

Environmental

Health

RULES & REGULATIONS

GOVERNING ESTABLISHMENT OF
ANIMAL SERVICE FEES



Approved and Adopted:

Chair, Board of Environmental Health

Approved as to form:

David R. Fine, Esq.

Attorney for the City & County of Denver

Date

**BOARD OF ENVIRONMENTAL HEALTH
RULES AND REGULATIONS
GOVERNING ESTABLISHMENT OF ANIMAL SERVICE FEES**

SECTION 1.0 INTRODUCTION

The City Council has authorized the Board of Environmental Health to promulgate rules and regulations to establish a reasonable amount to be assessed as the fees authorized by Chapter 8 of the Denver Revised Municipal Code and to authorize the manager, at the manager's discretion, to waive any such fee in hardship cases or when in the public interest.

These rules and regulations are adopted and issued by the Board of Environmental Health of the City and County of Denver in accordance with the authority contained in Article II of the Charter of the City and County of Denver and Section 8-5 of the Denver Revised Municipal Code.

A copy of these rules shall be made available without charge to persons seeking to file an appeal of an administrative citation. The Manager shall use his or her best efforts to maintain a current copy of these Rules on the Department's website.

SECTION 2.0 DEFINITIONS

Except as noted below, words and phrases shall have the meaning assigned by the Charter and Ordinances of the City and County of Denver. As used in these rules and regulations, the following terms shall have the following meanings:

- 2.1. *Animal Code* means Chapter 8 (Animals) of the Denver Revised Municipal Code.
- 2.2. *Code* shall mean the Denver Revised Municipal Code.
- 2.3. *Department* shall mean the Department of Environmental Health.
- 2.4. *Extreme Health Condition* shall include, but is not limited to: severe cardiovascular compromise, bleeding disorder, respiratory disease and hepatic disease. The old age of an animal shall not, of itself, constitute an extreme health condition.
- 2.5. *Manager* shall mean the Manager of the Department of Environmental Health or the Manager's designee.
- 2.6. *Owner*, in the case of the Animal Code, means any person who owns, possesses, keeps, exercises control over, maintains, harbors, transports or sells an animal.
- 2.7. *Rules and Regulations* shall mean the procedures and requirements contained herein, duly adopted through a rulemaking process as set forth in Chapter 2 Administration, Article VI Rules and Regulations, of the Denver Revised Municipal Code.
- 2.8. *Senior Citizen* shall mean any person over the age of 65.

SECTION 3.0 ESTABLISHMENT OF FEES

A reasonable amount is hereby established for each of the fees required and authorized by the Animal Code. The fees to be assessed for Animal Code requirements and additional services are as specified in *Table 1. Animal Service Fees*. The Department shall assess fees in accordance with the Animal Code and this regulation.

SECTION 4.0 PERIODIC ADJUSTMENT OF FEES

The fees established herein may be adjusted without further action of the Board triennially based upon the percentage change in the Consumer Price Index – All Urban Consumers (CPI-U) for the Denver-Boulder area from January 1, 2010 or the last date of adjustment.

SECTION 5.0 WAIVER OF FEES

- 5.1. Upon request, the Manager may, in the Manager's discretion, waive any and all fees authorized in SECTION 3.0, in whole or in part, where the payment of such fees is a demonstrated financial hardship or is otherwise in the public interest.
 - 5.1.1. The determination whether, and to what extent, fees will be waived for financial hardship will be made in consideration of the current Federal Poverty Guidelines for the 48 Contiguous States and the District of Columbia (Poverty Guidelines)¹ and other financial circumstances of the Owner.
 - 5.1.2. Fees may be waived for families with income at 185% of the Poverty Guidelines or below;
 - 5.1.3. A demonstration of financial hardship must support the request for a waiver of fees. Such demonstration shall include, but is not limited to, documentation of family/household income. Acceptable proof of income includes, but is not limited to, the following:
 - 5.1.3.1. State or Federal Income Tax returns
 - 5.1.3.2. QuestCard issued by Colorado or other state
 - 5.1.3.3. Social Security income verification
 - 5.1.3.4. Other document that shows current and/or past year income
 - 5.1.4. Other circumstances demonstrating a financial hardship may be established by a sworn written statement in a form to be established by the Manager.

