

TOWN OF MARBLE, COLORADO
ORDINANCE NO. 6
Series of 2000

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE,
COLORADO, CONCERNING THE CONTROL, INCLUDING BARKING, OF DOGS.**

WHEREAS; §30-15-101 et seq. C.R.S., authorizes the Town of Marble Board of Trustees, hereinafter referred to as "Board", to adopt a resolution providing for control of dogs within the Town of Marble; and

WHEREAS, the Board finds that dogs running at large within the Town of Marble constitute a menace to the public property, health, peace, and safety; and

WHEREAS, the Board finds that incessant barking constitutes a nuisance to the residents of the Town of Marble.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO, ORDAINS THAT:

1. **Rabies Vaccination:** It shall be the duty of every person who owns or harbors any dog or dogs in the Town of Marble to have such dog or dogs vaccinated against rabies with either a one-year or three-year vaccine by a person legally authorized to do so.
2. **Dogs Running at Large Prohibited:** A dog which is on private property (whether of its owner, possessor, keeper, or any other person) shall be deemed to be running at large unless accompanied by (and within sight and hearing distance of) its owner, possessor, and keeper, or his agent or within the positive control of said person; positive control meaning tethered, structural fencing of any size and/or invisible fencing.
3. **Barking Dogs Prohibited:** It shall be unlawful and declared a public nuisance for any owner or keeper of a dog to fail to prevent his dog from disturbing the peace of any person or neighborhood by loud, habitual, untimely and persistent barking, howling, yelping, or whining, whether the dog is on or off the dog owner's property.
4. **Keeping of Vicious Dogs Prohibited:** No person shall own, keep, possess or harbor a vicious dog within the Town of Marble. For the purpose of this ordinance, a vicious dog is hereby defined and declared to be a dog that unprovokedly bites or attacks a human being or other animal either on private or public property, or which, in a vicious or terrorizing manner, approaches any person in apparent attitude of attack on the streets, side roads, or any public ground or place. Any dog that bites or attacks a person who is trespassing upon, breaking into, or otherwise destroying or defacing its owner's property shall be deemed to be provoked within the meaning of this section.
5. **Threatening of Wildlife and Livestock Prohibited:** It shall be unlawful to allow a dog to run after, chase, pursue, bite, snap at, worry, attack or otherwise threaten wildlife and/or livestock.

6. Violations and Penalties:

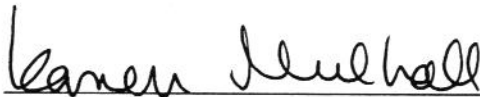
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| a. Dog running at large, first offense: | Written warning |
| b. Dog running at large, second offense: | \$40 |
| c. Dog running at large, third offense: | \$130 |
| d. Dog running at large, fourth offense: | \$260 |
| e. Barking, first offense: | Written warning |
| f. Barking, second offense: | \$40 |
| g. Barking, third offense: | \$130 |
| h. Barking, fourth offense: | \$260 |

This Ordinance shall take effect and be in full force and effect 30 days after publication following final passage, provided it has been approved by the Mayor of the Town of Marble, Colorado.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 11th day of
April 2000 by vote of 3 to 1

By 
Mayor

ATTEST:



Clerk