



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: September 17, 2013

AGENDA TITLE:

Introduction, first reading and consideration of a motion to order published by title only, an ordinance amending Title 6, Chapter 13, "Voice and Sight Control Evidence Tags," B.R.C. 1981 regarding the Voice and Sight Control Evidence Tag Program, and Title 4, Chapter 20, Section 61, "Voice and Sight Control Evidence Tag Fees," B.R.C. 1981, regarding fees for Voice and Sight Control Evidence Tags and setting forth related details.

PRESENTERS:

Jane S. Brautigam, City Manager
Paul J. Fetherston, Deputy City Manager
Michael D. Patton, Director, Open Space and Mountain Parks
Eric Stone, Resource Systems Division Manager

EXECUTIVE SUMMARY

This memorandum presents the recommended Boulder Revised Code 1981 (B.R.C.) changes resulting from an 18-month evaluation of the Voice and Sight Tag (Tag) Program. Program enhancements integrate City Council, Open Space Board of Trustees (OSBT), community and staff recommended changes to the Tag Program. This memo covers the enhancements that require City Council adoption of ordinance changes to the B.R.C. The following components of the enhancements require amending the B.R.C. regarding:

1. Program Application Prerequisites
 - a. Attendance at an information class or session; and
 - b. Verification of City of Boulder dog license or rabies vaccination
2. Fees and Annual Program Renewal Requirement
3. Fines
4. Violations Affecting Suspension of Privileges
5. Reinstatement

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to introduce on first reading and order published by title only an ordinance amending Title 6, Chapter 13, "Voice and Sight Control Evidence Tags," B.R.C. 1981 regarding the Voice and Sight Control Evidence Tag Program, and Title 4, Chapter 20, Section 61, "Voice and Sight Control Evidence Tag Fees," B.R.C. 1981, regarding fees for Voice and Sight Control Evidence Tags, and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic: Overall economic impacts on the business community are unknown. Businesses and organizations providing dog training services may benefit from dog guardians seeking training services to increase skills beneficial to voice and sight control.
- Environmental: The Tag Program was identified in the Visitor Master Plan (VMP) as a way to reduce adverse effects to Open Space and Mountain Parks' (OSMP) ecological and agricultural resources by increasing the level of compliance with voice and sight requirements.
- Social: Enhancements to the Tag Program are intended to both support enduring changes that will sustain a high-quality visitor experience retaining valued voice and sight control opportunities and reducing behaviors that contribute to visitor conflict.

OTHER IMPACTS

- Fiscal: Budgetary impacts to the city will depend upon enrollment in the program, which is designed to be "cost-neutral" based upon enrollments of approximately 16,000 individuals and their dogs, and fee structures contained herein.
- Staff time: Additional and significant staff resources would be required by the proposed program enhancements. Those additional FTEs are included in the "cost-neutral" projections and fee structure.

BOARD AND COMMISSION FEEDBACK

The OSBT heard staff's proposed enhancements to the Tag Program at a public hearing on April 10, 2013 and fee changes on May 8, 2013. All proposed enhancements passed unanimously except for two changes. A change passed by split vote (two dissenting votes) regarding suspension after a single conviction of aggressive animal prohibited (Title 6, Chapter 1, Section 20, "Aggressive Animals Prohibited, B.R.C. 1981), failure to protect wildlife (or livestock) (Title 8, Chapter 3, Section 5, "Wildlife Protection," B.R.C. , 1981), or a violations of the City Manager's rules involving wildlife protection(Title 8, Chapter 3, Section 3, "City Manager May Issue Rules," B.R.C. 1981),. A split vote (one dissenting vote) was also involved with the board recommendation on consideration of suspension of voice and sight privileges following two convictions in a period of two years for the following: dog at large (Title 6, Chapter 1, Section

16, “Dogs Running at Large Prohibited,” B.R.C. 1981), failure to remove excrement (Title 6, Chapter 1, Section 18, “Removal of Animal Excrement Required,” B.R.C. 1981), guardians not displaying a tag on off-leash dogs (Title 6, Chapter 13, Section 2, Subsection (b), “Voice and Sight Control Evidence Tag Required,” B.R.C. 1981) and violations of the City Manager’s rules not involving wildlife protection (Title 8, Chapter 3, Section 3, “City Manager May Issue Rules,” B.R.C. 1981).

