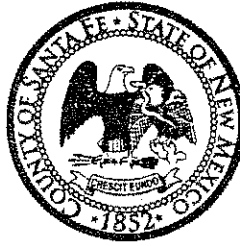


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

Date: June 12, 2018

To: Board of County Commission

From: Tony Flores, Deputy County Manager
Cristella Valdez, Assistant County Attorney

Via: Katherine Miller, County Manager

Subject: Presentation and Summary of Proposed Changes to the Santa Fe County Animal Control Ordinance.

Background and Summary:

On January 31, 2017, the Board of County Commission (BCC) approved Resolution 2017-1 which amended Ordinance 1991-6 (Ordinance) which increased fees; prohibited fixed point tethering; conformed rabies vaccinations to state law; set forth a process for revocation of permits issued; incorporated the dangerous dog act (NMSA 1978 §§77-1A-1 – 6); and established penalty provisions that comport with state law.

Specifically the Ordinance amended the following Sections:

- Section 1 Article 1-2(T) / amended and replaced Section 1-2(T) in its entirety.
- Section 4-1 / repealed and replaced Section 4-1 Rabies Vaccinations in its entirety.
- Section 3 Article 5-2 / amended the title and repealed and replaced Section A.
- Section 4 Article 5-4 / repealed and replaced Section 5-4 in its entirety.
- Section 5 Article 6-12(A) / repealed and replaced 6-12(A) in its entirety.
- Section 6 Article 7-2 / add a final sustenance to Section regarding the revocation of a permit and the procedures set forth in Section 10-1 (G).
- Section 7 Article 10-1 / amended to add (G) related to the revocation of permits issued and procedures to be followed.
- Section 8 Article 11-1 / amended the Penalty Clause
- Section 9 Appendix A / replaced the fee schedule
- Section 10 Effective Date / provided that the Ordinance shall take effect thirty days after it is recorded by the County Clerk, ... except that Section 3 ... shall not take effect until six months after recordation.

Subsequently, on March 14, 2017, the BCC approved Resolution 2017-25 (Resolution) establishing the Animal Control Ordinance Advisory Committee (Committee). The express purpose of the Committee is to provide recommendations to the BCC regarding provisions of the Animal Control Ordinance as follows:

- Develop recommendations regarding amendments to the Ordinance to improve the clarity of the provisions governing tethering dogs.
- Develop recommendations regarding amendments to the Ordinance to improve the efficacy of the prohibition on barking as set forth in Section 5-5, Animal Disturbing the Peace.

As a result of the approval of the Resolution, staff conducted three calls for interested individuals to serve on the Committee, and on May 30, 2017, the Board appointed the following members to the Committee:

- Becca Pava, DVM
- Kimberly Roman
- Michael Marvier
- Katharine Clark
- Eric Quintana

The Committee met between August and November of 2017, to discuss and develop their recommendations in accordance with the Resolution. As a result of the Committee's work, staff presented an update on January 9, 2018 of the Committee's work and the next step in the process. Staff was directed that prior to requesting to Publish Title and General Summary, staff present the proposed changes and then receive direction from the BCC.

Recommendation:

Although this is a non-action item only, staff is recommending that the BCC provide feedback on the proposed revisions.

Exhibits:

- A – Proposed Amendments to Ordinance 1991-6, 2017-1 and 2017-3
- B – BCC Agenda/Packet Material for May 30, 2017 – appointment of Committee Members
- C – Ordinance 2017-3
- D – Resolution 2017-25
- E – Ordinance 2017-1
- F – Ordinance 1991-6

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

ORDINANCE NO. 2017 – ____

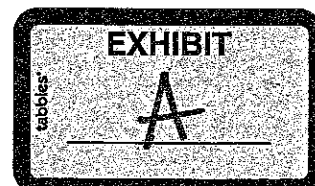
**AN ORDINANCE AMENDING ORDINANCE NO. 1991-6, THE SANTA FE
COUNTY ANIMAL CONTROL ORDINANCE, AS AMENDED BY ORDINANCE
NO. 2017-1 AND ORDINANCE NO. 2017-3 TO CLARIFY PROVISIONS
REGARDING TETHERING AND ANIMAL NUISANCES**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY THAT ORDINANCE NO. 1991-6, AS AMENDED BY
ORDINANCE NO. 2017-1 AND ORDINANCE NO. 2017-3, IS HEREBY
FURTHER AMENDED AS FOLLOWS:**

Section 1. Article 5, Section 5-2, is amended to repeal and replace section A as follows:

- A. "It shall be unlawful to tether an unattended dog as a form of confinement on private property. "Unattended" for purposes of this section means the dog is not in direct visual range of the owner or other person having charge, custody, care or control over the dog and such owner or other person is not outside with the dog. "Tether" for purposes of this section means attaching a dog, including a guard dog as defined in Section 7-4, that is outdoors to any fixed point by any means, including without limitation a rope, chain, cable, leather strap, or cord. An owner or other person having charge, custody, care or control over the dog may tether the dog only in compliance with the following requirements:

1. The dog is not unattended;
2. The dog shall not be tethered in a manner that allows the dog to enter onto another person's property;
3. The tether used to restrain the dog is at least 10 feet in length, unless such length allows the dog to enter onto another person's property, in which case the tether shall be no less than 8 feet in length and prevent the dog from entering another person's property;



4. The tether must be affixed to the dog by use of a non-abrasive, comfortably fitted harness, and be of an adequate size and strength to effectively restrain the dog;
5. The size and weight of the tether must not be excessive, as determined by the Animal Services Officers, considering the age, size and health of the dog;
6. The material of the tether must be of a type that minimizes tangling of the tether;
7. There must be a swivel on at least one end of the tether to minimize tangling of the tether;
8. The tether must be fastened so that the dog can sit, walk and lie down comfortably;
9. The tether shall not be obstructed by objects that cause the tether or dog to become entangled or strangled;
10. The dog must have easy access to adequate shelter, shade, food, and potable water; and
11. The area where the dog is confined must be kept free from garbage, feces, or other debris which may endanger the animal's health and safety.

Section 2. Article 5, Section 5-5 is repealed and replaced with following:

- A. It is unlawful for any owner or person having custody or control to allow any of their animals or animals in their custody or control to persistently or continuously bark, howl or make noise common to their species or otherwise disturb the peace and quiet of the inhabitants of the County. Persistently or continuously means a 10-minute period during which animal noise is discerned in each of the ten one-minute intervals therein. This provision shall not apply to properly zoned Kennels and Pet Shelters that have been permitted pursuant to Section 10-1.
- B. It is unlawful for any owner or person having custody or control to keep or maintain on their premises any animal in such a manner as to disturb others by noxious or offensive odors, or otherwise endanger the health, safety, and welfare of the inhabitants of the County.

C. Violations of this Section shall constitute a nuisance and shall subject the owner to the penalties set forth in Appendix A.

Section 3. EFFECTIVE DATE. This Ordinance shall take effect thirty days after it is recorded by the County Clerk, pursuant to NMSA 1978, § 4-37-9.

PASSED, APPROVED, AND ENACTED this _____ day of _____, 2017, by the Board of County Commissioners of Santa Fe County.

BOARD OF COUNTY COMMISSIONERS

Henry P. Roybal, Chair

ATTESTATION:

Geraldine Salazar, Santa Fe County Clerk

APPROVED AS TO FORM:

R. Bruce Frederick, County Attorney

Posted at the Santa Fe County
Administrative Building
Date: 5/26/17 Time: 4:08 pm
By: Amela Baca

Board of County Commissioners of Santa Fe County
County Commission Chambers
County Administrative Building
102 Grant Avenue
Santa Fe NM 87501

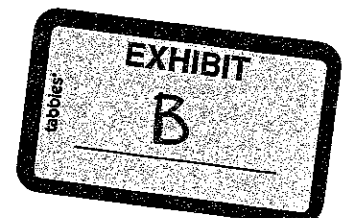
REGULAR MEETING

May 30, 2017, at 2:00 p.m.

Please turn off cellular phones during the meeting.

Amended Agenda

- I. **Opening Business**
 - A. Call to Order
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. State Pledge
 - E. Moment of Reflection
 - F. Approval of Agenda (Action Item)
 - 1. Amendments.
 - 2. Tabled or Withdrawn Items.
 - G. Approval of Minutes (Action Item)
 - 1. Approval of the Minutes of the May 2, 2017, Regular Board of County Commissioners Meeting.
 - 2. Approval of the Minutes of the May 2, 2017, Board of County Commissioners Special Budget Study Session Meeting.
 - 3. Approval of the Minutes of the May 9, 2017, Board of County Commissioners Special Budget Study Session Meeting.
 - H. Employee Recognition
 - 1. Recognition of New Santa Fe County Employees.
 - 2. Recognition of Years of Service for Santa Fe County Employees.



II. Consent Agenda (Action Items)

A. Miscellaneous

1. Approval of County Health Care Assistance Claims in the Amount of \$51,366.66. (Community Services Department/Kyra Ochoa)
2. Approval of A Request From Univest Rancho Viejo, LLC to Consider Homes Sold By Homewise in La Entrada as Part of the Amended and Restated La Entrada Phase 1 Affordable Housing Agreement. (Growth Management Department/Robert Griego)

B. Resolution

1. Resolution No. 2017-____, A Resolution Authorizing the County Manager to Sign and Submit an Application to the Department of Finance and Administration Under the Juvenile Adjudication Fund Grant Program. (Community Services Department/ Jennifer Romero)
2. Resolution No. 2017-____, A Resolution Requesting an Increase to the Project Funding Allocation for the East Mountain Area Health Care Facility and Requesting a Budget Increase in the State Special Appropriations Fund (318) to Budget Grant No. 16-A2502 for this Project / \$239,580. (Finance Division/Don Moya)
3. Resolution No. 2017-____, A Resolution Imposing an Annual Liquor License Tax Upon Persons Holding State Liquor Licenses. (Patrick "Pat" Varela, County Treasurer)

(End of Consent Agenda)

III. Santa Fe County Board of Finance Meeting

(The Board of County Commissioners of Santa Fe County will Temporarily Adjourn and Reconvene as the Santa Fe County Board of Finance.)

A. Call to Order

B. Roll Call

C. Presentation of the County's Investment Report for the Five Months Ending May 30, 2017 (Patrick "Pat" Varela, County Treasurer)

D. Presentation of the County Treasurer's Investment Policy Changes (Action Item) *(Item Removed from Agenda)*

E. Adjourn and Reconvene as the Board of County Commissioners of Santa Fe County (Action Item)

IV. Action Items

A. Items From Consent Agenda Requiring Extended Discussion / Consideration

B. Appointments/Reappointments/Resignations

1. Appointment of Members to the Santa Fe County Animal Control Ordinance Advisory Committee. (County Manager's Office/Tony Flores)

C. Resolutions

1. Resolution No. 2017-____, A Resolution Authorizing a Community Planning Process for the Village of La Bajada Traditional Community. (Growth Management Department/Erin Ortigoza)
2. Resolution No. 2017-____, A Resolution Adopting the Interim Budget for Fiscal Year 2017-2018 (FY 2018). (Finance Division/Don Moya)
3. Resolution No. 2017-____, A Resolution Requesting Approval to Transfer Bid Premium for the General Obligation Refunding and Improvement Bonds 2015 Fund (352) and the General Obligation Refunding and Improvement Bonds 2016 Fund (354) to the General Obligation Bond Debt Service Fund (401) and Budget the Interest Payment for General Obligation Bond 2016 for a Net Budget Increase of \$606,552. (Finance Division/Don Moya)

D. Miscellaneous

1. Appointment of a Person to the Office of Santa Fe County Probate Judge to Fill Vacancy Created by the Resignation of the Honorable Shannon Bulman. (County Manager's Office/Tony Flores)

V. Discussion/Information Items/Presentations

A. Matters from County Commissioners and Other Elected Officials

1. Elected Officials Issues and Comments - These are Non-Action Items by Elected Officials, Such as Constituent Concerns, Elected Official Recognitions, and Requests for Updates or Future Presentations.
2. Commissioner Issues and Comments - These are Non-Action Items by Commission District, Such as Constituent Concerns, Commissioner Recognitions, and Requests for Updates or Future Presentations.

B. Presentations

1. Approval and Presentation of A Proclamation Proclaiming May 30, 2017, as Santa Fe Indian School - Varsity Baseball Day. (Commissioner Anaya) (Action Item)
2. Presentation from Santa Fe Community College (SFCC) Regarding the 2017 PROTEC Contract. (SFCC/Monique Anair, Contract Training)

VI. County Local Option Gross Receipts Tax Ordinances

A. Public Hearings (To Begin No Earlier Than 5:00 P.M.)

1. Ordinance No. 2017-____, An Ordinance Adopting A County Hold Harmless Gross Receipts Tax. (Concerns the Second One-Eighth Increment of the County Hold Harmless Gross Receipts Tax) (County Manager's Office/Katherine Miller and County Attorney's Office/Gregory S. Shaffer) (First and Only Public Hearing) (Action Item)

2. Ordinance No. 2017-____. An Ordinance Adopting A County Gross Receipts Tax. (Concerns the So-Called Additional One-Sixteenth of the County Gross Receipts Tax) (County Manager's Office/Katherine Miller and County Attorney's Office/Gregory S. Shaffer) (First and Only Public Hearing) (Action Item)
- B. Authorization to Publish Title and General Summary of Ordinance No. 2017-____, An Ordinance Adopting A County Gross Receipts Tax. (Concerns the So-Called Additional One-Twelfth of the County Gross Receipts Tax) (County Manager's Office/Katherine Miller and County Attorney's Office/Gregory S. Shaffer) (Action Item)

VII. Matters of Public Concern

VIII. Matters From the County Manager (Item Relocated on Agenda – Previously Item VI)

A. Miscellaneous Updates

1. Boards and Committees Review.

B. Legislative Update

1. Discussion of, Direction on, and Possible Vote of Support for or Opposition to Bills Introduced In, Proposed for Introduction In, or Passed During the First Special Session of the 53rd Legislature of the State of New Mexico. (Possible Action Item)

C. *State of New Mexico, ex rel. State Engineer v. R. Lee Aamodt et al.*, U.S. District Court, District of New Mexico, No. Civ. 66-06639 WJ/WPL.

1. Update on Appropriations for State's Share of Regional Water System.
2. Update on Efforts to Resolve the Legal Status of Santa Fe County Roads within the Exterior Boundaries of the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque, as Required by Resolution No. 2015-125.

