or wild animal without being attacked or threatened with attack first. This definition applies to any dog even on the first bite or attempt regardless of any prior history of bites or attempts to bite a person or animal.
- (z) “Voice control” means immediate and reliable obedience to any voice or sound command given by the owner or handler who is thereby in fact able to prevent the dog from charging, chasing or otherwise disturbing or interfering with any person, domestic animal or wildlife, irrespective of the distance involved or the presence of any distraction or provocation.

### **SECTION 3. RABIES INOCULATION REQUIRED**

- (a) It is ordered by the Boulder County Board of Health that the owner of each dog, cat or ferret in Boulder County shall have such dog, cat, or ferret inoculated by or under the indirect supervision of a licensed veterinarian against rabies at three (3) months of age, one year later and a maximum of every three (3) years thereafter, or in accordance with

the schedule of licensed rabies vaccines pursuant to the Compendium of Animal Rabies Prevention and Control as promulgated by the National Association of State Public Health Veterinarians.

- (b) Upon vaccination of a dog, cat or ferret, a licensed veterinarian shall execute and furnish to the owner a certificate of rabies inoculation, which shall include the following information:
- (1) the name, address and telephone numbers (home and business) of the owner,
  - (2) the name and address of the veterinarian administering or supervising the vaccination and, if the vaccine was administered by a person other than the veterinarian, the certificate must identify the name of the person who administered the vaccine,
  - (3) the breed, age, color, name, sex and status as to spayed or neutered of the vaccinated animal,
  - (4) date of vaccination and expiration thereof,
  - (5) type of vaccine used, lot number and manufacturer, and
  - (6) for a dog, the rabies vaccination tag number. The veterinarian shall also furnish to the owner of a dog a rabies tag which shall be firmly affixed to the collar or harness of the dog.
- (c) Any dog, cat or ferret that is brought into Boulder County from another county or state must have been inoculated against rabies at least thirty (30) days but not more than thirty-six (36) months prior to importation into Boulder County; however, if the vaccine used does not meet the requirements of the National Association of State Public Health Association's Compendium of Animal Rabies Prevention and Control pertaining to rabies vaccines, the maximum acceptable inoculation period shall be twelve months. A tag denoting vaccination shall be firmly affixed to the collar or harness of the dog, and subject to the requirements set forth in this paragraph, shall be evidence of compliance with this Ordinance.
- (d) Any dog, cat or ferret that has bitten a person so as to cause any abrasion and/or break of the skin may be impounded or confined in either the Humane Society of Boulder Valley, the Longmont Humane Society, any approved private veterinary hospital, or at the owner's residence for observation for at least ten (10) days in order to determine whether the animal has rabies. The Animal Control Officer shall follow the procedures outlined by the Health Department for confinement and shall give notice of such impoundment to the owner, if known. If the owner is not known, the Animal Control Section shall cause a notice of the impoundment of the animal to be published in a newspaper of general circulation or electronically on a website. If no owner appears to claim the animal within five (5) days after receipt of the notice or within five (5) days after publication of the initial written notice or posting of the electronic notice and at least after the ten (10) day

rabies impoundment period, if necessary, the animal will be put up for adoption or humanely disposed of in accordance with local policy. Before a dog, cat or ferret can be released from being impounded, it must either be inoculated for rabies or have proof of a valid and current rabies inoculation. The Health Department or his representative shall be permitted by the owner of such animal to examine the animal at any time within the period of confinement to determine whether such animal shows symptoms of rabies. A veterinary examination must be arranged immediately if the animal becomes ill with neurological symptoms consistent with rabies or the animal dies for any reason during the observation period and rabies testing is required. The animal owner is responsible for all costs related to quarantine and testing.

