



FRUITA POLICE DEPARTMENT

101 W. McCune · Fruita, CO 81521

Phone (970) 858-3008 / Fax (970) 858-3665

Incident # _____

Officer _____

The Process for Barking Dog(s)

Fruita Police Department wants to assist you if you are having a problem with nuisance barking. If you proceed with this process, you will need to be willing to testify in Court and the owner of the animal will have access to information regarding who filed the complaint.

Fruita Municipal Code, Disturbance of the Peace, 6.09.010 states, "No owner of a dog shall fail to prevent it from disturbing the peace and quiet of any other person by loud and persistent barking, baying, howling, yipping, crying, yelping or whining, whether the dog is on or off the owner's premises".

Provocation of a dog is an affirmative defense for barking i.e....postal carriers, people and/or dog(s) passing by, or at-large cats.

No person shall be convicted at trial for violation of barking unless oral testimony or other means of reliable evidence proving the elements listed above is admitted in court. Other reliable means includes but is not limited to videotape and digital video recordings.

The Fruita Police Department suggests the following process: Try talking to the owner or leave them a note to let them know their dog's barking has become a nuisance. In addition, inform the owner the time their dog is barking. We must have the physical address of where the barking dog(s) reside.

Second - File a complaint with the Fruita Police Department and we will send them a Courtesy Warning and ideas on how to address excessive barking by dogs. An officer will stop by your home to drop off a "Bark Log" and discuss how to document any further barking events. The warning is valid for six weeks.

Third - If after three days from our Courtesy Warning the excessive barking has not ceased, you need to contact us. Once the "Bark Log" and evidence is reviewed, a citation can be issued to the dog owner.

Documenting:

- When practical, document ALL the times and duration of the barking dog.
- Additional complaining residences who testify in court will help the case. This eliminates the he said, she said.
- Video taping and audio recordings are very useful. This shows the court what you're enduring.



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Date	Start Time	Stop Time	Description of Dogs	Additional Evidence
				<input type="checkbox"/> Video <input type="checkbox"/> Audio <input type="checkbox"/> Witness
				<input type="checkbox"/> Video <input type="checkbox"/> Audio <input type="checkbox"/> Witness
				<input type="checkbox"/> Video <input type="checkbox"/> Audio <input type="checkbox"/> Witness
				<input type="checkbox"/> Video <input type="checkbox"/> Audio <input type="checkbox"/> Witness
				<input type="checkbox"/> Video <input type="checkbox"/> Audio <input type="checkbox"/> Witness
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				<input type="checkbox"/> Video <input type="checkbox"/> Audio <input type="checkbox"/> Witness
				<input type="checkbox"/> Video <input type="checkbox"/> Audio <input type="checkbox"/> Witness

Address of Dogs: _____

Witnesses:

As a witness, I am willing to appear in court to testify to the above barking incident.

 Witness Signature / Date

 Address
 () _____ / () _____
 Home Phone/Contact Phone

Complainant:

As the complaining party, I am willing to appear in court to testify to the above barking incident. In addition to this log, I will provide the following additional evidence: Video

Audio Witness Photos Police Report Other: _____

 Complainant Signature / Date

() _____ / () _____
 Home Phone/Contact Phone