IX. Matters From the County Attorney (Item Relocated on Agenda – Previously Item VII)

A. Executive Session. Threatened or Pending Litigation in Which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, Limited Personnel Matters, as Defined and as Allowed by Section 10-15-1(H)(2) NMSA 1978, and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:

1. Rights-of-Way for County Roads.
2. Performance Evaluation of the County Manager.
3. Potential Enforcement Actions for Violations of the Santa Fe County Sustainable Land Development Code.
4. Real Property Interests for County Trails. (Item Added)

- 5. Dispute with Potential Water Customer Concerning Terms of Service.
(Item Added)
- B. Possible Action(s) with Respect to Threatened or Pending Litigation in Which Santa Fe County is or may Become a Participant Discussed in Executive Session. (Action Item)

X. Information Items

- A. Growth Management Monthly Report
- B. Public Safety Monthly Report
- C. Public Works Monthly Report
- D. Human Resources Monthly Report
- E. Administrative Services Monthly Report
- F. Community Services Monthly Report
- G. Financial Report for the month ending 4/30/2017

XI. Concluding Business

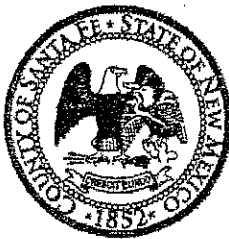
- A. Announcements
- B. Adjournment (Action Item)

Santa Fe County makes every practical effort to assure that auxiliary aids or services are available for meetings and programs. Individuals who would like to request auxiliary aids or services should contact Santa Fe County Manager's Office at (505) 986-6200 in advance to discuss specific needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

Date: May 30, 2017
To: Board of County Commissioners
From: Tony Flores, Deputy County Manager
Via: Katherine Miller, County Manager
Subject: Appointment of Members to the Santa Fe County Animal Control Advisory Committee

Background and Summary

On March 14, 2017, the Board of County Commission (Board) passed Resolution 2017-25, which established the Santa Fe County Animal Control Advisory Committee (Committee).

The express purpose of the Committee is to provide recommendations to the Board regarding provisions of the Animal Control Ordinance (Ordinance), to include developing recommendations regarding amendments to the Ordinance in the following areas:

- Improve clarity of the provisions governing tethering of dogs
- Improve the efficacy of the prohibition on barking
- Obtain necessary data regarding enforcement of the Ordinance
- Submit written recommendations regarding revisions to the tethering and barking provisions of the Ordinance within eight weeks of the first meeting of the Committee

The Committee shall be made up of seven members appointed by the Board. All members shall have their primary residence within the exterior boundaries of Santa Fe County and all members shall be charged with representing the best interests of the County as a whole. The members shall include:

- A resident from each Commission district
- One member who can offer informed input regarding regulations pertaining to humane restraint of dogs
- One member who can offer informed input regarding regulating barking

Three members of the Committee shall be appointed for an initial term of one year and four members shall be appointed for an initial term of two years. Thereafter, members shall serve terms of two years.

Following the passage of the Resolution the County Manager's solicited, on two separate occasions, for interested individuals for the Committee. The following individuals have expressed interest in being considered by the Board:

- Eric M. Quintana (D-1)
- Katharine Clark (D-2)
- Patrick Madden (D-4)
- Becca Pava (D-4)
- Kimberly Roman (Regulating Barking)
- Michael Marvier (Regulating Tethering)

Although the two calls for interested individuals did not yield a full complement of applications for consideration, staff has determined that based upon the time line included within the Resolution, it is in the County's best interest to begin Committee meetings and continue a call for applications.

Recommendation

Based upon the review of each of the applications staff is recommending the following appointments:

- Eric M. Quintana (D-1) – Two Year Term
- Katharine Clark (D-2) – Two Year Term
- Becca Pava (D-4) – Two Year Term
- Kimberly Roman (Regulating Barking) – Two Year Term
- Michael Marvier (Regulating Tethering) - One Year Term

Exhibits:

- A. Resolution 2017-25
- B. Call for Applicants (April 6, 2017)
- C. Call for Applicants (April 20, 2017)
- D. Eric M. Quintana
- E. Katharine Clark
- F. Patrick Madden
- G. Becca Pava
- H. Kimberly Roman
- I. Michael Marvier
- J. Animal Control Advisory Committee Timeline

**BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

RESOLUTION NO. 2017- 25

**A RESOLUTION
ESTABLISHING THE ANIMAL CONTROL ORDINANCE ADVISORY COMMITTEE**

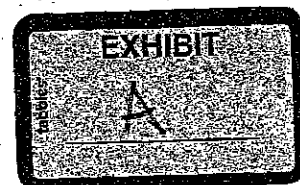
WHEREAS, in 1991 Santa Fe County (the County) adopted the Santa Fe County Animal Control Ordinance, Ordinance 1991-6; and

WHEREAS, the Board of County Commissioners of Santa Fe County (the Board) adopted Ordinance 2017-1, in January of 2017, amending the Animal Control Ordinance to increase licensing fees, restrict tethering of dogs, and ensure that the Animal Control Ordinance comported with state law; and

WHEREAS, the Board, at a public meeting on February 14, 2017, determined that a citizen advisory committee should be established to develop recommendations regarding how to define tethering within the Animal Control Ordinance, and how to more effectively regulate the animal nuisance of barking within the County.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS HEREBY
RESOLVES AS FOLLOWS:**

1. The Board hereby established the Animal Control Ordinance Advisory Committee (the Committee).
2. The express purpose of the Committee is to provide recommendations to the Board regarding revisions to provisions of the Animal Control Ordinance.
3. The duties of the Committee are as follows:
 - a. Develop recommendations regarding amendments to the Animal Control Ordinance to improve the clarity of the provisions governing tethering of dogs;



- b. Develop recommendations regarding amendments to the Animal Control Ordinance to improve the efficacy of the prohibition on barking as set forth in Section 5-5, Animal Disturbing the Peace;
 - c. Obtain necessary data regarding enforcement of the Animal Control Ordinance from the Animal Control Division of the Sheriff's Office to inform recommendations regarding revisions to the tethering and barking provisions of the Animal Control Ordinance;
 - d. Submit written recommendations regarding revisions to the tethering and barking provisions of the Animal Control Ordinance within eight weeks of the first meeting of the Animal Control Ordinance Advisory Committee;
 - e. Seek authorization from the Board to propose additional amendments to the Animal Control Ordinance to improve its clarity and enforceability;
 - f. Take responsibility for providing recommendations regarding such other issues pertaining to the Animal Control Ordinance as the Board may request from time to time.
4. The Committee shall be made up of seven members appointed by the BCC. All members shall have their primary residence within the exterior boundaries of Santa Fe County. Notwithstanding the geographic distribution of members, all members shall be charged with representing the best interests of the County as a whole. The members shall include:
- a. A resident from each of the Commission Districts;
 - b. One member who can offer informed input regarding regulations pertaining to humane restraint of dogs;
 - c. One member who can offer informed input regarding regulating barking.
5. Three members of the Committee shall be appointed for an initial term of one year and four members shall be appointed for an initial term of two years. Thereafter members shall serve

terms of two years. In the event of a vacancy, the Board shall appoint a member to serve out the remainder of the departing member's term. There shall be no limitation on the number of consecutive terms that a member may serve.

6. Members will be appointed by the Board based on letters of interest, qualifications, and county-wide representation. Members may be removed by the BCC with or without cause. In addition, a member shall be deemed to have resigned their position if they fail to attend two consecutive meetings of the Committee; provided, however, the member may request that the Board excuse their absences for good cause and allow them to continue serving on the Committee.

7. The Committee shall comply with the rules of order set forth in Resolution 2009-2 as that Resolution may be amended from time to time, including selecting a chairperson and vice chairperson to serve for one-year terms. The chairperson and vice chairperson shall be selected at the first Committee meeting and annually thereafter.

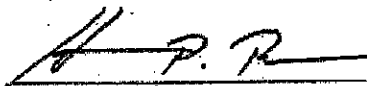
8. All matters coming before the Committee shall be resolved by majority vote of the quorum. A quorum is a majority of the number of members of the Committee. A quorum is necessary for the Committee to conduct business.

9. The Committee shall meet no more frequently than once per week. Meetings shall be held in the Legal Conference Room at the Santa Fe County Administration Building, 102 Grant Avenue, Santa Fe, NM, and such other locations as may be conducive to visible and publicly accessible meetings. Meetings shall be held in accordance with the Santa Fe County Open Meetings Act Resolution.

10. The County Manager shall appoint a member of the County staff from the Manager's Office to serve as liaison to the Committee.

11. The Captain of the Santa Fe County Sheriff's Department, or the Captain's designee, shall be invited to attend each meeting.
12. A representative of the Santa Fe County Legal Office shall also be invited to attend each meeting.
13. The Animal Control Committee shall cease to exist and this Resolution shall expire six months after the completion of the Animal Control Committee's last assignment from the Board.

PASSED, APPROVED, and ADOPTED this 14th day of March, 2017.



Henry P. Roybal, Chair

ATTESTATION:


Geraldine Salazar, Santa Fe County Clerk

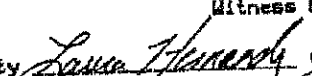


APPROVED AS TO FORM:


Gregory S. Shaffer, Santa Fe County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
BCC RESOLUTIONS
PAGES: 4
I Hereby Certify That This Instrument Was Filed for
Record On The 15TH Day Of March, 2017 at 10:22:59 AM
And Was Duly Recorded as Instrument # 1820455
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy  County Clerk, Santa Fe, NM

Tony T. Flores

From: Santa Fe County <Santa.Fe.Cty@public.govdelivery.com>
Sent: Thursday, April 06, 2017 4:11 PM
To: Tony T. Flores
Subject: Santa Fe County Seeks Applicants for the Animal Control Ordinance Advisory Committee

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Santa Fe County Seeks Applicants for the Animal Control Ordinance Advisory Committee

The Santa Fe County Manager's Office is seeking interested citizens to serve on the newly established Animal Control Ordinance Advisory Committee (ACOAC). The purpose of the 7-member Animal Control Ordinance Advisory Committee is to provide recommendations to the Santa Fe Board of County Commissioners regarding the provisions of the Animal Control Ordinance. The composition of the Committee must include:

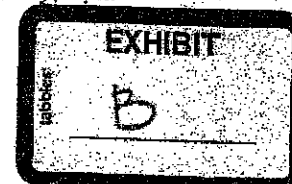
- One (1) member from each County Commission District;
- One (1) member who can offer informed input regarding regulations pertaining to the human restraint of dogs.
- One (1) member who can offer informed input regarding regulating barking.

Three (3) members of the Committee shall be appointed for an initial term of one (1) year and four (4) members shall be appointed for an initial term of two (2) years.

Committee meetings will be scheduled as necessary to carry out committee work. Committee members may volunteer for smaller WPAC working groups.

Interested individuals should submit a letter of interest and resume by Wednesday, April 19, 2017 to:

Santa Fe County Manager's Office



Attn: Tony Flores, Deputy County Manager
P. O. Box 276
Santa Fe, New Mexico 87504-0267
Email: tflores@santafecountynm.gov
Phone: (505) 986-6200

[View Resolution 2017 - 2025 \(click to view\) establishing the committee.](#)



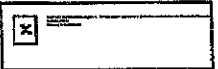
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Tony T. Flores

From: Santa Fe County <Santa.Fe.Cty@public.govdelivery.com>
Sent: Thursday, April 20, 2017 3:19 PM
To: Tony T. Flores
Subject: Santa Fe County Seeks Applicants for the Animal Control Ordinance Advisory Committee

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Santa Fe County Seeks Applicants for the Animal Control Ordinance Advisory Committee

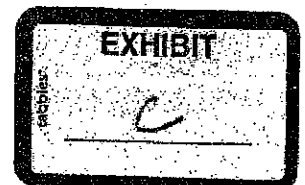
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- One (1) member from each County Commission District;
- One (1) member who can offer informed input regarding regulations pertaining to the human restraint of dogs.
- One (1) member who can offer informed input regarding regulating barking.
- Three (3) members of the Committee shall be appointed for an initial term of one (1) year and four (4) members shall be appointed for an initial term of two (2) years.

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Interested individuals should submit a letter of interest and resume by Friday, May 5, 2017 to:

Santa Fe County Manager's Office
Attn: Tony Flores, Deputy County Manager



P. O. Box 276
Santa Fe, New Mexico 87504-0267
Email: tflores@santafecountynm.gov
Phone: (505) 986-6200

[View Resolution 2017 - 2025 \(click to view\) establishing the committee.](#)



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This email was sent to tflores@santafecountynm.gov using GovDelivery, on behalf of: Santa Fe County · 102 Grant Ave · Santa Fe, NM 87501-2061



Tony T. Flores

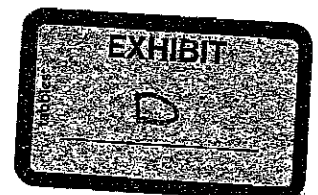
From: Quintana, Eric Michael <emq@lanl.gov>
Sent: Friday, May 05, 2017 2:37 PM
To: Tony T. Flores
Cc: Henry P. Roybal; Orlando A. Romero
Subject: Interest in the Animal Control Ordinance Advisory Committee
Attachments: Resume_ACOAC.doc; ACOAC letter.docx

Mr. Flores,

I am interested in becoming a committee member of the Animal Control Ordinance Advisory Committee. Please consider my attached Letter of Interest and Resume for a position on the committee.

Thank you,

Eric Quintana



Eric M. Quintana
417B CR 84
Santa Fe, NM 87506
(505) 695-6426

5th May 2017

Mr. Tony Flores, Deputy County Manager
Santa Fe County Manager's Office
P.O. Box 276
Santa Fe, NM 87504

Mr. Flores,

I am interested in an appointment to the Animal Control Ordinance Advisory Committee (ACOAC). I am a resident of Santa Fe County, living in El Rancho, NM. I received a Bachelor of Science in Wildlife Science from New Mexico State University and am currently employed at Los Alamos National Laboratory in Radiation Protection.

