



# COMMERCIAL ANIMAL LICENSE

## Checklist

City Clerk's office 303-538-7230  
 9500 Civic Center Drive  
 Thornton, Colorado 80229-4326

- ALL Documents must be properly executed and correspond with name of applicant exactly.
- Please type or print legibly in BLACK ink.
- Clear copies of all other information may be submitted.
- Contact Stacie Flis, Licensing Coordinator, 303-538-7270 or [stacie.flis@thorntonco.gov](mailto:stacie.flis@thorntonco.gov), if you have questions or need assistance.

NEW APPLICATION	
	Completed Application.
	City Sales Tax Application - submitted to Sales Tax Division 303-538-7400.
	Zoning Referral Form signed by the City Development Department.
	A copy of the deed or lease which shows that the applicant has legal possession of the premises by virtue of ownership or under a lease. If leased, or under contract to purchase or lease, list name and address of landlord and term of lease.
	Contact the Building Inspection Division 303-538-7250 to apply for a Certificate of Occupancy. <ul style="list-style-type: none"> <li>➤ If new construction, submit six sets of plans for review before starting construction.</li> <li>➤ If a development permit is required it must be issued before a Certificate of Occupancy can be issued.</li> <li>➤ <b>The City can not issue the license until the Certificate of Occupancy has been issued.</b></li> </ul>
	Appropriate Fees (see below).

RENEWAL APPLICATION	
	Completed Application.
	A copy of the lease if changed or extended.
	Appropriate Fees (see below).

FEE	DESCRIPTION
None	Veterinary hospital or educational facility or laboratory regularly using animals.
\$100.00	Annual license fee for kennel or pet shop.
\$50.00	Annual license fee for livery or riding stable.
\$200.00	Annual license for abattoir, stockyard, hatchery, livestock auction or other place where livestock or poultry are regularly bred, kept, offered for sale or slaughtered for commercial purposes.



# COMMERCIAL ANIMAL LICENSE APPLICATION

## Chapter 6, Section 6-4

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**NOTE:** All of the following questions need to be answered in order for this application to be deemed complete.

<b>Date Application submitted (new / renewal):</b>			<b>Commercial License Fee:</b>		
<b>License Number (renewal only):</b>			<b>Date Fee Paid:</b>		
<b>Name of Applicant (corporation or llc – if individual complete affidavit - restriction of public benefits):</b>					
<b>Trade Name of Establishment:</b>				<b>Phone:</b>	
<b>Address:</b>				<b>Zip Code:</b>	
<b>Establishment Mailing Address (if other than above):</b>				<b>Zip Code:</b>	
<b>Manager of Establishment (DVM):</b>					
Does the Applicant have legal possession of the premises by ownership, lease, or other arrangement? (circle one) Yes or No			<input type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in detail) Lease Expiration Date: _____		
Check all that apply: <ul style="list-style-type: none"> <li><input type="checkbox"/> Veterinary hospital or educational facility or laboratory regularly using animals             <ul style="list-style-type: none"> <li><input type="checkbox"/> that does not provide kenneling/boarding services except as necessary for veterinary care</li> <li><input type="checkbox"/> that provides kenneling/boarding services in addition to veterinary care</li> </ul> </li> <li><input type="checkbox"/> Kennel or pet shop (not a veterinary hospital)</li> <li><input type="checkbox"/> Livery or Riding Stable</li> <li><input type="checkbox"/> Abattoir, stockyard, hatchery, livestock auction, or other place where livestock or poultry are regularly bred, kept, offered for sale or slaughtered for commercial purposes</li> </ul>					
<b>Nature of Business:</b>					
<b>Type of Animals that will be kept on the premises:</b>					
<b>Approximate (Maximum) Number of Animals, which will be kept on the premises:</b>					
<b>Description of the facilities where the Animals will be kept:</b>					
<p>I declare under the penalty of perjury, that this application (including any accompanying statements) has been examined by me and to the best of my knowledge and belief is true, correct and complete. I also declare that I have been given a copy of Chapter 6 of the Thornton City Code pertaining to the operation of a Commercial Animal License.</p> <p>I further understand that Humane Officers and Inspectors of the City of Thornton or the State of Colorado will be permitted to inspect all animals and the premises where animals are kept at any time; and that a Commercial Animal License issued pursuant to the Thornton City Code is not transferable.</p>					
<b>Signature:</b>		<b>Title:</b>		<b>Date:</b>	



# ZONING REFERRAL

## Form 5

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Contact the City Development Department at [Pod.Info@thorntonco.gov](mailto:Pod.Info@thorntonco.gov) or 303-538-7295. Complete the first three questions on this form and submit it with a copy of the site plan to the City Development Department.

The form submitted with the application must be signed by City Development.

**Return the signed form with your application to the Deputy City Clerk in the City Clerk's office**

### Applicant – Complete this Section Only

Business Name:

Business Address:

Type of License applying for:

- New License  
  Change of Location  
  Modification of Premises

### To Be Completed & Signed By City Development / Zoning Division

Zoning for the property is:

Is the property zoned for the type of license applied for?