#### **SECTION 4. RABIES INOCULATION TAG**

- (a) A rabies inoculation tag shall be issued by the licensed veterinarian who administered or who supervised the administration of the vaccination to the animal. Each rabies inoculation tag shall be inscribed with year[s] for which the tag is issued, and the tag number. Except as provided under 4(b) below, every dog must wear a collar or harness to which the rabies tag shall be firmly attached. Each rabies tag shall be worn only by the animal for which it was issued.
- (b) Tags of dogs participating in sanctioned dog shows or matches, or of dogs aiding law enforcement officers or of dogs on private property with the permission of the property owner, need not be attached to the collar or harness but must be in the possession of the dog owner.
- (c) Rabies tags for animals which are brought into Boulder County from another county or state are governed under Section 3(c) of this Ordinance, above.
- (d) Dog, cat and ferret owners in Boulder County are urged to consult the Compendium of Animal Rabies Prevention and Control and the procedures outlined by the Health Department for rabies control which may not be contained in this Ordinance.

#### **SECTION 5. BARKING DOGS**

- (a) It shall be unlawful for any person owning or keeping a dog to fail to prevent such dog from disturbing the peace of any other person by loud, persistent and habitual barking, howling, yelping or making any other loud, persistent and habitual noise, whether the dog is on or off the owner's premises. Persistent means barking or noise that lasts for twenty (20) or more cumulative minutes in any one-hour period. Dogs guarding farm animals, fowl and livestock shall not be excepted from application of this section pursuant to Section 1, Applicability of Control Provisions, unless such barking is related to the presence of a predator, unconfined animal or intruder.
- (b) Provocation of the dog whose noise is complained of by a person or unconfined animal is a defense to any complaint being brought hereunder.

- (c) In the event the Animal Control Officer or other person authorized to enforce this Ordinance determines that a violation of this Section has occurred, the Animal Control Officer or other authorized person shall give the violator a verbal or written warning of the violation. The violator shall be entitled to a period of one (1) week after the date on which the verbal or written warning is given in order to correct the violation. If the violation persists or recurs after this one-week period, the violator shall be subject to enforcement action under Sections 11 and 12 of this Ordinance. No enforcement action for a violation of this Section shall be taken more than one (1) calendar year after the date on which the verbal or written warning for that violation is given hereunder.
- (1) A warning is given under this Section if it is personally delivered to or served on the dog's owner, posted on the owner's premises, or at an address based on the best information available.
- (2) The Animal Control Section shall keep records of all warnings given, and such records shall be prima facie evidence that such warnings were given.
- (d) After a warning has been given to the dog owner, the barking dog summons process employed by the Animal Control Section shall be as follows:
- (1) The Animal Control Section will issue a penalty assessment or summons and complaint after any of the following circumstances occurs: a complaint which the Animal Control Section investigates with two complainants from different households and adequate documentation of the violation including specific dates and times that could include audio and/or video recordings, or a complaint from a single household if it is the only household within a 1/4 mile of the source of the complaint.
- (2) All complainants must clearly identify themselves and the dog complained of, the name of the dog owner (if known) and the address at which the dog is located.
- (e) No person shall be convicted at trial of violating this Section unless one (1) or more witnesses testifies to the loud, persistent and habitual nature of the noise.

## **SECTION 6. DOGS RUNNING AT LARGE**

- (a) It shall be unlawful for the owner of any dog to fail to prevent the dog from running at large in the entire unincorporated area of Boulder County. Any dog off the owner's premises or on private property without the permission of the property owner shall be under control as defined in Section 2 above, inside a vehicle or similarly physically confined so that said dog is without access to passers-by. A dog is presumed to be at large if injury, damage or trespass has occurred even if said dog is under control.
- (b) It shall be unlawful for the owner of a dog to allow such dog to chase or attack any person, domestic animal or fowl or any species of wildlife.

- (c) Any Animal Control Officer apprehending a dog at large may impound the dog, return the dog to the owner and/or issue a Penalty Assessment Notice or a Summons and Complaint. Said officer shall have the right to enter upon private property when it is necessary to apprehend any dog that has been running at large. Such entrance upon private property shall be in reasonable pursuit of said dog and shall not include entry into a domicile or enclosure which confines a dog unless it be at the invitation of the owner of the premises.
- (d) When an Animal Control Officer apprehends a dog at large that is unneutered or unspayed, the officer may issue a Penalty Assessment Notice which is double the fine structure of the Dog at Large penalty assessment.

