Date: 02/08/2024

Subject: An ordinance of the City of Littleton, Colorado, amending sections of Title 10 of the Littleton City Code regarding pet limits per household and the prohibition of retail sales of certain domestic animals

Passed/Failed: Passed on first reading

CITY OF LITTLETON, COLORADO

ORDINANCE 01
SERIES 2024
CITY OF LITTLETON, COLORADO

ORDINANCE NO. 01

Series, 2024

AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO, AMENDING SECTIONS OF TITLE 10 OF THE LITTLETON CITY CODE REGARDING PET LIMITS PER HOUSEHOLD AND THE PROHIBITION OF RETAIL SALES OF CERTAIN DOMESTIC ANIMALS

WHEREAS, on January 8, 2024, the Planning Commission of the City of Littleton held a public hearing regarding proposed amendments to Title 10 of the Littleton City Code regarding the prohibition of retail sales of certain domestic animals; and

WHEREAS, following the commission hearing, the commission adopted Resolution Number 2, Series 2024 recommending approval of specific amendments to the Littleton City Code regarding the prohibition of retail sales of certain domestic animals; and

WHEREAS, on February 6, 2024, council held a public hearing to consider the proposed amendments to Title 10 of the Littleton City Code regarding the prohibition of retail sales of certain domestic animals; and

WHEREAS, following the public hearing, the council find in fact that the proposed amendments is deemed necessary for the protection against inhumane conditions and for the health, welfare, and safety of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: Littleton City Code, Title 10, Unified Land Use Code, Chapter 1, Standards for all Districts, Article 10-1-1, Districts and Uses, Table 10-1-1.3.1 Land Use Matrix is hereby amended as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Specific Use</th>
<th>Downtown (DT)</th>
<th>Corridor Mixed-Use (CM)</th>
<th>Neighborhood (NB)</th>
<th>Business and Industry (BI)</th>
<th>Open Space (OS)</th>
<th>Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>DNR</td>
<td>DTA</td>
<td>DMS</td>
<td>DMU</td>
<td>NC</td>
<td>CM</td>
</tr>
<tr>
<td>Agriculture and Animal-Oriented Uses</td>
<td>Community Garden</td>
<td>A</td>
<td>--</td>
<td>--</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
</tbody>
</table>
### Section 2:

Littleton City Code, Title 10 Unified Land Use Code, Chapter 1 Standards for All Districts, Article 10-1-1 Districts and Uses, Section 10-1-1.4 Land Use Standards is hereby amended as follows:

10-1-1.4.B Agricultural and Animal-Oriented Land Uses

A. Kennel, Indoor …

B. Veterinary Clinic or Hospital (without animal boarding) …

C. Veterinary Clinic or Hospital (with animal boarding) OR RESCUE SHELTER …

D. PET STORE FOR SALE OF DOGS AND CATS ONLY

1. THE SALE, OFFER FOR SALE, AUCTION, BARTER, DONATION, OR OTHER TRANSFER OF A DOG OR CAT IS PROHIBITED.

2. SUBSECTION 1 SHALL NOT APPLY TO THE FOLLOWING:

   A. A PET STORE IF THE DOG OR CAT WAS OBTAINED BY THE PET STORE FROM AN ANIMAL RESCUE ORGANIZATION, KENNEL OR FOSTERING AND EACH OF THE FOLLOWING CONDITIONS ARE MET; OR

   I. THE NAME OF THE ANIMAL RESCUE ORGANIZATION, KENNEL OR FOSTER INDIVIDUAL MUST BE POSTED IN A CONSPICUOUS LOCATION THE DOG OR CAT’S ENCLOSURE;
II. DOCUMENTATION PROVIDING PROOF OF THE SOURCE OF THE DOG OR CAT SHALL BE KEPT FOR A PERIOD OF THREE (3) YEARS AFTER ANY SALE AND MADE AVAILABLE TO ANY LOCAL AUTHORITY AUTHORIZED TO ENFORCE THIS SECTION.

B. A PERSON OR BUSINESS, OTHER THAN A PET STORE, THAT SELLS, OFFERS FOR SALE, AUCTIONS, BARTERS, DONATES, OR OTHERWISE TRANSFERS A DOG OR CAT THAT WAS BRED AND REARED ON THE PREMISES OF THE PERSON OR BUSINESS.

Section 3: Littleton City Code, Title 10 Unified Land Use Code, Chapter 1 Standards for All Districts, Article 10-1-1 Districts and Uses, Section 10-1-1.6 is hereby amended as follows:

10-1-1.6.A Accessory Uses

15. Household Pets.
   a. Household pets are permitted; provided, that not more than three FIVE pets are adult dogs, cats, ducks, or rabbits or any combination of these species.
   b. The numbers of these species younger than six months are not restricted. This does not preclude the legitimate use or keeping of any laboratory animals for scientific research, or veterinarian purposes or for resale in a pet shop. THE SALE OR OFFER FOR SALE OF A DOG OR CAT AS AN ACCESSORY USE IS PROHIBITED. This shall not be interpreted to prohibit the keeping of livestock in districts where permitted.

Section 4: Littleton City Code, Title 10, Unified Land Use Code, Chapter 12 Word Usage, Article 10-12-2 Definitions is hereby amended as follows:

A

ANIMAL RESCUE ORGANIZATION OR RESCUE SHELTER MEANS ANY NOT-FOR-PROFIT ORGANIZATION LICENSED PURSUANT TO THE COLORADO PET ANIMAL CARE FACILITIES ACT, C.R.S. § 35-80-101, ET SEQ., AND WHICH HAS TAX-EXEMPT STATUS UNDER SECTION 50L(C)(3) OF THE UNITED STATES INTERNAL REVENUE CODE, WHOSE MISSION AND PRACTICE IS, IN WHOLE OR IN SIGNIFICANT PART, THE RESCUE AND PLACEMENT OF ANIMALS IN PERMANENT HOMES AND HOLDS ALL LOCAL AND STATE LICENSES.

P

PET STORE MEANS A RETAIL STORE ESTABLISHMENT WHERE DOGS
Sales-Oriented Uses means a subset of uses in the Retail Repair, Sales, and Service use category that is engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Examples include selling, leasing or renting consumer, home, and business goods including, but not limited to: alcoholic beverages; animal feed; antiques; appliances; art; art supplies; automobile and motorcycle parts and accessories; baked goods (retail); bicycles; books; building supplies; cameras; carpet and floor coverings; clothing; collectibles; computers; convenience goods; crafts; electronic equipment; electronic and mixed media; fabric; flowers; furniture; garden supplies; gifts or novelties; groceries; hardware; home improvement supplies; household products; jewelry; luggage; medical supplies; musical instruments; office supplies; pawned items; pets, EXCLUDING THE RETAIL SALE OF DOGS AND CATS FROM PET STORES, pet supplies; pharmaceuticals; photographic supplies; picture frames; plants; postal supplies (non-governmental); printed materials; produce; school or teacher supplies; second-hand goods indoors; seeds; souvenirs; shoes; sporting goods; stationery; tobacco, electronic cigarettes, and related products; and toys. This definition also includes other uses that the Director or their designee interprets to be functionally similar to a use in this use category.

Section 5: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 6: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council
of the City of Littleton on the 6th day of February, 2024, passed on first reading by a vote of _7__ FOR and _0_ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 5th day of March, 2024, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of ___ FOR and ___ AGAINST on the 5th day of March, 2024 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

__________________________   ______________________________
Colleen L. Norton      Kyle Schlachter
CITY CLERK      MAYOR

APPROVED AS TO FORM:

_________________________
Reid Betzing
CITY ATTORNEY