

ORDINANCE NO. 23 - 08

AN ORDINANCE AMENDING SECTION 106 (ANIMALS KEPT ON PREMISES; SANITARY REQUIREMENTS) AND 110 (SPECIFIC ANIMALS PROHIBITED; EXCEPTION) OF ARTICLE 7 (REGULATION OF ANIMALS - GENERAL PROVISIONS) AND SECTION 102 (HOOFED ANIMALS KEPT ON PREMISES; ZONING REQUIREMENTS) OF ARTICLE 9 (REGULATION OF ANIMALS - HOOFED ANIMALS) OF CHAPTER 6 (NEIGHBORHOOD VITALITY / COMMUNITY HEALTH) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO REGULATION OF ANIMALS AND PROVIDING THE PENALTIES THEREOF

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 106 (Animals Kept on Premises; Sanitary Requirements) of Article 7 (Regulation of Animals - General Provisions) of Chapter 6 (Neighborhood Vitality / Community Health) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

6.7.106: ANIMALS KEPT ON PREMISES; SANITARY REQUIREMENTS:

It shall be unlawful to keep animals within the City in violation of the following requirements: ~~Animals may be kept within the City upon compliance with the following requirements:~~

A. All fecal waste shall be removed as necessary from premises and placed in closed flytight containers, at least every ~~three (3)~~ to seven (7) days. The Code Enforcement Officer has the authority to order more frequent removal depending on the number and size of the animals on the property. The contents of the containers shall be removed from the City as necessary to prevent the contents from becoming a nuisance.

* * *

D. Any shelter provided for rabbits or fowl shall contain an area of at least four (4) square feet for each rabbit or fowl. An adequate area outside the shelter must be provided for any rabbits or fowl. ~~The maximum number of rabbits or fowl maintained on a premises shall not exceed ten (10) each of the age of six (6) months or older.~~

E. ~~Variance from the provisions of subsection D of this section, pertaining to the number of rabbits or fowl, shall be considered a nonuse variance as defined in the City's~~

~~Zoning Code and shall be governed by the procedures set forth in the City's Zoning Code.~~
The maximum number of rabbits or fowl age of four (4) months or older shall not exceed ten (10) of each.

G. Hoofed pets are limited to two (2) per household or dwelling, **except that three (3) or four (4) hoofed pets may be kept where the standards of Code Section 7.3.303(A)(2)(a)(2) are met.** ~~Hoofed pets shall not be counted for purposes of limiting the total number cats, dogs, or other pets that a household may keep. The maximum number of dogs, cats and hoofed pets in any household or dwelling shall not exceed four (4) total animals.~~

H. **In addition to the maximum number of hoofed pets kept on the premises, a single litter of kids from birth to age four (4) months of age shall be permitted.**

I. **Slaughtering of animals is prohibited on residential lots.**

Section 2. Section 110 (Specific Animals Prohibited; Exception) of Article 7 (Regulation of Animals - General Provisions) of Chapter 6 (Neighborhood Vitality / Community Health) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

6.7.110: SPECIFIC ANIMALS PROHIBITED; EXCEPTION:

* * *

B. Hoofed Pets: It shall be unlawful for any person to keep any:

* * *

2. Hoofed pet with horns or horn buds over the age of two (2) months **unless a licensed veterinarian has certified to the City, in writing, that it would be cruel or inhumane to dehorn the hoofed pet.**

* * *

Section 3. Section 102 (Hoofed Animals Kept on Premises; Zoning Requirements) of Article 9 (Regulation of Animals - Hoofed Animals) of Chapter 6 (Neighborhood Vitality / Community Health) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

6.9.102: HOOFED ANIMALS KEPT ON PREMISES; ZONING REQUIREMENTS:

* * *

D. Owners and keepers of hoofed pets are exempt from the provisions of subsection ~~7.3.105L~~**7.3.303(A)(2)** of this Code with respect to their hoofed pets. ~~Notwithstanding the immediately preceding sentence, in the event any owner or keeper of one or more hoofed pets also owns other animals that are subject to the provisions of subsection 7.3.105L of this Code, the number of hoofed pets kept on the premises shall be counted toward the total number of animals permitted under subsection 7.3.105L of this Code.~~

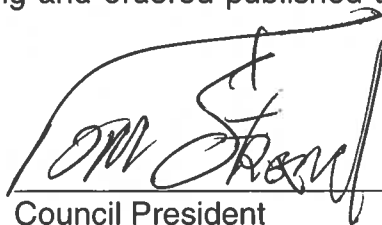
Section 4. Any person convicted of violating Article 7 (Regulation of Animals - General Provisions) of Chapter 6 (Neighborhood Vitality / Community Health) shall be punished as provided in Section 201 (General Penalty) and 202 (Minor Offenders), of Part 2 (General Penalty), of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) except as listed in Section 104 (Right to Trial by Jury; Jail; Exceptions) of Part 1 (Trial by Jury) of Article 4 (Jury Provisions) of Chapter 11 (Municipal Court) as stated in Section 101 (Penalties) of Article 7 (Regulation of Animals - General Provisions) of Chapter 6 (Neighborhood Vitality / Community Health).

Section 5. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 6. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 28th day of February 2023.

Finally passed: March 14, 2023



Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

This ordinance was finally adopted March 14, 2023, without the Mayor's signature pursuant to City Charter Section 3-70(e).

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President


ATTEST:


Sarah B. Johnson, City Clerk



I HEREBY CERTIFY that the foregoing ordinance entitled “AN ORDINANCE AMENDING SECTION 106 (ANIMALS KEPT ON PREMISES; SANITARY REQUIREMENTS) AND 110 (SPECIFIC ANIMALS PROHIBITED; EXCEPTION) OF ARTICLE 7 (REGULATION OF ANIMALS - GENERAL PROVISIONS) AND SECTION 102 (HOOFED ANIMALS KEPT ON PREMISES; ZONING REQUIREMENTS) OF ARTICLE 9 (REGULATION OF ANIMALS - HOOFED ANIMALS) OF CHAPTER 6 (NEIGHBORHOOD VITALITY / COMMUNITY HEALTH) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO REGULATION OF ANIMALS AND PROVIDING THE PENALTIES THEREOF” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on February 28, 2023; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 14th day of March 2023, and that the same was published by title and in summary, in accordance with Section 3-80 of Article III of the Charter, a newspaper published and in general circulation in the Gazette, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 14th day of March 2023.



Sarah B. Johnson, City Clerk



1st Publication Date: March 3, 2023

2nd Publication Date: March 22, 2023

Effective Date: March 27, 2023

Initial:  _____
City Clerk