Date: 03/07/2024

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 second reading and public hearing

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>Agriculture and Animal-Oriented Uses</td>
<td>Community Garden</td>
<td>A</td>
<td>--</td>
<td>--</td>
<td>A</td>
<td>A</td>
<td>P</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

<table>
<thead>
<tr>
<th>Agriculture-Oriented Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plant Nursery, Greenhouse, and Landscaping Business</td>
</tr>
<tr>
<td>Agriculture-Oriented Uses (other than listed)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Animal-Oriented Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kennel, Indoor</td>
</tr>
<tr>
<td>Veterinary Clinic or Hospital (with animal boarding) OR RESCUE SHELTER</td>
</tr>
<tr>
<td>Veterinary Clinic or Hospital (without animal boarding)</td>
</tr>
<tr>
<td>PET STORE FOR SALE OF DOGS AND CATS ONLY</td>
</tr>
<tr>
<td>Animal-Oriented Uses (Other than listed)</td>
</tr>
</tbody>
</table>

10-1-1.4.B

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;
AND

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

4. Chickens AND DUCKS.

a. Maximum Number Allowed. A maximum of six chickens OR SIX DUCKS OR
ANY COMBINATION THEREOF NOT TO EXCEED SIX ARE permitted
in the ACR, LLR, MLR, AND SLR districts.

15. Household Pets.

a. Household pets are permitted; provided, that not more than three pets are
adult dogs, three pets are adult cats, ducks, or three rabbits or any
combination of these species equals than FIVE or less.

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
HOLES ALL LOCAL AND STATE LICENSES.

PET STORE MEANS A RETAIL STORE ESTABLISHMENT WHERE DOGS
OR CATS ARE KEPT, SOLD, OFFERED FOR SALE, AUCTIONED,
BARTERED, DONATED, OR OTHERWISE TRANSFERRED TO THE
GENERAL PUBLIC ON THE PREMISES. SUCH TERM SHALL INCLUDE
ANY OWNER OR OPERATOR OF THE BUSINESS. THIS TERM SHALL NOT
INCLUDE AN ANIMAL CARE FACILITY, ANIMAL RESCUE
ORGANIZATION, KENNEL, IMPOUNDING FACILITY OR FOSTERING
INDIVIDUALS.

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 _6_ FOR and _0_ 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
CITY CLERK

Kyle Schlachter
MAYOR

APPROVED AS TO FORM:

Reid Betzing
CITY ATTORNEY