AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Policy; Control & Licensing of Dogs

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Please see the attached resolution, which serves to combine and correct all previously adopted Gunnison County ordinances and resolutions related to control and licensing of dogs in unincorporated Gunnison County.

Fiscal Impact:

Submitted by: Katherine Haase for Sheriff's Office **Submitter's Email Address:** khaase@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 8/29/18

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 8/29/2018 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/29/2018

◉ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 0

Agenda Date: 9/4/2018

Revised April 2015

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2018 -30

A RESOLUTION REPEALING AND RESCINDING PRIOR RESOLUTIONS AND ORDINANCES GOVERNING THE CONTROL AND LICENSING OF DOGS, AND ADOPTING NEW RULES AND REGULATIONS GOVERNING THE CONTROL AND LICENSING OF DOGS IN UNINCORPORATED GUNNISON COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado ("Board") finds that the control and licensing of dogs is a community wide concern; and

WHEREAS, to address this concern the Board previously adopted the following resolutions and ordinances which are currently in effect:

1. Ordinance No. 5, *An Ordinance Concerning Vicious Dogs*, adopted on June 21st, 1988; and

2. Ordinance No. 13, *An Ordinance Establishing Regulations for Control of Domestic Animals within the Unincorporated Areas of Gunnison County, Colorado*, adopted on December 11, 2000; and

3. Resolution No. 92-49, *A Resolution Designating the Antelope Hills Division of the Gunnison County Water and Sewer District as a Designated Dog Control Area*, adopted on November 10, 1992; and

4. Resolution No. 02-23, *A Resolution Concerning Control and Licensing of Dogs*, adopted on April 23, 2002; and

5. Resolution No. 02-30, *A Resolution Amending Resolution No. 02-23,* adopted on May 21, 2002; and

WHEREAS, the Board is informed that there have been legislative amendments and that the above referenced resolutions and ordinances require updates; and, further, that it would be beneficial to consolidate those previously adopted resolutions and ordinances into a lesser number of regulatory documents, to be more effective, for ease of understanding, clarity and direction; and

WHEREAS, Colo. Rev. Stat. §30-15-101, *et seq*. authorizes the Board to adopt a resolution providing for control and licensing of dogs in the unincorporated area of Gunnison County to include:

1. Requiring licensing of dogs by owners and imposing reasonable conditions and fees on the same; and

2. Requiring that dogs be under control at all times and defining “control” which may vary from time to time and, place to place, animal to animal; and

3. Defining “vicious dog”; and

4. Establishing a dog pound, or other animal holding facility, and engaging personnel to operate it and otherwise enforcing the county dog control resolution; and

5. Providing for the impoundment of dogs which are vicious, not under control, or otherwise not in conformity with the resolution(s) of the Board; and

6. Establishing terms and conditions for the release or other disposition of impounded dogs; and

7. Establishing such other reasonable regulations and restrictions for the control of dogs as the Board may deem necessary; and

WHEREAS, Colo. Rev. Stat. §30-15-102 identifies penalties for any violation of any provision of a county resolution adopted pursuant to Colo. Rev. Stat. §30-15-101 *et seq*. not involving bodily injury to be a class 2 petty offense, and, notwithstanding the provisions of Colo. Rev. Stat. §18-1.3-503, punishable, upon conviction, by a fine of not more than one thousand dollars pursuant to Colo. Rev. Stat. §30-15-402(1), or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment for each separate offense; and if authorized by the county resolution, use of penalty assessment procedure provided in Colo. Rev. Stat. §16-2-201, as amended, with a graduated fine schedule for violations not involving bodily injury to any person; and

WHEREAS, Colo. Rev. Stat. §30-15-103 provides that the funds and forfeitures for any violation of a county resolution adopted pursuant to Colo. Rev. Stat. §30-15-101 *et seq.* and all moneys collected by the county for licenses or otherwise shall be paid into the treasury of the county; and

WHEREAS, Colo. Rev. Stat. §30-15-104 provides that the Board, its assistants or employees or any person authorized to enforce the provisions of any dog control resolution shall not be held responsible for any accident or subsequent disease that may occur to the animal in connection with the administration of a resolution; and

WHEREAS, Colo. Rev. Stat. §30-15-105 authorizes personnel engaged in animal control, however titled or administratively assigned, to issue citations or summonses and complaints enforcing the county dog control resolution or any other county resolution concerning the control of dogs without regard to the certification requirements of Colo. Rev. Stat. §24-31-301 *et seq*.; and