#### **SECTION 7. VICIOUS DOGS RUNNING AT LARGE**

- (a) It shall be unlawful for the owner of a vicious dog to fail to prevent said dog from going off the premises of the owner unless said dog is under leash control so as to prevent it from injuring any person or property.
- (b) It shall be unlawful for the owner of a vicious dog to allow such dog to chase or attack any person, domestic animal or fowl or any species of wildlife.
- (c) Provocation by a person, or attack (actual or threatened) by a domestic or wild animal shall be affirmative defenses to such offense if the actions of any person or animal provoke the dog to such an extent that a dog of normal temperament would react viciously.

No provision of this section relieves the owner of a dog from the obligation to comply with any local ordinance governing the humane treatment of animals, nor from the obligation to comply with any rule or regulation concerning building permit requirements or fences.

Nothing herein shall be construed so as to limit the application of C.R.S. § 18-9-204.5, Unlawful ownership of dangerous dog.

#### **SECTION 8. TREATMENT OF ANIMALS**

- (a) Cruelty to Animals. It shall be unlawful for a person to knowingly or with criminal negligence to overdrive, overload, overwork, torture, torment, deprive of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate, needlessly kill, carry in or upon any vehicle in a cruel manner, or otherwise mistreat or neglect any animal or cause or procure it to be done, or having the charge and custody of any animal, fail to provide it with proper food, drink or protection from the weather, or abandon it. Any animal that is the subject of such cruelty may be impounded if, in the opinion of the Animal Control Officer, impoundment is necessary for the protection of the animal.



- (b) Extreme Temperature Exposure. It shall be unlawful for any person who owns or has control of any animal to confine the animal in a vehicle such that it is exposed to extreme temperatures, or fail to provide adequate shelter, as to cause signs of distress to the animal.
- (c) Improper Care and Treatment. It shall be unlawful for a person to fail to provide any livestock or domestic animal with minimum care or to neglect, mistreat or abandon such animal.
- (d) Unsafe Tethering. It shall be unlawful for the owner or keeper of any animal to tether any animal in such manner that it may become entangled and unable to reach shelter, water or food or in such manner that the animal may be injured, strangled or otherwise caused to suffer.
- (e) Unsafe Transporting. It shall be unlawful for any person who owns or has control of any animal to allow it to ride in or upon any motor vehicle in such a manner as to permit injury or endanger the life of such animal. This subsection shall not apply if the animal is confined to a cage or enclosure.

If it is determined by an Animal Control Officer that an animal is in need of medical/veterinary care, the Officer may require that the owner provide that care within 24 hours; if care is not provided in that time, the animal may be impounded so as to receive the necessary care, and released only upon payment by the owner of these and all impoundment costs. The owner may additionally be charged with cruelty under this provision.

Nothing herein shall be construed so as to limit the application of C.R.S. §§ 18-9-202 or 35-42-109, as amended.

## SECTION 9. MISCELLANEOUS OFFENSES

- (a) Confinement of Female Dogs in Heat. It shall be unlawful for the owner of a female dog in the pro-estrus or estrus state to fail to confine such dog either in a building, secure enclosure or in a kennel so as to prevent it from attracting by scent or coming into contact with a male dog or otherwise creating a nuisance, except for planned breeding.
- (b) Accumulation of Feces. It shall be unlawful for a dog owner to allow excessive dog feces to accumulate. The accumulation of dog feces shall be deemed to be excessive if there is sufficient quantity to generate odors off the premises of the dog owner.
- (c) Habitual Offender. It shall be unlawful for a dog owner to violate any section of this Ordinance three or more times in any two-year period.

## SECTION 10. SEIZURE AND IMPOUNDMENT

- (a) The Animal Control Officer may apprehend any dog found running at large, any dog required to be vaccinated against rabies which is not vaccinated and/or is not wearing a current rabies inoculation tag, any dangerous or vicious dog not properly confined, or any dog or animal being kept or maintained contrary to the provisions of this Ordinance.