Yes

No

Will the Development Review Process be required for this application?

Yes

No

If so, what type of Development Permit is required?

Major

Minor

If a review is scheduled, please indicate the anticipated hearing date for both the Development Permits and Appeals Board (DPAB) & City Council:

DPAB:

City Council:

Is the building going to be expanded/enlarged?

Yes

No

Please address parking issues as part of your review:

Comments:

Signature

City Development/Zoning Division:

Date:

Sec. 6-1. - Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandon* means the leaving of animal for more than 24 hours by its owner or custodian without making effective provisions for its proper care. This shall include, but is not limited to, depositing or dropping off an animal on public property or on property other than that of the owner or custodian without prior permission of the property owner.

*Animal* means any living creature, domestic or wild.

*Animal control officer* means any person designated by the police department or the city manager as an "animal control officer," code enforcement officer, or police officer with the duties of investigation, control, and enforcement of this Code and state laws pertaining to animals.

*Animal shelter* means the authorized facility, established by intergovernmental agreement, and designated by the city for the boarding and care of any animal impounded under the provisions of this title or any other ordinance or law of the State of Colorado.

*Backyard* means the area located behind the rear plane of a residential dwelling extending to the side and rear property lines of the lot.

*Backyard chicken(s)* means any female breed of chicken for raising and keeping in the backyard area of approved residential uses. The term does not include any poultry such as ducks, quail, geese, pigeons, and/or turkeys.

*Bodily injury* means any physical injury that results in severe bruising, muscle tears, or skin lacerations requiring professional medical treatment or any physical injury that requires corrective or cosmetic surgery.

*Butcher* means to prepare animal carcasses for sale or consumption.

*Chicken coop* means any structure or enclosure built or used specifically for the shelter of backyard chickens.

*Chicken run* means a fenced area providing a roaming area for backyard chickens.

*Common area* means an area of land and buildings within a townhouse development, condominium project, manufactured home park, or apartment complex which is for the use and enjoyment of all residents of the project, as distinguished from land designated for their individual, private use.

*Cruelty* means every act of omission that causes or unreasonably permits the continuation of unnecessary or unjustifiable pain or suffering.

*Domesticated animals* means animals which have been by breeding or otherwise tamed or reoriented to domestic life, including but not limited to dogs, cats, horses, mules, donkeys, cattle, sheep, swine, goats, chickens, domesticated Vietnamese potbellied pigs, and other domestic fowl and livestock.

*Effective and immediate control* means such direct, physical restraint achieved by leash, cord, or chain sufficient to prevent attack or uninvited contact by the animal upon a person other than the owner, to prevent entry upon public property if the animal is not on a leash controlled by a human, or to prevent entry upon private property of another without the consent of the person in possession of such private property.

*Good cause* shall mean to act out of necessity or take action against an animal to defend a person or property from imminent harm or damage.

*Humane officer* means any person designated by the Humane Society as a law enforcement officer or any person so designated by the police department or any person so designated by the city manager and who qualifies to perform such duties under state laws.

*Kennel* means any person engaged in the business of breeding, buying, selling, or boarding dogs and/or cats or engaged in the training of dogs for guard or sentry purposes.

*Livestock* means horses, mules, cattle, burros, swine, sheep, goats, poultry, and rabbits.

*Mutilate* shall mean to detach or destroy an animal's limb or other essential part or to otherwise cripple or maim an animal.

*Neglect* means failure to provide food, water, protection from the elements, or other care generally considered to be normal, usual, and accepted for an animal's health and well-being consistent with the species, breed, and type of animal.

*Owner* means any person, firm, corporation, limited liability company, organization owning, possessing, harboring, keeping, having financial or property interest in, or having control or custody of an animal anywhere in the city.

*Person* means any individual, firm, company, partnership, corporation, limited liability company, organization or other entity, and includes the term "owner" as defined in this section.

*Pet shop* means any person engaged in the business of breeding, buying, selling, or boarding animals of any species.

*Premises* means real property, buildings, and other improvements.

*Running at large* means an animal that is not restricted to its owner's premises or not under the effective and immediate control of a person or such animal's owner; except that, for the purposes of this definition, "owner's premises" shall not include common areas, and any animal not under the effective and immediate control of a person or such animal's owner in the common area shall be deemed to be running at large.

*Serious bodily injury* means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

*Slaughter* means to kill any live animal for consumption; for purposes of this definition, live animal does not include fish and crustaceans.

*To own* means to own, possess, keep, harbor, or lease.

*Veterinary hospital* means any establishment maintained and operated by a licensed veterinarian for the boarding of animals or for the diagnosis and treatment of diseases and injuries of animals.

(Ord. No. 3407, § 1, 9-27-16; Ord. No. 3434, § 1, 5-9-17)

Sec. 6-6. - Commercial license required.

