

BY AUTHORITY

ORDINANCE NO. **4295**

COUNCILLOR'S BILL NO. **19**

SERIES OF 2025

INTRODUCED BY COUNCILLORS

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A BILL  
FOR AN ORDINANCE AMENDING CHAPTER 7 OF TITLE VI OF THE WESTMINSTER  
MUNICIPAL CODE

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Title VI, Chapter 7, W.M.C., is hereby AMENDED to read as follows:

**6-7-1. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise:

*Abandon* shall mean leaving of an animal for more than 24 hours by its owner or custodian without making effective provisions for its proper care. This shall include, but is not limited to, depositing or dropping off an animal on public property or on property other than that of the owner or custodian without prior permission of the property owner.

*Animal* shall mean any living dumb creature, domestic or wild.

*Animal management officer* shall mean an employee or agent of the City authorized by the chief of police to enforce the provisions of this chapter.

*Animal shelter* shall mean any premise designated by the City for the purpose of boarding or the caring of any animal impounded under the provisions of this chapter or any other ordinance of the City or law of the state.

*Bee* shall mean the hymenopterous insects in the genus *Apis*, especially *Apis mellifera*, primarily distinguished by honey and wax production in colonial, perennial, docile hives, when the hives are intentionally initiated and maintained on residential property for honey production. Bee shall not refer to naturally occurring bee colonies, mason bees, or other bee species that are not intentionally kept for honey production.

*Cat* shall mean a domestic cat (*felis catus*) regardless of gender that can be vaccinated against rabies.

*Chicken* shall mean a domestic fowl kept for its eggs or meat, excluding ducks, geese, pigeons, turkeys, pea fowl, and guinea hens.

*Common area* shall mean and include areas such as but not limited to the yards, grounds, garden areas, play areas, clubhouses, swimming pools, walkways, common garage areas, entryways, hallways, and driveways of condominiums, townhouses, apartment complexes, motels, hotels and mobile home parks.

*Countywide Licensing Administrator* shall mean the entity to which authority to issue dog licenses for all dogs within the City, regardless of county of residence, and to collect fees for said licenses has been delegated by the parties to the animal shelter/dog licensing/funding intergovernmental agreement, dated August 15, 2012, as may be amended from time to time.

*Custodian* shall mean any person who has responsibility for or looks after an animal. An individual does not become the custodian of a feral cat by providing care necessary to facilitate the trap-neuter-return

process, as defined herein, so long as that individual acts in compliance with the other requirements of this code.

*Dog* shall mean a domestic dog (*canus lupus familiaris*) regardless of gender that can be vaccinated against rabies.

*Dog license* shall mean current indication that the dog has been registered with the countywide licensing administrator within the previous 365 days.

*Domestic animal* shall mean domesticated or household dogs, cats, rabbits, guinea pigs, hamsters, rats, mice, ferrets, birds, reptiles, amphibians, and invertebrates, commonly found in a pet store and intended to live and breed in a tame condition. It shall also include pot-bellied pigs and expressly does not include bees or chickens.

*Eartipping* shall mean the removal of the distal one-quarter of a cat's left ear, which is approximately 3/8 inch, or 1 centimeter, in an adult cat and proportionally smaller in a kitten and which service is performed by a licensed veterinary facility.

*Endangered species* shall mean any species of animal, bird or reptile that is currently listed as endangered by the United States Department of Interior or the Colorado Department of Natural Resources.

*Exotic animals* shall mean a rare or unusual animal or pet kept within human households and not commonly thought of as a pet.

*Feral* shall mean an animal that has escaped from domestication and returned, partly or wholly, to a wild state.

*Fowl* shall mean ducks, geese, pigeons, turkeys, pea fowl, guinea hens, and the like. For purposes of this title, fowl expressly does not mean chickens.

*Guard dog* shall mean any dog disciplined through special training to protect persons or property by attacking or threatening to attack any person found within the enclosed area patrolled by such dog.

*Harboring* shall mean the act of keeping and caring for an animal or of providing a premises to which the animal returns for food, shelter or care.

*Household* shall mean those people living together in the same dwelling.

*Humane trap* shall mean a box-type trap that does not cause bodily harm to the animal intended to be captured or to any other animal or person coming in contact with such trap.

