

Department of  
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Rules and Regulations

Governing Administrative Citations for Violations of Chapter 8 (Animals), Chapter 11 (Child Care), Chapter 17 (Emergency Medical Vehicles), Chapter 24 (Health and Sanitation), Chapter 26 (Boarding Homes, Personal Care Boarding Homes, and Non-Governmental Residential Facilities), Chapter 27 (Housing), Chapter 33 (Lodging), Chapter 35 (Mobile Homes and Trailers), Chapter 36 (Noise), Article 1 of Chapter 37 (Health Nuisances), and Chapter 51 (Pools)



Approvals

*Stephanie R. Dunn*

Chair, Board of Public Health & Environment

*Robert McDonald*

Executive Director, Department of Public Health & Environment

*Karen M. Deputy City Attorney*

Attorney for the City & County of Denver

Date of Final Signature / Effective Date: June 21, 2022

# **BOARD OF PUBLIC HEALTH AND ENVIRONMENT**

## **RULES AND REGULATIONS GOVERNING ADMINISTRATIVE CITATIONS FOR VIOLATIONS OF CHAPTER 8 (ANIMALS), CHAPTER 11 (CHILD CARE), CHAPTER 17 (EMERGENCY MEDICAL VEHICLES), CHAPTER 24 (HEALTH AND SANITATION), CHAPTER 26 (BOARDING HOMES, PERSONAL CARE BOARDING HOMES, AND NON-GOVERNMENTAL RESIDENTIAL FACILITIES), CHAPTER 27 (HOUSING), CHAPTER 33 (LODGING), CHAPTER 35 (MOBILE HOMES AND TRAILERS), CHAPTER 36 (NOISE), ARTICLE 1 OF CHAPTER 37 (HEALTH NUISANCES), AND CHAPTER 51 (POOLS)**

As Amended July 9, 2010

As Further Amended July 14, 2011

As Further Amended March 12, 2015

As Further Amended April 14, 2017

As Further Amended April 14, 2022

### **SECTION 1.0 INTRODUCTION**

These rules and regulations (“Rules”) are adopted and issued by the Board of Public Health and Environment of the City and County of Denver (the “Board”) in accordance with the authority contained in Article II of the Charter of the City and County of Denver and in Denver Revised Municipal Code (“DRMC”) § 24-5, in order to implement the administrative citation and civil penalty assessment provisions of the Code.

In 2010, these Rules were amended to add civil penalties for violations of the Noise Control Code. These rules were revised in 2011 to make minor revisions and revise the amount of dog and cat licensing civil penalties. These rules were revised in 2015 to include civil penalties for violations of Chapter 11 (Child Care), Chapter 17 (Emergency Medical Vehicles), Chapter 24 (Health and Sanitation), Chapter 26 (Boarding Homes, Personal Care Boarding Homes, and Non-Governmental Residential Facilities), Chapter 27 (Housing), Chapter 33 (Lodging), Chapter 35 (Mobile Homes and Trailers), Chapter 36 (Noise), Article 1 of Chapter 37 (Health Nuisances), Chapter 51 (Pools) and to make other minor revisions. These rules were revised in 2017 to amend the civil penalties for violation of Chapter 8 (Animals).

These rules are now revised to ensure there is no conflict between these rules and Chapter 2, Article XII of the D.R.M.C. or the Rules Governing Hearings Before the Board of Public Health & Environment (“Hearing Rules”). The

Department of Public Health & Environment's issuance of administrative citations and civil penalties shall be governed by D.R.M.C. § 24-5 entitled "Administrative Assessment of Civil Penalties" and D.R.M.C. Chapter 2, Article XII entitled "Administrative Citations." The Hearing Rules govern all hearings before the Board, including all hearings that have been assigned to an administrative Hearing Officer.

A paper copy of these Rules shall be made available without charge, upon request, to persons seeking to file a petition for review of an administrative citation. The Executive Director shall use best efforts to maintain a current copy of these Rules on the City and County of Denver website.

## **SECTION 2.0 CODE CHAPTERS AND SECTIONS AUTHORIZED FOR ENFORCEMENT THROUGH ADMINISTRATIVE CITATIONS**

To the extent established by the Charter and Ordinances of the City and County of Denver, an Enforcement Official may issue an Administrative Citation for violation of the provisions of the Code. This regulation governs Administrative Citation and civil penalty assessment amounts for violation of the Code provisions designated below, and for violation of rules, regulations, license, or permit conditions established in accordance with the following:

- 2.1. Chapter 8, DRMC (Animals), excluding the provisions of Sections 8-48 (Damaging property), 8-51 (Dog attack or bite), 8-52 (Dangerous dogs), 8-55 (Pit bulls prohibited), 8-131(a) (Cruelty to animals prohibited), 8-134 (Abandonment), 8-135 (Keeping place for fighting animals), and 8-136 (Poisoning);
- 2.2. Chapter 11, DRMC (Child Care);
- 2.3. Chapter 17, (Emergency Medical Vehicles);
- 2.4. Chapter 24, DRMC (Health and Sanitation);
- 2.5. Chapter 26, DRMC (Boarding Homes, Personal Care Boarding Homes, and Non-Governmental Residential Facilities);
- 2.6. Article II of Chapter 27, DRMC (Housing);
- 2.7. Chapter 33, DRMC (Lodging);
- 2.8. Chapter 35, DRMC (Mobile Homes and Trailers);
- 2.9. Chapter 36, DRMC (Noise);
- 2.10. Article I of Chapter 37, DRMC (Health Nuisances); and
- 2.11. Chapter 51, DRMC (Pools).

## **SECTION 3.0 CIVIL PENALTY ASSESSMENTS**

The Executive Director shall determine and publish a schedule of civil penalty assessments, not to exceed five thousand dollars (\$5,000.00) per violation, for violations of Chapter 8 (Animals), Chapter 11 (Child Care),

Chapter 17 (Emergency Medical Vehicles), Chapter 24 (Health and Sanitation), Chapter 26 (Boarding Homes, Personal Care Boarding Homes, and Non-Governmental Residential Facilities), Chapter 27 (Housing), Chapter 33 (Lodging), Chapter 35 (Mobile Homes and Trailers), Chapter 36 (Noise), Article I of Chapter 37 (Health Nuisances), and Chapter 51 (Pools).

#### **SECTION 4.0 OTHER ENFORCEMENT**

Nothing contained herein shall prohibit the enforcement of the Code by any other means.

#### **SECTION 5.0 EFFECTIVE DATE**

These Rules shall be effective on the date of signature by the Executive Director of the Department of Public Health & Environment.