

ORDINANCE No. 1
Series of 1976

AN ORDINANCE PROHIBITING THE RUNNING OF DOGS AT LARGE WITHIN THE TOWN OF FLEMING, COLORADO, AND PROHIBITING THE KEEPING AND HARBORING OF NOISY DOGS, AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FLEMING, COLORADO:

Section 1. It shall be unlawful for any owner, possessor or keeper of any dog in the Town to permit the same to run at large within the Town. A dog shall be deemed to be running at large when off or away from the premises of the owner, possessor or keeper thereof and not under the control of such owner, possessor or keeper or his agent or servant or a member of his immediate family, either by leash, cord or chain, not more than ten (10') feet in length.

Section 2. (a) It shall be unlawful for any person owning, possessing, or keeping custodial or supervisory authority or control over any dog to permit such dog by loud and persistent barking, howling, yelping, or by making any other persistent or habitual noise, to disturb, or tend to disturb the peace of any other person.

(b) Whenever a person is charged with a violation of subsection (a) hereof, he shall not be convicted thereof, unless she has, within the twelve month period immediately preceding the date of issuance of the summons and complaint charging a violation of subsection (a) hereof, received one warning by a police officer, and further, unless two or more complaining witnesses testify at the trial or other evidence corroborating the testimony of the complaining witness is presented.

Section 3. Any person found guilty of violating this ordinance, or any part hereof, shall be punished for each violation by a fine of not more than \$300.00 or by imprisonment in jail for not more than 90 days in the discretion of the Court.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Whereas in the opinion of the Board of Trustees of the Town of Fleming, Colorado, an emergency exists and this ordinance is necessary for the immediate preservation of the public peace, health and safety, and same is enacted for the purpose, this ordinance shall be in full force and effect immediately upon its passage.

INTRODUCED, READ AND PASSED ON FIRST READING February 2, 1976

READ, PASSED AND ADOPTED March 1, 1976

Lester B. Harms
Mayor

ATTEST:
Alberta Acott
Town Clerk