PUBLIC FEEDBACK

OSMP has received over 300 responses from the public about the Tag Program and has held two open houses (May 24, 2012 and May 30, 2012), as well as five public hearings for community members to provide input on the evaluation and program enhancements. A compendium of these comments can be found at: <https://www-static.bouldercolorado.gov/docs/compendium-v-s-tag-program-evaluation-comments-1-201306110943.pdf>.

Attachment B contains a “timeline” of all significant OSBT, council and community considerations of this matter.

BACKGROUND

The Tag Program was included in the VMP in 2005 as a trial program. The purpose of the Tag Program was to increase dog guardians’ awareness of the requirements of voice and sight control and proper dog management. A monitoring component was included to inform program assessments and adaptive management. Staff evaluation of the Tag Program was based on monitoring results and subsequent discussion with OSBT and council, as well as feedback from the public and stakeholder groups. That evaluation and feedback led to the development of several program enhancement options that will require changes to relevant sections of the B.R.C.

In addition to coordinating with the Parks and Recreation, Finance, Municipal Courts and the Police departments, OSMP and the OSBT have undergone an extensive process to review potential program enhancements and provide opportunities for community input. The process has included two community open houses, four OSBT study sessions, a study session with City Council and three public hearings where the OSBT took action on recommendations to City Council.

ANALYSIS

The enhancements to the program proposed by staff and resulting from City Council feedback at the public hearing on May 21, 2013 include the following Tag Program changes:

1. *Information Session*: Required Tag Program participants to attend an information session ensuring greater awareness of the program requirements, goals and objectives.
2. *Proof of Rabies Vaccination*: Required current rabies vaccination as a requirement for a dog’s participation in the Tag Program and require City of Boulder residents to provide a valid Boulder dog license as proof of vaccination and compliance with the city’s license requirement.
3. *Education and Outreach Strategies*: Implement education and outreach strategies to encourage compliance with the program requirements and share information about how guardians can successfully manage dogs under voice and sight control.

4. Modifications to Fines and Violations Causing Privilege Suspension:
 - a. Increase fines for failure to have a voice and sight tag on an off-leash dog and for voice and sight and off-leash dog violations.
 - b. Specify dog-related violations that contribute to the loss of Tag Program privileges including violations that cause suspension of privileges after one or two convictions.
 - c. Clarify the process for reinstatement after privileges have been suspended.
5. Participant Registration and Renewal Fees: Revise program fees including different fees for those residing outside of the City of Boulder and Boulder County and the addition of an annual renewal fee to cover program costs.

Numbers 1, 2, 4, and 5 above require council action in the form of ordinance amendments to the B.R.C. On May 21, 2013 council requested that staff provide those specific B.R.C. changes in a form from which council could make a final decision. Therefore, staff requests council approval of the following B.R.C. amendments summarized below and provided in detail in Attachment A.

