

Animal Control Issues in WOW

We have received a number complaints regarding animal control, specifically dogs running loose, owners not picking up dog stool and dogs fighting in WOW. This is an issue for all dog and cat owners and non-owners. Below is a summary of our Covenants, Park County Regulations and Fines. It is important that all animal owners read and comply. While the WOW Board and ACC manage the Covenants, we do not take any Animal Control calls as they are delegated to Park County Animal Control. All violations should be reported to Park County Animal Control at 719-836-4125. Failure to comply to the following the pet owner is subject to the following fines:

- The covenants state that only two pets are allowed per household. For example, this means only two dogs or two cats or one dog and one cat are allowed. The ACC does not interpret this to mean that, for example, an aquarium may only contain two fish or that a house cannot contain two dogs and one turtle in a terrarium.
- Pets All dogs and cats must be licensed and vaccinated in Park County, and display their tags.

Failure to license		
First Offense		\$ 30.00
Second Offense		\$ 60.00
Third and subsequent offenses	up to	\$ 300.00
Failure to vaccinate		
First Offense		\$ 30.00
Second Offense		\$ 60.00
Third and subsequent offenses	up to	\$ 300.00
Failure to display license	up to	\$ 300.00

- Control: Pets must be under control of the owner at all times. Animals are not allowed to roam freely outside of the house. Animals may roam on one's property if contained within a traditional or invisible fence. Animals allowed onto common areas of the district (such as roads, trails, woods, and open areas) must be controlled. For example, dogs and cats must be on a leash.

Running at Large ; trespass; open vehicles		
First Offense		\$ 30.00
Second Offense		\$ 75.00
Third and subsequent offenses	up to	\$ 300.00
Failure to properly enclose a dangerous dog		
First Offense		\$ 60.00
Second Offense		\$ 150.00
Third and subsequent offenses	up to	\$ 300.00
Failure to confine during estrus		
First Offense		\$ 30.00
Second Offense		\$ 60.00
Third and subsequent offenses	up to	\$ 300.00

- Nuisance: Pets that are not controlled are a nuisance to the community and wildlife (see the section Wildlife). Uncontrolled pets are not only a violation of the covenants, they are a violation of local law. Dogs that bark excessively and other animals that make excessive noise that can be heard by others in the community are a nuisance. Using dog barking as an example, here is a guide to what is excessive: Barking is excessive when one's dog(s) bark for more than ten minutes. Barking is also excessive when one's dog(s) have 10 barking sessions between the hours of 9:00 AM and 9:00 PM or five barking sessions between the hours of 9:00 PM and 9:00 AM.

Barking dog		
First Offense		\$ 30.00
Second Offense		\$ 75.00
Third and subsequent offenses	up to	\$ 300.00
Failure to redeem, comply or pay to any of the above		\$ 150.00
Offenses not otherwise specified above		
First Offense		\$ 30.00
Second Offense		\$ 60.00
Third and subsequent offenses	up to	\$ 300.00

For further clarification, here are some ~~excerptsexcerpts~~ from Park County Regulations:

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g. “**Control**” means physical restraint or influence over a dog by means of a leash, cord or chain no longer than ten feet in length...

k. “**Dangerous Dog**” means any dog that according to the records of the appropriate authority:

- i. Has inflicted serious bodily injury upon a human being, without provocation, while on public or private property; or
- ii. Has killed a domestic animal without provocation while on the owner’s property; or
- iii. Has committed acts resulting in its owner being convicted of a violation of Section 14, Threatening Wildlife and Livestock, or of a substantially equivalent offense under state law or the laws of another jurisdiction; or
- iv. Has been previously found to be potentially dangerous, the owner having received notice of such, and the dog again bites, attacks, or endangers the safety of humans or domestic animals; provided, however, that dogs shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a trespass or other tort upon the premises occupied by the owner of the dog, or was abusing or assaulting the dog, or was committing or attempting to commit a crime; or
- v. Has engaged in or been trained for animal fighting as described and prohibited in § 18-9-204, C.R.S., as amended.

t. “**Potentially Dangerous Dog**” means any dog that when unprovoked:

- i. Inflicts a bite on a human or a domestic animal either on public or private property; or
- ii. Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack; or
- iii. Chases or approaches a person upon private property other than the property of the dog’s owner in a menacing fashion or apparent attitude of attack.

u. “**Premises**” means real property owned, leased, or used with express permission by the owner of an animal; or any confined area such as a residence, business, room, shop, building, or motor vehicle (including the open space bed of a truck) in which the animal’s presence is authorized by the owner, lessee or licensee of the premises.

x. “Provocation” means harassment, teasing, threatening, tormenting, abusing, striking, attacking, or inflicting injury upon an animal, or its owner in the animal’s presence, by either a person or another animal.

aa. “**Running at Large**” means a dog that enters the property of a person other than its owner without authorization by that person, or when it enters public property and it is not under the control of the owner or other responsible person or an employee or agent of the owner. It shall be an affirmative defense to any charge that a dog was running at large on public property that the dog was under the direct and competent dominion of the owner or the owner’s authorized agent by means of adequate voice command; provided, however, that the dog is neither a dangerous dog nor a potentially dangerous dog.

ab. “**Serious Bodily Injury**” means any physical injury that results in broken bones or lacerations requiring multiple sutures or cosmetic surgery.

Section 8 Unlawful Acts

In addition to failure to comply with any other requirement imposed by this resolution, no person shall violate any of the provisions set forth in the following subsections. To the extent that any of the following subsections describe conduct otherwise prohibited, the conduct described below shall be considered specific examples and illustrative, rather than exclusive ways in which other provisions may be violated.

a. Control. It is unlawful for any owner or keeper of a dog to fail to control such dog so as to prevent the dog from:

- i. Running at large;
- ii. Becoming a danger to persons or property;
- iii. Trespassing on the property of another; or
- iv. Being a public nuisance.

g. Common areas; public property. It is unlawful for any owner or keeper of a dog to fail to prevent his or her dog from running at large ...in open space areas of subdivisions; or in public or county parks or fairgrounds, unless permission is posted by the owner of the property allowing dogs at large on such property.

Section 15 Barking Dogs

a. It is unlawful for any dog owner to fail to prevent his dog from disturbing the peace of any other person or neighborhood by loud, habitual, untimely or persistent barking, howling, yelping or whining...