

ORDINANCE NO. 5811

AN ORDINANCE SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BOULDER AT A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, THE 5TH DAY OF NOVEMBER, 1996, THE QUESTION OF GRANTING THE CITY COUNCIL THE AUTHORITY TO ALLOW FOR CONSIDERATION OF EXCEPTIONS TO THE CITY'S LEASH LAW IN PARK AND OPEN SPACE AREAS WITHIN THE CITY; SETTING FORTH THE BALLOT TITLE; AND PROVIDING FURTHER DETAILS IN RELATION TO THE FOREGOING.

WHEREAS, in 1959 the City Council referred to the voters, and the voters passed, ordinance 2257, which required that dogs within the city limits be on a leash at all times when off of the owner's property and not confined in a vehicle or otherwise; and

WHEREAS, since 1959 the City has acquired additional park and open space lands, some of which are adjacent to and within the City's limits; and

WHEREAS, the City Council has not imposed a similar leash requirement on all open space and park lands outside the city limits, which has led to some public confusion as city trails wind in and out of the city limits; and

WHEREAS, the City Council is of the opinion that it should have the capacity to open up carefully selected park and open space areas within the city limits, at specified times, to serve as dog exercise areas where well trained dogs can exercise off-leash, so that there will be more opportunities for dog owners to exercise and socialize their dogs within the City, and dog owners will not have to travel outside the city limits to find places for their dogs to have such exercise and opportunities for socialization.

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

Section 1. A special municipal election is hereby called to be held in the various precincts and at the polling places of the City of Boulder, County of Boulder and State of Colorado, on Tuesday, the 5th day of November, 1996, between the hours of 7:00 a.m. and 7:00 p.m..

Section 2. At said election, there shall be submitted to the electors of the City of Boulder entitled by law to vote thereon the question set forth below. The official ballot punch card and the official absentee ballot shall contain the following ballot title, which shall also be the designation and submission clause for the measure:

QUESTION NO. _____

AMENDMENT OF DOG LEASH LAW

Shall the City Council be authorized to provide site-specific exceptions to the dog leash law in parks and open space areas within the city limits, after a recommendation by the City Manager and a favorable vote of a majority of the Parks and Recreation Advisory Board or the Open Space Board of Trustees, as applicable?

For the measure _____ Against the measure _____

Section 3. If a majority of all the votes cast at the election on the measure submitted shall be for the measure, the measure shall be deemed to have passed and shall be effective upon passage, and it shall be lawful for the city council to provide for the amendment of the City's dog leash ordinance and take site-specific actions in accordance with the measure approved, as it may from time to time see fit.



Section 4. The election shall be conducted under the provisions of the Colorado Constitution, the charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance, and all contrary provisions of the statutes of the State of Colorado are hereby superseded.

Section 5. The city clerk of the City of Boulder shall give public notice of the election on the measure in the manner provided by law for ordinances referred to a vote of the people by the City Council.

Section 6. The notice of the election shall include the ballot title.

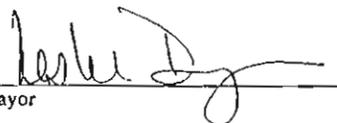
Section 7. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 8. If any section, paragraph, clause, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining provisions of this ordinance.

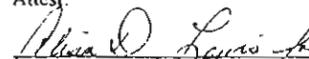
Section 9. This ordinance is necessary to protect the public health, safety and welfare of the residents of the city, and covers matters of local concern.

Section 10. The council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this 6th day of August, 1996.


Mayor

Attest:


Director of Finance and Record
Ex-Officio City Clerk

READ ON SECOND READING, AMENDED, AND ORDERED PUBLISHED BY
TITLE ONLY this 20th day of August, 1996.


Mayor

Attest:


Director of Finance and Record
Ex-Officio City Clerk

READ ON THIRD READING, PASSED, ADOPTED, AND ORDERED PUBLISHED
BY TITLE ONLY this 3rd day of September, 1996.


Mayor

Attest:


Director of Finance and Record
Ex-Officio City Clerk