- (b) When an animal has been apprehended by an Animal Control Officer, he or she may take any appropriate action including: returning the animal to its owner, impounding the animal and/or issuing a Penalty Assessment Notice or Summons and Complaint.
- (c) If the animal is impounded, the Animal Control Officer shall give notice of such impoundment to the owner, if known. If the owner is not known, the Animal Control Section shall cause a notice of the impoundment of the animal to be published in a newspaper of general circulation or electronically on a website. If no owner appears to claim the animal within five (5) days after receipt of the first, unpublished notice or within five (5) days after publication of written notice or posting of the electronic notice, the animal will be put up for adoption or humanely disposed of in accordance with local policy. Before a dog or cat can be released from the impoundment facility, it must either be inoculated for rabies or have proof of a valid rabies inoculation and the owner must pay the costs of impoundment, including medical/veterinarian costs and those costs incurred by the Animal Control Section. The impoundment period for dogs or cats that have bitten a person so as to cause an abrasion and/or break of the skin and have no verification of a valid rabies shot is set forth in Section 3(d), above.

## **SECTION 11. ENFORCEMENT**

The Boulder County Sheriff has the authority to appoint Animal Control officers to enforce this ordinance and to engage in animal control in Boulder County. Those personnel authorized to engage in animal control in Boulder County include, but are not limited to, Animal Control Officers and Law Enforcement Officers. Personnel authorized by the Boulder County Board of Health may assist with enforcement of Section 3 of this Ordinance. County Park Rangers are also authorized to engage in animal control in Boulder County Parks and Open Space areas.

## **SECTION 12. PENALTIES**

### **(a) Penalties for Violations Not Involving Bodily Injury to Persons**

- (1) Any violation of this Animal Control Ordinance not involving bodily injury to any person shall be a Petty Offense which is punishable by the fee schedule contained in paragraph 12(a)(4) herein, or by imprisonment in county jail of not more than ten (10) days.
- (2) Whenever an Animal Control Officer has probable cause to believe that a violation of this Animal Control Ordinance has occurred, he or she may issue a Citation or Summons and Complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of said charge to the violator.
- (3) An Animal Control Officer shall use a Penalty Assessment Procedure for any Petty Offense violation of this ordinance. Upon arrest, the Animal Control Officer may give the person a penalty assessment notice and release the person upon its

terms or take the person before a county court judge. The penalty assessment notice shall be a Summons and Complaint and shall contain the identification of the offender, the specification of the offense, and the applicable fine.

(4) The penalty assessment procedure shall incorporate the following schedule of fines:

<u>Failure to Vaccinate or Wear the Rabies Tag</u>		<u>Vicious Dog at Large</u>	
Any Offense	\$35	First Offense	\$150
		Second Offense	\$300
		Subsequent Offenses	
		Maximum Penalty	\$300
<u>Barking Dog</u>		<u>Cruelty to Animals</u>	
First Offense	\$45	Mandatory Court Appearance	
Second Offense	\$90		
Subsequent Offenses			
Maximum Penalty	\$300		
<u>Dog at Large</u>		<u>Improper Care, Extreme Temperature Exposure, Unsafe Tethering, Unsafe Transporting, Female Dogs in Heat, or Accumulation of Feces</u>	
First Offense	\$45	First Offense	\$45
Second Offense	\$90	Second Offense	\$90
Subsequent Offenses		Subsequent Offenses	
Maximum Penalty	\$300	Maximum Penalty	\$300
<u>Unneutered or Unspayed Dog at Large</u>			
First Offense	\$90		
Second Offense	\$180		
Subsequent Offenses			
Maximum Penalty	\$300		