B.R.C. Section	Recommendation
4-20-60. Voice and Sight Control Evidence Tag Fees.	<ul style="list-style-type: none"> • Changes program application fees to \$13 for a City resident, \$33 for a Boulder County resident outside the city, and \$75 for a resident outside Boulder County. • Adds a fee of \$5 for each additional guardian and \$10 for each additional dog and includes a provision for fees to be waived for those who meet income criteria consistent with the City of Boulder Food Tax Rebate Program or the Parks and Recreation Reduced Rate Program. • Annual renewal rates of \$5 (city resident), \$20 (county resident), and \$30 (out of county).
6-13-2 Voice and Sight Control Evidence Tag Required.	<ul style="list-style-type: none"> • Increases maximum penalties to \$100 (1st conviction), \$200 (2nd conviction), and minimum \$300 (3rd conviction) within a two-year timeframe. • Allows for affirmative defense for first violation when lawful participant in the Tag Program inadvertently fails to display tag on their dog(s).
6-13-4 Voice and Sight Control Evidence Tag Requirements.	<ul style="list-style-type: none"> • Requires valid City of Boulder dog license for city residents, or proof of vaccinations for non-residents. • Requires attendance at an informational session for all guardians prior to applying for participation in the Tag Program and within the past five years for renewing participation.
6-13-4.5 Terms of Voice and Sight Control Evidence Tag.	<ul style="list-style-type: none"> • Establishes an annual renewal requirement and a December 31, 2014 enrollment deadline for current tag program participants to comply with enhanced program requirements.
6-13-5 Suspension and Reinstatement of Voice and Sight Control Evidence Tags Upon	<ul style="list-style-type: none"> • Establishes immediate suspension of privileges after one conviction of any of the following violations: <ul style="list-style-type: none"> ○ Aggressive Animal Prohibited ○ Failure to Protect Wildlife (or Livestock)

Violations.	<ul style="list-style-type: none"> • Establishes suspension after 2nd conviction within two years for any of the following violations: <ul style="list-style-type: none"> ○ Title 8, Chapter 3, Section 3 “City Manager May Issue Rules,” B.R.C. 1981, pertaining to dog management and specifically enacted for protection of wildlife and a dog off-leash in a leash-required or dog-prohibited area. ○ Title 6, Chapter 1, Section 16, "Dogs Running at Large Prohibited," B.R.C. 1981, pertaining to dogs running at large on OSMP or on other city lands where voice and sight control is allowed. Excludes violations for not having possession of a leash. • Revises reinstatement by removing requirement to repay application fee, continue requiring the reinstatement fee and successful completion of an evaluation test and adds the requirement to repeat attendance of the information session. • Establishes a minimum one-year suspension for continued violations of Title 6, Chapter 1, Section 16, “Dogs Running at Large Prohibited,” B.R.C. 1981, when privileges have already been suspended.
6-1-16 Dogs Running at Large Prohibited.	<ul style="list-style-type: none"> • Establishes, within a two-year timeframe maximum penalties of \$100 (1st conviction), \$200 (2nd conviction), and minimum of \$300 (3rd conviction). • Establishes minimum \$300 penalty for having dog off-leash while under suspension. • Includes violations of the City Manager’s rules that affect program privilege suspension so that staff can feasibly assess prior violations.

ATTACHMENTS

A. Proposed Ordinance

B. Voice and Sight Tag Program Enhancement Timeline

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ORDINANCE NO. 7935

AN ORDINANCE AMENDING SECTIONS 4-20-60, "VOICE AND SIGHT CONTROL EVIDENCE TAG FEES," 6-1-16, "DOGS RUNNING AT LARGE PROHIBITED," 6-13-2, "VOICE AND SIGHT CONTROL EVIDENCE TAG REQUIRED," 6-13-4, VOICE AND SIGHT CONTROL EVIDENCE TAG REQUIREMENTS," AND 6-13-5, "SUSPENSION AND REINSTATEMENT OF VOICE AND SIGHT CONTROL EVIDENCE TAGS UPON VIOLATIONS," B.R.C. 1981, REGARDING VOICE AND SIGHT CONTROL EVIDENCE TAGS , AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
COLORADO:

Section 1. Section 4-20-60, B.R.C. 1981, is amended to read:

4-20-60. Voice and Sight Control Evidence Tag Fees.

An applicant for a Voice and Sight Control Evidence Tag shall pay the fee established by the City Manager Rule pursuant to Section 8-3-3, "City Manager May Issue Rules," B.R.C. 1981. ~~who is a resident of the City of Boulder shall pay an application fee of \$15.00, and a nonresident shall pay an application fee of \$18.75. Additional Voice and Sight Control Evidence Tags may be provided to persons who reside in the same household as the applicant upon payment of a duplicate tag fee of \$5.00.~~

~~(db) The supplemental fee pursuant to Section 6-13-5, "Suspension and Reinstatement of Voice and Sight Control Evidence Tags Upon Violations," B.R.C. 1981, shall be \$50.00, regardless of residency.~~

Section 2. Section 6-13-2, B.R.C. 1981, is amended to read:

6-13-2 Voice and Sight Control Evidence Tag Required.

