

RECORD OF PROCEEDINGS

Ordinance No. 1-2003

AN ORDINANCE AMENDING ORDINANCE #2-1990 (AS AMENDED) BEING THE TOWN OF FLEMING ANIMAL CONTROL ORDINANCE.

BE IT ORDAINED BY THE TOWN COUNCIL OF FLEMING, COLORADO:

THAT Section 3 be eliminated.

THAT Section 5. (a) be changed to read:

All dogs and cats six (6) months of age or older within the Town Limits shall be vaccinated against rabies.

THAT Section 5(b) be changed to read:

A veterinarian, or other authorized individual, who vaccinates a dog or cat against rabies shall issue to the owner of such dog or cat a vaccination certificate and metal tag. The vaccination tag must be worn at all times by the dog or cat.

THAT Section 5(d) be changed to read:

Failure of a dog or cat to wear a vaccination tag on a collar shall be prima facie evidence of the failure to vaccinate the animal as required by this article.

THAT Section 9 be changed to read:

If an animal is found running at large, and there is a Town of Fleming Identification Tag attached, the animal shall be returned to its owner, and a citation issued. If an animal is found running at large, and no Town of Fleming Identification Tag is attached, it shall be assumed that the owner of the animal resides outside Town Limits, and the animal shall be impounded for up to three (3) days. If a suitable home cannot be found, the animal may be destroyed.

THAT Section 14.6 be changed to read:

Barks, whines, howls, crows, cackles or makes any noise excessively and continuously, and such noise disturbs a person of ordinary sensibilities. No person shall be charged with a violation of this section unless he has within the twenty-four (24) month period immediately preceding the date of the issuance of a summons and complaint charging a violation thereof, received at least two warnings by an Enforcement Officer or Police Officer, and further, unless with two (2) or more complaining witnesses can testify at a trial or other evidence can be presented corroborating the testimony of the complaining witness at such trial.

THAT Section 18 be changed to read:

PENS AND COOPS. (a) All fowl and rabbits shall be kept within a pen, coop or hutch. A fenced yard shall not qualify as a pen or coop. All feeders and watering units shall be self-contained in such pen or coop with a cement floor.

THAT Section 20 (f) be eliminated.


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INTRODUCED, READ, AND NOTICE OF PUBLIC HEARING ORDERED POSTED
IN THE FOLLOWING THREE PLACES, this 11th day of February, 2003:

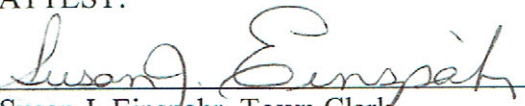
Fleming Town Hall
First National Bank of Fleming
Fleming Post Office

Notice of Public Hearing posted this 15th day of March, 2003

Second Reading and adopted this 1st day of April, 2003.


Tom Gardiner, Mayor

ATTEST:


Susan J. Einspahr, Town Clerk