



## Policy and Procedure

Policy Number

11.27

Chapter

Law Enforcement Operations

Article

Animal Control Procedures

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### PURPOSE

To establish the respective roles of the Department and the Larimer County Humane Society (LCHS) regarding the enforcement of animal related violations and other matters pertaining specifically to animals.

### POLICY

The Department currently contracts with LCHS in order to provide primary enforcement of animal related violations and other matters that require the handling or specialized treatment of animals. Department officers will maintain a back-up role, unless the circumstances are such that Department officers should take action relative to the enforcement of animal related violations or other matters pertaining specifically to animals.

### DEFINITIONS

Department Officer(s) as used in this policy refers to LPD police officers and community service officers.

### GENERAL GUIDELINES

#### LCHS Primary Enforcement Role

The Department contracts for animal control services with the LCHS on an annual basis. Animal control officers, through the LCHS, are contractually bound to provide for primary enforcement of all animal related matters. The Department's role is a back-up role and Department officers will provide backup to LCHS officers when requested. However, at all times, a Department officer may take any enforcement action authorized by state law or in the Loveland Municipal Code pursuant to agency policy and the officer's reasonable exercise of discretion.

In the event there is not a LCHS animal control officer on duty, Department officers will be required to investigate and process cases involving vicious animals, injured animals, bites, in-custody animals, or noisy animals.

#### Emergency Service

The LCHS shall provide emergency services after regular duty hours for injured animals. Department officers may be dispatched to an injured animal to control traffic or prevent further injury, until a LCHS animal control officer arrives. If the owner of the injured animal is known or can be located, the officer should attempt to contact the owner.

#### Animal Disturbance

Animal disturbance complaints will be processed by the LCHS pursuant to its contractual obligation. However, should the Department receive a complaint after hours, a Department officer may be dispatched to the complainant's address, or will contact the complainant by phone. The officer will record the complainant's name, address and telephone number and communicate this information to the LCHS for follow-up. The officer may then contact the residence where the disturbance is alleged to have originated and advise the owner of the complaint and request that the animal be silenced. The officer may issue a





written warning to the owner. If the owner is not home, the officer will post the warning at the owner's residence.

The officer will then write the complainant's information on the back of the original copy of the warning, make a copy of both sides of the warning, and put the copy into the Animal Control mailbox.

If the complainant is not willing to identify himself or herself for the purpose of testifying in Court and identifying the pet owner, dispatch will politely advise the complainant that the Department cannot take any enforcement action at this time, but would certainly proceed if the complaining witness is willing to appear in court.

### **Vicious Dog**

Vicious dog complaints shall be processed by the LCHS pursuant to its contractual obligations. However, Department officers will respond to vicious animal complaints when a LCHS animal control officer is not available and Department officers may issue a citation in their discretion.

### **Animal Bites**

Animal bite cases shall be processed by the LCHS pursuant to its contractual obligations. However, if a LCHS animal control officer is unavailable, the Larimer County Health Department shall be contacted as soon as possible by a Department officer handling the call if an animal is suspected of having rabies. If the suspected animal is not secured the officer should obtain a description, last known location, and direction of travel. The officer should search the area to locate the animal and should attempt to locate the owner or custodian to determine if the animal has a current rabies vaccination certificate. The rabies vaccination number, year vaccinated, and the veterinarian's name and address shall be documented in the report.

The report should describe the location and seriousness of wound, and the physician's name and address that treated the injury, if applicable.

If the animal does not have a current rabies vaccination, or the owner cannot be located, the Department will impound the animal and transport said animal to the LCHS. If the owner is known, the impoundment will be at the owner's expense.

### **Wild Animals**

Officers may end the life of a severely injured non-domestic animal with approval from a supervisor.

Extreme caution should be used in attempting to contact wild animals suspected of rabies (rabid, foaming mouth, aggressive behavior). Department officers should try to locate the animal, contain it if possible, and await the assistance of the LCHS. If necessary, Department officers may end the life of a wild animal with approval from a supervisor (the officer, if possible, should avoid the head to preserve brain tissue for testing rabies). All appropriate special reports and forms will be completed.

### **Dog Protection Act** <C.R.S. 29-5-112>

Each Department officer will receive a minimum of 3 hours of P.O.S.T. Certification training in the following areas:





- The identification and meaning of common canine behaviors, and how to differentiate between dogs who are exhibiting aggressive behavior that puts law enforcement officers or other persons in imminent danger and dogs that are exhibiting other behaviors (protective, friendly, excessive barking, etc.); and
- Alternatives to lethal force against dogs; and
- What consists of a reasonable opportunity for a dog owner to control or remove the dog from the area.

The P.O.S.T. Certification training will provide Department officers an opportunity to effectively evaluate the totality of the circumstances and provide guidance on how to best manage a situation involving an interaction with a dog.

In consideration of the totality of circumstances then existing, Department officers should take into account their safety and the safety of other persons in the area, the availability of nonlethal equipment, the feasibility of permitting a dog owner to control the dog, the presence of an animal control officer, whether the call is a location that is listed in the dangerous dog registry (C.R.S. 35-42-115), whether the location is one in which illegal narcotics are suspected to be manufactured or trafficked, or any other exigencies that may be present, such as when Department officers are responding to a call that asserts or suggests that a person has been bitten by a dog or is in physical danger.

In consideration of the totality of circumstances then existing, the Department emphasizes the use of alternatives to lethal force against dogs, when the circumstances allow, and utilization of LCHS animal control officers, when the circumstances allow, so Department officers can discharge their official duties.

### **Relation to Contract**

In no way shall any content in this policy modify the contractual duties of LCHS animal control officers specified in the annual contract.

