

ORDINANCE NO. 148, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
UPDATING SECTION 4-142 OF THE CODE OF THE CITY OF
FORT COLLINS REGARDING STERILIZATION OF ADOPTED
ANIMALS TO ALIGN WITH STATE LAW

A. Colorado Revised Statutes (C.R.S.) Section 35-80-106.4 provides that animal shelters or pet animal rescues may not release a dog or cat to a prospective owner unless the animal has been sterilized by a licensed veterinarian, subject to a few narrow exceptions.

B. Subsection (4) of C.R.S. Section 35-80-106.4 authorizes the City to adopt animal sterilization requirements that are at least as strict as the State requirements, though there is no express authorization for the City to adopt less stringent requirements.

C. Section 4-142 of the City Code currently contains an exception to mandatory animal sterilization when there is a written agreement between an animal shelter and a party adopting a pet, guaranteeing the pet will be sterilized within a certain period of time; however, this exemption is not also found among State statutory exemptions.

D. Staff recommends amending City animal sterilization requirements in City Code to align more closely with State standards in C.R.S. Section 35-80-106.4, as set forth in this Ordinance.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 4-142 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 4-142. Sterilization of adopted animals required.

~~No dog or cat shall be released for adoption without being sterilized or without a written agreement from the adopter guaranteeing that such animal will be sterilized within a certain period of time after the date of release. It shall be unlawful for the adopter to violate the terms of such written agreement.~~

An animal shelter or pet animal rescue, as defined under Section 35-80-102, C.R.S., shall not release a dog or cat to a prospective owner unless the animal has been sterilized by a licensed veterinarian, except as provided in writing by a licensed veterinarian pursuant to Section 35-80-106.4(2), C.R.S. If sterilization has been delayed pursuant to the order of a licensed veterinarian, the shelter or rescue must inform the prospective owner of the animal in writing and provide the veterinarian's written order at or prior to the time of transfer. After transfer, the owner of the animal for which sterilization has been delayed under this provision must cause the animal to be sterilized at such time that a veterinarian determines that the dog or cat is fit to undergo the sterilization procedure.

Introduced, considered favorably on first reading on October 15, 2024, and approved on second reading for final passage on November 4, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: November 14, 2024
Approving Attorney: Madelene Shehan