

**ORDINANCE NO. 32**

**SERIES 2010**

**AN ORDINANCE AMENDING SECTION 7-5-80 OF THE  
CRESTED BUTTE MUNICIPAL CODE TO ALLOW  
DOGS IN VERZUH ROTARY PARK, PARTS OF THE  
8TH STREET GREENWAY AND ACADEMY PARK  
WHERE CERTAIN REQUIREMENTS ARE MET**

**WHEREAS**, the Town of Crested Butte, Colorado ("**Town**") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and public under and by virtue of the Constitution and laws of the State of Colorado;

**WHEREAS**, Section 7-5-80 of the Crested Butte Municipal Code ("**Code**") currently makes it unlawful for any owner, keeper or any other person to allow any dog to enter or be in any public park within Town, whether leased or unleashed, with the exception of Totem Pole Park, where dogs shall be permitted as long as such dogs are leashed therein at all times, and certain other requirements are met;

**WHEREAS**, the Town staff has found that Verzuh Rotary Park, parts of the 8th Street Greenway and Academy Park, like Totem Pole Park, are appropriate places for dogs, provided that such dogs are leashed at all times like Totem Pole Park, and certain other requirements are met;

**WHEREAS**, in accordance with the foregoing, the Town staff recommends that the Code be amended to allow dogs in Verzuh Rotary Park, parts of the 8th Street Greenway and Academy Park when such dogs are leashed therein at all times, and dog excrement is promptly removed and all other rules and regulations regarding dogs are obeyed; and

**WHEREAS**, the Town Council has determined that allowing dogs in Verzuh Rotary Park, parts of the 8th Street Greenway and Academy Park, when such dogs are leashed therein at all times, and such other requirements are met as further set forth in this Ordinance, is in the best interest of the general health, safety and welfare of the residents and visitors of Crested Butte.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,**

**Section 1. Amending Section 7-5-80.** Section 7-5-80 of the Code is hereby deleted in its entirety and replaced with the following new Section which shall read as follows:

**"Sec. 7-5-80. Dogs Excluded from Parks.**

It shall be unlawful for an owner, keeper or any other person to allow any dog to enter or be in any public park within the Town, whether leashed or unleashed, with the exception of Totem Pole Park, Verzuh Rotary Park, parts of the 8th Street Greenway and Academy Park, wherein dogs shall be permitted as long as all dogs shall be leashed therein at all times, and dog excrement shall be promptly removed and all other rules and regulations regarding dogs are obeyed. Dogs may also be permitted to be unrestrained in such areas designated by the Town Council by resolution and pursuant to such rules and regulations as are established by resolution of the Town Council."

**Section 2. Severability.** If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

**Section 3. Savings Clause.** Except as amended hereby, the Crested Butte Municipal Code shall remain valid and in full force and effect. Any provision of any of the Code which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

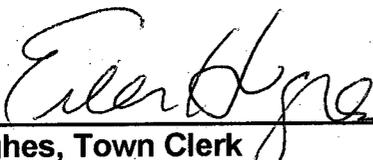
**INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 18<sup>th</sup> DAY OF OCTOBER, 2010.**

**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 1<sup>st</sup> DAY OF NOVEMBER, 2010.**

**TOWN OF CRESTED BUTTE, COLORADO**

By:   
Leah B. Williams, Mayor

ATTEST:

  
Eileen Hughes, Town Clerk