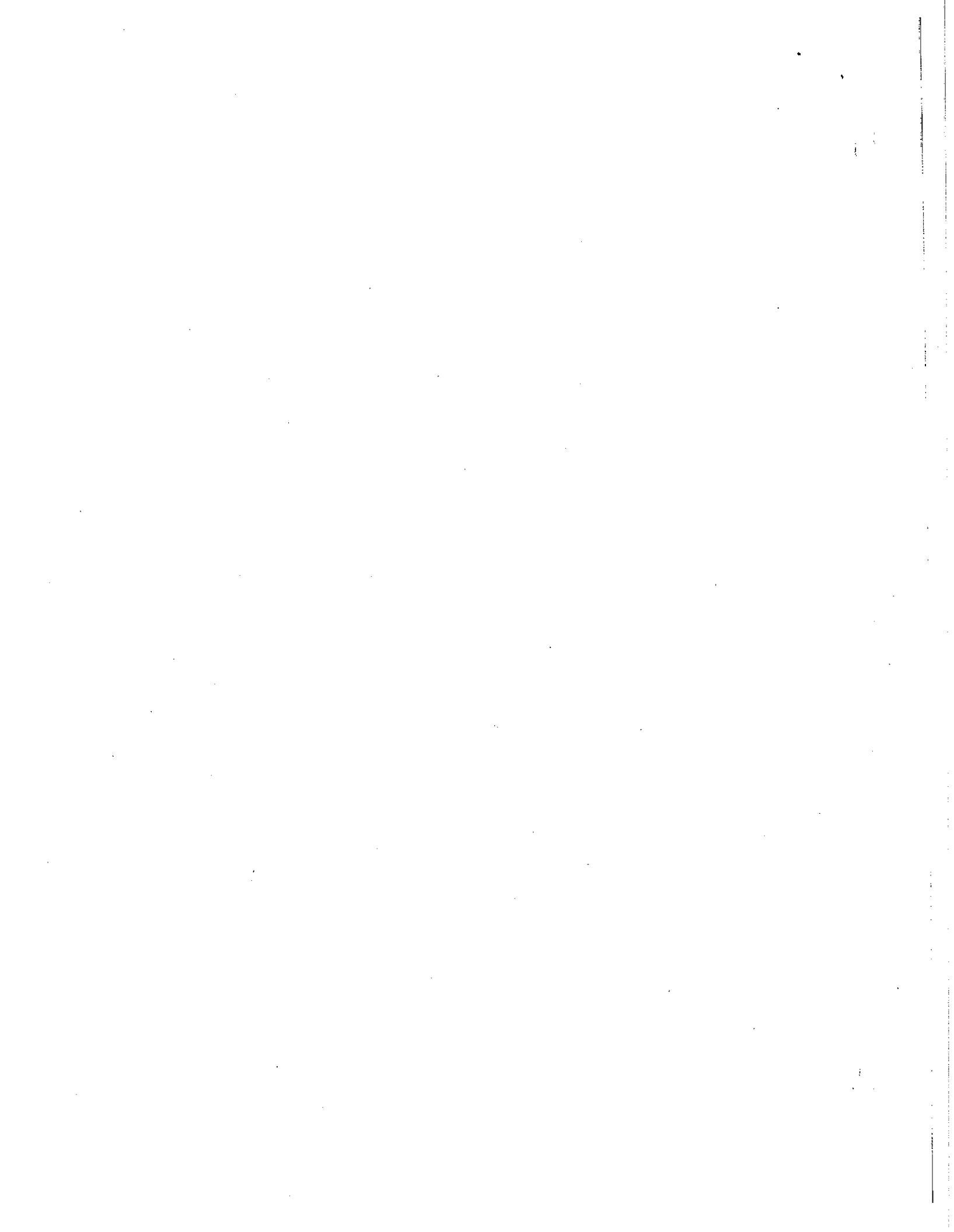
As a lifelong resident of Santa Fe County with the last 10 years in EL Rancho I feel I can adequately represent the concerns and needs of my neighbors. I am a property owner with numerous domesticated pets and agricultural animals so I have a thorough understanding of the requirements to maintain a healthy environment for mine and my neighbors. I believe that my experience living in a rural community will aid the committee in reaching decisions that will be beneficial to all parties involved.

Through my education I gained a solid foundation in formal writing and oral presentations. In my current management position I have developed the ability to work independently as well as in a team setting. I am well prepared to meet deadlines and communicate with a wide variety of personnel from different backgrounds, education levels and residential settings to meet a common goal.

Thank you for your consideration for an appointment to the ACOAC and I look forward to hearing from you.

Sincerely,

Eric M. Quintana



417B CR 84
Santa Fe, NM 87506

(505) 695-6426 (Work)
(505) 455-9969 (Home)
emo@lanl.gov

Eric M. Quintana

Experience

12/2016 – present LANS, LLC

Health Physics Field Coordinator 2

- Run radiation protection program at two facilities
- Manage Radiological Control Technicians through day to day operations and responses to emergencies and abnormal events in a procedure driven environment
- Manage time and effort, scheduling and performance management programs.
- Review procedures and work documents as a radiological subject matter expert to ensure compliance to governing documents and regulations.
- Maintain records of all radiological reports.
- Work planning and coordination.
- Radiological Work Permit subject matter expert
- Ensure training requirements and certifications are kept up to date
- Sit as a member of the hiring committee for Senior RCTs

04/2006 – 12/2016 LANS, LLC

08/2003 – 04/2006 Wierich and Associates

Radiological Control Technician 5 – Lead Technician at TA-55

- Serve as lead on multiple high hazard jobs throughout LANL facilities
- Routinely respond to emergency situations while supporting emergency personnel in various conditions in various PPE levels
- Safely and securely direct various disciplines through emergencies/abnormal conditions
- Serve as acting HP field coordinator with full signature authorities
- Assign RCTs daily duties and direct RMI's.
- RWP SME
- Review RWP's to ensure compliance and workability
- Extremely knowledgeable about governing documents and group procedures related to TA-55, RLW, CMR and LANL.
- Perform contamination and dose surveys at various LANL nuclear facilities and accelerators facilities (LANL and SLAC)
- Provided support for characterization and recovery of large radioactive contamination event at TA-53
- Familiar with all LANL procedure pertaining to DS-ESH and TA-55 FOD
- Familiar with calculations associated with radiation protection at LANL
- Mentor new and junior RCT's
- Trained employees on LANL OJT's
- Obtain Quotes and purchasing Radiological Instrumentation.
- Radiological Job planning
- Authored and Co-authored Procedures/RWP's
- Serve as RP representative to P.O.D.'s
- Serve on Medical response team in partnership with Occupational Medicine
- Coordinated with Industrial hygienists and Occupational medicine in response to emergency events
- TSQP Certified
- In process of becoming a RP SME

**1998–2003 Ecology Group, LANL Los Alamos, NM
Wildlife Biologist (UGS)**

- Designed and implemented protocols and techniques for biological study pertaining to black bears on LANL property
- Co-developed, implemented and concluded Biological study (The Evaluation of Techniques for the Collection of Scat and Hair for Non-Invasive Genetic Analysis of Free-Ranging Carnivores), presented data at professional conference and in poster form at LANL Symposium.
- DNA extraction for analysis
- Prepared and maintained mammalian catalogue for future carnivore study
- Started and maintained dermestid beetle colony.
- Large mammal (ungulates and carnivores) trapping and sampling
- Small and medium sized mammal trapping
- Bird surveys and sampling
- GPS and radio telemetry
- Assisted in long-term herpetological study
- Coauthored 2 Standard Operating Procedures/Hazard Control Plans
- Assisted in various biological studies pertaining to multiple species (wildlife and vegetative)
- Assisted in property management

**05/2003 - 08/2003 Tierra Concepts, Santa Fe, NM
General Craftsman**

- Furniture manufacturing
- Landscape design and implementation
- Finishing carpentry

**1997-2002 Dept. of Fishery and Wildlife Sciences, NMSU Las Cruces, NM
Research Technician (2001 – 2002)**

- Data entry and analysis
- Identified home range, movement, and seasonal habitat use of deer using Calhome® and ArcView® software.

Office Assistant / Assistant field technician (1999-2001)

- Managed and maintained entire department inventory
- Maintained departmental vehicles
- Museum curatorship
- Administrative duties
- Assisted in organization of professional conference
- Actively participated in the following biological studies
 - Breeding behavior of Chihuahuan Ravens
 - Burrowing owl nesting strategies and reproductive success in urban and natural habitats
- Vegetation sampling
- Avian (various species) observation and sampling

Laboratory Assistant (1997-1999)

- Maintained population of endangered White sands pupfish
- Maintenance and upkeep of fishery laboratory
- Maintained departmental vehicles
- Maintained entire departmental inventory

1996-1998 Center for Nonlinear Studies, LANL Los Alamos, NM
Assistant to Systems Administrator/Building Manager

- Setup of new computers, upgrading and maintenance of existing computers.
- Installation and upkeep of software and hardware
- Administrative duties
- Maintained credit card account.
- Assisted in distribution of monthly newsletter.
- Managed and maintained inventory for group

1994-1996

Sonic Drive-In

Española, NM

Clerk

- Developed communication skills with people in high stress situations.
- Developed teamwork skills.
- Assigned employees for duties.
- Assisted in inventory and ordering supplies.

Education

May 2002 -- New Mexico State University, Bachelor of Science in Wildlife Science
May 1997 -- Pojoaque High School, High School Diploma

**Related
Courses**

Technical writing/communication
Experimental Statistics
Physics

Communications (Public Speaking)
Calculus
Chemistry (I and II)

**Extracurricular
Activities**

- NMSU Chapter of the Wildlife Society, 1997 -2002
Education Committee Chair -- 2002
- NMSU American Fisheries Society, 2001-2002
- Western Wildlife Conclave, 2001 and 2002
Alternate - 2002

**Skills &
Certifications**

- DOE Q-Clearance and HRP Certified
- RCT Certified
- TA-55 Surveillance Performer
- LANL OJT Instructor/Evaluator
- APR, PAPR, SCBA and SAR Certified and Certified APR Issuer
- 40 Hour HAZWOPER Certified
- TA-55, CMR, RLUOB, LANSE and RLWTF Site Specific
- GET trained
- Rad Worker II Certified
- CPR/First Aid Certified, MRT member (since 2009)
- NM Certified First Responder
- Familiar with LANL Paperwork and Procedures
- Computer literate
 - Microsoft Office
 - RS View
 - Oracle
 - Adobe (Various programs)
 - Basic UNIX
 - Graphic design programs
 - Various software applications (DOS and Windows based)
- Able to work extended hours
- Able to operate 4-wheel drive vehicles and tow trailers
- Able to work in adverse weather conditions

Tony T. Flores

From: Katharine Clark <katharineclark@gmail.com>
Sent: Friday, May 05, 2017 3:30 PM
To: Tony T. Flores
Subject: Animal Control Ordinance Board
Attachments: Letter.pdf; Katharine Clark Political Resume March 2017.pdf

Hi Tony,
Please see my resume and letter of interest attached.
Katharine



Katharine Clark

42 Chisholm Trail
Santa Fe, NM 87506
505-819-3353
katharineclark@gmail.com

4th May 2017,

Tony Flores

Deputy County Manager
102 Grant Street
Santa Fe, NM 87501

Dear Mr. Flores,

I am writing to you to express my interest in the serving on the Animal Control Ordinance Board. I have attended and spoken at several of the animal control ordinance hearings for the county, and Commissioner Anna Hansen suggested I submit my name to represent my district.

I am experienced in writing policy and sitting on commissions having served in the past as a Police Review Commissioner, Policy Fellow, House Education Committee Secretary, etc. You can see my resume credits are extensive in this area.

I am also a lover of animals and of sensible animal policy. As a child I attended a farm based school, and my family is heavily involved in horse riding and dog training, showing, agility and rally. I am particularly interested in policy that as a good dog trainer and cognitive neuroscientist knows, is mindful of unintended consequences.

I have attached my resume and can be contacted at 505-819-3353 or katharineclark@gmail.com

Sincerely,



Katharine Clark

Katharine E Clark

42 Chisholm Trail, Santa Fe, NM 87506
806-570-9483, katharineclark@gmail.com

WORK EXPERIENCE

Committee Secretary/Legislative Assistant (January 2017 – March 2017)

NM House of Representatives – House Education Committee, Rep. Stephanie Garcia Richard, Chair; Santa Fe, NM

Field Operative (Jul 2016 – Dec 2016)

Voter Research, Los Alamos, NM

- Field Organizer for Rep. Stephanie Garcia Richard Re-election Campaign (18pt win in 50/50 district)

Political Event Planner / Labor Film Fest Director (Mar 2016 – June 2016)

IATSE Local 480, Santa Fe, NM

Legislative Assistant (Jan 2016 – Feb 2016)

NM House of Representatives Representative W. Ken Martinez former Speaker, Santa Fe, NM

Social Media, Digital Marketing and IT Manager (Jan 2015 – Summer 2016)

Winterowd Fine Art, Santa Fe, NM

Social Media and Analytics Manager (Jan 2014 – April 2015)

Patina Gallery, Santa Fe, NM

Social Media Manager, Writer and Content Coordinator (March 2012 – Oct 2014)

www.porchdrinking.com, Denver, CO

Marketing Coordinator/Social Media Intern (July 2011 – September 2011)

ICRco Medical Imaging, Torrance, CA

Graduate Student, Research Assistant and Statistics TA (2009 – 2011)

Psychology Department, University of Colorado, Boulder

Lab Manager of the Culture and Cognition Lab (2007-2009)

Psychology Department, University of California, Berkeley

APPOINTMENTS, ELECTED AND VOLUNTEER POSITIONS

Vice President (2015 – Present)

Young Democrats of New Mexico

President (2015 – Present)

Young Democrats of Santa Fe County; Santa Fe, NM

Treasurer (2014 – Present)

Democrats of Santa Fe County; Santa Fe, NM

Psychology Department Union Rep (2007 – 2009)

UPTE, UC Berkeley

President (2005-2007)

Cognitive Science Students Association at UC Berkeley

Policy Fellow (2005-2006)

Roosevelt Institution Chapter of UC Berkeley

Commissioner District 2 (2002 – 2003)

Police Review Commission; Berkeley, CA

Housing Policy Project Manager (2002 – 2003)

Associated Students of University of California Berkeley, External Affairs

Katz for Council 2002

Precinct Captain; Berkeley, CA

'No on P' 2002

Volunteer Office manager/Field Operations; Berkeley, CA

EDUCATION & TRAININGS

Emerge NM, Class of 2017 Candidate Training

DCCC Fellow, Class of 2016

Wellstone Action Training, 2015

Campaign Manager Training

Emerge NM Campaign Manager Training, 2014

Double Bachelor of Arts

Cognitive Neuroscience and Interdisciplinary Studies: "Ethical Decision Making"

Thesis Advisors: Earl Klee & George Lakoff

Special Project: Immigration Policy and Cognitive Metaphors
University of California, Berkeley

Tony T. Flores

From: PATRICK XAVIER MADDEN <patrickxavermadden@gmail.com>
Sent: Thursday, April 06, 2017 5:35 PM
To: Tony T. Flores
Subject: Animal Control Ordinance Advisory Committee
Attachments: RESUME PATRICK MADDEN.pdf

Hi Tony!

My name is Patrick Madden and I'm interested in applying for the Animal Control Ordinance Advisory Board. I live in Santa Fe and there are an appalling amount of strays in my neighborhood. I've seen animal abuse go unnoticed such as exposure, malnutrition, neglect and extreme barking due to an utter lack of grooming. Please consider this my letter of interest. My resume is attached. Thank you! - Patrick

Thank you,

Patrick Madden

505-900-4631

patrickxavermadden@gmail.com



Patrick Madden

Santa Fe, NM 87505 (505)900-4631
PATRICKXAVIERMADDEN@GMAIL.COM

Objective: To learn from the best. I am a multi-talented and a diligent problem solver.

Skills: Proficient in MAC and PC, Microsoft Office, Word, Excel, QuickBooks, etc. Wrote, produced, executive produced and directed: advertisements, theater and comedy. Edit video with Final Cut, AVID, and Adobe CS5. Professional video equipment.

EXPERIENCE

Sierra Club Rio Grande - Communications Chair: Santa Fe NM.

Sierra Club Rio Grande - Executive Committee Board Member: Santa Fe NM.

New Mexico Federation of Labor - Political Operative

IATSE 423 - Journeyman & Trustee: Albuquerque, NM.

Hillary for New Mexico - Super Volunteer: Santa Fe & Albuquerque, NM

Marco Serna for DA - Video Producer: District Attorney 1st Judicial Dist of NM.