WHEREAS, the Board of Health of Gunnison County, Colorado has the authority pursuant to Colo. Rev. Stat. §25-4-607, to order that all dogs within Gunnison County be vaccinated

against rabies; and

WHEREAS, pursuant to Colo. Rev. Stat. §25-4-612, the Health Officer or Health Department shall enforce the provisions of Colo. Rev. Stat. §25-4-601 *et seq*., and the sheriff and his deputies and the police officers in each incorporated municipality and the division of parks and wildlife shall be aides and are instructed to cooperate with the Health Department or Health Officer in carrying out the provisions of Colo. Rev. Stat. § 25-4-601 *et seq*.; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the following ordinances and resolutions shall be and hereby are repealed and rescinded effective at the close of December 31, 2018:

1. Ordinance No. 5, *An Ordinance Concerning Vicious Dogs*, adopted on June 21st, 1988; and

2. Ordinance No. 13, *An Ordinance Establishing Regulations for Control of Domestic Animals within the Unincorporated Areas of Gunnison County, Colorado*, adopted on December 11, 2000; and

3. Resolution No. 92-49, *A Resolution Designating the Antelope Hills Division of the Gunnison County Water and Sewer District as a Designated Dog Control Area*, adopted on November 10, 1992; and

4. Resolution No: 02-23, *A Resolution Concerning Control and Licensing of Dogs*, adopted on April 23, 2002; and

5. Resolution No: 02-30, *A Resolution Amending Resolution No. 02-23,* adopted on May 21, 2002.

FURTHERMORE, that the following rules and regulations set forth hereinafter shall be and hereby are in full force and effect on January 1, 2019 and shall thereafter govern the control and licensing of dogs located in the unincorporated areas of Gunnison County, Colorado.

ARTICLE I. IN GENERAL

1. Applicability.

This Resolution shall be applicable to all Dogs, as defined herein, found to be in the unincorporated areas of Gunnison County, Colorado and to each person who is an Owner/Caretaker, as defined herein, of a Dog within unincorporated areas of Gunnison County, Colorado.

2. Definitions.

Except as otherwise specifically indicated herein, the following definitions shall apply for purposes of this Resolution.

A. "Animal Control Officer", means the Gunnison County Sheriff, his undersheriff and deputies, employees and independent contractors who are approved by the Board of County Commissioners of Gunnison County, Colorado who are designated for the purpose of enforcing the provisions of this Resolution.

B. "Animal Control Facility" means a suitable place or places in Gunnison County, designated by the county, in which animals taken into custody by the Animal Control Officer pursuant to this resolution are impounded.

C. "Board" shall mean the Board of County Commissioners of the County of Gunnison, Colorado.

D. "Bodily Injury" shall mean any physical injury to a human being caused by a dog, including but not limited to, injuries wherein the skin is broken, interior or exterior bleeding or bruising occurs, or bone, tissue, or muscle damage is suffered.

E. "Control" shall mean either:

1) firm physical attachment to a secured restraint, such as a leash or similar tether not longer than ten (10) feet in length;

2) confinement in a pen, cage, fence or motor vehicle; or

3) as evidenced by immediate response to verbal or other commands in the present of an Animal Control Officer to keep the dog from running at large.

F. "County" shall mean the unincorporated portion of Gunnison County, Colorado.

G. "Designated Agent" shall mean any person authorized by the Board or Animal Control Officer with responsibility to enforce this Resolution.

H. "Dog" means any member of the animal species *Canis familiaris* or a domesticated animal related to the fox, wolf, coyote, or jackal which is used as a pet or service animal or for commercial purposes.

I. "Dog at Large" shall mean a Dog not physically controlled by a human being by means of a leash or lead held by the human being, or a Dog not at all times accompanied by a person and which Dog does not at all times immediately

respond to sound, mechanical, electrical or other command of its accompanying person. Exceptions are: a Dog while actually working livestock, locating or retrieving wild game in season for a licensed hunter, assisting law enforcement officers or while actually being trained for any of these specifically enumerated pursuits; or a Dog that is within the confines of the real property of its Owner/Caretaker or other private real property that the Owner/Caretaker has permission to use or is within a motor vehicle.

J. "Harbor, Harboring a Dog" shall mean to provide, on a regular basis, food or shelter for a Dog on premises owned, occupied or controlled by the person providing such food or shelter.