(a) In addition to and in conjunction with the requirements of Section 6-1-16, "Dogs Running at Large Prohibited," B.R.C. 1981, any dog guardian who desires to accompany a dog without a

1 leash held by a person shall apply for and obtain a Voice and Sight Control Evidence Tag
2 pursuant to the procedures and requirements established by this chapter.

3 (b) Any dog guardian who accompanies a dog without a leash held by a person shall cause such
4 dog to wear and visibly display a current, lawfully obtained and displayed Voice and Sight
5 Control Evidence Tag at all times when the dog is present on ~~open space and mountain~~
6 ~~parks~~ City of Boulder lands where voice and sight control is permitted under Section 6-1-16,
7 "Dogs Running at Large Prohibited," B.R.C. 1981.

8 (c) The city manager may promulgate guidelines, forms, or informational materials that are
9 necessary or desirable to assist with implementation of this chapter or its legislative intent.

10 (d) The maximum penalty for a first conviction is a fine of ~~\$50.00~~ 100.00. For a second
11 conviction within two years, based upon the date of the first violation, the maximum penalty
12 shall be a fine of ~~\$100.00~~ 200.00. For a third and each subsequent conviction, within two
13 years based upon the date of the first violation, the ~~maximum~~ minimum penalty shall be a
14 fine of not less than ~~\$200.00~~ 300.00.

15 (e) It is an affirmative defense to a charge of violating this section that the dog and guardian were
16 currently registered participants in the Voice and Sight Control program and this charge was
17 the guardian's first violation for not displaying a Voice and Sight Control Evidence Tag.

18 Section 3. Section 6-13-4, B.R.C. 1981, is amended to read:

19 **6-13-4 Voice and Sight Control Evidence Tag Requirements.**

20 (a) Before a Voice and Sight Control Evidence Tag shall be issued, the applicant shall ~~certify,~~
21 ~~under penalty of perjury, the following facts:~~

22 (1) Provide a valid City of Boulder dog license, or if the applicant is not a City of
23 Boulder resident, provide proof of current rabies vaccination as provided in Section
24 6-1-3, "Rabies Vaccinations," B.R.C. 1981, for each dog being registered;

25 (2) ~~The applicant has watched (or listened to if visually impaired) a video~~ Provide proof
26 of attendance, within the preceding five years, of a presentation on voice and sight
control of a dog, prepared by the city and provided to the applicant by the city or its
designated agents; and

(3) ~~Agree. The applicant agrees to control any dog accompanying the applicant without a~~
leash held by a person on certain ~~open space and mountain parks~~ City of Boulder
lands where voice and sight control is permitted under Section 6-1-16, "Dogs
Running at Large Prohibited," B.R.C. 1981, in the manner described in the video
presentation on voice and sight control of a dog and consistent with the requirements
of the Boulder Revised Code.

1 Section 4. Chapter 6-13, B.R.C. 1981, is amended to add the following section:

2 **6-13-4.5 Terms of Voice and Sight Control Evidence Tag.**

3 The Voice and Sight Control Evidence tag issued under Section 6-13-4 shall be valid for a term
4 of one calendar year and expire on December 31. Renewal of Voice and Sight Control Evidence
5 Tags is subject to the fees established under Section 4-20-60, "Voice and Sight Control Evidence
6 Tag Fees" B.R.C. 1981. The applicant shall apply for renewal of the Voice and Sight Control
7 Evidence Tag no later than February 1 of the year immediately succeeding the year in which the
8 license expired. Voice and Sight Control Evidence Tags issued prior to December 31, 2013 shall
9 expire on December 31, 2014.