<https://www.youtube.com/playlist?list=PLR3TcOQTDUCgVFvr73cnnUKJzaGYCEf73>

IATSE 480 - Outreach Program: Santa Fe, NM

Congressman Ben Ray Lujan - Volunteer: Santa Fe, NM

Donny's Skybox Theatre - Producer/Writer/Director: CTA *PLAN B*

Fridays/Midnight - Second City, Chicago, IL

The Annoyance Theater - Producer: *Triple Feature* "Karen, Karen & Karen." Stand Up: *Chucklef*ckers* Tuesdays 8pm - Chicago, IL

Kolbi Pipe Markers - Sales: Arlington Heights, IL

- Chicagoland Salesman for Heavy Construction
- More than doubled revenue during my three year tenure

EDUCATION

Columbia College Chicago, IL - *B.A. Television Writing/Production*

Second City Training Center - *Producing 101: Angle McMahon*

College of Lake County, Grayslake, IL - *Associate in Arts*

AWARDS

Eagle Scout. Phi Theta Kappa. References available upon request.

Becca Pava

2210 Miguel Chavez, Unit 1412, Santa Fe, NM 87505 ~ 505-977-3654 ~ becca.pava@gmail.com

May 8, 2017

Mr. Tony Flores
Deputy County Manager
Santa Fe County
P.O. Box 276
Santa Fe, New Mexico 87504

Dear Mr. Flores,

My name is Becca Pava and I am applying for a position on the Animal Control Ordinance Advisory Committee. As a veterinarian, I believe I can offer a unique perspective in my recommendations to the Board regarding animal welfare.

Growing up as an only child, I considered my three dogs as my siblings. From them, I learned the importance and the strength of the human-animal bond from a young age. As such, I was captivated by the short stories by James Herriot, detailing his accounts as a rural veterinarian in United Kingdom in the early 20th century. Even as a child, I knew that my purpose in life was to help animals, and as far back as I can remember, I wanted to become a veterinarian. With a tremendous amount of encouragement, family support and hard work, after more than 20 years of education, I finally accomplished this life goal last May.

My first year out in practice as a licensed veterinarian has been a very steep, but rewarding learning curve. I have formed amazing relationships with clients while providing care for their beloved companions. Making these connections with people and seeing the impact I can have on both the client's and animal's life has been very fulfilling. I was fortunate enough to join a great practice (Gruda Veterinary Hospital) where I have a heavy caseload with amazing mentors. Dr. Gruda has been a fixture in the Santa Fe community for almost 20 years and the respect and admiration he has gained by giving back to the community has inspired me to get involved and give back as I can.

I grew up as an active participant in my community in Albuquerque. After being away at school for the greater part of a decade, I am excited to join a new community in Santa Fe and hope to have a positive impact on the lives of people and animals by using my expertise to make recommendations to the Board.

Thank you for your time and consideration of my application.

Sincerely,

Becca Pava



Becca Pava

2210 Miguel Chavez, Unit 1412, Santa Fe, NM 87505 ~ 505-977-3654 ~ becca.pava@gmail.com

OBJECTIVE

A dedicated and enthusiastic veterinarian looking to devote my knowledge, skills and energy to the treatment and well-being of animals by serving as a member on the Santa Fe County Animal Control Ordinance Committee. Core competencies include:

- ✓ Skilled communicator, able to establish rapport with clients and effectively explain the importance of practicing high quality medicine thanks to a combination of intensive communication training and experience working as a veterinarian and veterinary technician
- ✓ Highly organized, detail oriented and conscientious self-starter able to multi-task in a fast paced environment
- ✓ Flexible and creative, able to adapt to changing priorities and maintain a positive attitude

VETERINARY EXPERIENCE

Associate Veterinarian

June 2016- Present

Gruda Veterinary Hospital, Santa Fe, NM

- Diagnosed, treated and managed dogs and cats suffering from a variety of diseases, infections and traumatic experiences
- Advised owners on the importance of preventative care, such as proper nutrition, exercise, weight management, behavior, socialization, parasite control and routine physical exams and blood work
- Established relationships with clients by effectively communicating the rationale behind medical recommendations while providing a compassionate perspective to help clients with difficult decisions
- Performed routine surgical procedures (spays, neuters, dentals) weekly

EDUCATION

Doctor of Veterinary Medicine

May 2016

Colorado State University, Fort Collins, CO

GPA 3.65

Bachelor of Arts in Biological Sciences and in Psychology

May 2011

Connecticut College, New London, CT

GPA 3.86

Distinctions in both majors

Cum laude, Dean's High Honors

PROFESSIONAL ORGANIZATIONS

New Mexico Veterinary Medical Association

American Veterinary Medical Association

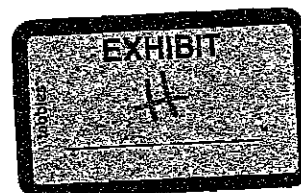
Tony T. Flores

From: Kimberly Roman <romankimberly@gmail.com>
Sent: Tuesday, April 25, 2017 10:59 AM
To: Tony T. Flores
Attachments: kim resume.docx

Dear Mr. Flores

Please accept my resume for consideration for the Animal Control Ordinance Advisory Committee in the Santa Fe County. I would love to make a difference community as well as the lives of Dogs here in Santa Fe. Please contact me with any questions you might have.

Respectfully submitted
Kimberly Roman
505.204.4399



KIMBERLY ROMAN

13 Calle Amistosa Santa Fe NM 87505

505.204.4399

Cutting Edge Automotive, Office Manager

July 2014- Present

Manage 7 employees, Accounts Receivable/Accounts Payable, Bi weekly payroll, Customer Service, Write up repair orders & Manage monies

Santa Fe Place Dental

August 2007 -July 2014

Licensed Dental Assistant

Chairside procedures, Adjusted Dental appliances, Radiology Certified

Realtor, Barker Realty

September 2005- December 2007

Licensed Real Estate Agent- Santa Fe & Surrounding Areas

Education

Santa Fe Community College, Business 1987

Saint Catherine High School, 1985

References

Councilor Signe Lindell

505.660.78769

Dave Thompson, District Judge

505.455.8215

Chad Williams, Owner Cutting Edge Automotive

505.577.0968

Santa Fe County Manager
P.O. 276
Santa Fe, New Mexico 87504-0267

10 April 2017
941 Calle Mejia Apt 1008
Santa Fe, New Mexico 87501

Attn: Tony Flores

Re: Animal Control Ordinance
Advisory Committee

Dear Mr. Flores,

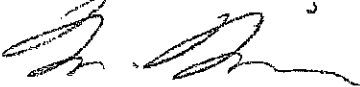
I received an email regarding interested person (s) to serve on the Animal Control Ordinance Advisory Committee. In that regard please consider this as my letter of interest followed by a short resume.

My name is Michael Marvier I am a reside of Santa Fe. I am 72 years old, retired from the California Department of Corrections and I have lived in New Mexico for approximately eight years. My background regarding animals includes four years in the US Air Force in the field of law enforcement specifically as a Sentry Dog Handler and also a brief stint as an instructor with Guide Dogs for the Blind in San Rafael, California.

I am a graduate of Santa Rosa Junior College in Santa Rosa, California with an AA degree in Police Science and a BA degree in Criminal Justice from California State University Sacramento (CSUS). I also did graduate work toward a Masters Degree in Counseling and Social Work.

I have followed, in the local media, the stories of the tethering of dogs and I believe, based on my background, that I can provide a committee with knowledgeable input to reach intelligent decision in that regard. And since this is an Animal Control Ordinance Advisory Committee I'm sure that there will be other matters to discuss in the coming years and I would look forward to resolving such matters to the satisfaction of the citizens of Santa Fe County.

Thank you,

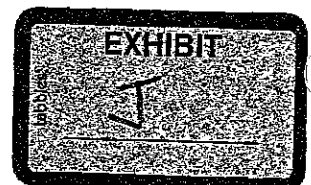
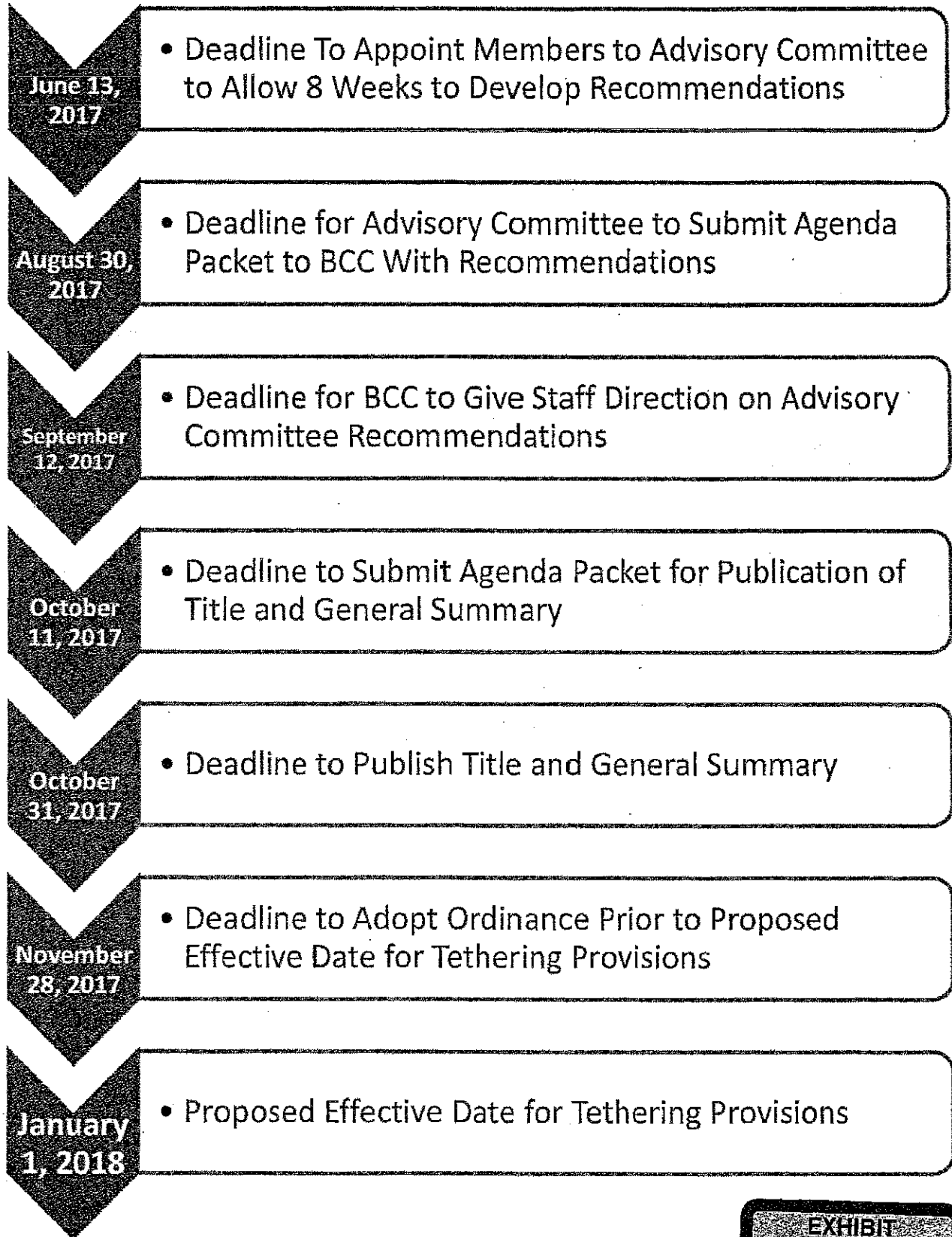


Michael Marvier

(575 779-5584)



ANIMAL CONTROL ADVISORY COMMITTEE TIMELINE



**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

ORDINANCE NO. 2017 - 3

**AN ORDINANCE AMENDING ORDINANCE NO. 1991-6, AS AMENDED BY
ORDINANCE NO. 2017-1, TO DELAY THE EFFECTIVE DATE OF THE
PROHIBITION ON TETHERING AN UNATTENDED DOG UNTIL JANUARY 1,
2018, AND TO REPLACE APPENDIX A TO ORDINANCE NO. 1991-6
ESTABLISHING FEES AND FINES**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY THAT ORDINANCE NO. 1991-6, AS AMENDED BY
ORDINANCE 2017-1, IS HEREBY AMENDED AS FOLLOWS:**

Section 1. Appendix A is hereby replaced with the document identified as Appendix A attached hereto as Exhibit 1.

Section 2. Section 10 of Ordinance No. 2017-1 is hereby replaced with the following:

"EFFECTIVE DATE. This Ordinance shall take effect thirty days after it is recorded by the County Clerk, pursuant to NMSA 1978, § 4-37-9, except that Section 3 of this Ordinance shall not take effect until January 1, 2018."

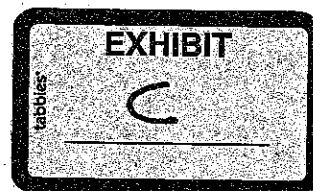
Section 3. ORDINANCE REMAINS IN EFFECT, AS AMENDED. Except as expressly amended hereby, Ordinance 1991-6, as amended by Ordinance No. 2017-1, remains in full force and effect.

Section 4. EFFECTIVE DATE. This Ordinance shall take effect thirty days after it is recorded by the County Clerk, pursuant to NMSA 1978, § 4-37-9.


PASSED, APPROVED, AND ENACTED this 2nd day of May, 2017, by the Board of County Commissioners of Santa Fe County.

BOARD OF COUNTY COMMISSIONERS


Henry P. Roybal, Chair



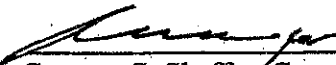
ATTESTATION:


Geraldine Salazar, Santa Fe County Clerk



SFC CLERK RECORDED 05/03/2017

APPROVED AS TO FORM:


Gregory S. Shaffer, County Attorney

APPENDIX A

SFC CLERK RECORDED 05/03/2017

LICENSING FEES	
Altered Dogs	\$10.00 annually
Unaltered Dogs	\$25.00 annually
Fee for Late License and/or Registration	\$10.00
Duplicate Tag	\$5.00
PERMIT FEES	
To operate a cat kennel annually	\$50.00
To operate a Kennel able to house 20 dogs or less	\$50.00
To operate all other Kennels	\$200.00
To keep an exotic animal annually	\$200.00
To keep a potentially dangerous or dangerous dog	\$200.00
IMPOUNDMENT FEES	
1 st impoundment	\$10.00
2 nd impoundment	\$20.00
3 rd impoundment	\$40.00
4 th impoundment	\$80.00
Subsequent impoundments	The fee shall be double the previous impoundment
FEE FOR RETRIEVAL OF ANIMAL CARCASS BY ACO - \$50.00	
FINES FOR VIOLATIONS OF THIS ORDINANCE	
No License and/or Registration	\$10.00
No Rabies Vaccination	\$15.00 + proof of vaccination
Restraint of Animals/Running at Large/Trespassing/Nuisance/Disturbing the Peace	
1 st Offense in calendar year	\$25.00
2 nd Offense in calendar year	\$60.00
3 rd Offense and each offense thereafter in calendar year	\$100.00
Neglect/Care/Maintenance	

Exhibit 1

APPENDIX A

1 st Offense	\$50.00
2 nd Offense	\$200.00
3 rd Offense and each offense thereafter	\$300.00
Cruelty	
1 st Offense	\$50.00
2 nd Offense	\$200.00
3 rd Offense and each offense thereafter	\$300.00
All Other Fines	\$200.00

- a. In addition to the fines due to the County, the pet owner shall also be responsible for any and all boarding fees accrued at the shelter and the state spay/neuter deposit if applicable

COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss
 I, _____, County Clerk, Santa Fe, NM, do hereby certify that this instrument was filed for record on the 3rd day of May, 2017 at 09:55:41 AM and was duly recorded as Instrument # 1824624 in the records of Santa Fe County.

