

# Animal Law Enforcement: City of Centennial

## How do I file a complaint?

To have an Animal Law Enforcement Officer respond to a complaint, call Centennial Animal Services at (303) 325-8070 during regular business hours. An officer will be dispatched to investigate your complaint. If the officer witnesses a violation when he/she arrives, appropriate action will be taken. Our officers cannot take any legal action unless they actually witness a violation in progress. This does not mean nothing can be done about a violation. Citizens who have witnessed a violation can request to meet with an officer. An officer will then investigate the complaint and take the appropriate action.

### **Tips on approaching your neighbor before filing a complaint:**

**If comfortable**, approach your neighbors in a proactive and friendly manner. Your neighbors may appreciate you showing sincere interest in solving the problem together before resorting to a complaint. You may have valuable information to help them resolve the reasons for their dog's behavior, such as a pattern of the behaviors or a specific reason behind it. They may be oblivious to the specific issues and may be grateful for it being brought to their attention. **\*\*NOTE\*\* When contacting your neighbor, hostile attitudes can and do lead to more serious criminal charges. If you are unable to approach your neighbor in a civil manner or they are unreasonable, do NOT attempt to contact them.**

### **If I call in a complaint, can I be anonymous?**

All calls received by Animal Law Enforcement Services are subject to the public records laws, and are subject to public inspection. There are exceptions, such as information identifying juveniles, medical information, and information about ongoing criminal investigations in which a violator has not been charged with the crime. We will not give information over the telephone or in the field except in barking dog cases. In noisy dog cases the Centennial Municipal Code requires us to provide a complainant's name to the animal owner/keeper, ***See Noisy Dog Reporting below.***

We do offer to mail one anonymous letter within a six (6) month time period for both noisy pet violations and leash law violations. The anonymous letter may be all that is needed to make the owner/keeper aware of the situation and of the negative impact it may be having on the neighborhood.

### **Why do you take complaints from people who remain anonymous?**

We cannot force people to provide personal information when they call, although we always request it and having it helps us to provide better service. However,

there are circumstances that sometimes warrant anonymous calls. Fear of reprisal and not wanting to have confrontations with the owners are the main reasons people give for remaining anonymous.

Many significant cases, such as animal cruelty and dangerous animals, would not be investigated if anonymous calls were not accepted. An Animal Law Enforcement Officer will investigate all cases reported to us. If there is probable cause to proceed, the officer will do so. Otherwise, the officer will close the case.

### **Noisy Dog Reporting**

Reporting a noisy dog follows a different procedure than described above. Centennial Municipal Code 7-7-470 states:

- (a) *It is unlawful to keep a dog which, individually or in combination with another dog or dogs kept on the same premises, makes noise by barking, howling, whining, yelping or other utterance which is plainly audible beyond the premises on which the animal is kept, for a consecutive period in excess of ten (10) minutes during the day (7:00 a.m. to 9:00 p.m.) or for a consecutive period in excess of five (5) minutes during the night (9:01 p.m. to 6:59 a.m.) and/or a cumulative period in excess of ninety (90) minutes during any twenty-four-hour period.*
- (b) *As a courtesy only, an animal control officer may provide, at the officer's discretion, a onetime verbal warning to the owner or keeper of any animal upon receipt of a first complaint of a violation of this Section associated with such animal.*
- (c) *Whether or not the animal control officer provides a verbal warning as set forth in Subsection (b) above, prior to issuing any penalty assessment or summons and complaint, the animal control officer shall issue a written warning that a complaint of a violation of this Section has been received for any particular dog or owner or keeper. Such written warning shall be served by personal service on the owner or keeper or by posting of such written warning on the door of the premises of the owner or keeper. The warning shall be based on a written complaint by an identified complaining party or by the witnessing of a violation hereof by the animal control or other law enforcement officer and shall include the name and address of the complaining party, the dog owner's address, description of the dog and a description of the incident, to include, at a minimum, the date, time, place, duration and a brief explanation of the nature of the violation.*
- (d) *If a written warning has been served in accordance with Subsection (c) above, no further written warning shall be provided to such premises in any twelve-month period, it being the intent of this Subsection that a penalty assessment or summons and complaint shall issue if a written warning has*

*already been provided within any twelve-month retroactive period. The issuance of a penalty assessment or summons and complaint shall constitute a written warning for the purpose of calculating the new twelve-month retroactive period described in this Subsection.*

- (e) Animal services shall keep records of all warnings and penalty assessments or summons and complaints issued pursuant to this Section, and such records shall constitute prima facie proof that such warnings were issued and properly served.*
- (f) A penalty assessment shall be issued for a complaint of violation of this Section only if a minimum of five (5) days have lapsed between the date of the violation that was the subject of the written warning and a subsequent violation.*
- (g) It shall not be a defense to a violation of this Section that the owner or keeper of such dog was not available to remedy such violation or that the dog was provoked by persons through the ordinary or reasonable use of private properties, public roadways, sidewalks or alleyways or common areas of condominiums, townhouses or apartment buildings.*
- (h) A penalty assessment or a summons and complaint issued for violation of this Section in accordance with the penalty provisions of Subsection 7-7-170(f) shall either be signed by an animal control officer that personally witnessed the violation, by at least two (2) identified complaining witnesses from separate households who are willing to testify at trial in addition to the signature of the serving officer, or may be signed by only one (1) complaining witness other than the serving officer if there exists competent evidence admissible at trial to prove a prima facie case of a violation of this Section.*

This ordinance dictates that in order to address a noisy pet problem, a warning must first be issued and the owner/keeper be given five (5) days to rectify the situation. The warning must include:

- The name and address of the complainant
- Owners address
- Description of the noisy dog
- Date, time and duration of the occurrence

An Animal Law Enforcement Officer will issue or post the warning and attempt to educate the owner about the issue. Once this warning is issued, it remains in effect for six (6) months. If the noise continues after this five (5) day period and another complaint is received, a citation may be issued.

In order for the citation to be issued, the ordinance does require that either an animal control officer personally witness the violation or that there be an additional witness to the violation in addition to the complainant. The additional witness may not reside with the complainant. If a corroborating witness is not available, competent evidence may be used instead. Competent evidence may be evidence such as a video tape of the violation.

If the owner/keeper has been issued the warning within the last twelve (12) months and has been given at least five (5) days to rectify the issue, a complaint may be signed as long as there is a witness to the specific violation or demonstrative evidence of such. Contact Centennial Animal Services at (303) 325-8070 and an officer will be dispatched to your location to meet with you and investigate the noisy pet allegation.

Centennial City Ordinance requires that the Animal Law Enforcement Officer provide the name and address of the complainant to the pet owner/keeper. Therefore, the complainant's name and address will appear on any warning or citation issued as a result of noisy pet complaint.