8 Section 5. Section 6-13-5, B.R.C. 1981, is amended to read:

9 **6-13-5 Revocation Suspension and Reinstatement of Voice and Sight Control Evidence**
10 **Tags Upon Violations.**

11 (a) ~~Upon a third conviction for any violation of section 6-1-16, "Dogs Running at Large~~
12 ~~Prohibited Section 6-1-20, "Aggressive Animal Prohibited," B.R.C. 1981, or Section 8-3-5,~~
13 ~~"Failure to Protect Wildlife (or Livestock)," B.R.C. 1981, occurring on land owned by the~~
14 ~~city and constituting park land or open space land within two years of the date of the first~~
15 ~~violation, the right to display any Voice and Sight Control Evidence Tag shall be suspended~~
16 ~~automatically, but may be reinstated through the following procedures:~~

17 (b) Upon a second conviction within two years of the date of the first conviction for any of the
18 following violations, the right to display any Voice and Sight Control Evidence Tag by the
19 dog or guardian shall be suspended automatically:

20 (1) Section 8-3-3, "City Manager's Rules," B.R.C. 1981, where a rule specifically
21 enacted for the protection of wildlife prohibits dogs and the dog is off leash;

22 (2) Section 8-3-3, "City Manager's Rules," B.R.C. 1981, where a rule specifically
23 enacted for the protection of wildlife designates a leash-required area and the dog is
24 off leash; or

25 (3) Section 6-1-16, "Dogs Running at Large Prohibited," B.R.C. 1981, occurring on open
26 space land or on other city properties where Voice and Sight Control privileges are
 authorized by that section. A violation of Section 6-1-16, "Dogs Running at Large
 Prohibited," B.R.C. 1981, based solely on the accompanying guardian or keeper not
 having a leash in such person's possession, shall not be grounds for suspension of
 Voice and Sight Control privileges.

 (4) ~~Certification by the applicant for reinstatement that he or she agrees to control any~~
~~dog accompanying the guardian without a leash held by a person on certain open~~

1 ~~space and mountain parks lands in the manner described in the video presentation on~~
2 ~~voice and sight control of a dog.~~

3 (c) The right to display a Voice and Sight Control Evidence Tag may be reinstated through the
4 following procedures:

- 5 (1) Payment of a supplemental fee established ~~in Subsection 4-20-60(b), by City Manager~~
6 Rule pursuant to Section 8-3-3, "City Manager May Issue Rules," B.R.C. 1981, in
7 addition to the fees established by section 6-13-3, "Voice and Sight Control Evidence
8 Tag Application," B.R.C. 1981, and prescribed by subsection 4-20-60(a), B.R.C.
9 1981, for an initial application (and in addition to any fines imposed under section 6-
10 1-16, "Dogs Running at Large Prohibited," or subsection 6-13-2(d), B.R.C. 1981);
11 (2) Providing written proof of attendance at a City of Boulder sanctioned ~~and monitored~~
12 ~~showing of the video~~ presentation on voice and sight control of a dog;
- 13 (3) Providing written proof of attendance at and successful completion of a voice and
14 sight control evaluation certification course approved by the City of Boulder; and
- 15 (4) Certification by the applicant for reinstatement that he or she agrees to control any
16 dog accompanying the guardian without a leash held by a person on certain City of
17 Boulder lands where voice and sight control is permitted under Section 6-1-16, "Dogs
18 Running at Large Prohibited," B.R.C. 1981, in the manner described in the
19 ~~videopresentation on voice and sight control of a dog.~~

20 (d) Any guardian who has his or her Voice and Sight Tag suspended twice in three years or who
21 has three suspensions shall be ineligible for reinstatement for a period of time to be
22 determined at a hearing held under the provisions of Chapter 1-3, "Quasi-Judicial Hearings,"
23 B.R.C. 1981.

24 Section 6. Section 6-1-16, B.R.C. 1981, is amended to read:

25 **6-1-16 Dogs Running at Large Prohibited.**

26 (a) No person owning or keeping any dog shall fail to keep the dog on the premises of the
guardian or keeper unless the dog is:

- (1) On a leash held by a person; or
- (2) Within a vehicle or similarly physically confined and without access to passers-by.

