

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1112**

**AN ORDINANCE OF THE TOWN OF FREDERICK,
COLORADO, ENACTING SEVERAL NEW SECTIONS
AND AMENDING SPECIFIC SECTIONS OF CHAPTER 7,
ARTICLE V, ENTITLED "ANIMALS."**

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, THAT:**

Section 1: Chapter 7, Article V, Section 7-127 of the Frederick Municipal Code, entitled "Confining in vehicle unlawful, impoundment" is hereby enacted to read as follows:

Sec. 7-127. Confining in vehicle, impoundment.

(a) No person shall confine any animal within a parked, closed vehicle without allowing sufficient cross-ventilation to prevent the animal from suffering heat exhaustion, heat stroke or death. Notwithstanding the foregoing, no person shall confine any animal within a parked, enclosed vehicle if the external ambient temperature is 80 degrees Fahrenheit or greater.

(b) In the event any animal has been confined in a parked, closed vehicle in violation of this section, an animal control officer or police officer may enter the vehicle by the least intrusive means reasonably necessary, leaving written notice in the vehicle of entry, and shall impound such animal to protect its well-being. If the vehicle cannot be secured following entry, the animal control officer or police officer shall remove all items of value from the vehicle, maintain an inventory of said items and impound the vehicle in a safe and secure location until the owner can be located. All fees for the impoundment of the animal and/or the vehicle shall be at the expense of the owner or keeper of the animal who had the animal in their care and control at the time of impoundment.

(c) This section is designated a criminal violation, subject to the penalties set forth at Frederick Municipal Code §1-72(b).

Section 2: Chapter 7, Article V, Section 7-128 of the Frederick Municipal Code, entitled "Harassment of animals" is hereby enacted to read as follows:

Sec. 7-128. Harassment of animals.

It shall be unlawful for any person to knowingly tease, tantalize or provoke any animal in a manner which causes the animal to bark excessively, to attempt to escape from its enclosure or to act in an aggressive manner. This section is designated a noncriminal violation, subject to the penalties set forth at Frederick Municipal Code §1-72(a).

Section 3: Chapter 7, Article V, Section 7-129 of the Frederick Municipal Code, entitled "Poisoning of animals" is hereby enacted to read as follows:

Sec. 7-129. Poisoning of animals.

It shall be unlawful for any person to knowingly, recklessly or with criminal negligence poison any domesticated animal or to knowingly distribute or set out poison or any other toxicant anywhere within the town in any manner whatsoever that causes the poisoning of any such animal. The distribution or setting out of any poison, toxicant, or poisoned meat or food, other than those specifically for insect, bat, rat, mouse or other rodent poisoning, shall be prima facie evidence of violation of this section. The poisoning of insects, bats, rats, mice and other rodents shall conform with all applicable state and federal laws. This section is designated a criminal violation, subject to the penalties set forth at Frederick Municipal Code §1-72(b).

Section 4: Chapter 7, Article V, Section 7-113 of the Frederick Municipal Code, entitled "Dog leash required, exceptions" is hereby ratified as previously adopted and published, with the addition of subsection (e), enacted to read as follows:

Sec. 7-113. Dog leash required; exceptions.

(e) No person shall tie or otherwise physically fasten an animal to any object on a public way, leaving the animal unattended and not under the control of a competent person.

Section 5: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

Section 6: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

27th INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS
day of November, 2012.

TOWN OF FREDERICK

By: 
Tony Carey, Mayor

ATTEST:

By 
Meghan C. Martinez, Town Clerk