K. "Health Department" means the Colorado Department of Public Health and Environment or Gunnison County Department of Health.

L. "Health Officer" means the person appointed as the public health director of a district, county, city, or town under the provisions of Colo. Rev. Stat. § 25-1-509.

M. "Injure or injury" means to do harm to; to hurt; damage; impair or wound.

N. "Leash" or "Lead" shall mean a thong, cord, roper, chain or similar tether which holds an animal in restraint and which is not more than ten (10) feet in length. A Leash or Lead longer than ten feet in length or a retractable lead of variable length may be used when exercising or training an animal provided that the use of the Leash or Lead does not allow the animal to interfere with public access to or use of public areas.

O. "Livestock" means cattle, horses, mules, burros, sheep, poultry, swine, llamas, and goats, regardless of use, and any animals except Dogs and cats, that are used for working purposes on a farm or ranch and any other animal designated by the state agriculture commissioners, which animal is raised for food or fiber production.

P. "Owner/Caretaker" means any person having control or purporting to have control over an animal, the person named in the licensing records of any animal as the Owner, the occupant of the premises where the animal is usually kept if such premises are other than the premises of the Owner as shown on the licensing record, or any person in possession of, harboring or allowing any animal to remain about their premises for a period of three consecutive days or more. The parent or guardian of an Owner under 18 years of age shall be deemed the Owner as defined herein. If an animal has more than one Owner, all such persons are jointly and severally liable for the acts or omissions of an Owner under this chapter, even if the animal was in the possession of or under the control of a Caretaker at the time of the offense.

Q. "Person" shall mean any person, partnership, corporation or other association organized for business, social or other purposes.

R. "Premises" means the parcel of private land which is owned or occupied by the Owner/Caretaker of the animal, or any other confined area which is under the control or immediate supervision of the Owner/Caretaker of the Dog. "Premises" does not mean the unenclosed property of a condominium or townhouse or the common passageway, parking facility, or unenclosed common yard of an apartment building or shopping center, or any public right of way.

S. "Vicious Dog" shall mean:

1. Any Dog which, when unprovoked, approaches any Person upon any road, street or other public way or place in a vicious or terrorizing manner or in an apparent attitude of attack; or

2. Any Dog which without provocation, bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal or livestock upon public or private property; or

3. Any Dog owned or harbored primarily or in part for the purpose of Dog fighting including any dog trained for Dog fighting; or

4. Any Dog which has been declared a Vicious Dog by the Gunnison County Court or any court of competent jurisdiction.

Notwithstanding the definition of a Vicious Dog above, no Dog shall be considered vicious if any injury or damage is sustained by a Person who, at the time such injury or damage was sustained, was committing a willful trespass or other tort upon Premises occupied by the Owner or Caretaker of the Dog, or was teasing, tormenting, abusing or assaulting the Dog or was committing or attempting a crime. A Person shall not be considered to be teasing, tormenting or abusing a Dog if that Person is acting in good faith to defend himself against the Dog.

The term "Vicious Dog" shall not include any dog trained and controlled by a law enforcement officer so long as the attack, bite, threat or other act of the dog occurs while such officer is acting in his or her official line of duty.

ARTICLE II. RABIES CONTROL; MANDATORY ORDER REQUIRING THE INOCULATION OF ALL DOGS BE VACCINATED AGAINST RABIES.

Pursuant to Colo. Rev. Stat. §25-4-607(1)(a), as may be amended, all Dogs shall be

vaccinated against rabies and all such vaccinations shall be performed by a licensed veterinarian. The frequency of said vaccinations shall be as recommended by the "*Compendium of Animal Rabies Control*" as promulgated by the National Association of State Public Health Veterinarians, as it may be amended.

ARTICLE III. LICENSING

1. Licensing.

A. Every Person who owns a Dog more than four (4) months old within any unincorporated area of Gunnison County, except those who operate a pet shop, boarding kennel or veterinary business, shall obtain a Gunnison County license and rabies inoculation tag for each such Dog annually. The rabies tag shall be firmly affixed to the collar or harness of the Dog.

(i) No license and tag shall be issued until the Owner of a Dog provides a valid anti-rabies vaccination certificate indicating the Dog has been vaccinated against rabies by a licensed veterinarian within the twelve (12) months preceding the date of application for Dogs under three (3) years of age or within the twenty-four (24) months preceding the date of application for Dogs three (3) years of age or older.

