

Town of Basalt, Colorado
Ordinance No. 14
Series of 2019

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, AMENDING CHAPTER 7, ARTICLE VII RELATED TO THE
TOWN'S DOG LEASH LAWS**

RECITALS

- A. The Town of Basalt ("Town") is a Colorado home-rule municipality, duly organized and existing under the Town's Charter adopted pursuant to Article XX of the Constitution of the State of Colorado.
- B. The Town Council is empowered to amend the Town Code by ordinance.
- C. The Town Code contains requirements for maintaining "control" over dogs in Town, primarily through a leash, and restrictions on dogs "running at large."
- D. The Town Staff has determined that there are certain properties within Town that is appropriate to allow for dogs to be off-leash if within sight and hearing distance of the owner of keeper of the dog.
- E. The Town Council wishes to amend the Town Code to allow for dogs to be off-leash in such appropriate areas, as designated by Town Council.
- F. The Town Council believes it is in the best interests of the Town to take the actions set forth herein.
- G. At a public meeting held on July 23, 2019, the Town Council considered approval of the Ordinance on first reading and scheduled a public hearing and second reading for the ordinance for August 13, 2019, at a meeting beginning no earlier than 6:00 P.M. at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.
- H. At a public hearing and second reading on August 13, 2019, the Town Council heard evidence and testimony as offered by the Town Staff and members of the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF
THE TOWN OF BASALT, COLORADO, AS FOLLOWS:**

1. Recitals. The foregoing recitals are incorporated herein as findings of Town Council.
2. Section 7-139 - Control. Section 7-139(h) of the Basalt Municipal Code is hereby amended to read as follows, with additions shown in **bold, underlined** text and ~~strike-through~~ language deleted:

Sec. 7-139. – Control.

(h) Dogs in Common and Public Areas: No dog owner **or keeper** shall fail to prevent his or her dog from running at large in the yard of any multiple occupancy building which is occupied by other persons; or in the common areas of mobile home complexes, apartments or condominium developments; or in open space areas of subdivisions; or in public or ~~Town~~county parks or fairgrounds, unless **the Town has specifically designated such area by ordinance to allow for** ~~permission is posted by county or public authorities allowing dogs at large on said property,~~ **posted notice of the same on the property, and the dog is accompanied by (and within sight and hearing distance of) its owner or keeper.**

3. Section 7-131 - Definitions. The definitions of “control” and “running at large” contained in Section 7-131 of the Basalt Municipal Code is hereby amended to read as follows, with additions shown in **bold, underlined** text and ~~strike-through~~ language deleted:

Control means physical restraint or influence over a dog by means of a leash, cord or chain no longer than ten (10) feet in length except when the dog is actually working livestock, locating or retrieving wild game in season for a licensed hunter, ~~or assisting law enforcement officers, or~~ while actually being trained for any of these specifically enumerated purposes, **or when allowed pursuant to Section 7-139**. For purposes of this Article, control shall be construed to include authorization for the Animal Control Officer to secure the enforcement of the laws for the prevention of cruelty to animals in accordance with Section 7-159 herein.

Running at large means when a dog enters the property of another person without authorization of that person, or when it enters public property and is not under the control of the dog owner or a responsible person or an employee or agent of the owner either by leash, cable or chain not more than ten (10) feet in length, **unless specifically**

exempted by ordinance for an identified property pursuant to Section 7-139.

4. **Severability.** If any part, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause, or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses, or phrases be declared invalid.

5. **Effective Date.** This Ordinance shall be effective fourteen (14) days after final publication. This Ordinance after being fully executed, shall be recorded in the office of the Eagle County Clerk and Recorder.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON August 13, 2019, by a vote of 6 to 0 on July 23, 2019.

READ ON SECOND READING AND ADOPTED, by a vote of 5 to 0 on August 13, 2019.

TOWN OF BASALT, COLORADO

By:


Jacques R. Whitsitt, Mayor

Attest:

By:


Pamela Schilling, Town Clerk



Ordinance 14, 2019
First Publication: Thursday, August 1, 2019
Final Publication: Thursday, August 22, 2019
Effective Date: Thursday, September 5, 2019