(b) No person owning or keeping any dog shall fail to keep the dog on a leash held by a person
within any area where a rule enacted by the city manager for the protection of wildlife
prohibits dogs off leash.

(c) No person owning or keeping any dog shall fail to keep that dog from entering any area
where a rule enacted by the city manager for the protection of wildlife or natural resources
prohibits dogs.

1 (~~bd~~) The maximum penalty for a first conviction is a fine of \$100. For a ~~or~~ second conviction
2 within two years, based on date of violation, the maximum penalty shall be is a fine of
3 \$2500.00. For a third and each subsequent conviction within two years based upon the date
4 of the first violation, the minimum penalty shall be a fine of not less than \$300.00. The
5 minimum fine for a conviction under this ordinance for a guardian who has their Voice and
6 Sight Tag suspended under Section 6-13-5, "Suspension and Reinstatement of Voice and
7 Sight Control Evidence Tags Upon Violations, B.R.C. 1981 shall be \$300.00. ~~the general~~
8 ~~penalty provisions of section 5-2-4, "General Penalties," B.R.C. 1981, shall apply. The~~
9 ~~maximum penalty for a first conviction occurring on land owned by the city and constituting~~
10 ~~park land or open space land is a fine of \$50.00. For a second conviction within two years,~~
11 ~~based upon the date of violation, the maximum penalty shall be a fine of \$100.00. For a third~~
12 ~~and each subsequent conviction, the maximum penalty shall be a fine of not less than~~
13 ~~\$200.00.~~

8 (ee) It is an affirmative defense⁶ to a charge of violation of this section that the dog was:

- 9 (1) (A) Outside of the corporate limits of the City; or
- 10 (B) Inside the city limits within any of the following areas on land owned by the
11 City and constituting park land or open space land:
- 12 (i) The areas annexed by Ordinance Nos. 4166, 4167, 4177, 4178, 4179,
13 4180, 4181, 4182, 4183, 4184 and 4577⁷;
- 14 (ii) The following portions of open space land lying along the North
15 Foothills Trail, as that trail is shown on the City's most recent official
16 trails map, which runs north from Lee Hill Road from approximately
17 one mile west of Broadway and turns east to cross U.S. 36: the entire
18 width between the trail fences from Lee Hill Road north and west along
19 the eastern and northern boundary of the area annexed by Ordinance
20 Nos. 4143 and 4163, and, at the end of the trail fencing, the area starting
21 one hundred feet west of the trail and extending east across it to the
22 eastern boundary fence of the land annexed by Ordinance Nos. 4143,
23 4147, 4163 and 4164, also including the area within one hundred feet
24 northerly of the trail as it goes east toward its juncture with U.S. 36;
- 25 (iii) The part of Heuston Park constituting roughly the eastern one-third of
26 the park and lying west of the base of the slope north and west of the
path along the north side of the ditch, as defined by signs and markers
erected by the city manager delineating it as a voice (as defined in
Section 6-1-2 "Definitions," B.R.C. 1981) and sight control area;
- (iv) A parcel of land containing one hundred twenty acres, more or less, in
Section 12, T1S R71W of the 6th P.M., as described in the deed
recorded February 28, 1973, at reception number 055946, Boulder
County records. Said parcel is commonly known as "NCAR Park" and
lies north of Bear Creek, east of the North-South centerline of said
Section 12, and west of the western boundary of the National Center for