(ii) A valid anti-rabies vaccination certificate must contain at least the following information:

a. the name, address and telephone numbers (home and business) of the Owner of the vaccinated Dog;

b. the name and address of the veterinarian administering the vaccination;

c. the breed, age, color, name, sex and status as to spayed or neutered of the vaccinated animal;

d. date of vaccination and expiration thereof;

e. type of vaccine used, lot number and manufacturer; (f) the rabies vaccination tag number.

B. At any time a Dog becomes four (4) months of age or, being at least four (4) months of age, is moved into any unincorporated area of Gunnison County, its Owner shall obtain a license within the succeeding thirty (30) days.

C. Within thirty (30) days after a Person moves a Dog into any unincorporated area of Gunnison County the Dog shall be inoculated with anti-rabies

vaccine unless it can be demonstrated that the Dog was inoculated in accordance with of this Resolution.

2. Application for License.

A License Application shall be available at the Gunnison County Sheriff's Office, 510 W Bidwell, Gunnison, Colorado ("Sheriff's Office"), and shall require:

A. A valid anti-rabies vaccination certificate as prescribed in herein, which may be photocopied and submitted by mail with a completed License Application;

B. Age of the Dog;

C. Sex of the Dog;

D. Whether the Dog has been spayed or neutered;

E. Description of the Dog including breed and color;

F. Name of the Dog;

G. Identification number of the Dog, if the Dog:

(i) is a service guide Dog for the physically handicapped and/or

(ii) has been implanted with an electronic locating device;

H. Current photograph of the Dog;

I. Name, address and phone number of the Dog's Owner.

3. License Fees.

A. Upon filing with and acceptance by the Sheriff's Office of an application for a Dog license, the applicant shall pay an annual fee which currently is: twenty dollars ($20.00) for each non-spayed female or non-neutered male Dog, and ten dollars ($10.00) for each spayed female or neutered male Dog, except that no license fee shall be charged for certified service or guide Dogs used by the blind, partially blind, the deaf or the partially deaf, or other physically impaired Owner. Licenses for spayed female and neutered male Dogs shall be issued only upon presentation of a certificate signed by a licensed veterinarian stating that the Dog has been spayed or neutered.

B. License fees shall not be prorated.

C. Upon payment by the applicant of the requisite fee, the designated agent shall issue an annual License Receipt, which shall bear the Owner's name, address and phone number, the Dog's license number, and the license expiration date. At that time, a metallic tag bearing the year of issue, County identification, and the license number corresponding to that shown on the License Receipt will be issued. Each Owner or Caretaker shall be responsible for ensuring that the tag shall be worn by the Dog in public at all times.

4. Expiration, Transfer of License.

A. All Dog licenses, whether issued for a full year or less, shall expire on December 31st of each year. If the applicable fee for a new license is not paid before March 1st, a penalty of five dollars per month the Dog remains unlicensed ($5.00) shall be added thereto.

B. No Dog license may be transferred from one Owner to another or from one Dog to another Dog.

5. Duplicate License.

In the event the license tag is lost, a duplicate shall be provided by the designated agent of the Sheriff to the Owner or Caretaker upon payment of twenty-five dollars ($25.00).

ARTICLE IV. CONTROL OF DOGS

1. Dog At Large.

A. No Owner/Caretaker shall allow a Dog to be a Dog at Large, as defined herein, in unincorporated Gunnison County, Colorado. Each Owner/Caretaker shall ensure that any and all Dogs off of any Owner's or Caretaker's property shall at all times be controlled by means of a Leash or Lead. Any Owner or Caretaker of a Dog at large shall be subject to the penalties set forth in Article VII herein.

For purposes of this paragraph, Dogs actually working livestock, locating or retrieving wild game in season for a licensed hunter, or assisting law enforcement officers shall not be deemed a Dog out of control or running at large.

2. Barking Dogs.

It shall be unlawful for any Person owning or keeping a Dog in any unincorporated area of Gunnison County to permit such Dog to disturb the peace of any other Person by repeated barking, howling, yelping or other noise which can be heard beyond the boundary of the property of such Owner or Caretaker for more than twenty (20) minutes

at any time of the day or night whether the Dog is on or off the Premises of the Owner or Caretaker. Any Owner or Caretaker of a Dog in violation of this Article IV, 2. Shall be subject to the penalties set forth in Article VII herein.

