



Legal Notice

Date: 03/07/2024

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 second reading and public hearing

CITY OF LITTLETON, COLORADO

**ORDINANCE 01
SERIES 2024**

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 01

Series, 2024

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

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

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

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

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

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

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

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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;

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AND

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

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

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

10-1-1.6.A Accessory Uses

4. Chickens AND DUCKS.

a. *Maximum Number Allowed.* A maximum of six chickens OR SIX DUCKS OR ANY COMBINATION THEREOF NOT TO EXCEED SIX ARE ~~is~~ permitted in the ACR, LLR, MLR, AND SLR districts.

15. Household Pets.

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

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

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ANIMAL RESCUE ORGANIZATION OR RESCUE SHELTER MEANS ANY NOT-FOR-PROFIT ORGANIZATION LICENSED PURSUANT TO THE COLORADO PET ANIMAL CARE FACILITIES ACT, C.R.S. § 35-80-101, ET SEQ., AND WHICH HAS TAX-EXEMPT STATUS UNDER SECTION 50L(C)(3) OF THE UNITED STATES INTERNAL REVENUE CODE, WHOSE

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108 MISSION AND PRACTICE IS, IN WHOLE OR IN SIGNIFICANT PART, THE
109 RESCUE AND PLACEMENT OF ANIMALS IN PERMANENT HOMES AND
110 HOLDS ALL LOCAL AND STATE LICENSES.

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114 *PET STORE* MEANS A RETAIL STORE ESTABLISHMENT WHERE DOGS
115 OR CATS ARE KEPT, SOLD, OFFERED FOR SALE, AUCTIONED,
116 BARTERED, DONATED, OR OTHERWISE TRANSFERRED TO THE
117 GENERAL PUBLIC ON THE PREMISES. SUCH TERM SHALL INCLUDE
118 ANY OWNER OR OPERATOR OF THE BUSINESS. THIS TERM SHALL NOT
119 INCLUDE AN ANIMAL CARE FACILITY, ANIMAL RESCUE
120 ORGANIZATION, KENNEL, IMPOUNDING FACILITY OR FOSTERING
121 INDIVIDUALS.

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

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

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

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157 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council
158 of the City of Littleton on the 6th day of February, 2024, passed on first reading by a vote of 7
159 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library,
160 the Municipal Courthouse and on the City of Littleton Website.

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

164 PASSED on second and final reading, following public hearing, by a vote of 6
165 FOR and 0 AGAINST on the 5th day of March, 2024 and ordered published by posting at
166 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

167 ATTEST:
168 DocuSigned by:
168 Calleen L. Norton
169 Colleen L. Norton
170 CITY CLERK
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DocuSigned by:
Kyle Schlachter
KYLE SCHLACHTER
MAYOR

172 APPROVED AS TO FORM:
173 DocuSigned by:
174 Reid Betzing
175 Reid Betzing
176 CITY ATTORNEY