1 Atmospheric Research property; and a portion of the parcel commonly
2 known as "Batchelder" described as: the E ½ of the NE ¼ of Section 1,
3 T1S R71W of the 6th P.M. lying outside the boundary of Chautauqua
4 Park. Said parcel is described in the deed recorded May 5, 1898, at
5 Book 206, Page 24, Boulder County records along with a portion of the
6 parcel commonly known as "Austin-Russell" described as the eastern
7 portion of the W ½ of the NE ¼ of Section 1, T1S R71W of the 6th
8 P.M., described in the deed recorded April 21, 1903, at Book 270, Page
9 40, Boulder County records, located within the city limits of Boulder,
10 Colorado; and a parcel of land located in the SE ¼ of the NW ¼ of
11 Section 25, T1S R71W of the 6th P.M., as described in the deed
12 recorded October 11, 1995, at reception number 01554297, Boulder
13 County records. Said parcel is commonly known as "Seventh Day
14 Adventist" along with a parcel of land located in the SE ¼ of the NW ¼
15 of Section 25, T1S R71W of the 6th P.M., as described in the deed
16 recorded March 9, 2001, at reception number 2126152, Boulder County
17 records. Said parcel is commonly known as "Community Hospital"
18 along with a portion of a parcel commonly known as "Boulder
19 Memorial Hospital" described as that part of the N ½ of the NW ¼ of
20 the SW ¼ of Section 25, T1S R71W of the 6th P.M., located N of
21 County Road 52 (Sunshine Road) and including Lot 15, Block 11,
22 Mount Sanitas Heights subdivision, as recorded in the Boulder County
23 records; and Outlot D, Shanahan Ridge Six, a part of the NW ¼ of
24 Section 17, T1S R70W of the 6th P.M., as shown on plat recorded July
25 13, 1977, as Plan File P-6-F-1-21, at reception number 232114, film
26 969, Boulder County records; and a parcel of land located in the SE ¼
of the NE ¼ of the NW ¼ of Section 36, T1N R71W of the 6th P.M., as
described in the deed recorded September 13, 1990, at reception
number 01063953, Boulder County records. Said parcel is commonly
known as "St. Germain" along with a portion of a parcel commonly
known as "Moore, Ann & Donald" described as: the northern portion of
a parcel in the NE ¼ of Section 36, T1N R71W of the 6th P.M.,
described in the deed recorded April 17, 1987, at reception number
00842349, Boulder County records, located within the city limits of
Boulder, Colorado. Said parcel is referred to as "Parcel 8" along with a
portion of a parcel commonly known as "Moore, Ann & Donald"
described as: the eastern portion of a parcel located in the NE ¼ of
Section 36, T1N R71W of the 6th P.M., described in the deed recorded
April 8, 1986, at reception number 00751339, Boulder County records,
located within the city limits of Boulder, Colorado. Said parcel is
referred to as "Parcel 7" along with a portion of a parcel commonly
known as "Overlook" described as: the eastern portion of Tracts 437
and 438 as shown on the Boulder County Assessor parcel map for
Section 36, T1N R71W of the 6th P.M., located within the city limits of
Boulder, Colorado;

1 (v) A portion of a parcel of land commonly known as the "NCAR Mesa
2 Site" described as: Parcel 1: the West 650' of the North 260' of the E ½
3 of the NE ¼ of Section 12, T1S R71W of the 6th P.M., and Parcel 2:
4 the North 260' of the W ½ of the NE ¼ of Section 12, T1S R71W of the
5 6th P.M. less that portion described in the deed recorded February 28,
6 1973, at reception number 55946, Boulder County records. Said Parcels
7 1 and 2 contain a section of the Skunk Canyon Trail, north of Skunk
8 Creek; or

6 (vi) A portion of a parcel of land commonly known as "Burke II,"
described as a portion of the E ½ of the SW ¼ of Section 34, T1N
R70W of the 6th P.M., as described in the deed recorded February 6,
1980, at reception number 00382786, Boulder County records; and

8 (2) In an area which had not been posted by the city manager to require a leash; and

9 (3) Accompanied by a guardian or keeper, provided that the dog is:

10 (A) Within voice and sight control of such person; and

11 (B) Visibly wearing a Voice and Sight Control Evidence Tag that has been
12 lawfully obtained pursuant to Chapter 6-13, "Voice and Sight Control
Evidence Tags," B.R.C. 1981; and

13 (4) The accompanying guardian or keeper had a leash in such person's immediate
possession in a condition to be attached to the dog without undue delay.

14 (5) This affirmative defense is not applicable if the accompanying guardian or keeper has
15 more than two dogs simultaneously unleashed or unrestrained.

16 Section 7. This ordinance is necessary to protect the public health, safety, and welfare of
17 the residents of the city, and covers matters of local concern.

