

**ORDINANCE OF THE
CITY OF LONE TREE**

Series of 2021

Ordinance No. 21-09

AN ORDINANCE AMENDING SECTION 10-1-10 AND REPEALING SECTION 10-10-160 OF THE LONE TREE MUNICIPAL CODE TO ABOLISH THE CITY’S BREED-SPECIFIC DOG RESTRICTIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE TREE, COLORADO:

ARTICLE 1 – AUTHORITY

The City of Lone Tree (the “City”) is a home rule municipality operating under the Lone Tree Home Rule Charter (the “Charter”) adopted on May 5, 1998 and a Municipal Code (the “Code”), codified and adopted on December 7, 2004. Pursuant to the Charter, the Code and the authority given home rule cities, the City may adopt and amend ordinances and adopt codes by reference.

ARTICLE 2 – DECLARATIONS OF POLICY AND FINDINGS

- A. In 2006, the City Council of the City of Lone Tree adopted Ordinance No. 06-01, which established the municipal offense of unlawfully possessing a pit bull, as that term is defined in Ordinance No. 06-01. The term *pit bull* encompassed a number of dog breeds due to a concern about the severity of attacks by such breeds.
- B. Since Lone Tree adopted its dog breed restrictions, there has been a review of controlled studies by the American Veterinary Medical Association that documents how pit bulls are not disproportionately dangerous compared to other dogs.
- C. Based on such data and studies, over 100 municipalities in the U.S. have repealed their pit bull bans, including Denver, Castle Rock, Aurora, Commerce City, and Fort Lupton.
- D. Data from the Lone Tree Police Department shows that animal and human bites by restricted dog breeds over the last five years in Lone Tree are not more frequent than bites by other dog breeds.
- E. The City Council therefore finds that, based on the available studies and evidence from the Lone Tree Police Department and other jurisdictions, all animals should be regulated according to their behavior instead of being targeted due to breed or appearance only and that Lone Tree’s breed-specific restrictions and related provisions in Sections 10-1-10 and 10-10-160 of the Lone Tree Municipal Code should be repealed.

- F. The City Council further finds that Lone Tree's current regulations governing animal behavior set forth in Sections 10-10-120 (Animals Creating a Danger) and 10-10-140 (Vicious Animals) protects the public health and safety of the community.

ARTICLE 3 – SAFETY CLAUSE

The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare.

ARTICLE 4 – AMENDMENT TO SECTION 10-1-10

Section 10-1-10 of Article X, Chapter 10 of the Lone Tree Municipal Code, titled "Definitions," is hereby amended to delete, in its entirety, the definition of *Pit Bull*. No other definitions in this Section of the Lone Tree Municipal Code are amended by this Ordinance.

ARTICLE 5 – REPEAL OF SECTION 10-10-160

Section 10-10-160 of Article X, Chapter 10 of the Lone Tree Municipal Code, titled "Unlawful Keeping of Pit Bulls," is hereby repealed and reserved for future use to read in full as follows:

Sec. 10-10-160 – Reserved.

ARTICLE 6 – SEVERABILITY

If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance which can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

ARTICLE 7 – CAUSES OF ACTION RETAINED

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

ARTICLE 8 - EFFECTIVE DATE

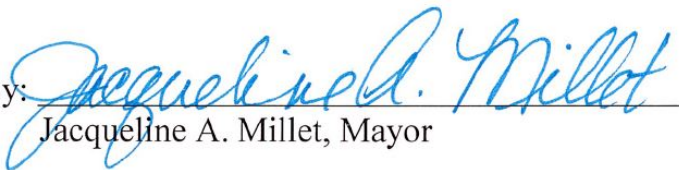
This Ordinance shall take effect thirty (30) days following publication after the first reading if no changes are made on second reading, or twenty (20) days after publication following second reading if changes are made upon second reading.

INTRODUCED, READ AND ORDERED PUBLISHED ON JUNE 1, 2021.

PUBLISHED IN THE DOUGLAS COUNTY NEWS PRESS ON JUNE 10, 2021; LEGAL NOTICE NO. 939273.

APPROVED AND ADOPTED ON SECOND READING ON JUNE 15, 2021, TO BECOME EFFECTIVE ON JULY 10, 2021.

CITY OF LONE TREE:

By: 
Jacqueline A. Millet, Mayor



ATTEST:


Jay Robb, City Clerk