BCC ORDINANCE
 PAGES: 4



Witness My Hand And Seal Of Office
 Geraldine Salazar
 Deputy _____ County Clerk, Santa Fe, NM

**BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

RESOLUTION NO. 2017- 25

**A RESOLUTION
ESTABLISHING THE ANIMAL CONTROL ORDINANCE ADVISORY COMMITTEE**

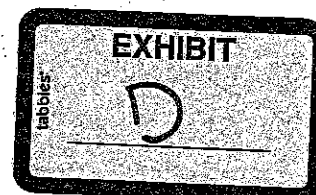
WHEREAS, in 1991 Santa Fe County (the County) adopted the Santa Fe County Animal Control Ordinance, Ordinance 1991-6; and

WHEREAS, the Board of County Commissioners of Santa Fe County (the Board) adopted Ordinance 2017-1, in January of 2017, amending the Animal Control Ordinance to increase licensing fees, restrict tethering of dogs, and ensure that the Animal Control Ordinance comported with state law; and

WHEREAS, the Board, at a public meeting on February 14, 2017, determined that a citizen advisory committee should be established to develop recommendations regarding how to define tethering within the Animal Control Ordinance, and how to more effectively regulate the animal nuisance of barking within the County.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS HEREBY
RESOLVES AS FOLLOWS:**

1. The Board hereby established the Animal Control Ordinance Advisory Committee (the Committee).
2. The express purpose of the Committee is to provide recommendations to the Board regarding revisions to provisions of the Animal Control Ordinance.
3. The duties of the Committee are as follows:
 - a. Develop recommendations regarding amendments to the Animal Control Ordinance to improve the clarity of the provisions governing tethering of dogs;



b. Develop recommendations regarding amendments to the Animal Control Ordinance to improve the efficacy of the prohibition on barking as set forth in Section 5-5, Animal Disturbing the Peace;

c. Obtain necessary data regarding enforcement of the Animal Control Ordinance from the Animal Control Division of the Sheriff's Office to inform recommendations regarding revisions to the tethering and barking provisions of the Animal Control Ordinance;

d. Submit written recommendations regarding revisions to the tethering and barking provisions of the Animal Control Ordinance within eight weeks of the first meeting of the Animal Control Ordinance Advisory Committee;

e. Seek authorization from the Board to propose additional amendments to the Animal Control Ordinance to improve its clarity and enforceability;

f. Take responsibility for providing recommendations regarding such other issues pertaining to the Animal Control Ordinance as the Board may request from time to time.

4. The Committee shall be made up of seven members appointed by the BCC. All members shall have their primary residence within the exterior boundaries of Santa Fe County.

Notwithstanding the geographic distribution of members, all members shall be charged with representing the best interests of the County as a whole. The members shall include:

a. A resident from each of the Commission Districts;

b. One member who can offer informed input regarding regulations pertaining to humane restraint of dogs;

c. One member who can offer informed input regarding regulating barking.

5. Three members of the Committee shall be appointed for an initial term of one year and four members shall be appointed for an initial term of two years. Thereafter members shall serve

terms of two years. In the event of a vacancy, the Board shall appoint a member to serve out the remainder of the departing member's term. There shall be no limitation on the number of consecutive terms that a member may serve.

6. Members will be appointed by the Board based on letters of interest, qualifications, and county-wide representation. Members may be removed by the BCC with or without cause. In addition, a member shall be deemed to have resigned their position if they fail to attend two consecutive meetings of the Committee; provided, however, the member may request that the Board excuse their absences for good cause and allow them to continue serving on the Committee.

7. The Committee shall comply with the rules of order set forth in Resolution 2009-2 as that Resolution may be amended from time to time, including selecting a chairperson and vice chairperson to serve for one-year terms. The chairperson and vice chairperson shall be selected at the first Committee meeting and annually thereafter.

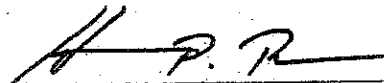
8. All matters coming before the Committee shall be resolved by majority vote of the quorum. A quorum is a majority of the number of members of the Committee. A quorum is necessary for the Committee to conduct business.

9. The Committee shall meet no more frequently than once per week. Meetings shall be held in the Legal Conference Room at the Santa Fe County Administration Building, 102 Grant Avenue, Santa Fe, NM, and such other locations as may be conducive to visible and publicly accessible meetings. Meetings shall be held in accordance with the Santa Fe County Open Meetings Act Resolution.

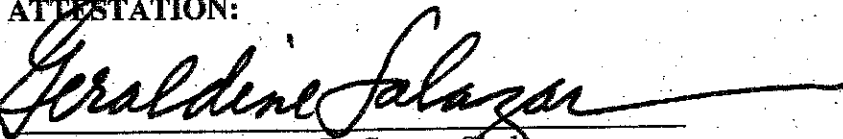
10. The County Manager shall appoint a member of the County staff from the Manager's Office to serve as liaison to the Committee.

11. The Captain of the Santa Fe County Sheriff's Department, or the Captain's designee, shall be invited to attend each meeting.
12. A representative of the Santa Fe County Legal Office shall also be invited to attend each meeting.
13. The Animal Control Committee shall cease to exist and this Resolution shall expire six months after the completion of the Animal Control Committee's last assignment from the Board.

PASSED, APPROVED, and ADOPTED this 14th day of March, 2017.

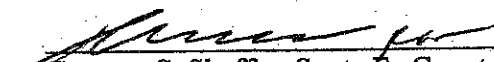

Henry P. Roybal, Chair

ATTESTATION:



Geraldine Salazar, Santa Fe County Clerk



APPROVED AS TO FORM:


Gregory S. Shaffer, Santa Fe County Attorney



COUNTY OF SANTA FE) STATE OF NEW MEXICO) ss	BCC RESOLUTIONS PAGES: 4
I Hereby Certify That This Instrument Was Filed for Record On The 15TH Day Of March, 2017 at 10:22:59 AM And Was Duly Recorded as Instrument # 1820456 Of The Records Of Santa Fe County	
Witness My Hand And Seal Of Office Geraldine Salazar Deputy  County Clerk, Santa Fe, NM	

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

ORDINANCE NO. 2017 - 1

AN ORDINANCE AMENDING ORDINANCE NO. 1991-6, THE SANTA FE COUNTY ANIMAL CONTROL ORDINANCE, TO INCREASE FEES; PROHIBIT FIXED POINT TETHERING; CONFORM RABIES VACCINATION REQUIREMENTS TO STATE LAW AND REGULATIONS; SET FORTH A PROCESS FOR REVOCATION OF PERMITS ISSUED; INCORPORATE THE DANGEROUS DOG ACT, NMSA 1978, §§ 77-1A-1 to -6; AND ESTABLISH PENALTY PROVISIONS THAT COMPORT WITH STATE LAW

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THAT ORDINANCE NO. 1991-6 IS HEREBY AMENDED AS FOLLOWS:

Section 1. Article 1, Section 1-2(T) is hereby repealed and replaced with the following:

- “T. “vaccination” means the protection provided against rabies by inoculation with anti-rabies vaccine recognized and approved by the U.S. Department of Agriculture, Bureau of Animal Industry, and the State of New Mexico Department of Health pursuant to NMSA 1978, § 77-1-3 as amended.”

Section 2. Article 4, Section 4-1, is hereby repealed and replaced with the following:

“4-1 Rabies Vaccination

- A. Any owner of a dog, cat, or ferret over the age of three (3) months shall have the dog, cat, or ferret vaccinated as prescribed by NMSA 1978, Section 77-1-3 and New Mexico Department of Health regulations.
- B. Any owner of a dog, cat, or ferret over the age of three (3) months shall exhibit its certificate of vaccination issued by a licensed veterinarian administering the rabies vaccine upon demand by a Sheriff's Deputy or Animal Control Officer.
- C. Any owner of a dog, cat or ferret over the age of three (3) months shall securely confine the dog, cat, or ferret until it is vaccinated against rabies, which vaccination shall be administered within one week after entry into the County, unless the owner has a certificate of vaccination issued by a veterinarian licensed and practicing either within New Mexico or in another state or foreign country,



and the vaccination conforms to the requirements of the State of New Mexico and this Ordinance. A titer test is not an acceptable alternative to a rabies vaccination."

Section 3. Article 5, Section 5-2, is amended to amend the title and repeal and replace section A as follows:

A. The title is repealed and replaced with the following: "5-2 Unattended Animals on Private Property."

B. Section A is repealed and replaced with the following:

"It shall be unlawful to tether an unattended dog as a form of confinement on private property. "Unattended" for purposes of this section means the owner or other person having charge, custody, care, or control over the dog is not immediately present."

Section 4. Article 5, Section 5-4 is repealed and replaced with the following:

"5-4 Vicious Animals; Dangerous Dogs

A. It is unlawful for any person to keep or harbor a known vicious animal in the County. Any attack by a vicious animal or any animal displaying traits of a vicious animal may be repelled by the use of reasonable force. After a judicial determination that an animal is vicious, the court having jurisdiction over the enforcement of this Ordinance, upon hearing of such complaint, may, in addition to any fine or imprisonment which may be imposed for violation hereof, order the Animal Control Officer to have such animal destroyed as set forth in Section 3-4 of this Ordinance.

B. When an Animal Control Officer has probable cause to believe that a dog is dangerous or potentially dangerous and poses an imminent threat to public safety, the Animal Control Officer may apply for a warrant to seize the dog and petition the court for a declaration that the dog is dangerous or potentially dangerous pursuant to NMSA 1978, § 77-1A-4.

C. Any owner of a dog declared by a court of competent jurisdiction to be a dangerous or potentially dangerous dog or is deemed dangerous or potentially dangerous by admission of the owner pursuant to the Dangerous Dog Act, NMSA 1978, §§ 77-1A-1 to -6, shall comply with all the registration and handling requirements as set forth in NMSA 1978, § 77-1A-5 and pay the registration fee set forth in Appendix A."

Section 5. Article 6, Section 6-12(A) is repealed and replaced with the following:

- “A. Three or more violations of any one or any combination of Section 6 offenses shall constitute an act of cruelty, punishable as set forth in Section 11-1 and Appendix A.”

Section 6. Article 7, Section 7-2 is hereby amended to add the following as a final sentence to that Section:

“Revocation of a permit shall follow the procedures set forth in Section 10-1(G).”

Section 7. Article 10, Section 10-1, is amended to add the following:

- “G. All revocations of permits issued pursuant to this Ordinance shall follow the procedures set forth below:
1. Notice of proposed revocation shall precede any permanent revocation of a permit issued under this Ordinance.
 2. The notice of proposed revocation shall specify the following:
 - a. The specific violation or violations alleged, including dates and times of the alleged violation or violations, and any specific section or subsection of this Ordinance or state law that is alleged to have been violated;
 - b. A specific date by which the alleged violations shall be corrected to avoid further revocation proceedings, if the violation is of a nature that may be corrected;
 - c. A warning that failure to correct the violation or request a hearing shall result in revocation of the permit; and
 - d. Procedures for requesting a hearing regarding the alleged violation and proposed revocation of the permit.
 3. If the period of time during which the permit holder was allowed to correct the violation passes without correction of the violation, and the permit holder has not requested a hearing as described in this Section, the Animal Control

Division shall issue a notice of revocation. The revocation shall be effective thirty (30) days from service of the original notice of proposed revocation.

4. A permit holder may appeal the proposed revocation by requesting a hearing. The request for hearing shall be made within five (5) days of service of the notice of proposed revocation. The request for hearing shall be in writing, sent by certified mail, return receipt requested. The request for hearing shall briefly state the reasons why the permit holder believes the revocation is not justified under the circumstances.
5. The Animal Control Division shall give written notice of the date, time, and place of the hearing to the permit holder. The date of the hearing shall be not less than ten (10) days or more than thirty (30) days from the date of service of the notice of the hearing. The Animal Control Division may designate a County employee other than one employed in the Sheriff's Department or any other suitable individual to be the hearing officer.
6. The hearing officer may uphold, modify, or reverse the permit revocation. In conducting the hearing, the hearing officer shall not be limited by formal rules of evidence; evidence may be considered which is of a type upon which responsible people are accustomed to rely in the conduct of serious affairs. Within fifteen (15) business days of the hearing, the hearing officer shall send written findings and conclusions to the permit holder, by certified mail, return receipt requested. Permit holders may be represented by counsel at the hearing.
7. A person aggrieved by the hearing officer's decision may appeal the decision as by filing a petition for writ of certiorari pursuant to Rule 1-075 NMRA.
8. Notices provided for under this subsection shall be deemed served when the notice is delivered personally or mailed by registered or certified mail, return receipt requested, to the address on record for the permit holder.
9. During the pendency of the appeal, the Animal Control Division may take such action as is deemed appropriate for the health and safety of the animals and the general public, including temporarily suspending the permit and

prohibiting the permit holder from operating under the permit pending resolution of the revocation proceeding.

10. A permit holder whose permit has been revoked shall not be eligible to apply for another permit for a period of one year after the revocation of the permit.
11. Upon revocation of a permit, the permit holder shall cease operating under the permit within five (5) days of the effective date of revocation. If necessary, the permit holder shall give away, sell, or surrender all animals previously covered by the permit in compliance with relevant laws, regulations, and in a manner satisfactory to the Animal Control Division."

Section 8. Article 11, Section 11-1 is hereby repealed and replaced with the following:

"11-1 Penalty Clause

Any person who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction of violating this Ordinance, shall be punished by a fine not exceeding \$300 and/or imprisonment for a period not exceeding 90 days. Fines for violations of specific sections of this Ordinance may be set forth in Appendix A. However, the fines set forth in Appendix A shall not preclude punishment by imprisonment as provided in this Section. Each day this Ordinance is violated shall constitute a separate offense."

Section 9. Appendix A is hereby replaced with the document identified as Appendix A attached hereto as Exhibit 1:

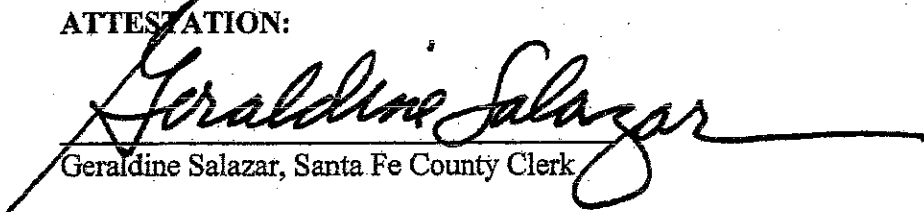
Section 10. EFFECTIVE DATE. This Ordinance shall take effect thirty days after it is recorded by the County Clerk, pursuant to NMSA 1978, § 4-37-9, except that Section 3 of this Ordinance shall not take effect until six months after recordation.

