

## **ORDINANCE NO. 1328**

### **AN ORDINANCE AMENDING CHAPTER 20, LAND USE CODE, OF THE FORT MORGAN MUNICIPAL CODE ADDRESSING AND REGULATING THE LAND USES OF KENNELS, PET DAYCARE, OVERNIGHT PET BOARDING AND SMALL ANIMAL GROOMING**

**WHEREAS**, the City of Fort Morgan, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

**WHEREAS**, the City Council (the "Council") has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances and enact laws to govern and regulate the use of land within its territory; and

**WHEREAS**, pursuant to that authority, the Council previously adopted local land use regulations, codified in Chapter 20 of Fort Morgan Municipal Code (the "Code"); and

**WHEREAS**, pursuant to that authority, Council now desires to amend and clarify current potential gaps or areas of confusion in Chapter 20 of the Code and address and regulate the land uses of kennels, small animal grooming and overnight pet boarding of dogs and cats, some uses which are currently not explicitly referenced or permitted within Chapter 20 of the Code, and some which practical inquires by local business owners have demonstrated the need for certain clarification and amendments; and

**WHEREAS**, according to section 20-4-80 of the Code, entitled determination of land uses not listed, any use that does not fall within any of the use categories provided by use table is neither permitted by right nor by approval as a special use; and

**WHEREAS**, the Fort Morgan Planning Commission considered the amendments specified within this ordinance at their January 27, 2025 and February 10, 2025 meetings and recommends such changes to Chapter 20; and

**WHEREAS**, the City of Fort Morgan City Council finds it in the best interest of the general health, safety and welfare of its citizens, customers and business owners to address, regulate and clarify the land uses of kennels, doggy daycare, animal clinics, and crematories for small domestic animals, some of which are currently not explicitly referenced or permitted within Chapter 20, and some of which need to be clarified.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO**, as follows:

**SECTION 1. Findings.** The above and foregoing findings are hereby incorporated by this reference as specific findings and determinations of the Council.

**SECTION 2.** Section 20-10-20, concerning words and terms, is hereby amended by the amendment of the definitions of “Kennel, cattery, and rabbitry,” and “Pet Daycare” as follows:

**Sec. 20-10-20. - Words and terms.**

As used in this Chapter, the following words shall be interpreted and defined in accordance with the provisions of this Chapter.

...

*Kennel, cattery, and rabbitry* means any establishment where domestic animals (usually dogs, cats and rabbits) are boarded (overnight), bred or raised for sale, or trained, exclusive of veterinary hospitals, veterinary clinics, veterinary offices, or an animal shelter.

*Pet Daycare* means a facility providing services such as dog and cat daycare for all or part of a day, obedience classes, training, and/or behavioral counseling, exclusive of overnight boarding.

**SECTION 3.** Section 20-10-20, concerning words and terms, is hereby amended by the addition of the following definitions in the appropriate alphabetical order as follows:

**Sec. 20-10-20. - Words and terms.**

As used in this Chapter, the following words shall be interpreted and defined in accordance with the provisions of this Chapter.

....

*Small Animal Grooming* means providing services like bathing, brushing, clipping, or trimming a small domestic animal's (such as dogs and cats) hair and nails.

*Overnight pet boarding* is a service that provides temporary housing for dogs and cats, and includes but is not limited to supervision, food, and care, which extends beyond daytime hours.

**SECTION 4.** The appropriate portions of section 20-4-90, District Use Table, is hereby amended as follows:

**Sec. 20-4-90. - District Use Table (permitted and special uses).**

Table 4-1 lists all permitted and special uses by zoning district. Temporary uses and accessory uses are listed in Section 20-4-50 and 20-4-60, respectively.

**TABLE 4-1  
Zoning District Uses**

P = PERMITTED USE  
S = SPECIAL USE

	UA	ER-1	R-1	R-2	R-3	R-4	T	B-1	B-2	BP	I
<b>Services</b>											
...											
Animal Clinic, Animal Crematory, Small Animal Grooming	P							S	S		P
Kennels, Catteries, Rabbitries, Pet Daycare, Overnight Pet Boarding	P								S		P

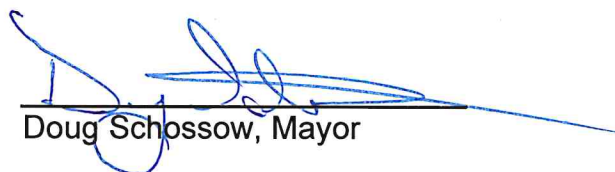
**SECTION 5.** If any section, provision, paragraph, clause or phrase of this Ordinance is held, or decided to be unconstitutional, invalid or enforceable for any reason, such decision shall not affect the constitutionality, validity or enforceability of the remaining portions of this Ordinance.

**SECTION 6.** All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED PUBLISHED  
ON THE 6<sup>TH</sup> DAY OF JANUARY 2026.



THE CITY COUNCIL OF THE CITY OF FORT  
MORGAN, COLORADO

  
Doug Schossow, Mayor

Attest:

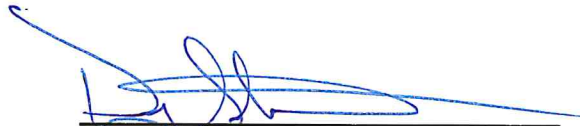
  
Jill Curtis, City Clerk



PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED  
PUBLISHED THIS 20<sup>th</sup> DAY OF JANUARY, 2026.



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

  
\_\_\_\_\_  
Doug Schossow, Mayor

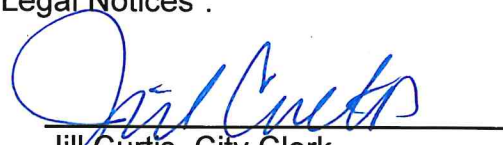
Attest:

  
\_\_\_\_\_  
Jill Curtis, City Clerk

STATE OF COLORADO                     )  
COUNTY OF MORGAN                 )ss.  
CITY OF FORT MORGAN                )

**CERTIFICATE**

I, Jill Curtis, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1328** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 6<sup>th</sup> day of January, 2026. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 7<sup>th</sup> day of January, 2026, published on the City of Fort Morgan website ([www.cityofformorgan.com](http://www.cityofformorgan.com)) under the heading of "Legal Notices". Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 20<sup>th</sup> day of January, 2026. Within five (5) days after its final passage, said **Ordinance No. 1328** was again published on the City of Fort Morgan website ([www.cityofformorgan.com](http://www.cityofformorgan.com)) under the heading of "Legal Notices".

  
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Jill Curtis, City Clerk