3. Vicious Dogs.

Any Owner/Caretaker of a Vicious Dog as defined herein shall:

A. At all times keep the Vicious Dog under control through one of the following means:

(i) The use of a Leash not more than ten feet (10') in length attached to a collar firmly affixed around the Dog's neck.

(ii) Keeping the Dog tied or tethered by a durable chain, wire or other material which cannot be destroyed (broken or chewed in two) by the Dog. Such tether shall not permit the Dog to reach any road, street, sidewalk or other public way.

(iii) Keeping the Dog enclosed by means of a fence or structure of at least ten feet (10') in height. Such enclosure shall be designed with secure sides, top and bottom, which are constructed in a manner that will prevent the Dog from escaping**,** and the enclosure shall be securely locked whenever the Dog is therein.

B. Place upon the Dog a muzzle, in addition to the use of a Leash, whenever any Vicious Dog is taken by the Owner upon any public street, road or other public way or upon any other public property. Such muzzle shall be constructed in a manner that will not cause injury to the Dog or interfere with its vision or respiration, but will prevent it from biting any human or animal.

C. Any Owner or Caretaker of a Vicious Dog shall be subject to the penalties set forth in in Article VII herein.

ARTICLE V. ENFORCEMENT

1. General.

A. The provisions of this Resolution may be enforced by an Animal Control Officer as hereinabove defined or by a designated agent as hereinbefore defined. Any Animal Control Officer may issue a summons and complaint to any Person who has committed a violation of this Resolution in his or her presence, or whom the officer has reasonable grounds to believe has committed a violation. Such summons and complaint shall state the nature of the offense with sufficient particularity to give adequate notice of the charge to the violator.

B. During any trial relative to the issuance of a penalty assessment notice, summons or complaint pursuant to this Resolution, should the Court deem the evidence sufficient, the Dog may formally declared to be a Vicious Dog whether or not the Owner is found guilty of any offense charged.

ARTICLE VI. IMPOUNDMENT

1. Seizure and Impoundment.

A. It shall be the duty of any Animal Control Officer or designated agent, as defined herein, to apprehend any Dog At Large, any Dog in any unincorporated area of Gunnison County required to be vaccinated against rabies which is not vaccinated and/or is not wearing a current rabies inoculation tag, or any Dog being owned or kept contrary to the provisions of this Resolution.

B. When any Dog has been apprehended as provided for herein, the designated agent, as defined, may initiate or take any reasonable and appropriate action, including but not limited to: returning the Dog to its Owner, impounding the Dog, and/or issuing a penalty assessment notice or a Summons and Complaint. If the Dog is impounded, the designated agent shall make a reasonable effort to give notice of such impoundment to the Owner or Caretaker, if known. There is no requirement of "progressive enforcement"; that is, no prior enforcement is required as a predicate to subsequent enforcement.

3. Redemption of Impounded Dog.

A. Any impounded Dog may be redeemed by its Owner or Caretaker upon payment of an impounding fee according to the Animal Control Facility's fee schedule, plus any and all additional fees incurred as a result of the impoundment and boarding.

B. Payment of impounding or boarding fees shall not be construed as payment of such fines as may be applicable for violation of the provisions of this Resolution, nor shall such payment be considered being in lieu of license fees.

C. No impounded Dog which is required to be licensed or inoculated under the provisions of this Resolution may be redeemed until such licensing and inoculation is accomplished or ensured.

4. Sale or Other Disposal of Unredeemed Dogs.

The Owner or Caretaker of any impounded Dog shall be responsible for paying all impounding and boarding fees and redeeming such Dog within five (5) days of impounding. Any Owner or Caretaker of an impounded Dog who does not claim or redeem the Dog within (5) days of impounding shall forfeit all right, title and interest to such impounded Dog. Any impounded Dog which is not claimed or redeemed during the five (5) day impounding period may be put up for adoption or humanely destroyed and buried or cremated, except that no Dog, whose Owner or Caretaker can reasonably be located from a license tag or other identification worn by the Dog, shall be destroyed until a reasonable effort has been made to notify its Owner or Caretaker.

5. Unlawful Taking or Release.

A. It shall be unlawful for any Person to take any Dog from an enclosed lot, Premises or building and deliver the Dog to the Animal Control Facility unless authorized to do so by the Owner or Caretaker of the Dog or as otherwise authorized by this Resolution.