SECTION 6.0 SENIOR CITIZEN DISCOUNTS

- 6.1. Upon providing acceptable proof of age, a senior citizen will be granted a discounted animal adoption fee, as specified in *Table 1*.
- 6.2. Upon providing acceptable proof of age, a senior citizen will be granted a license fee waiver for one dog or cat, as specified in *Table 1*.
- 6.3. Acceptable proof of age includes, but is not limited to, the following:
 - 6.3.1. Any state issued drivers license;
 - 6.3.2. Identification card issued by any state or federal governmental agency.

SECTION 7.0 LICENSE FEE EXEMPTIONS

- 7.1. Upon presentation of appropriate evidence establishing the status of the animal, a license fee shall not be assessed for guide dogs for the blind and deaf, service dogs used by the handicapped, and police service dogs.
- 7.2. Appropriate evidence of the Section 7.1 status of the animal includes but is not limited to the following:
 - 7.2.1. Guide dog for the blind and deaf: certification from an association recognized in the supply or training of guide dogs for the blind and deaf that identifies the dog and certifies that it meets

¹ The Federal *Poverty Guidelines for the 48 Contiguous States and the District of Columbia* is updated annually by the U.S. Department of Human Health Services. The 2009 guidelines can be found at: <http://aspe.hhs.gov/poverty/09poverty.shtml>

- the association's standards; and, writing from the Owner's physician stating the medical need for the guide dog in the Owner's household.
- 7.2.2. Service dog: a writing from the Owner's physician that identifies the dog and states the medical need for the service dog in the Owner's household.
 - 7.2.3. Rescue dog: certification from an association recognized in the search and rescue field that identifies the dog and certifies that it meets the association's standards in one or more of the following areas: Area (Wilderness) Search, Human Remains Detection, Disaster Human Remains Detection, Water Recovery, or related specialty; and, evidence of the dog's affiliation with local law enforcement or other applicable emergency services agency.
 - 7.2.4. Police service dog: certification from an association recognized in the law enforcement field that identifies the dog and certifies that it meets the association's standards for law enforcement support or various fields of detection (narcotics, explosive and accelerant) or related specialty; and, evidence of the dog's affiliation with local law enforcement or other applicable emergency services agency.

SECTION 8.0 STERILIZATION DEPOSITS

A sterilization deposit shall be required and refunded or forfeited as follows:

- 8.1. Release from Impoundment. If an impounded dog or cat is not sterilized when impounded, it shall be released from impoundment only upon submittal to the Manager of the following:
 - 8.1.1. Payment of a sterilization deposit, as specified in *Table 1*; and
 - 8.1.2. The owner's written agreement that the animal will be sterilized at the owner's expense within thirty (30) days or when the animal both attains the age which veterinary science deems appropriate for sterilization, but not more than six (6) months of age, and is physically fit to undergo the sterilization procedure. A due date shall be specified in the agreement.
- 8.2. Release at Adoption. If a dog or cat is too young or is otherwise physically unfit to undergo a sterilization procedure, it shall be released at adoption to the adoptive owner only upon submittal to the Manager of the following:
 - 8.2.1. Payment of a sterilization deposit, as specified in *Table 1*; and
 - 8.2.2. The adoptive owner's written agreement that the animal will be sterilized at the owner's expense when the animal both attains the age which veterinary science deems appropriate for sterilization, but not more than six (6) months of age, and is physically fit to undergo the sterilization procedure. A due date shall be specified in the agreement.
- 8.3. Refund of the sterilization deposit shall be promptly made to the owner or adoptive owner upon submittal of the following:
 - 8.3.1. A spay/neuter certificate issued by a licensed veterinarian. The Certificate must be dated and shall specify the name, address and phone number of the veterinarian and the veterinary clinic; the name, gender, breed, age and color markings of the animal; the mailing address and phone number of the Owner; the date of the spay/neuter surgery; and, signature of the veterinarian; or
 - 8.3.2. A written determination by a licensed veterinarian that an animal is permanently unable to be sterilized because of an extreme health condition or that sterilization would cause permanent and significant injury or death to the animal. The written statement of the veterinarian must be dated and shall specify the name, address and phone number of the veterinarian and the veterinary clinic; the name, gender, breed, age and color markings of the animal; the mailing

address and phone number of the Owner; the date of the spay/neuter surgery; and, signature of the veterinarian.

