



Legal Notice

Date: 02/08/2024

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 first reading

CITY OF LITTLETON, COLORADO

**ORDINANCE 01
SERIES 2024**

1 CITY OF LITTLETON, COLORADO

2
3 ORDINANCE NO. 01

4
5 Series, 2024

6
7 AN ORDINANCE OF THE CITY OF LITTLETON,
8 COLORADO, AMENDING SECTIONS OF TITLE 10 OF
9 THE LITTLETON CITY CODE REGARDING PET LIMITS
10 PER HOUSEHOLD AND THE PROHIBITION OF RETAIL
11 SALES OF CERTAIN DOMESTIC ANIMALS

12
13 WHEREAS, on January 8, 2024, the Planning Commission of the City of Littleton held a
14 public hearing regarding proposed amendments to Title 10 of the Littleton City Code regarding
15 the prohibition of retail sales of certain domestic animals; and

16
17 WHEREAS, following the commission hearing, the commission adopted Resolution
18 Number 2, Series 2024 recommending approval of specific amendments to the Littleton City Code
19 regarding the prohibition of retail sales of certain domestic animals; and

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21 WHEREAS, on February 6, 2024, council held a public hearing to consider the proposed
22 amendments to Title 10 of the Littleton City Code regarding the prohibition of retail sales of certain
23 domestic animals; and

24
25 WHEREAS, following the public hearing, the council find in fact that the proposed
26 amendments is deemed necessary for the protection against inhumane conditions and for the
27 health, welfare, and safety of the community.

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29 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
30 OF LITTLETON, COLORADO, THAT:

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32 Section 1: Littleton City Code, Title 10, Unified Land Use Code, Chapter 1, Standards
33 for all Districts, Article 10-1-1, Districts and Uses, Table 10-1-1.3.1 Land Use Matrix is hereby
34 amended as follows:

| Table 10-1-1.3.1 Land Use Matrix | | | | | | | | | | | | | | | | |
|--------------------------------------|------------------|---------------|-----|-----|-----|-------------------------|----|-------------------|-----|-----|-----|-----|----------------------------|----|-----------------|----------------------------|
| Category | Specific Use | Downtown (DT) | | | | Corridor Mixed-Use (CM) | | Neighborhood (NB) | | | | | Business and Industry (BI) | | Open Space (OS) | Standards |
| | | DNR | DTA | DMS | DMU | NC | CM | ACR | LLR | MLR | SLR | MFR | BC | IP | OS | |
| Agriculture and Animal-Oriented Uses | | | | | | | | | | | | | | | | |
| | Community Garden | A | -- | -- | A | A | A | P | P | P | P | A | -- | -- | A | 10-1-1.6.A |

| | | | | | | | | | | | | | | | | |
|---------------------------|--|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------------------------------------|
| Agriculture-Oriented Uses | Plant Nursery, Greenhouse, and Landscaping Business | -- | -- | -- | -- | C | C | C | -- | -- | -- | -- | P | P | -- | -- |
| | Agriculture-Oriented Uses (other than listed) | -- | -- | -- | -- | -- | C | A | A | -- | -- | -- | -- | -- | P | -- |
| Animal-Oriented Uses | Kennel, Indoor | -- | -- | -- | -- | -- | CS | -- | -- | -- | -- | -- | CS | PS | | 10-1-1.4.B |
| | Veterinary Clinic or Hospital (with animal boarding) OR RESCUE SHELTER | -- | -- | -- | -- | -- | CS | -- | -- | -- | -- | -- | P | P | -- | 10-1-1.4.B 10-2-3.2 |
| | Veterinary Clinic or Hospital (without animal boarding) | -- | CS | PS | PS | -- | PS | -- | -- | -- | -- | -- | P | P | -- | 10-1-1.4.B 10-2-3.2 10-4-2.2 |
| | PET STORE FOR SALE OF DOGS AND CATS ONLY | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| | Animal-Oriented Uses (Other than listed) | -- | -- | -- | -- | -- | -- | A | A | -- | -- | -- | -- | -- | -- | -- |

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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

- 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;

64 AND

65 II. DOCUMENTATION PROVIDING PROOF OF THE SOURCE OF
66 THE DOG OR CAT SHALL BE KEPT FOR A PERIOD OF THREE
67 (3) YEARS AFTER ANY SALE AND MADE AVAILABLE TO ANY
68 LOCAL AUTHORITY AUTHORIZED TO ENFORCE THIS
69 SECTION.

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71 B. A PERSON OR BUSINESS, OTHER THAN A PET STORE, THAT SELLS,
72 OFFERS FOR SALE, AUCTIONS, BARTERS, DONATES, OR
73 OTHERWISE TRANSFERS A DOG OR CAT THAT WAS BRED AND
74 REARED ON THE PREMISES OF THE PERSON OR BUSINESS.

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76 **Section 3:** Littleton City Code, Title 10 Unified Land Use Code, Chapter 1 Standards
77 for All Districts, Article 10-1-1 Districts and Uses, Section 10-1-1.6 is hereby amended as follows:

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79 10-1-1.6.A Accessory Uses

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81 15. Household Pets.