B. It shall be unlawful for any Person to open or cause to be opened any closed lot, Premises, or building for the purpose of allowing a Dog to run at large.

ARTICLE VII. PENALITIES AND LIABILITY

1. Violations, Penalties.

In addition to each and all of the enforcement provisions provided for herein, the following penalties shall apply:

A The Board hereby adopts the penalty assessment procedure provided in Colo. Rev. Stat. § 30-15-102(1) as it may be amended for any violation of any provision of this Resolution, not involving bodily injury to any Person with the following graduated fine schedule:

1. First offense: $ 100.00;
2. Second offense: $ 250.00;
3. Third offense: $ 500.00;
4. Each subsequent offense: $1,000.00.

These penalties shall be imposed with regard to the violator and not the subject Dog.

B. Any violation of any provision of this Resolution involving bodily injury to any Person, shall be a Class 2 Misdemeanor, and any violator shall be punished as provided in Colo. Rev. Stat. §18-1.3-501 *et seq.*, as amended, for each separate offense.

C. Whenever the Gunnison County Sheriff, Gunnison County Sheriff's Deputies, or the designated Animal Control Officer has probable cause to believe that a violation of this Resolution has been committed, the respective officer or deputy may issue a citation or summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give notice of said charge to the violator.

D. Any Person who refuses to comply with or who violates any of the provisions of Colo. Rev. Stat. §25-4-601, et seq. is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days for offense.

E. This Resolution authorizes the use of the penalty assessment procedure in Colo. Rev. Stat. § 16-2-201, *et seq*., as amended, with a graduated fine schedule for violations not involving bodily injury to any Person, and with the following graduated fine schedule.

F. If the violator pleads guilty, no contest, is found guilty by a Jury of her or his peers, or by the requisite Judge with proper Jurisdiction, for all class 2 petty offenses, shall be pursuant to statute.

G This Resolution establishes that each violation is a separate violation for each Dog alleged to have been in violation of this Resolution.

2. Disposition of Fines and Forfeitures.

All fines and forfeitures for violation of any provision of this Resolution shall be paid over to the Sheriff's Office immediately upon their receipt. If the requisite fines are not paid within the requisite time, the Board may use any and all laws, regulations, and/or resolutions to enforce the debt owed by the violator to Gunnison County. Such measurements include, but are not limited to, additional fines, liens on appropriate properties, and/or a procurement of a warrant of arrest under the Gunnison County Court.

3. Liability for Accident or Subsequent Disease from Impoundment

Pursuant to Colo. Rev. Stat. § 30-15-104, as amended, the Board, the Gunnison County Sherriff's Department, any assistant or contracted service provider in connecting with the enforcement of this Resolution shall not be held responsible for any accident or subsequent disease that may occur to the animal in connection with the administration of the resolution or ordinance.

4. Civil Remedies.

In addition to the criminal penalties enumerated above, Owners and Caretakers of Dogs in violation of this Resolution may be subject to civil liability, in accordance with Colo. Rev. Stat. §13-21-124, as amended.

5. Contracts for Services.

The Board of County Commissioners may enter into such arrangements and contracts as are appropriate, necessary and permitted by law to provide for personnel, equipment and services required by this Resolution or the enforce this Resolution.

6. Captions.

The captions and paragraph headings used throughout this Resolution are for the convenience of reference only, and the words contained therein shall in no way be held or deemed to define, limit, describe, explain, modify, amplify or add to the interpretation, construction or meaning of any provision, or to the scope or intent of this Resolution.

7. Severability.

If any provision of this Resolution or the application thereof to any party or circumstance shall to any extent be invalid or unenforceable, the remainder of this Resolution, or the application of such provision to parties or circumstances other than those to which it is invalid or unenforceable, shall not be affected thereby, and each provision of this Resolution shall be valid and be enforced to the fullest extent permitted by law.

INTRODUCED by Commissioner _____, seconded by Commissioner _____, and adopted this 4th day of September, 2018.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By_____
Phil Chamberland, Chairperson

By_____
Jonathan Houck, Vice Chairperson

By_____
John Messner, Commissioner

ATTEST:

_____
Deputy County Clerk

GUNNISON COUNTY BOARD OF HEALTH

By_____
Phil Chamberland, Chairperson

By_____
Jonathan Houck, Vice Chairperson

By_____
John Messner, Commissioner

ATTEST:

_____
Deputy County Clerk