

Sec. 8-140. Trapping of animals.

- (a) It shall be unlawful to use or set a leg-hold, snare, instant kill-body-gripping trap, or trap which can cause pain, injury or suffering to any animal, except for any mouse or rat snap-type or glue board used for rodent control or any poison. A leg-hold, snare-type or body-gripping trap is any trap which grasps the leg or any portion of such animal and which can injure, harm or cause pain and suffering to the animal.
- (b) Exceptions. The provisions of subsection (a) of this section shall not prohibit:
 - (1) The taking of wildlife by use of the devices or methods described in subsection (a) of this section by federal, state, county, or municipal departments of health for the purpose of protecting human health or safety;
 - (2) The managers of the departments of parks and recreation and environmental health or other city agency from requesting the state division of wildlife or department of agriculture to correct a wildlife nuisance or health problem by employing traps which would otherwise be unlawful; however, such traps shall clearly identify with the state agency setting such traps;
 - (3) The use of the devices or methods described in subsection (a) of this section for controlling:
 - i. Wild or domestic rodents, except beaver or muskrat;
 - ii. Wild or domestic birds as otherwise authorized by law;
 - (4) The use of nonlethal snares, traps specifically designed not to kill, or nets to take wildlife for scientific research projects, for falconry, for relocation, or for medical treatment pursuant to regulations established by the Colorado Wildlife Commission;
 - (5) The use of traps, poisons or nets by the Colorado Division of Wildlife to take or manage fish or other non mammalian aquatic wildlife.
- (c) It shall be unlawful to use any box-type humane trap that does not injure or cause any suffering to any animal for the trapping of animals unless:
 - (1) The trap is checked or examined for the presence of a live animal at least every twelve (12) hours and within two (2) hours of being notified that there is an animal in the trap;
 - (2) The trap contains the name and telephone number of the person setting the trap.
- (d) Notwithstanding the provisions of this section, the owner or lessee of private property primarily used for commercial livestock or crop production, or the employees of such owner or lessee, shall not be prohibited from using the devices or methods described in subsection (a) of this section on such private property so long as:
 - (1) Such use does not exceed one (1) thirty-day period per year; and
 - (2) The owner or lessee can present on-site evidence to the division of wildlife that ongoing damage to livestock or crops has not been alleviated by the use of nonlethal or lethal control methods which are not prohibited.
- (e) The provisions of this section shall not apply to the taking of wildlife with firearms, fishing equipment, archery equipment, or other implements in hand as authorized by law.
- (f) It shall be the duty of every police officer or animal control officer to confiscate and destroy any trap found set within the city other than a box-type humane trap, and to confiscate any humane box-type trap which does not have the name and telephone number of the person setting the trap.