

ORDINANCE NO. 883

AN ORDINANCE AMENDING SECTION 6.12.010 OF THE FIRESTONE MUNICIPAL CODE TO PERMIT THE KEEPING OF DOMESTICATED RABBITS AND ADDING A NEW CHAPTER 6.15 TO THE FIRESTONE MUNICIPAL CODE TO PERMIT THE KEEPING OF POTBELLIED PIGS WITHIN THE TOWN, AND ADOPTING RELATED REGULATIONS

WHEREAS, the Board of Trustees has previously adopted an ordinance codified at Section 5.44.020 of the Firestone Municipal Code making it unlawful for any person to maintain or keep any rabbits or swine within the Town; and

WHEREAS, the Board of Trustees desires to amend the Code to allow domesticated rabbits and potbellied pigs to be kept as pets on single-family residential parcels subject to compliance with specific regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. Subsection 6.12.010.A of the Firestone Municipal Code is hereby amended to read as follows (words to be deleted are shown in ~~strikeout~~; words to be added are underlined):

6.12.010 Prohibited animals.

A. It is unlawful for any person to maintain or keep any cattle, sheep, goats, hogs, rabbits, chickens, roosters, ducks, geese, horses or other livestock, wildlife or fowl within the town. The keeping of such animals within the town is declared to be a nuisance. Notwithstanding the foregoing, backyard chicken hens and potbellied pigs may be kept on single-family residential parcels within areas zoned R-1, R-2, R-5, PUD R-A or PUD R-B, subject to permitting and to compliance with the regulations set forth in Chapter 6.14 and Chapter 6.15 of this Code, and other applicable town requirements. Notwithstanding the foregoing, no more than three adult domesticated rabbits may be kept on single-family residential parcels within areas zoned R-1, R-2, R-5, PUD R-A or PUD R-B subject to compliance with the regulations set forth in this Code, and other applicable town requirements.

Section 2. Title 6 of the Firestone Municipal Code is hereby amended by the addition of a new Chapter 6.15 to read as follows:

Chapter 6.15

Potbellied Pigs

Sections:

- 6.15.010 Keeping of potbellied pigs.
- 6.15.020 Permit required.
- 6.15.030 Violations.

6.15.010 – Keeping of potbellied pigs.

A. It shall be unlawful for any person to possess, harbor, keep, maintain or permit at a dwelling within the Town any potbellied pig or any pig purporting to be a potbellied pig, unless the owner complies with the requirements of this Section. It shall be unlawful for any owner to fail to comply with these requirements.

1. Within 14 days of acquiring the potbellied pig, the owner or custodian must register the pig with the Town of Firestone, according to Section 6.15.020.

2. The potbellied pig must also be registered through an official potbellied pig registry.

3. Male potbellied pigs shall be neutered prior to four months of age. Female potbellied pigs shall be spayed prior to four months of age.

4. All owners of potbellied pigs shall have such pigs tested for pseudorabies and brucellosis prior to being brought into the Town and shall maintain proof of such tests being performed by a veterinarian properly licensed by the state.

5. The potbellied pig must wear an identification tag at all times with the owner's name and phone number.

6. A potbellied pig shall not exceed one hundred twenty (120) pounds in weight.

7. No more than one (1) potbellied pig shall be permitted on any residential property.

8. A potbellied pig kept on a residential property shall be kept as a pet for personal enjoyment, and not kept or raised for breeding, sale, for feed, or human consumption.

9. The requirements of this section are minimum requirements and do not affect any private controls, including any more stringent regulations or prohibitions on the keeping of potbellied pigs contained in private covenants. Nothing in this chapter shall affect the authority of any

owner's association to adopt and enforce more stringent standards for the keeping of potbellied pigs, or to prohibit outright the keeping of potbellied pigs on any property within the jurisdiction of such association.

6.15.020 – Permit required.

Any person keeping a potbellied pig pursuant to this Chapter must first have been issued a permit by the Town, the application for which shall be made available by the Town Clerk. The application shall include a copy of the registration of the animal through an official potbellied pig registry; verification of neutering or spaying through a certified veterinarian, and verification of current vaccinations through a certified veterinarian. The Town Clerk shall assess an application fee of thirty dollars (\$30.00) for each application received under this Chapter.

6.15.030 – Violations.

A. Any person who violates any provision of this Chapter shall be punished by a fine of not more than one thousand dollars or by imprisonment not to exceed one year, or by both such fine and imprisonment. Each day during any portion of which any violation of any provision of this Chapter is committed, continued or permitted by any such person shall be a separate offense.

B. A permit issued pursuant to Section 6.15.020 may be revoked by the Town Clerk upon the conviction of the permit holder of a violation of this Chapter, or upon the permit holder's entry of a plea of guilty to a violation of this Chapter.

C. It shall be unlawful for any owner of any potbellied pig to permit such pig unrestrained to enter upon the private property or premises of another without the prior consent of the owner or person in possession or in charge of such private property. It shall be unlawful for any owner of any potbellied pig to permit such pig to enter unrestrained upon any publicly owned property and facilities.

D. The Town shall have the authority to seize, impound and dispose of any potbellied pigs found at large within the Town's limits.

E. The remedies contained in this section are cumulative and are in addition to all other remedies available to the Town.

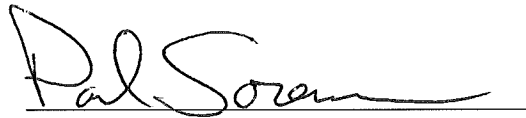
Section 3. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Board hereby declares that it would have 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 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 5. The repeal or modification of any provision of the Municipal Code of the Town of Firestone 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, and 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 the 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.

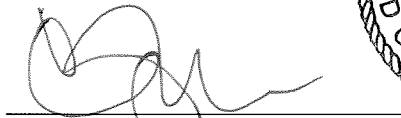
INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 27th day of January, 2016.

TOWN OF FIRESTONE, COLORADO


Paul Sorensen
Mayor



ATTEST:


Carissa Medina
Town Clerk