- (b) Penalties for Violations Involving Bodily Injury to Persons
- (1) Whenever an Animal Control Officer has probable cause to believe that any violation of this Ordinance involving bodily injury has been committed, he or she may issue a Citation or Summons and Complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of said charge to the violator.
  - (2) Any violation of this Animal Control Ordinance involving bodily injury to any person shall be a Class 2 Misdemeanor, punishable with a fine no more than \$750 and a sentence in jail no more than 120 days for each separate offense.
- (c) Special Sanctions upon Conviction of Violations Involving Bodily Injury to Persons, and Habitual Offender Violations
- (1) In recognition of the serious nature of violations involving bodily injury to persons and habitual offenders, and in the interest of protecting and promoting public safety, the Boulder County Sheriff's Office Animal Control Section and/or the District Attorney's Office has the authority to recommend that a special sanction be imposed against the animal owner convicted of one or more of these offenses. This recommendation will be presented to the District Court by a motion of the District Attorney as a proposed condition of sentencing upon conviction of one of these offenses. This special sanction may be in lieu of or in addition to the specified fine, at the discretion of the court. The court may take into consideration the severity of the incident, and the prior history of the animal owner and the animal when ruling on a disposition.
  - (2) The following is a list of available sanctions to be completed within a time specified by the court:
    - Construct a secure enclosure (built to the specifications of Animal Control) or confine the dog to the house or existing enclosure.
    - Spay or neuter the dog.
    - Dog obedience training.
    - Community service work at an animal sheltering facility.
    - Euthanasia of the animal.
    - Require the use of a short (2') hand-held leash and/or muzzle if the dog is taken off the owner's premises.

The Animal Control Section will be responsible for conducting follow-up visits with the animal owner to ensure compliance with the court-ordered sanctions and will report back to the court in a timely manner.

### **SECTION 13. SEVERABILITY CLAUSE**

If any provision of this Ordinance or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications and, to this end, the provisions of this Ordinance are declared to be severable.

**SECTION 14. LIABILITY CLAUSE**

The Board of County Commissioners, Board of Health, any of its assistants or employees, and any other person authorized to enforce the provisions of this Ordinance shall not be held responsible for any accident or subsequent disease that may occur to the animal in connection with the administration of this Ordinance.

**SECTION 15. SAFETY CLAUSE**

The Board of County Commissioners hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public welfare, health and safety.

**SECTION 16. EFFECTIVE DATE**

The Board of County Commissioners hereby finds, determines and declares that this Ordinance shall be published in a local newspaper of general circulation and shall take effect thirty days after such publication. Until such time, the preceding ordinance, Ordinance No. 2019-01 shall remain in full force and effect.

**SECTION 17. REVOCATION OF PREVIOUS ORDINANCE**

By adoption of this Ordinance, and subject to Section 16 above, Ordinance 2019-01 is hereby revoked.

ADOPTED ON SECOND AND FINAL READING at a public hearing on January 24, 2023.

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF BOULDER, COLORADO

*Claire Levy*

\_\_\_\_\_  
Claire Levy, Chair

ATTEST:

*Cecilia Lacey*

\_\_\_\_\_  
Name: Cecilia Lacey  
Clerk to the Board

The Board of Health signatures are set forth herein to give effect to the order in Section 3 of this Ordinance:

*Gregg W Thomas*

\_\_\_\_\_  
BOULDER COUNTY BOARD OF HEALTH  
Gregg Thomas, President

**CERTIFICATION AND ATTESTATION**

I, Molly Fitzpatrick, Boulder County Clerk and Recorder, do hereby certify that the foregoing Ordinance No. 2022-8, entitled “**AN ORDINANCE REPEALING ORDINANCE NO. 2019-01, AND AMENDING AND RE- ENACTING THESE RULES AND REGULATIONS GOVERNING ANIMAL CONTROL**” is a true, correct and complete copy from the records in my office, that said ordinance was duly adopted by the Board of County Commissioners of the County of Boulder. The first reading of Ordinance 2022-8 took place on December 13, 2022, at a regular Board of County Commissioners Meeting. It was published in full in the Boulder Daily Camera on December 18, 2022. The Ordinance was adopted on second reading at a public hearing held before the Board of County Commissioners on January 24, 2023. Further, one (1) copy of the Ordinance is now filed in the office of the Clerk and Recorder for the County of Boulder, Colorado, and may be inspected during regular business hours.

*Molly Fitzpatrick*

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Clerk and Recorder