8.3.2.1. In addition, the Owner shall purchase an intact animal permit and pay the intact animal fee as specified in *Table 1*.

8.4. Sterilization deposits shall be maintained in a separate account apart from the general revenue fund or other accounts of the City and County of Denver.

8.5. The sterilization deposit shall be forfeited if the submittals required by paragraphs 8.1.2 and 8.2.2 are not provided within thirty (30) days following the due date specified in the agreement unless the Manager extends the time for submittal.

8.6. All forfeited sterilization deposits shall be transferred to the City and County of Denver general revenue fund account

[Sherry, I put the proof of license and vaccination in the admin penalty reg – don't think those are implicated in terms of fees. And, copied sterilization proof there. Will send later. JHB]

Approved for Publication:

Board of Environmental Health

Date: _____

Approved and Adopted:

Board of Environmental Health

Date: _____

Approved As To Form:

City Attorney

Date: _____

TABLE 1. ANIMAL SERVICE FEES	
	FEE
Adoption Animal Code Section 8-153.5	
Adoption – Cats - Adult (6 months – 6 years) altered at adoption	\$ 87.00
Adoption – Cats - Older (over 6 years) altered at adoption	\$ 60.00
Adoption – Cats - Young – (8 weeks – 5 months) altered at adoption	\$ 95.00
Adoption – Cats – Senior Citizen Discount – Adult (6 months – 6 years) altered at adoption	\$ 43.50
Adoption – Cats – Senior Citizen Discount – Older – (over 6 years) altered at adoption	\$ 30.00
Adoption – Cats – Senior Citizen Discount – Young (8 weeks – 5 months) altered at adoption	\$ 47.50
Adoption – Dogs - Adult (1 – 6 years) altered at adoption	\$130.00
Adoption – Dogs - Older (Over 6 years)	\$ 95.00
Adoption – Dogs - Young (8 weeks – 1 year) altered at adoption	\$150.00
Adoption – Dogs – Senior Citizen Discount – Adult (1 – 6 years) altered at adoption	\$ 65.00
Adoption – Dogs – Senior Citizen Discount – Older (Over 6 years) altered at adoption	\$ 47.50
Adoption – Dogs – Senior Citizen Discount -Young (8 weeks – 1 year)	\$ 75.00
Adoption – Small Animals / Birds / Rabbits	\$ 15.00
Impoundment Animal Code Sections 8-152 and 8-155(d)	
Boarding – Cats – per day	\$ 9.00
Boarding – Dogs – per day	\$ 9.00
Boarding – Fowl / Birds – per day	\$ 5.00
Boarding – Livestock – per day	\$ 30.00
Boarding – Other animals – per day	\$ 9.00
Boarding – Restricted / Illegal Breeds/Species – per day	\$ 15.00
Impoundment – Cats (Legal*) – 1 st Impoundment	\$ 45.00
Impoundment – Cats (Legal*) – 2 nd Impoundment (within 2 years after 1 st impoundment)	\$ 60.00
Impoundment – Cats (Legal*) – Subsequent Impoundments (within 2 years after 2 nd impoundment)	\$100.00
Impoundment – Dogs (Legal*) – 1 st Impoundment –	\$ 45.00

* See Animal Code Section 8-2.