*Kennel* shall mean premises where more than five non-livestock animals, excluding offspring not exceeding four months of age belonging to one of the adult animals, are kept for any purpose, including boarding, foster care or training. The term "kennel" does not include pet shop.

*Livestock* shall mean any animal commonly kept or harbored, as a source of food, hides, income through agricultural sale, as a pack animal or draft animal or for use as transportation. Livestock includes, but is not limited to, horses, mules, sheep, goats, cattle, swine, ducks, geese, pigeons, turkeys, pea fowl, and guinea hens. In the event of uncertainty concerning whether a particular animal is a species of livestock, the presumption shall be that such animal is a species of livestock until the owner of such animal proves by a preponderance of the evidence to the satisfaction of the municipal court that the animal is not a species of livestock.

*Owner* shall mean any person who has right of property in an animal or harbors an animal or allows an animal to remain about his premises for a period of 72 hours or longer; claims responsibility for an animal; or is declared by court decree to be the responsible party for an animal or the authorized agent of any such

person. The parent or guardian of any minor claiming ownership of an animal shall be deemed to be the owner of the animal for purposes of this chapter.

*Person* shall mean any natural person, corporation, partnership, association, or other entity.

*Pet shop* shall mean an establishment engaged in the business of breeding, buying or selling animals, other than livestock, in commercial, wholesale or retail trade.

*Potbellied pig* shall mean a pig weighing less than 95 pounds.

*Prohibited animal* shall mean any animal that is ordinarily found in an unconfined state and is usually not kept as a household pet, including, but not limited to, lions, tigers, cheetahs, panthers, leopards, cougars, mountain lions, ocelots, any wild members of the genus felis, lynx, bobcats, foxes, minks, skunks, raccoons, bears, nonhuman primates, wolves and coyotes; poisonous or venomous snakes and lizards; lethal toads and arachnids (spiders, scorpions, and tarantulas), crocodilians and nonpoisonous snakes over six feet in length. "Prohibited animal" shall not include domestic ferrets (*mustelia furo*), rabbits, dogs, cats, and small rodents. Alleged domestication of any prohibited animal shall not affect its status under this definition. In the event of uncertainty whether a particular animal is a prohibited animal, it shall be presumed prohibited until proven not prohibited by a preponderance of the evidence to the satisfaction of the municipal court.

*Proper enclosure* shall mean secure confinement indoors or secure confinement in a locked pen, fenced yard, or structure measuring at least six feet in width, 12 feet in length, and six feet in height, capped with secure sides and constructed at the bottom so as to prevent escape by digging, which provides proper protection from the elements for the animal, is suitable to prevent the entry of young children, and is designed to prevent the animal from escaping while on the owner's property. The proper enclosure must comply with all zoning and building ordinances/regulations of the City, be kept in a clean and sanitary condition, and be approved by an animal management officer, and such approval shall not be unreasonably withheld.

*Rabies vaccination* shall mean inoculation of a domestic animal with an anti-rabies vaccine approved by the Colorado Department of Health and administered by a licensed veterinarian. The vaccination shall be valid for the period of time specified in writing by the veterinarian for the specific vaccine used.

*Responsible person* shall mean a person at least 18 years old who is familiar with the animal, and has the size, strength, and experience to be able to keep the animal under complete control at all times.

*Running at large* shall mean an animal off the premises of the owner and not under the physical control of the owner.

*Serious injury* shall mean death or any physical injury that results in severe bruising, muscle tears, or skin lacerations requiring professional medical treatment or requires corrective or cosmetic surgery.

*Shelter* shall mean a moisture-proof structure made of durable material that allows retention of body heat and is of suitable size to accommodate the animal.

*Stray animal* shall mean any animal for which there is no identifiable owner.

*Trap-Neuter-Return ("TNR")* shall mean the nonlethal process of trapping a feral cat in order to allow a licensed veterinarian to sterilize, vaccinate for rabies, and ear-tip the feral cat, after which the feral cat must be returned to its original location.

*Wild animal* shall mean all wildlife, including but not limited to, raptors, furbearers, all game animals, non-domesticated waterfowl, and all other species of animals, which exist in their natural, unconfined state and are usually not domesticated.

Section 2. This ordinance shall take effect upon its passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED  
PUBLISHED this 19th day of May, 2025.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED  
this 9th day of June, 2025.

ATTEST:

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City Clerk

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Mayor

APPROVED AS TO LEGAL FORM:

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City Attorney's Office