

ORDINANCE NO. 2357

INTRODUCED BY: Blackhurst

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN SECTIONS OF ARTICLE 6-4 OF THE BRIGHTON MUNICIPAL CODE PERTAINING TO ANIMALS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. Section 6-4-100 of the Brighton Municipal Code is hereby amended to read as follows:

Sec. 6-4-100. – Rabies vaccination required.

(a) Vaccination required. The owner or custodian of any dog, ~~or~~ cat, **or potbellied pig** six (6) months of age or older shall have such dog, ~~or~~ cat, **or potbellied pig** vaccinated against rabies by a licensed Colorado veterinarian, unless such owner or custodian presents to the animal control officer a written statement from a licensed Colorado veterinarian that vaccination against rabies would be detrimental to the health of such dog, ~~or~~ cat, **or potbellied pig. Vaccinations must be kept current.** ~~All dogs or cats vaccinated at six (6) months of age or older shall be revaccinated at one (1) year of age and every third year thereafter. Such routine vaccination shall be performed during the months of January and February during every third calendar year. Each person moving into the City from a location outside of the City shall comply with this Division within thirty (30) days after having moved into the City. Any person who acquires within the City a dog or cat shall have such dog or cat vaccinated within thirty (30) days of such acquisition, or when the dog or cat reaches six (6) months of age, whichever is later.~~

(b) Unlawful to possess unvaccinated dog, ~~or~~ cat, **or potbellied pig**. It is unlawful for any person to possess any dog, ~~or~~ cat, **or potbellied pig** which has not been vaccinated for rabies as provided for in subsection (a) above or which cannot be identified as having a current certificate of vaccination, subject to any exception in Subsection (a).

Section 2. Section 6-4-230 of the Brighton Municipal Code is hereby amended by adding a subsection (e) to read as follows:

Sec. 6-4-230. – Running at large.

(e) Any impounded dog or cat who has been found running at large shall be subject to the microchipping requirements of section 600 of this Article.

Section 3. Section 6-4-440 of the Brighton Municipal Code is hereby amended to read as follows:

Sec. 6-4-440. – Accumulation of animals.

(a) Within the City limits, no person or household shall own or have custody of more than:

(1) Four (4) dogs of more than ~~four (4)~~ **three (3)** months of age;

- (2) Four (4) cats of more than ~~four (4)~~ **three (3)** months of age;
 - (3) Four (4) rabbits of more than ~~four (4)~~ **three (3)** months of age; ~~or~~
 - (4) Two (2) potbellied pigs of more than ~~four (4)~~ **three (3)** months of age;
 - (5) A total of four (4) dogs, cats, ~~and/or~~ rabbits **and/or potbellied pigs** of more than four (4) months of age in any combination.
- (b) In addition to the limits set forth above, no person or household shall own or have custody of more than ten (10) small animals such as guinea pigs, hamsters, caged birds or the like, more than four (4) months of age. Additional allowances for certain residential properties shall also be made for poultry and bee keeping as permitted in Section 6-4-900, as the same may be amended.
- (c) **No more than two (2) litters of puppies and/or kittens per household or one litter per female, whichever is fewer, is allowed within a twelve (12) month period.**
- (ed) If an owner or custodian who violates this Section has been convicted in the past two (2) years of possession or harboring of a vicious, aggressive or nuisance animal, the total number of animals permitted under this Section may be reduced by the Municipal Court to a total of two (2) animals in any combination.
- (de) Unless otherwise specified in a Planned Unit Development (PUD) zone district, properties which are zoned for the keeping of livestock shall not exceed more than four (4) animals per acre. Properties which are smaller than five (5) acres shall not exceed more than one (1) animal per acre of land, and must have a minimum of one (1) acre of land to keep livestock.

Section 4. Subsection (c) of Section 6-4-500 of the Brighton Municipal Code is hereby amended to read as follows:

(c) Unsafe tethering. It shall be unlawful for the owner or custodian of any animal to tether any animal in such a manner that the animal may become entangled and unable to reach shelter or water, or in such a manner that the animal may be injured, strangled or otherwise caused to suffer.

(1) Dogs or cats tethered on a raised surface must have constant direct human supervision.

(2) Tethers must be attached to the animal by means of a well-fitted and non-tightening collar or loop with a swivel on the collar or non-tightening loop.

(3) Tethers may not be attached directly to the dogs' neck.

(4) Tethers attached to a 'fixed or stationary' point must be attached with a swivel, which prohibits the tether from twisting, tangling and wrapping upon itself.

(5) Tethers must be of sufficient length to allow the animal access to shelter, water and freedom of movement from animal waste.

Section 5. Section 6-4-600 of the Brighton Municipal Code is hereby amended by adding subsections (h) and (i) to read as follows:

Sec. 6-4-600. – Impoundment; disposition; fees.

(h) The owner of any impounded dog or cat that has been found running at large shall be required to have a unique identifying microchip implanted in the dog or cat by the contracted animal shelter or a licensed veterinarian at the owner's expense. Evidence of such microchip implantation and the unique identifying microchip number shall be provided by the contracted animal shelter, veterinarian or the owner of the dog or cat, to the City's animal control officer(s) within ten (10) days of conviction, or upon release of the dog or cat from impoundment, whichever is sooner.

(i) If proof is provided by the owner of the dog or cat, microchip implantation will be verified by the City's animal control officer(s) by utilizing a microchip scanner.

Section 6. The purpose of this Ordinance is to provide for the health, safety, and welfare of the people.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED this 2nd day of February, 2021.

PASSED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY this 16th day of February, 2021.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

LENA McCLELLAND, Acting City Attorney