- 82 a. Household pets are permitted; provided, that not more than ~~three~~ FIVE pets
83 are adult dogs, cats, ducks, or rabbits or any combination of these species.
84 b. The numbers of these species younger than six months are not restricted.
85 This does not preclude the legitimate use or keeping of any laboratory
86 animals for scientific research, or veterinarian purposes ~~or for resale in a pet~~
87 ~~shop~~. THE SALE OR OFFER FOR SALE OF A DOG OR CAT AS AN
88 ACCESSORY USE IS PROHIBITED. This shall not be interpreted to
89 prohibit the keeping of livestock in districts where permitted.

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91 **Section 4:** Littleton City Code, Title 10, Unified Land Use Code, Chapter 12 Word
92 Usage, Article 10-12-2 Definitions is hereby amended as follows:

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96 *ANIMAL RESCUE ORGANIZATION OR RESCUE SHELTER* MEANS ANY
97 NOT-FOR-PROFIT ORGANIZATION LICENSED PURSUANT TO THE
98 COLORADO PET ANIMAL CARE FACILITIES ACT, C.R.S. § 35-80-101, ET
99 SEQ., AND WHICH HAS TAX-EXEMPT STATUS UNDER SECTION
100 50L(C)(3) OF THE UNITED STATES INTERNAL REVENUE CODE, WHOSE
101 MISSION AND PRACTICE IS, IN WHOLE OR IN SIGNIFICANT PART, THE
102 RESCUE AND PLACEMENT OF ANIMALS IN PERMANENT HOMES AND
103 HOLDS ALL LOCAL AND STATE LICENSES.

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107 *PET STORE* MEANS A RETAIL STORE ESTABLISHMENT WHERE DOGS

108 OR CATS ARE KEPT, SOLD, OFFERED FOR SALE, AUCTIONED,
109 BARTERED, DONATED, OR OTHERWISE TRANSFERRED TO THE
110 GENERAL PUBLIC ON THE PREMISES. SUCH TERM SHALL INCLUDE
111 ANY OWNER OR OPERATOR OF THE BUSINESS. THIS TERM SHALL NOT
112 INCLUDE AN ANIMAL CARE FACILITY, ANIMAL RESCUE
113 ORGANIZATION, KENNEL, IMPOUNDING FACILITY OR FOSTERING
114 INDIVIDUALS.

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118 Sales-Oriented Uses means a subset of uses in the Retail Repair, Sales, and Service
119 use category that is engaged in selling goods or merchandise to the general public
120 for personal or household consumption and rendering services incidental to the sale
121 of such goods. Examples include selling, leasing or renting consumer, home, and
122 business goods including, but not limited to: alcoholic beverages; animal feed;
123 antiques; appliances; art; art supplies; automobile and motorcycle parts and
124 accessories; baked goods (retail); bicycles; books; building supplies; cameras;
125 carpet and floor coverings; clothing; collectibles; computers; convenience goods;
126 crafts; electronic equipment; electronic and mixed media; fabric; flowers; furniture;
127 garden supplies; gifts or novelties; groceries; hardware; home improvement
128 supplies; household products; jewelry; luggage; medical supplies; musical
129 instruments; office supplies; pawned items; pets, EXCLUDING THE RETAIL
130 SALE OF DOGS AND CATS FROM PET STORES, pet supplies;
131 pharmaceuticals; photographic supplies; picture frames; plants; postal supplies
132 (non-governmental); printed materials; produce; school or teacher supplies;
133 second-hand goods indoors; seeds; souvenirs; shoes; sporting goods; stationery;
134 tobacco, electronic cigarettes, and related products; and toys. This definition also
135 includes other uses that the Director or their designee interprets to be functionally
136 similar to a use in this use category.

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138 **Section 5:** Severability. If any part, section, subsection, sentence, clause or
139 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
140 validity of the remaining sections of this ordinance. The City Council hereby declares that it would
141 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase
142 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or
143 phrases may be declared invalid.

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145 **Section 6:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
146 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer
147 clauses of such ordinance nor revive any ordinance thereby.

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150 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council

151 of the City of Littleton on the 6th day of February, 2024, passed on first reading by a vote of 7
152 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library,
153 the Municipal Courthouse and on the City of Littleton Website.

154 PUBLIC HEARING on the Ordinance to take place on the 5th day of March, 2024,
155 in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the
156 hour of 6:30 p.m., or as soon thereafter as it may be heard.

157 PASSED on second and final reading, following public hearing, by a vote of ____
158 FOR and ____ AGAINST on the 5th day of March, 2024 and ordered published by posting at
159 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

160 ATTEST:

161 _____
162 Colleen L. Norton
163 CITY CLERK

Kyle Schlachter
MAYOR

164 APPROVED AS TO FORM:

165 _____
166 Reid Betzing
167 CITY ATTORNEY
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