PASSED, APPROVED, AND ENACTED this 31st day of January, 2017, by the Board of County Commissioners of Santa Fe County.

BOARD OF COUNTY COMMISSIONERS

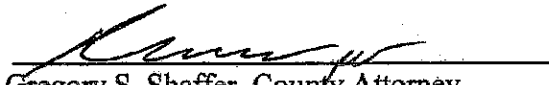

Henry P. Roybal, Chair

ATTESTATION:


Geraldine Salazar, Santa Fe County Clerk



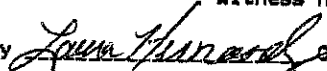
APPROVED AS TO FORM:


Gregory S. Shaffer, County Attorney

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC ORDINANCE
PAGES: 8

I Hereby Certify That This Instrument Was Filed for
Record On The 1ST Day Of February, 2017 at 09:20:22 AM
And Was Duly Recorded as Instrument # 1816459
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy  County Clerk, Santa Fe, NM

SEC. CLERK RECORDED 02/01/2017

APPENDIX A

SFC CLERK RECORDED 02/01/2017

LICENSING FEES	
Altered Dogs	\$10.00 annually
Unaltered Dogs	\$25.00 annually
Duplicate Tag	\$5.00
PERMIT FEES	
To operate a cat kennel annually	\$50.00
To operate a Kennel able to house 20 dogs or less	\$50.00
To operate all other Kennels	\$200.00
To keep an exotic animal annually	\$200.00
To keep a potentially dangerous or dangerous dog	\$200.00
IMPOUNDMENT FEES	
1 st impoundment	\$10.00
2 nd impoundment	\$20.00
3 rd impoundment	\$40.00
4 th impoundment	\$80.00
Subsequent impoundments	The fee shall be double the previous impoundment
FEE FOR RETRIEVAL OF ANIMAL CARCASS BY ACO - \$50.00	
FINES FOR VIOLATIONS OF THIS ORDINANCE	
No Rabies Vaccination	\$15.00 + proof of vaccination
Restraint of Animals/Running at Large/Trespassing/Nuisance/Disturbing the Peace	
1 st Offense in calendar year	\$25.00
2 nd Offense in calendar year	\$60.00
3 rd Offense and each offense thereafter in calendar year	\$100.00
Neglect/Care/Maintenance	
1 st Offense	\$50.00
2 nd Offense	\$200.00

APPENDIX A

3 rd Offense and each offense thereafter	\$300.00
Cruelty	
1 st Offense	\$50.00
2 nd Offense	\$200.00
3 rd Offense and each offense thereafter	\$300.00
All Other Fines	\$200

- a. In addition to the fines due to the County, the pet owner shall also be responsible for any and all boarding fees accrued at the shelter and the state spay/neuter deposit if applicable

SFC CLERK RECORDED 02/01/2017

ANIMAL CONTROL

Article 1
General Provisions

SEC.

- 1-1 Title and Legislative Intent
1-2 Definitions

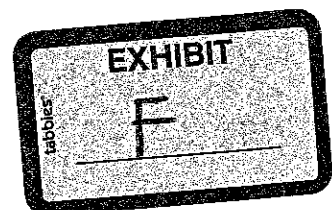
1-1 Title and Legislative Intent

- A. This Ordinance shall be known and may be cited as the "Santa Fe County Animal Control Ordinance". The short title to this Ordinance shall be "Animal Control Ordinance."
- B. It is the intent of the Board of County Commissioners that enactment of this Ordinance will protect animals from neglect and abuse, protect residents from annoyance and injury, promote the health, safety, and welfare of the residents and animals, assist in providing control of animals, and finance the functions of licensing and recovery of said animals.

1-2 Definitions

For the purpose of this Ordinance, the following terms, phrases, words, and derivations shall have the meaning given herein. "Shall" is always mandatory and not merely directory. The masculine includes the feminine. The singular includes the plural, where appropriate.

- A. "Abandonment" means to desert deliberately and/or to relinquish the supervision or care of an animal.
- B. "Alteration" means to render an animal permanently sterile and incapable of reproduction.
- C. "Animal" means any dog, cat or any vertebrate (excluding man).
- D. "Animal Control Division" means that division of the County, or the County's designated contract agent, or both, which is specifically charged with regulating and enforcing laws dealing with animal control within its jurisdiction.
- E. "Animal Control Officer" or "A.C.O." means that person duly appointed to the position by the County Manager or the Sheriff of the County of Santa Fe.
- F. "Animal control shelter" or "shelter" means any pound, lot, premises, kennel or building maintained or utilized by the County for the care and custody of animals.
- G. "Bite" means a puncture or tear of the skin inflicted by the teeth of any animal.



- H. "Domestic livestock" means any of the large or small livestock, including, but not limited to horses, cattle, mules, donkeys, burros, swine, goats, sheep, and fowl, including, but not limited to, chickens, guinea hens, ducks, turkeys, geese, quail, or pigeons.
- I. "Enclosed lot" means any parcel of land or portion thereof in private ownership, around the perimeter of which a wall or fence has been erected of such a height and surety so as to retain the species of animal within the bounds for which the fence was erected.
- J. "Estray" means any animal which is off and away from its home unattended and running at large within the County of Santa Fe.
- K. "Exotic animal" means rare or different from ordinary domestic animals and not indigenous to the State of New Mexico, including skunks, llamas, birds of prey, wolf hybrids and the offspring of wild animals crossbred with domestic dogs and cats but not including parrots, toucans, or other tame and domesticated bird.
- L. "Impound" means the act, by an A.C.O., or Sheriff's deputy, of taking up and confining an animal within a shelter or other facility used by the County for the confinement of said animal.
- M. "Kennel" means any establishment or premises where dogs, cats, or other animals are boarded, bred, kept, bought, sold, traded, let for hire, groomed or trained for a fee.
- N. "Leash" means any chain, leather strap, or cord sufficient to hold under control the animal attached thereto, and shall be no longer than eight (8) feet, or twelve (12) feet for training purposes.
- O. "Neuter" means to render a male animal permanently sterile and incapable of reproduction.
- P. "Owner" means a person who owns, has, keeps, harbors, or knowingly permits an animal to remain in, on, or about his premises.
- Q. "Premises" means a parcel of land owned, leased, rented, or controlled by any person, legal or natural. Such parcel of land may include a structure, and includes such items as kennels, houses, mobile homes, apartments, condominiums, and townhouses which are located on a parcel of land.
- R. "Run at large" means to be free of control beyond an enclosed lot or the premises or vehicle of the owner.
- S. "Spay" means to render a female animal permanently sterile and incapable of reproduction.
- T. "Vaccination" means the protection provided against rabies by inoculation with anti-rabies vaccine recognized and approved by the U.S. Department of Agriculture, Bureau of Animal Industry, and State of New Mexico Rabies Act of 1959, given in amounts sufficient for one year of immunization.

- U. "Vicious animal" means any animal which bites, has bitten, or in any manner attacks or attempts to attack or bite any person within the County, except that any animal that bites, attacks, or attempts to attack or bite when provoked by any person trespassing upon its owner's premises, shall not be deemed a vicious animal. "Vicious animal" also means any animal which, unprovoked, kills or maims any animal owned by a person.
- V. "Wild animal" means any animal or species that in its natural life is wild, dangerous or ferocious and though it may be trained and domesticated, is yet considered by this Ordinance to be dangerous to others and has the potential to injure or kill a person or other animals. Those animals, however domesticated, shall include but are not limited to:
 1. dog family (Canidae), all except domestic dogs, including wolves, foxes, and coyotes;
 2. cat family (Felidae) all except the commonly accepted domesticated cats, including lions, pumas, panthers, mountain lions, bobcats and ocelots;
 3. bears (Ursidae), including grizzly bears and brown bears;
 4. weasels (Mustelidae) all except the commonly accepted domesticated ferrets, including the weasel, marten, mink, wolverine, badger, otter, ermine, and mongoose;
 5. raccoon (Procyonidae), including eastern raccoon, desert raccoon and ring-tailed cat;
 6. primates (Homidae)
 7. porcupines (Erthizontidae)
 8. venomous snakes
 9. venomous lizards, alligators and crocodiles
 10. venomous fish and piranha.

Article 2 Administration of Ordinance

Sec.

2-1 Animal Control Officers

2-2 Authority of Animal Control Officers; Issuance of Citations

2-1 Animal Control Officers

- A. The Sheriff of Santa Fe County is responsible for the administration of the provisions of this Ordinance. Powers delegated to the Sheriff may be delegated by the Sheriff to the duly appointed Animal Control Officers as he may deem expedient.

- B. The Sheriff of Santa Fe County shall appoint Animal Control Officers. The Animal Control Officers shall be concerned primarily with the health and safety of the citizens of the County as affected by animals and with the health and safety of animals within the County limits.

2-2 Authority of Animal Control Officers; Issuance of Citations

- A. Santa Fe County Sheriff deputies and Animal Control Officers shall have the authority to issue citations for violations of this Ordinance and state statutes regarding the care and control of animals, whenever there is probable cause to believe there exists a violation of this Ordinance and/or animal care and control statutes, and to perform such other duties as prescribed by the Sheriff of Santa Fe County.
- B. Animal Control Officers shall have the authority to investigate upon probable cause any alleged violation of this Ordinance or any law of the State of New Mexico which relates to the care, treatment, and control of animals and to the prevention of cruelty to animals.
- C. Animal Control Officers are authorized to enter onto and inspect premises and animals thereon within the County as necessary to perform their duties. If the owner or occupant of the premises objects to inspection, a warrant shall be obtained from a court of competent jurisdiction prior to inspection, unless there appears to the A.C.O. that probable cause exists of an emergency requiring such inspection. An A.C.O. shall not enter onto the premises of the known owner for the sole purpose of taking up an animal which has been alleged to be running at large by a person who is not an A.C.O. or Sheriff's deputy.

Article 3

Animal Control and Impounding Procedures

Sec.

- 3-1 Impounding of Animals; Notice Required
- 3-2 Impounding Estrays; Notice Required; Redeeming Animals
- 3-3 Impoundment Fees
- 3-4 Destruction of Animals
- 3-5 Impounding of Horses
- 3-1 Impounding of Animals; Notice Required
 - A. The A.C.O. or Sheriff's deputy may take up and impound or cause to be impounded any stray animal found in the County, and any other animal found in violation of this Ordinance or state statute.
 - B. As soon as practicable after the date of impoundment, the Animal Control Officer shall attempt to notify the owner of such impoundment, if the owner of

such animal is not already so informed. If the owner is not known or if his address cannot be reasonably determined, the A.C.O. has no duty to give notice to the owner.

- C. All violations and fine amounts shall be reported to the shelter custodian upon the animal's impoundment.
- D. No animal that has been impounded may be adopted out for purposes of breeding or sale.

3-2 Impounding Estrays; Notice Required; Redeeming Animals

A. Notice

1. No person shall, without knowledge or consent of the owner, hold or retain possession of any animal of which he is not the owner, for more than twenty-four (24) hours, excluding Saturdays, Sundays, and holidays, when such person has knowledge of or could reasonably discover the owner of such animal, without first reporting the possession of such animal to the owner or, if this cannot be done, to an A.C.O. This provision shall not preempt N.M.S.A. Section 77-14-1, et seq.
 2. Any person taking up an animal shall give notice of such animal retention to the owner if his identity can be reasonably determined and shall not refuse to immediately surrender such animal to the owner or to an Animal Control Officer upon demand thereof.
- B. If an impounded stray is wearing a license or bears other identification tags, the animal shall be confined at an appropriate animal shelter pending notification of the owner or authorized agent, for a period of five (5) working days. The day the stray animal is impounded constitutes day one.
 - C. Upon notification, an owner or his notarized agent must redeem his animal within twenty-four (24) hours. Any animal not claimed by an owner within twenty-four (24) hours following notification shall become the property of Santa Fe County and may be destroyed, impounded or adopted out at the discretion of the Animal Control Division.
 - D. Any owner who claims an unlicensed animal from the appropriate Animal Control Center must show proof of rabies shots and proof of neutering (when applicable) upon claiming said animal. Such owner may be cited by the A.C.O. and will be required to buy a license from the County before the impounded animal shall be released. If proof of current rabies vaccination cannot be produced, the owner of the impounded animal must purchase a license from the County, must vaccinate the animal within three (3) working days and furnish proof of vaccination to the A.C.O.

- K. It shall be the responsibility of an owner to reimburse the County for animal boarding, vaccination, emergency veterinary costs, or other expenses incurred by the County or a shelter for any animal legally impounded under the provisions of this Ordinance, whether or not the animal is redeemed.
- F. The owner of an impounded animal may claim his animal by paying the scheduled fines and impounding fees to the custodian of the shelter, to an A.C.O. or Sheriff's deputy. An owner may elect to pay the fine under protest, request a hearing on the matter by accepting a citation from an A.C.O., appear at an arraignment at Magistrate Court, and participate in a trial on the matter.
- G. If an estray is not wearing a license and bears no other identification tags, the animal shall be impounded at an appropriate animal control shelter for four (4) working days. Any animal not claimed or adopted out within four (4) working days, commencing from the first date of impoundment, shall become the property of Santa Fe County and may be destroyed, impounded for an additional period or adopted out, at the discretion of the Animal Control Division.
- H. If an impounded animal is certified by a licensed veterinarian as suffering because of sickness, injury or age, then it may be destroyed, pursuant to Section 3-4 of this Ordinance, after the A.C.O. gives notice or attempts to give notice to the owner.

3-3 Impoundment Fees

Impoundment fees, fees required for adoption of an impounded animal, boarding costs and additional fees for the redemption of impounded animals are described in Appendix A.

- A. Impoundment fees are described and set forth in Appendix A.
- B. Fees required for adoption of an impounded animal are described in Appendix A.
- C. Additional fees for impounded animals are described in Appendix A.

3-4 Destruction of Animals

- A. If an animal which is impounded under this Section is not redeemed within the specified time periods, adopted out, or if it is suffering because of sickness, injury or age, as certified by a licensed veterinarian, then it shall be painlessly destroyed under the supervision of a licensed veterinarian, by an intravenous or intracardial injection of a dose of barbiturates (sodium pentobarbital), or any other method deemed humane and painless by the Animal Control Division.

- H. Any animal which cannot be brought to an animal shelter because of the inability of an Animal Control Officer to extricate or capture an animal which is, in the opinion of the A.C.O., vicious or infected with any dangerous or incurable disease or in any painfully crippled condition, shall be destroyed by shooting by a Public Safety Officer at the direction of the Animal Control Officer.