18
19 Section 8. The city council deems it appropriate that this ordinance be published by title
20 only and orders that copies of this ordinance be made available in the office of the city clerk for
21 public inspection and acquisition.
22
23
24
25
26

1 INTRODUCTION, READ ON FIRST READING, AND ORDERED PUBLISHED BY

2 TITLE ONLY this ____ day of _____, 20__.

3

4

Mayor

5 Attest:

6

7 _____
City Clerk

8

9 READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED

10 PUBLISHED BY TITLE ONLY this ____ day of _____, 20__.

11

12

13

Mayor

14 Attest:

15

16 _____
City Clerk

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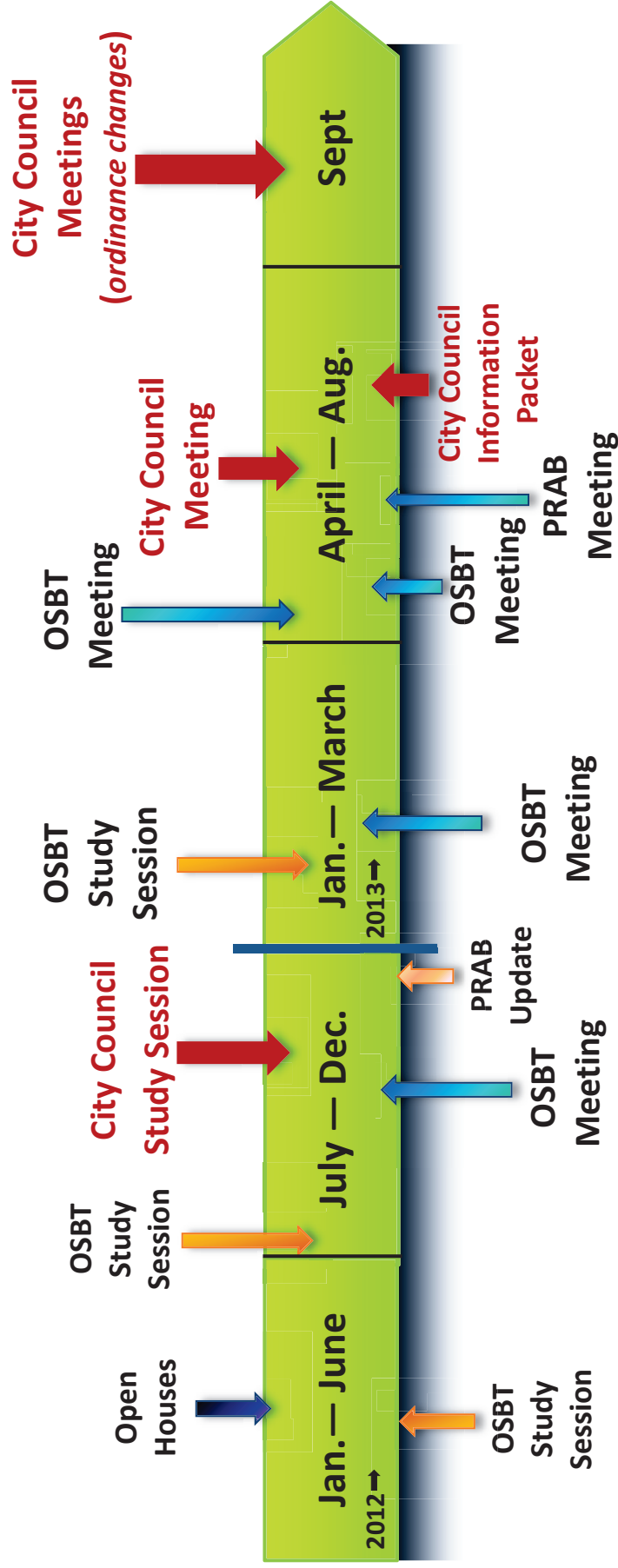
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ATTACHMENT B Voice and Sight Tag Program Enhancement Timeline

2012 – 2013



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