- (a) *License required.* No kennel, veterinary hospital, pet shop, livery, riding stable, abattoir, stockyard, hatchery, livestock auction, or other place where livestock or poultry are regularly bred, kept, offered for sale or slaughtered for commercial purposes or educational facility or laboratory regularly using animals shall engage in business in the city without obtaining a commercial license. Commercial licenses shall expire on December 31 of the year first issued and shall be renewed annually thereafter.
- (b) *Application.* Application for the license referred to in subsection (a) of this section shall be made on forms provided by the city clerk for that purpose. The applicant shall furnish the following information on the application:
  - (1) The name, business address, and telephone number of the applicant.
  - (2) The address of the premises for which the application for a license is being made and the approximate number and types of animals which will be kept on the premises.
  - (3) Copy of a lease or proof of ownership of the premises for which the application for a license is being made.
  - (4) Such other information as the city clerk reasonably deems necessary.
- (c) *Issuance of a license.* A license shall be issued by the city clerk after completion of the application provided for in subsection (b) of this section, proof of the applicant's ability to comply with the requirements of this article and with other applicable laws, including requirements for the humane care of animals, and payment of the applicable license fee pursuant to this section.
- (d) *Licensing fee.* The annual fee for licenses issued pursuant to this section shall be determined from time to time by resolution of the city council. The license fee will be prorated the first year of issuance.
- (e)

*Inspection of premises.* It shall be a condition of the issuance of any license pursuant to this section that animal control officers and inspectors of the city or the state shall be permitted to inspect all animals and the premises where animals are kept at any time.

(f) No license issued pursuant to this section shall be transferable.

(g) *Denials, suspensions, revocations.* The city may deny an application for, or suspend or revoke, any commercial business license issued pursuant to this chapter when it determines that the operation of such business by the applicant or licensee is not in compliance with state, federal, or local law or has the potential for negatively impacting the health, safety, or welfare of its residents. Without limiting the foregoing, the following shall each constitute sufficient grounds for denial, suspension, or revocation:

- (1) The property on which the business is or will be conducted is not zoned for such business;
- (2) Fraud, misrepresentation, false statement, or material omission made in connection with the application for the license;
- (3) Delinquent or unpaid taxes, assessments or other financial claims of any local, state, or federal government;
- (4) Revocation of a licensee's sales and use tax license;
- (5) Failure to comply with the duty to supplement application information within 30 days from the date of the charge;
- (6) A violation of any condition placed on the license;
- (7) Conduct of the business in any unlawful or dishonest manner, included but not limited to, any violation of the provisions of this chapter, any other section of the Code, or any other federal, state, or local law.

The failure of the city to discover the existence of a ground on which an application for initial licensing or renewal of a current license should be denied shall not preclude the city from taking action to revoke or suspend a license when such condition becomes known to the city.

(h) *Procedure and notice.*

(1) *Denial.* The city may deny the approval of any application, including an application for renewal based upon the grounds set forth above by issuing a written notice of such denial to the applicant. The written notice shall set forth the grounds for the denial and shall be mailed via certified mail, return receipt requested, to the post office address given in the application.

a. *Appeal of denial.* An applicant may appeal the city's decision to deny the application to the city manager or designee within 30 days of the city's decision. Appeals shall be made in writing and filed with the city clerk's office. The city shall have the burden of proving by a preponderance of the evidence that it has not exceeded its jurisdiction or abused its discretion.

- (2) *Suspensions and revocations.* Before suspending or revoking any license issued pursuant to this chapter, the licensee shall be notified in writing of the alleged cause(s) for revocation or suspension and shall be afforded an opportunity to be heard.
- a. *Service of notice.* Notice shall be served not less than three days prior to the date of the hearing. Service shall be deemed complete either upon personal delivery of the written notice or five days after the date that such notice is sent by regular and certified mail, return receipt requested, to the post office address given in the application for the license. The notice shall set forth the circumstances of the alleged violation.
  - b. *Hearing.* The city manager, or a designee, shall hear such statements and consider such evidence as the applicant/licensee, animal control, police officers, or any other witness shall offer relative to the denial, suspension, or revocation of the commercial license. The city shall have the burden of proof by a preponderance of the evidence. The hearing shall be an administrative hearing where the strict rules of evidence shall not be adhered to and hearsay shall be admitted. However, any decision with regard to suspension or revocation of a commercial license pursuant to this subsection shall not be based solely on hearsay evidence.
- (3) *Written order.* The city manager, or a designee, shall issue an order within ten business days after the hearing is concluded. Such order shall include findings of fact from the statements and evidence offered as to whether the violation occurred, and indicate the licensing agent's decision whether to suspend or revoke the license.
- (c) *Appeal to District Court.* The findings of the city manager or designee shall be final and binding upon the parties unless appealed directly to the District Court of Adams County, Colorado for judicial review of such decision pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure. An appeal from the decision of the hearing officer may be taken by the applicant, the licensee, or by the city. Failure to timely appeal constitutes a waiver of any right any party may otherwise have to contest an appealable decision of the city manager or designee.

(Ord. No. 3407, § 1, 9-27-16)