3-5 Impoundment of Horses

- A. If an A.C.O. finds that a horse has been abused by being untreated for serious medical or health problems, or by being seriously underfed to such an extent that its backbone is visible through its skin, then an A.C.O. shall cite the owner under Article 6 of this Ordinance and may, in his discretion, allow a responsible person who is knowledgeable in horse care and able to provide suitable food, water and veterinary care (hereinafter, "caretaker"), while in the presence of the A.C.O., to temporarily take custody of the horse, in order to provide care and maintenance for the horse, provided:
1. The caretaker shall provide transportation for the horse from the site where the horse is found to the caretaker's premises; and
 2. The caretaker shall provide adequate food, shelter and veterinary care for the horse; and
 3. The caretaker agrees to abide by any court order regarding the custody and ownership of the horse.
- B. The owner of such an abused horse who has been temporarily deprived of the custody of his horse may, at the hearing on the issue of his citation for abuse, petition the Court for the return of his horse. Until such a judicial determination, the horse shall remain in the custody of the caretaker, and the owner shall be assessed a reasonable fee for the transportation of the horse to the caretaker's premises, plus \$10 per day boarding charge, for each day or part thereof that the horse remains on the caretaker's premises. Such amount can be awarded by a court to the caretaker.
- C. If the owner does not pay all fines and charges, including those imposed by a Court under this Section 3-5, within five (5) days of imposition, then the horse shall be deemed forfeited by the owner, and title and ownership shall vest in the caretaker.

Article 4
Owner's Duties

710974

Sec.

- 4-1 Rabies Vaccination
- 4-2 Rabid Animal
- 4-3 Animal Biting a Person
- 4-4 Restraint of Animals
- 4-5 License Requirements

4-1 Rabies Vaccination

- A. It is the duty of all persons owning a cat or dog or any members of the canine or feline family which an employee of an animal control shelter or the animal control division is permitted to vaccinate over the age of three (3) months to have such animal vaccinated against rabies. The rabies vaccination shall be given in amounts sufficient to provide immunity from rabies for one (1) year and be administered by a licensed veterinarian. A certificate or tag from a licensed veterinarian shall be evidence of vaccination. A graduate veterinarian may vaccinate his own dog or cat.
- B. A veterinarian administering any rabies vaccine to any animal shall issue to the owner of the animal a numbered vaccination certificate or tag which shall contain the name and address of the owner of the animal, a description of the animal vaccinated, the date of the vaccination and the expiration date of the period of immunity.
- C. It is unlawful for the owner of any dog, cat, or other members of the canine or feline family to fail to exhibit a certificate or tag of vaccination, upon demand, to any Sheriff's deputy or Animal Control Officer.

4-2 Rabid Animal

Any animal that has rabies or shows signs of having rabies, and any animal bitten by another animal afflicted by rabies, or that has been exposed to such a rabid animal, shall be confined at once in a secure place by the owner. A person who knows or has reason to know that any animal is infected with rabies or an unvaccinated animal has been exposed to rabies shall immediately notify an Animal Control Officer of the place where the animal is confined or can be found. The owner of said animal shall surrender said animal to the Animal Control Officer upon demand. The A.C.O. shall then deal with the rabid animal pursuant to state law. A vaccinated animal exposed to rabies may be required to be confined on the owner's premises for a minimum of fourteen (14) day, until it is determined by an A.C.O. that there are no symptoms of rabies.

4-3 Animal Biting a Person

- A. The owner of an animal that bites a person and the person bitten by an animal shall both report that occurrence to an Animal Control Officer within twenty-four (24) hours of the occurrence. The owner of an animal that bites a person shall surrender said animal to an Animal Control Officer to impound said animal for a period of observation deemed reasonably necessary by the Animal Control Officer. A vaccinated animal may be confined on its owner's premises during this time of observation.
- B. The owner of the animal shall bear the cost of confinement. The A.C.O. may consent to confinement on the owner's premises, but only if the owner can produce evidence of a current rabies vaccination at the time the bite was inflicted. The premises where the home confinement is to occur shall be inspected and approved for such purposes by the A.C.O. A person who has custody of an animal that has bitten a person shall immediately notify the Animal Control Officer, if the animal shows signs of sickness, or abnormal behavior.
- C. A physician who renders treatment to a person bitten by an animal shall report the fact that he has rendered such treatment to an Animal Control Officer within twenty-four (24) hours of his first professional attendance to the bite wound. The physician shall report the name, sex, and address of the person bitten as well as the type and location of the bite. The physician shall give the name and address of the owner of the animal that inflicted the bite, if known, and other facts that may assist the Animal Control Officer in ascertaining the immunization status of the animal.

4-4 Restraint of Animals

- A. All persons owning or having charge, custody, or control of any animal shall keep such animal restrained to prevent damage or harm to people and property. Violation of this Section will subject said owner or keeper to a fine as set forth in Appendix A.
- B. When a dog is off its owner's premises, it must be under leash or under control of the owner. "Control" includes a dog who responds to sound commands of its owner to come to its owner on command. The owner of a dog shall not allow it to run at large or create a nuisance on another's property, be it public or private, including entering onto lawns, driveways, walkways, places of recreation, or amusement parks. The term "nuisance" shall include defecation or urination. Violation of this Section will subject said owner or keeper to a fine as set forth in Appendix A.

- C. Any animal trespassing upon private or public property shall be deemed prima facie not to be under the immediate control of the owner or of his designee and the owner shall be in violation of Sections 4-4A and 4-4B, and subject to penalties, pursuant to Appendix A.

4-5 License Requirements

- A. Licensing Required: Any person keeping, harboring, or maintaining any dog over three (3) months of age, within the County, shall obtain a license from the Animal Control Division for each such dog. The A.C.O. shall keep a record of all licenses issued and shall issue a tag for each license granted. A current rabies vaccination certificate shall be presented at the time of the application for the license. Licenses shall be issued annually, and shall be renewable during the anniversary month of the originally issued license, and shall expire on the last day of the anniversary month.
- B. To encourage the alteration of dogs, the licensing fee for unaltered animals shall be higher than for altered animals.
- C. Affixing Tags: A current license tag or number shall be affixed to the licensed dog at all times and in a reasonable manner.
- D. License Fee Schedule: See Appendix A.
- E. Duplicate (replacement) tag fee: See Appendix A.
- F. Exemptions:
- (1) Dogs belonging to non-residents, who keep dogs within the confines of the boundaries of the County for less than ninety (90) consecutive days shall be exempt from this Section, provided, however, that all other provisions of this Ordinance are complied with.
 - (2) Guide dogs will be licensed by the County at no charge to the legally blind and/or deaf, or to a handicapped or disabled person who has a current prescription from a licensed physician prescribing such animal use.
- G. Penalty: Any person violating any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished by incarceration and/or by a fine as set forth in Appendix A.

Article 5 Prohibited Activities

Sec.

- 5-1 Dogs Running at Large
5-2 Animals on Unenclosed Premises, Chained Animals
5-3 Animals Transported or Left in Vehicles
5-4 Vicious Animals

- 5-5 Animal Disturbing The Peace
- 5-6 Animal Nuisances on Sidewalks, Streets, Public Parks, Alleys, and Other Places Open to the Public
- 5-7 Unlawful Use of License Tag
- 5-8 Animals Trained to Assist the Handicapped Allowed in Public Places
- 5-9 Written Complaint Requirement

5-1 Dogs Running at Large
It is unlawful for any owner to allow or permit any dog to run at large. Any dog permitted to run at large in violation of this Section is declared to be a nuisance, a menace to the public health and safety, and may be taken up and impounded as provided in Section 3-1, et seq. In addition, its owner shall be subject to the penalties set forth in Appendix A.

5-2 Animals on Unenclosed Premises; Chained Animals

A. It is unlawful for any person to chain or stake any animal in a cruel or inhumane manner. Where circumstances warrant and no other alternative exists for confining an animal on its owner's property, a rope, cable, or chain may be used to restrain the animal, provided the following criteria are met:

1. The rope, chain, or cable must be affixed to the animal by use of a non-abrasive, comfortably fitted collar or harness.
2. The rope, chain or cable must be at least twelve (12) feet in length unless such length allows the animal to enter onto another's property, in which case the chain shall be no less than eight (8) feet in length. The chain must be unobstructed by objects which might cause the animal to become entangled.
3. The animal must have easy and constant access to adequate shelter, food and potable water.
4. The area where the animal is confined must be kept free of garbage, feces, or other debris which may endanger the animal's health and safety.
5. The area where the animal is confined must be kept free of insect infestation such as ant hills, wasp nests, flea, tick, and maggot infestations.
6. The animal must be tied reasonably near the owner's residence or workplace and must not be left unattended for longer than a twelve (12) hour period.

B. Invisible fencing. Where an owner maintains an invisible fence, i.e., an electrical device designed to contain animals wearing an appropriate collar within a confined area, which is in operation at all times that a dog is outdoors on the owner's premises, and within the invisible fencing, and where each owner's dog on

the premises wears the applicable collar, then the provisions of Section 5-2A shall not apply, provided that the invisible fence does, in fact, retain the dog on the owner's premises.

- C. Violations of these requirements will constitute an act of neglect/cruelty, and will subject the animal to immediate impoundment and penalties to the owner as set forth in Appendix A.

5-3 Animals Transported or Left in Vehicles

It is unlawful for any person to carry any animal in or upon any vehicle in a cruel, inhumane, or unsafe manner. No person shall keep or transport an animal in the bed of a pick-up truck unless the animal is properly restrained in a humane and safe manner to prevent the animal from leaving the confines of the bed of the truck. No person shall leave an animal in a closed vehicle for any length of time reasonably concluded to be dangerous to the health or safety of the animal. During hot weather conditions, an A.C.O. or Sheriff's deputy may immediately remove an animal from a vehicle and take it into protective custody, at the cost assessed to the owner. Violations of this Section will constitute an act of cruelty/neglect and will subject the owner to the penalties set forth in Appendix A.

5-4 Vicious Animals

It is unlawful for any person to keep or harbor a known vicious animal in the County. Any attack by a vicious animal or any animal displaying traits of a vicious animal may be repelled by the use of reasonable force. After a judicial determination that an animal is vicious, the court having jurisdiction over the enforcement of this Ordinance, upon hearing of such complaint, may, in addition to any fine or imprisonment which may be imposed for violation hereof, order the Animal Control Officer to have such animal destroyed as set forth in Section 3-4 of this Ordinance.

5-5 Animal Disturbing the Peace

- A. It is unlawful for any owner to allow any of his animals to persistently or continuously bark, howl or make noise common to their species or otherwise disturb the peace and quiet of the inhabitants of the County, or to keep or maintain on his premises any animal in such a manner as to disturb others by noxious or offensive odors, or otherwise endanger the health, safety, and welfare of the inhabitants of the County.
- B. Violations of this Section shall constitute a nuisance and shall subject the owner to the penalties set forth in Appendix A.

5-6 Animal Nuisances on Sidewalks, Public Parks, Alleys, and Other Places Open to the Public

- A. It is unlawful for the owner of any animal to permit, either willfully or through failure to exercise due care or control, any such animal to commit any nuisance upon a sidewalk, or in a public park; or upon the floor or wall or any common wall or any common hall in any multiple dwelling, entryway, stairway, or wall immediately abutting on a public sidewalk; or upon the floor or wall of any theater, shop, store, office building, or other building used in common by the public; or upon any private property other than that of the animal owner. When an animal defecates in a public place, the owner must remove the feces and dispose of it in a sanitary manner. The term nuisance shall include any defecation or urination, destruction of property or disturbing the property of another, including the rubbish or trash of a resident of Santa Fe County.
- B. Violations of this Section shall constitute a nuisance and shall objection the owner to the penalties set forth in Appendix A.

5-7 Unlawful Use of License Tag

It is unlawful for any person to remove any license tag from an animal and attach it to another animal. It shall be unlawful for any person to manufacture or cause to be manufactured or to have in his possession or under his control a stolen, counterfeit, or forged animal license tag, rabies vaccination certificate or other form of licensing as required under this Ordinance.

5-8 Animals Trained to Assist the Handicapped Allowed in Public Places

Animals trained to assist the handicapped, including blind or deaf persons, shall be allowed in public places and it shall be unlawful for any person who owns, operates, or maintains any public place of business or conveyance into which the general public is invited to debar or exclude therefrom any animal which has been trained to assist the handicapped, provided such animal accompanies the handicapped person it was trained to assist.

5-9 Written Complaint Requirement

For any alleged violations of this Section 5, an A.C.O. may, before further action or investigation, require a complainant to submit, on a form provided by the A.C.O., a written complaint of the alleged Ordinance violation, giving the name and address of the complainant and, if available, of the owner who is in such violation.

Article 6
Cruelty to Animals Prohibited

710980

Sec.

- 6-1 Physical Abuse
- 6-2 Molesting Animals
- 6-3 Work Cruelty
- 6-4 Care and Maintenance
- 6-5 Uncared-for Animals; Abandonment
- 6-6 Injury to Animals by Motorists
- 6-7 Keeping of Diseased or Painfully Crippled Animals
- 6-8 Animal Fights
- 6-9 Bird; Impounding; Crating; Housing
- 6-10 False Reports Prohibited
- 6-11 Scope of Section
- 6-12 Repeat Offenses

6-1 Physical Abuse

It is unlawful for any person to willfully or maliciously kill, beat, sexually abuse, maim, poison, disfigure, burn, or scald any animal, or to attempt to kill or poison any animal that is not a wild animal, except that reasonable force may be employed only to drive off vicious or trespassing animals.

6-2 Molesting Animals

It is unlawful for any person to tease, annoy, disturb or molest any animal which is on the property of its owner, or under the control of its owner.

6-3 Work Cruelty

It is unlawful for any person to drive or work any animal cruelly.

6-4 Care and Maintenance

- A. It is unlawful for any owner of an animal to fail, refuse, or neglect to provide said animal with proper and adequate food, drink, shade, shelter and ventilation. Any animal habitually kept outside shall be provided, by its owner, with a structurally sound, weather-proof enclosure large enough to accommodate the animal in a manner suitable for that species, or other shelters suitable to the species.
- B. An owner must keep the premises where an animal is kept free of garbage, hazardous materials, feces, insect infestation, and other debris which may endanger the animal's health and safety.
- C. An owner must provide an injured or sick animal with adequate veterinary care so as to reduce its suffering.
- D. Violations of this Section of the Ordinance are punishable by fines and/or imprisonment as set forth in Appendix A.

6-5 Uncared-for Animals; Abandonment

- A. Whenever an Animal Control Officer finds that any animal is or will be without proper care because of injury, illness, and/or incarceration or as a result of the absence of the owner or person responsible for the care of such animal, the A.C.O. may enter onto the property or premises where said animal is located and may take up such animal for protective care; and in the event of sickness or injury of the animal, upon the instruction of a licensed veterinarian, the Animal Control Officer may take such action as called for to prevent undue pain and suffering, including immediate destruction of the animal.
- B. It is unlawful for any person to abandon any animal in the County of Santa Fe.

