

ORDINANCE NO. 57, SERIES 2006

INTRODUCED BY: Mayor Pro Tem Strungis

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL ENACTING SECTION 80-74 OF THE CODE OR ORDINANCES OF THE CITY OF LAFAYETTE, COLORADO REGARDING DOG PARK REGULATIONS

NOW, THEREFORE, THE CITY OF LAFAYETTE, COLORADO ORDAINS:

Section 1. Section 80-74 of the Code of Ordinances of the City of Lafayette is enacted to provide:

1). Definitions. As used in this section, the terms animal owner, owner, dog, leash and vicious shall mean as defined in Section 25-2 of the Code.

2). It shall be unlawful for any animal owner to violate any of the following regulations regarding the use of any City designated dog park:

a). All dogs who enter the park must be over four months of age, spayed or neutered, have a valid license and current vaccination with an accompanying tag. The tag must be securely affixed to the dog's collar at all times.

b). All dogs must be leashed when entering or leaving the parks fenced enclosures and owners must retain possession of the leash at all times when within the parks fenced enclosure.

c). Owners must be at least 18 years of age and remain within the parks fenced enclosure and in control of all dogs under their care at all times when within the park. Owners are limited to 3 dogs per visit.

d). Owners shall immediately pick up their dogs excrement and deposit it in a park trash receptacle.

e). Aggressive, vicious or contagious dogs are prohibited from use of the park.

f). Owners shall immediately close and secure the gate upon entering or exiting the confines of the park's fenced enclosure.

g). Owners shall immediately pick up any litter or trash, including cigarette butts resulting from their use of park and deposit same in a park trash receptacle.

h). Glass containers are prohibited within the park.

i). Entrance within the park in violation of its posted hours of 6:00 a.m. to 10:00 p.m. or when closed by the City, is prohibited.

3) Owners voluntarily assume all risks, loss or injury for themselves or their dog(s) associated with or resulting from use of the park.

Section 2. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Code of Ordinances of Lafayette, Colorado by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 5. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 6. Violations of this ordinance shall be punishable in accordance with the provisions Chapter 25 and Section 1-10 of the Code of Ordinances of Lafayette Colorado.

INTRODUCED AND PASSED ON FIRST READING THE 8TH DAY OF NOVEMBER 2006.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THE _____ DAY OF _____ 2006.

CITY OF LAFAYETTE, COLORADO

Chris Berry, Mayor

ATTEST:

APPROVED AS TO FORM:

Susan Koster, City Clerk

James A. Windholz, City Attorney