TABLE 1. ANIMAL SERVICE FEES

	FEE
(Impoundment, continued)	
Impoundment – Dogs (Legal*) - 2 nd Impoundment (within 2 years after 1 st impoundment)	\$ 60.00
Impoundment – Dogs (Legal*) Subsequent Impoundments (within 2 years after 2 nd impoundment)	\$100.00
Impoundment – Fowl / Birds	\$ 45.00
Impoundment – Livestock	\$150.00
Impoundment – Other animals (excluding fowl and birds) (Legal*) – 1 st Impoundment	\$ 45.00
Impoundment – Other animals (excluding fowl and birds) (Legal*) – 2 nd Impoundment (within 2 years after 1 st impoundment)	\$ 60.00
Impoundment – Other animals (excluding fowl and birds) (Legal*) – Subsequent Impoundments (within 2 years after 2 nd impoundment)	\$100.00
Impoundment – Restricted Breeds / Illegal* Animals – 1 st Impoundment	\$100.00
Impoundment – Restricted Breeds / Illegal* Animals – 2 nd Impoundment (within 2 years after 1 st impoundment)	\$200.00
Impoundment of animals over the number allowed** (fee per each animal above the number allowed)	\$ 45.00
Medications and supplies necessarily administered during or at the time of impoundment	At Cost
Veterinary treatment necessarily provided to impounded animals (per day)	\$ 15.00
Intact Animal Permit Sterilization Deposit Animal Code Sections 8-152(a)(6) and (d)(2)	
Intact Permit – Cats – (per animal, per year)	\$150.00
Intact Permit – Dogs – (per animal, per year)	\$150.00
Sterilization deposit – refundable upon proof of compliance with Sterilization Agreement	\$100.00
Dog/Cat License Animal Code Section 8-65	
License – Cats – 1 year	\$ 15.00
License – Cats – 3 year	\$ 40.00
License – Cats – Senior Citizen Discount – 1 year (1 sterilized dog or cat at \$0; standard fee for additional animals)	\$ 0.00
License – Cats – Senior Citizen Discount – 3 year (1 sterilized dog or cat at \$0; standard fee for additional animals)	\$ 0.00
License – Dogs – 1 year	\$ 15.00

TABLE 1. ANIMAL SERVICE FEES

	FEE
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* See Animal Code Section 8-2.

** See Zoning Code, D.R.M.C. 59-87

(License, continued)	
License – Dogs – 3 year	\$ 40.00
License – Dogs – Guide, Service, Police and Rescue Dogs	\$ 0.00
License – Dogs - Senior Citizen Discount – 1 year (1 sterilized dog or cat; standard fee for additional animals)	\$ 0.00
License – Dogs - Senior Citizen Discount – 3 year (1 sterilized dog or cat; standard fee for additional animals)	\$ 0.00
License – Same Day Issuance Fee at Vaccination Clinic	\$ 5.00
License Replacement Fee	\$ 6.00
Livestock/Fowl Permit Animal Code Section 8-91	
Livestock Permit (annual, per property)	\$100.00
Fowl Permit (annual, per property)	\$ 50.00
Additional Animal Services Animal Code Section 8-155	
Microchipping	\$ 25.00
Owner Requested Euthanasia – all species	\$ 50.00
Quarantine – Home Health Inspection Fee	\$ 25.00
Rabies Testing (Recovered on bite investigations)	\$ 65.00
Restricted or Illegal Breed or Species Evaluation – 1 st evaluation	\$ 50.00
Restricted or Illegal Breed or Species Evaluation – 2 nd evaluation	\$100.00
Restricted or Illegal Breed or Species Evaluation - Filing Fee for Appeal	\$ 50.00
Restricted or Illegal Breed or Species Transfer Fee	\$100.00
Restricted or Illegal Breed or Species Walk-in Evaluations – Animal not impounded	\$ 25.00
Vaccination Animal Code Section 8-38	
Vaccinations – Canine Distemper Combination – DA2PPV	\$ 15.00
Vaccinations – Canine Rabies – 1 year	\$ 15.00
Vaccinations – Feline Distemper Combination – FVRCP	\$ 15.00
Vaccinations – Vaccination Clinic Package – Canine Combination + Rabies	\$ 25.00
Vaccinations – Vaccination Clinic Package – Canine Combination + Rabies + 1 year License	\$ 35.00
Vaccinations – Vaccination Clinic Package – Canine Combination +	\$ 55.00

TABLE 1. ANIMAL SERVICE FEES

	FEE
Rabies + 3 year license	
Vaccinations – Vaccination Clinic Package - Feline Combination + Rabies	\$ 25.00
Vaccinations - Vaccination Clinic Package - Feline Combination + Rabies + 1 year license	\$ 35.00
Vaccinations - Vaccination Clinic Package - Feline Combination + Rabies + 3 year license	\$ 55.00