6-6 Injury to Animal by Motorists

- A. Every operator of a motor vehicle or other self-propelled vehicle upon the streets and ways of the County shall immediately, upon hitting, striking, maiming, or running down any animal, give aid as is reasonable to render. In the absence of the owner, said operator shall immediately notify the A.C.O., furnishing sufficient facts relative to the incident to identify the location of the injury, type of animal injured, and name and address of the motorist striking the animal. It is the duty of such operator to remain at or near the scene for a reasonable length of time or until such time as the appropriate authorities arrive, unless permission is granted from those authorities to leave the scene after providing his name, address, and other relevant information as requested by the appropriate authorities. Alternatively, in the absence of the owner, a person may give aid by taking the animal to a licensed veterinarian or to an animal control shelter and notifying an A.C.O.
- B. Any animal struck by a motor vehicle as provided herein shall be deemed an uncared-for animal within the meaning of Section 6-5 above.
- C. Emergency vehicles in the course of emergency duty are excluded from this provision with the exception of reporting the incident.

6-7 Keeping of Diseased or Painfully Crippled Animals

It is unlawful for any person to have, keep, or harbor any animal which is afflicted with any incurable, or infectious disease or is in any painfully crippling condition, except as hereinafter provided. The Animal Control Officer may impound such diseased or painfully crippled animal in accordance with the provisions of this Ordinance. All such animals impounded may be destroyed humanely as soon thereafter as is practicable. In the case of destruction of such

animal, the Animal Control Officer shall be required to give any of the aforesaid notices provided in this Ordinance. This Section shall not be construed to include animals receiving veterinary care.

6-8 Animal Fights

It is unlawful for any person to promote, stage, hold, manage, conduct, carry on, or attend any game, exhibition or contest in which one or more animals are engaged for the purpose of injuring, killing, maiming, or destroying themselves or any other animal.

6-9 Birds

It is unlawful for any person to confine any bird unless provisions are made for the proper feeding and the furnishing of water to such bird at intervals not longer than forty-eight (48) hours. No person shall confine any bird in a crate, box, or other enclosure which does not permit each bird confined therein to stand in a naturally erect position.

6-10 False Reports Prohibited

It is unlawful for any person to make a false report to a Sheriff's deputy or an A.C.O. regarding any animal in danger or stray or regarding any supposed violation of this Ordinance.

6-11 Scope of Section; Violations

- A. It is expressly provided that Section 6-1 through 6-8 shall apply equally to domestic livestock, exotic animals, and wild animals in addition to dogs and cats.
- B. Violations of Section 6-1 through 6-11 of this Ordinance are punishable by fines and/or imprisonments as set forth in Appendix A.

6-12 Repeat Offenses

- A. Three or more violations of any one or any combination of Section 6 offenses shall constitute an act of cruelty. A repeat offender shall be deemed guilty of an misdemeanor, punishable by a fine not exceeding \$500.00 and/or imprisonment for period not exceeding six (6) months.
- B. In cases of repeat offenses under this Section 6, an A.C.O. shall have the authority to impound any animal subjected to cruelty, neglect or abandonment. The animal may not be returned to its owner before a hearing in Magistrate Court if, in the opinion of the A.C.O., the harm to the animal is severe and likely to recur.
- C. In cases of repeat offenses for animals subjected to cruelty, neglect or abandonment, the A.C.O. may have such animal adopted to another owner, thereby

extinguishing all property rights of the existing owner, provided the A.C.O. serves written notice upon the existing owner, informing him of the A.C.O.'s intent to have said animal adopted by another owner, and giving the existing owner three (3) business days to 1) declare his intent to maintain ownership of the animal and to object to the adoption, and 2) pay all impoundment, boarding and veterinary costs, up to the date of the owner's declaration of intent to maintain his ownership of his animal. This intent must be stated in writing, signed by the animal's owner, and delivered to the Animal shelter keeping the animal. The statement of intent and payment of fees and costs will serve to stop any animal adoption proceedings.

Article 7 Wild or Exotic Animals; Guard Dogs

Sec.

- 7-1 Keeping of Wild and Exotic Animals
- 7-2 Licensing of Wild and/or Exotic Animals
- 7-3 Animals Used for Entertainment
- 7-4 Guard Dogs

7-1 Keeping of Wild or Exotic Animals

- A. No person shall keep an animal of a species prohibited or protected by Title 50, Code of Federal Regulations, or by the State of New Mexico, 17-3-22 NMSA 1978, as amended.
- B. No person shall keep an animal which is wild, vicious, dangerous, noxious, or naturally inclined to do harm, except in a zoological park, veterinary hospital, animal shelter, public laboratory, circus, amusement show, educational facility, for which adequate protection devices shall be provided to prevent any animals from escaping or injuring the public.
- C. Any provisions of this Ordinance to the contrary notwithstanding, no person shall keep a wild or exotic animal in such a manner as to constitute a likelihood of harm to the animal or other animals, to human beings, to the property of human beings, or which constitutes a public or private nuisance.

7-2 Licensing Wild or Exotic Animals

Any provision of this Ordinance to the contrary notwithstanding, no person shall receive, own, or keep a wild or exotic animal within the limits of the County, without first applying for and receiving from the A.C.O. an annual permit to do so. The applicant must provide evidence of knowledge and facilities for the care and feeding of the animal involved. The Animal Control Officer is permitted to enter

the premises of the permittee hereunder at any reasonable time for the purpose of inspection or reinspection to determine compliance with this Ordinance. The A.C.O. may deny, revoke, or suspend a permit for failure to comply with this Section. This permit shall be renewed annually, at a cost set forth in Appendix A.

- 7-3 Animals Used for Entertainment.
Owners of animals used in exhibits, circuses, rodeos, and animals otherwise used for entertainment purposes must comply with all provisions of this Ordinance.
- 7-4 Guard Dogs
Anyone using or keeping a dog for the sole purpose of guarding a property, and neither as a pet nor for hunting uses, must follow the restrictions set forth in Section 7-4, in addition to all other applicable provisions of this Ordinance:
- A. The enclosure surrounding the property protected by a guard dog must be secure at all times so as to prevent the dog from running at large, unless the owner complies with Section 5-2A.
 - B. If chained, the animal must be located within 10 feet of the entrance of the building to be guarded and chained in such a manner as set forth in Sections 5-2A.1. through 6. (Chained Animals).
 - C. The owner of the guard dog shall post warning signs prominently on all sides of the premises and on the entryway to the premises, stating that a guard dog is on the premises.

Article 8 Dead Animals

Sec.

8-1 Disposal

- A. Within twenty-four (24) hours of death of an animal, the owner shall dispose of the carcass by burial at least three (3) feet underground in a suitable location, or by other means approved by an A.C.O.
- B. At his discretion, the A.C.O. is authorized to pick up and dispose of all dead animals immediately upon discovery or notification.
- C. The A.C.O. is not responsible for pick up or disposal of domestic livestock or wild animals, or animals killed on interstate highways, state, or county roads.
- D. At the request of the owner, an A.C.O. may, at his own discretion, given the constraints of County resources, pick up the carcass of dogs and cats weighing less than

twenty (20) pounds from the homes of the owners who are residents of the County. The fee for this service is set forth in Appendix A.

- K. An animal carcass picked up under this Section of the Ordinance shall be disposed of by the County in whatever way is determined to be the most feasible to protect the health, safety, and welfare of the residents of the County and in such a manner as to minimize expense to the Animal Control Division and the County.

Article 9 Tampering

Sec.

- 9-1 Breaking into Enclosure
9-2 Hindering an A.C.O.

- 9-1 Breaking into Enclosure

Any person who shall in any manner break into or aid, directly or indirectly in breaking into the enclosure in which any animal is impounded or kept under authority of an A.C.O. or Sheriff's deputy shall be guilty of a petty misdemeanor.

- 9-2 Hindering an A.C.O.

Any person who shall willfully or intentionally hinder or obstruct any Animal Control Officer in the discharge of his official duty under the provisions of this Ordinance shall be guilty of a petty misdemeanor.

Article 10 Regulations For Kennels, Grooming Parlors, Pet Shops, Pet Shelters, and Hobby Breeders

Sec.

- 10-1 Permits; Standards; Revocation of Permits

- A. It shall be unlawful to keep, maintain, harbor or possess upon the premises of any one household or upon the premises of any one business property more than ten (10) dogs of licensing age or ten (10) cats unless the owner or person in charge thereof has obtained a permit to operate a kennel from the Animal Control Division.
- B. The cost of obtaining a kennel permit is set forth in Appendix A. Each kennel license must be renewed annually and a new permit fee paid.
- C. No kennel permit shall be issued until an inspection of the kennel by an A.C.O. finds compliance with this Ordinance has been completed.
- D. The A.C.O. is authorized to inspect, at any reasonable hour, any kennel holding a permit to operate. By

accepting a kennel permit, the permittee is agreeing to surrender the kennel for inspection at a reasonable time upon the request of an A.C.O.

- K. All kennels, as defined herein, shall, in addition to the other provisions of this Ordinance, comply with the minimum standards of this Section. Failure to meet these standards shall be grounds for denial of a permit or revocation of a permit. The following standards must be met:

1. animal enclosures must be provided which allow adequate protection against all weather extremes. Floors of buildings, runs and walls, must be constructed with an impervious material to permit proper cleaning and disinfecting.
2. building temperatures shall be maintained at a comfortable level. Adequate ventilation and adequate lighting shall be maintained at all times.
3. each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or tops of cages.
4. cages are to be of material and construction that permit adequate cleaning and sanitizing.
5. cages are to be of an impervious, washable material, radiantly heated, and shall have a resting board or some kind of bedding.
6. rooms shall provide an adequate exercise area and protection from the weather. Runs shall have an impervious surface.
7. all animal quarters and rooms are to be kept clean, dry and in a sanitary condition.
8. animal food shall be free from contamination, shall be wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition, age, and size of the animal.
9. all animals shall have fresh, potable water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and be of a removable type.

- L. Any permit issued pursuant to this Section may be revoked if an A.C.O. has reasonable cause to believe that the standards set forth in this Section are not being met, or if the permittee or the person caring for or having control of the kenneled animals has violated any Section of this Ordinance or is in violation of any zoning, health and safety, or building ordinance relating to the keeping, care or use of any animal.

Article 11

Penalty; Grace Period; Restitution; Savings Clause

Sec.

11-1 Penalty Clause

11-2 Grace Period

11-3 Restitution

11-4 Savings Clause and Repeal Provision

11-5 Effective Date

11-1 Penalty Clause

Any person who violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and, upon conviction of violating the Ordinance, shall be punished by a fine not exceeding \$500.00 and/or imprisonment for a period not exceeding six (6) months. A person may, in addition to any other penalty, be required to attend an animal training or care school/classes in the discretion of the Court. Each day this Ordinance is violated shall be considered a separate offense.

11-2 Grace Period

Any violations existing upon the effective date of this Ordinance shall have a grace period of thirty (30) days to permit the persons to comply with all provisions herein.

11-3 Restitution

Notwithstanding any of the foregoing, in the event any animal damages property, whether public or private, or causes injury to any person or animal, and such damage or injury is found to have been an element of the violation of any provision of this Ordinance, the Magistrate Court may, at its discretion, require the defendant to make restitution, within a reasonable time, to the victim of said damage or injury.

11-4 Savings Clause and Repeal Provision

If any of these Sections, subsections, sentences, clauses, or phrases of this Ordinance are for any reason found to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not thereby be affected since it is the express intent of the Board of County Commissioners to pass each section, phrase, paragraph, and word separately. Santa Fe County Resolution 1990-8 is hereby unaffected by this Ordinance. Santa Fe County Ordinances 1981-7, 1982-7, 1990-8 and Santa Fe County Resolution 1982-28 are hereby repealed.


11-5 Effective Date

This Ordinance will take effect on April 12, 1991.

PASSED, APPROVED AND ADOPTED ON THIS 12TH DAY OF MARCH, 1991.

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS:

710988


Raymond M. Chavez, Chairman

ATTEST:

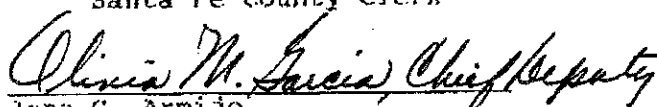

Olivia M. Garcia, Chief Deputy
Jona G. Armijo, County Clerk

APPROVED AS TO FORM:
TERRENCE P. BRENNAN


Santa Fe County Attorney

CERTIFICATE OF FILING

I, Jona G. Armijo, County Clerk, do hereby certify that the
above ordinance was filed in my office on the 14th day of
March, 1991.

Santa Fe County Clerk

Olivia M. Garcia, Chief Deputy
Jona G. Armijo

710989

APPENDIX A

I. SCHEDULE OF FEES, FINES AND CHARGES

- A. LICENSING
- | | |
|--|----------|
| 1. Unaltered Male | \$ 10.00 |
| 2. Unaltered Female | 10.00 |
| 3. Altered Male | 3.00 |
| 4. Altered Female | 3.00 |
| 5. Late Penalty/No License and/or Registration | 10.00 |
| 6. Duplicate Tags | 5.00 |
- B. IMPOUNDMENT FEES
- | | |
|--|----------|
| 1. DOGS | |
| a. Per offense | \$ 15.00 |
| b. Boarding cost (per day) as set by Animal Shelter | |
| 2. CATS | |
| a. Per offense | \$ 10.00 |
| b. Boarding cost (per day) as set by Animal Shelter | |
| 3. OTHER ANIMALS: reasonable impoundment and boarding fees as determined by the A.C.O., depending on the type of animal and care required. | |
- C. PERMIT FEES
- | | |
|--|----------|
| 1. To operate a cat Kennel (per year) | \$ 50.00 |
| 2. To operate a Kennel able to house 20 dogs or less | 50.00 |
| 3. To operate all other Kennels | 200.00 |
| 4. To keep an exotic animal (per year, up to) | 200.00 |
- D. CARCASS REMOVAL
- | | |
|--|-------|
| 1. Removal of the carcass of a dog or cat, at the request of the animal's owner. | 50.00 |
|--|-------|
- E. FINES for VIOLATIONS
- | | |
|---|----------------|
| 1. Running at large, Trespassing, Nuisance, Non-Restraint, Disturbing the Peace | |
| a. First offense (in a calendar year) | \$ 25.00 |
| b. Second offense (in a calendar year) | 60.00 |
| c. Third offense or more (in a calendar year) | 100.00 |
| 2. Neglect, Care and Maintenance | |
| a. First offense | 50.00 |
| b. Second offense | (up to) 200.00 |
| c. Third offense or more | (up to) 500.00 |
| 3. Cruelty | |
| a. First offense | 50.00 |
| b. Second offense | 200.00 |
| c. Third offense or more | (up to) 500.00 |
| 4. No Rabies Vaccine | 15.00 |
| 5. All Other Fines | (up to) 200.00 |

710990

II. INCARCERATION

In addition to the following fees, a court of competent jurisdiction may also impose incarceration of up to 120 days for any violations set forth in paragraphs A, B, C and E, above.



731, 402

COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)
I hereby certify that this instrument was filed
for record on the 14 day of MAR A.D.
19 91, at 10:03 o'clock A m.
and was duly recorded in book 710,
page 967-990 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Joyce Medina
Deputy

