

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2024-261

**AN ORDINANCE AMENDING SECTION 7-149 OF THE JOHNSTOWN MUNICIPAL
CODE TO PROHIBIT THE SALE OF DOGS AND CATS IN PUBLIC PLACES**

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, on November 20, 2023, the Town Council adopted Ordinance No. 2023-255, prohibiting, with limited exception, the sale of dogs and cats from pet shops; and

WHEREAS, Town Council desires to expand the prohibition to prohibit the sale of dogs and cats from public places, including streets, public rights-of-way, medians, parks, recreation areas and parking lots; and

WHEREAS, to effectuate the foregoing, the Town Council desires to amend Section 7-149 of the Johnstown Municipal Code; and

WHEREAS, the Town Council finds, determines and declares that this Ordinance is promulgated under the general police power of the Town and is in the best interests of the Town.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, AS FOLLOWS:

Section 1. Section 7-149 of Article VII of Chapter 7 of the Johnstown Municipal Code shall be repealed and readopted to read as follows:

Sec. 7-149. Restrictions on the Sale of Dogs and Cats.

- (a) Except as provided herein, no pet shop shall sell, deliver, offer for sale, barter, auction or otherwise transfer or dispose of dogs or cats. A pet shop may collaborate with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs or cats provided that the pet shop does not have an ownership interest in the dogs or cats offered for adoption and posts a sign with the name of the animal care facility or animal rescue organization from which the pet shop acquired each dog or cat.
- (b) Except for animal care facilities or animal rescue organizations lawfully operating at such location, no person shall sell, deliver, offer for sale, barter, auction or otherwise transfer or dispose of dogs or cats at or on any street, public right-of-way, median, park, recreation area or parking lot regardless of whether access is authorized by the owner of such property.

Section 2. Severability. If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

Section 3. Publication; Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____ By: _____
Hannah Hill, Town Clerk Michael P. Duncan, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____ By: _____
Hannah Hill, Town Clerk Michael P. Duncan, Mayor