

TOWN OF DE BEQUE ORDINANCE NO. 553

SERIES 2025

AN ORDINANCE AMENDING THE DEFINITION OF “DANGEROUS ANIMAL” AND REMOVING THE DEFINITION OF “POTENTIALLY DANGEROUS ANIMAL” IN SECTION 9.12.010 AND REVISING SECTION 9.12.090 TO ENSURE ALL MENTION OF DANGEROUS ANIMALS WITHIN TITLE 9 ARE UNIFORM.

The following describes the intent and purpose of this Ordinance:

- a) The Town of De Beque (the Town) possesses the authority to amend the Municipal Code (the “Code”) from time to time in order to ensure the Code is uniform and provides clear definitions of relevant provisions.
- b) The Town of De Beque’s Municipal Code Sections 9.12.010 and 9.12.090 provide different definitions of the term “Dangerous Animal”.
- c) The Town of De Beque’s Municipal Code Section 9.12.010 also provides a definition of “Potentially Dangerous Animal”. A term which is never mentioned again in the Code, and therefore, not needed within Title 9 of the Code.
- d) The Code is unclear on the correct definition of the term “Dangerous Animal” therefore the Code must be amended to create one clear definition of “Dangerous Animal”.
- e) The Board of Trustees determines that it is in the public interest that the Town Code is clear on the Town’s definition of “Dangerous Animal” and does not have irrelevant terms within Title 9.

Therefore, only the specific sections, mentioned below, of the Town of De Beque Municipal Code are amended to read as follows:

Amended Section 9.12.010 “Dangerous Animal” is amended to read as follows:

“Dangerous Animal” means an animal which, without provocation:

- 1. Bites, claws or attempts to bite or claw any person, or;
- 2. bites another animal, or;
- 3. in a vicious or terrorizing manner approaches any person in an apparent attitude of attack, whether or not the attack is consummated or is capable of being consummated, or;
- 5. Is infected with rabies, or;
- 6. Is at large and exhibits repeated or continuous aggressive behavior, or;

7. Has engaged in an animal fighting contest with the owner's knowledge, or;
8. Has been specifically found to be dangerous by any court or jury.

Amended Section 9.12.010 is amended by the removal of the definition of “Potentially Dangerous Animal” in its entirety.

All other Sections of 9.12.010 are not amended.

Amended Section 9.12.090 Dangerous Animals Prohibited. Any person who owns or keeps any dangerous animals, as defined in Section 9.12.010, in violation of this Section commits a Class B municipal offense.

- A. It is a defense to the charge of owning or keeping a dangerous animal that the person or animal that was bitten, clawed or approached by the dangerous animal was:
 1. Other than in self defense or defense of its young, attacking the animal or engaging in conduct reasonably calculated to provoke the animal to attack or bite;
 2. Unlawfully engaging in entry into or upon a fenced or enclosed portion of the premises upon which the animal was lawfully kept or upon a portion of the premises where the animal was lawfully restrained by leash or lead;
 3. Unlawfully engaging in entry into or in or upon a vehicle in which the animal was confined;
 4. Attempting to assault another person;
 5. Attempting to stop a fight between the animal and any other animal;
 6. Attempting to aid the animal when it was injured; or
 7. Attempting to capture the animal in the absence of the owner or keeper.

Approved by the Board of Trustees this 24th day of June 2025. This Ordinance shall take effect thirty (30) days from the date of publication.

TOWN OF DE BEQUE BOARD OF TRUSTEES:

Shanelle Hansen, Mayor

Date

ATTEST:

Lisa Rogers, Town Clerk

Date

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