

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY**

ORDINANCE NO. 13

**AN ORDINANCE ESTABLISHING REGULATIONS FOR CONTROL
OF DOMESTIC ANIMALS WITHIN THE UNINCORPORATED AREAS
OF GUNNISON COUNTY, COLORADO.**

WHEREAS, pursuant to C.R.S. 30-15-401(e), the Board of County Commissioners of Gunnison County, Colorado (hereinafter "Board") has the authority to adopt reasonable regulations to control unleashed animals within the unincorporated areas of Gunnison County; and

WHEREAS, C.R.S. 35-3.5-102(5), acknowledges that the Board can adopt regulations to provide additional protection for agricultural operations; and

WHEREAS, the Board has determined that adoption of reasonable regulations to control the impact of domestic animals on agricultural operations within unincorporated Gunnison County is necessary for public health, safety and welfare; and

WHEREAS, the Board desires to adopt reasonable regulations to control the impact of domestic animals on agricultural operations within unincorporated Gunnison County; and

WHEREAS, the adoption of such regulations is in the best interests of the citizens of Gunnison County:

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO:

SECTION 1. ADOPTION. There is hereby adopted by reference within unincorporated Gunnison County the following portions of the Gunnison County Land Use Resolution adopted on the same date as the effective date of this Ordinance No. 13 (hereinafter referred to as the "Gunnison County Land Use Resolution"): Article 2, Definitions, specifically but not limited to the definitions of "agriculture," "agricultural lands," "agricultural operation," "animal" and "domestic animal;" and that portion of Section 5.2.9. D. DEVELOPMENT THAT AFFECTS AGRICULTURAL LANDS, DOMESTIC ANIMAL CONTROLS, that reads "Dogs and other domestic animals that are not being used to assist with the herding or care of livestock shall not be permitted to interfere with livestock or the care of livestock on agricultural lands;" and Article 7, Enforcement; and

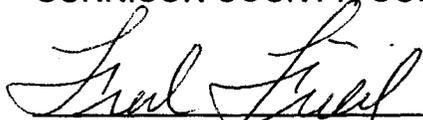
SECTION 2. VIOLATIONS - PENALTY. In addition to each and all of the enforcement provisions provided for by the Gunnison County Land Use Resolution, any person who violates this Ordinance No. 14 commits a class 2 petty offense and, upon conviction

thereof, shall be punished by a fine of not more than one thousand dollars for each separate violation. In addition, such person shall pay a surcharge of ten dollars to the clerk of the court pursuant to C.R.S. 30-15-402(2) as it may be amended.

SECTION 4. ORDINANCE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC HEALTH AND SAFETY; ORDINANCE EFFECTIVE UPON ITS ADOPTION. This ordinance is necessary for the immediate preservation of public health and safety because the dangers posed by unregulated domestic animals to livestock poses an immediate, current and future danger to public health and safety. This Ordinance No. 13 takes effect upon its adoption.

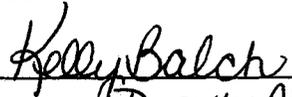
INTRODUCED, FIRST READ AND ORDERED PUBLISHED in full this 11th day of December, 2000.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY, COLORADO



Fred Field, Chairperson

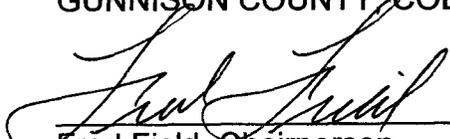
Attest:



Deputy Clerk

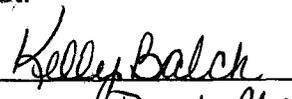
READ ON SECOND READING, ADOPTED AND ORDERED PUBLISHED in full this 8th day of ~~December, 2000~~ January 2001.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY, COLORADO



Fred Field, Chairperson

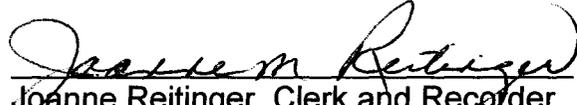
Attest:



Deputy Clerk

CLERK'S CERTIFICATION

I, Joanne Reiting, Clerk and Recorder of Gunnison County, Colorado, do hereby attest and certify that Ordinance 13 set forth above was introduced, read and ordered published at the special meeting of the Board of County Commissioners of Gunnison County, Colorado, on December 11, 2000. The Ordinance was then published in the Gunnison Country Times on December 18, 2000. It was thereafter it was passed at a regular meeting of the Board of County Commissioners of Gunnison County, Colorado, on January 8, 2001, and published in the Gunnison Country Times on January 18, 2001.


Joanne Reiting, Clerk and Recorder