

**TOWN OF OAK CREEK**

**ORDINANCE NO. 634**

**AN ORDINANCE AMENDING AND MODIFYING SECTION 6.04.280 OPERATION OF KENNELS - PROHIBITED, OF THE OAK CREEK MUNICIPAL CODE; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Town Board has received a request to amend Section 6.04.280 Operation of Kennels – Prohibited of the Oak Creek Municipal Code to permit kennel operations with the approval of a land use application for a commercial kennel; and

**WHEREAS**, the Board of Trustees of the Town of Oak Creek (Board) considered such request at a public meeting held on July 23, 2015; and

**WHEREAS**, a draft of this Ordinance No. 634 amending said Section 6.04.280 was presented and discussed at the said regular meeting of the Board on July 23, 2015. Public comment was received at said meeting; and

**WHEREAS**, Trustee Brown made a motion to approve Ordinance No. 634 as written. Trustee Gustafson seconded the motion. The motion passed by a vote of 5 to 2.

**NOW, THEREFORE**, be it ordained by the Board of Trustees of the Town of Oak Creek as follows:

**SECTION 1. AMENDMENTS.** Section 6.04.280 Operation of Kennels – Prohibited, of the Oak Creek Municipal Code, is hereby amended to read as follows (additions are underlined, deletions are struck-through):

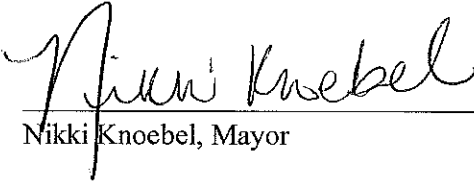
**Sections 6.04.280 Operation of kennels - Prohibited**

No dog or cat owner or group of dog or cat owners inhabiting the same premises shall own more than three dogs or cats of more than three months of age, or more than a total of three dogs or cats more than three months of age in any combination, or engage in the commercial business of breeding, buying, selling, trading, training, or boarding cats or dogs or both cates and dogs within the limits of the Town unless such has been given approval as a commercial kennel operation pursuant to the requirements of the Title 17, Oak Creek Land Use Code.

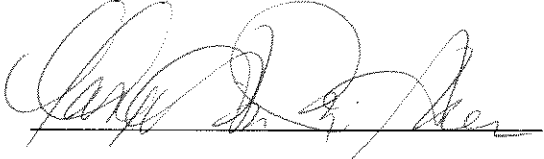
**SECTION 2. SEVERABILITY, CONFLICTING ORDINANCES REPEALED.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

**INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED** this 23<sup>rd</sup> day of July, 2015.

  
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Nikki Knoebel, Mayor

**ATTEST:**

  
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Mary Alice Page-Allen  
Town Administrator/Clerk

