



VILLAGE OF MILAN
CRIMINAL CODE
FOR
ANIMAL CONTROL

**ORDINANCE 187
PASSED, APPROVED AND ADOPTED
DECEMBER 20, 2001
EFFECTIVE JANUARY 7, 2002**

CRIMINAL CODE ORDINANCE # 187
FOR ANIMAL CONTROL
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CRIMINAL CODE ORDINANCE No. 187
FOR
ANIMAL CONTROL

AN ORDINANCE CREATING A CRIMINAL CODE FOR OFFENSES PERTAINING TO ANIMAL CONTROL; MAKING COMMISSION OF THESE OFFENSES UNLAWFUL; PROVIDING PENALTIES, AND REPEALING ORDINANCES IN CONFLICT HEREOF.

1-100 DEFINITIONS – WORDS – TERMS MEANING

As used in this ordinance, the following words and terms shall have the meaning given herein, unless the context indicates a different meaning:

ANIMAL – any vertebrate excluding humans

ANIMAL SHELTER – any establishment authorized by the Village of Milan for the care and custody of impounded animals.

BITE – a puncture or tear of the skin inflicted by the teeth of an animal.

VILLAGE OF MILAN – that area lying within the incorporated boundaries of the municipality.

CHIEF OF POLICE - the chief of police of the Village of Milan or a person designated to enforce the provisions of this ordinance.

EXOTIC ANIMALS - an animal that is rare or different from ordinary domesticated animals and one that is not indigenous to the area or State of New Mexico.

NUISANCE - means, but is not limited to, disturbing the peace and tranquility of an area or neighborhood, emitting noxious or offensive odors, or otherwise endangering or offending the environment or the municipality.

KEEPER/OWNER - any person who owns, harbors, keeps, or has control or custody of an animal for more than six (6) day. This term shall not apply to veterinarians, or licensed kennel owners who temporarily keep animals on their premises owned by other.

KENNEL - any licensed establishment or premises where animals are boarded or kept.

PERSON - any individual, household, firm, partnership, corporation, society, association, or any employee, agent or representative thereof.

QUARANTINE - to detain or isolate an animal suspected of being infected of rabies.

RUNNING AT LARGE – an animal off the premises of the owner or keeper and not under the control of a competent person. Direct control means connected to a leash not over six (6) feet in length or some other equivalent means of direct control.

STRAY OR ESTRAY – any animal that has no identifiable keeper or owner.

VACCINATION - the vaccination of an animal with an anti-rabies vaccine approved by the Secretary of the Health and Environment Department and administered under the supervision of a veterinarian.

VETERINARIAN – any practitioner of animal medicine licensed to practice in the State of New Mexico.

VISCIOUS ANIMAL – any animal that commits an unprovoked attack upon a person or another animal on private property, or that terrorizes or attacks a person or other animal on public property or in a public place.

WILD ANIMAL – any animal that is wild by nature and cannot normally be domesticated or controlled.

SECTION 1-101 ANIMAL CONTROL ADMINISTRATION AND ENFORCEMENT RESPONSIBILITY.

The Chief of Police of the Village of Milan is responsible for the administration of this section and for the enforcement of all sections herein. The Chief of Police shall issue reasonable rules and regulations to carry out the intent and purpose of animal control within the Village of Milan. Further, he shall enforce the provisions of this section as herein prescribed and shall issue citations for violations hereof.

SECTION 1-102 RABIES CONTROL.

- a. *Annual Vaccination:* It is the duty of every person keeping a dog or a cat that is over the age of three (3) months, to have such dog or cat vaccinated against rabies. All dogs and cats shall be vaccinated annually against Rabies. Every veterinarian who vaccinates a dog or a cat shall issue to the owner or keeper of the animal, a numbered vaccination certificate and tag. The certificate and tag shall include the name and address of the owner or keeper of the animal, a description of the animal vaccinated, type of vaccine used, the date of the vaccination and the expiration date of the period of immunity.
- b. *Vaccination Certificate:* Every person who keeps a vaccinated dog or cat must exhibit his copy of the certificate of vaccination upon demand of any person charged with enforcement of this section.
- c. *Harboring Unvaccinated Animal:* It is unlawful for any person to keep a dog or a cat that has not been vaccinated against rabies.
- d. *Reporting Rabies Suspect;* Every veterinarian who makes a clinical diagnosis of rabies and every person who suspects rabies in a domestic or wild animal shall immediately report the condition to Village of Milan police and state precisely when and where the suspected rabid animal was seen and if possible where it may be found. The Village of Milan police department shall report the condition to the Department of Health District Office.
- e. *Human Exposure to Rabies:* Any person with knowledge that an animal has bitten a human being, shall immediately report the incident to the Village of Milan police department, who shall report the incident to the animal shelter and to the local Department of Health District Office. Further, any physician or health care professional who treats a person for such bit shall report such treatment to the Village of Milan police department and to the District Health Office, within twelve (12) hours of such treatment. Such report shall include the name and precise location of the person bitten.

- f. *Quarantine of Rabies Suspects:* Any dog or cat that has bitten a person shall be confined and observed for a period of ten (10) days from the date of the bite. Confinement and observation shall be at an animal shelter, a veterinary clinic or hospital, or in an approved kennel; provided however, that if the animal has a current vaccination for rabies and the area is involved is not under quarantine for rabies, the animal control officer may permit quarantine of such animal at the owner's or keeper's home. Home confinement shall not be permitted unless the premises have been inspected and approved for such purpose by the Animal Control Officer or other person designated by the Chief of Police.
- g. *Enforcement of Quarantine:* It is unlawful to remove any dog or cat from enforced quarantine during the period of confinement without the consent of the responsible Animal Control Officer or other person designated by the Chief of Police.
- h. *Wild Animal Bites:* Bites inflicted by animals other than domestic dogs or cats shall be reported to the Local District Health Office by the Police Department to determine appropriate disposition.

SECTION 1-103 LICENSE AND PROOF OF VACCINATION REQUIRED

For each animal under their control or ownership, every owner and/or keeper of any dog or cat three (3) months of age or older shall procure a license and a Rabies Certificate of Vaccination from a licensed veterinarian or kennel licensed to vaccinate animals.

- a. The certificate and tag shall include the name and address of the owner or keeper of the animal, a description of the animal vaccinated, type of vaccine used, the date of the vaccination and the expiration date of the period of immunity.
- b. The number of the Rabies Certificate of Vaccination shall be affixed to a metal tag. The metal tag shall be affixed to the licensed animal. The original Rabies Certificate of Vaccination shall be retained by the animal's keeper or owner and shall be available for inspection upon demand by any person charged with enforcement of this section.
- c. Upon the loss of a license tag, the animal's owner or keeper shall obtain a duplicate tag from a licensed veterinarian or kennel licensed to vaccinate animals.

**SECTION 1-104 PROHIBITED ACTIVITIES – CRIMES AGAINST ANIMALS –
EXCEPTIONS**

- a. *False and Stolen Certificates and/or Tags* – No person shall transfer any license or rabies tag from one animal to another or to make use of a stolen, counterfeit, or forged license, Rabies Certificate of Vaccination, or tag.
- b. *Animals Running at Large* – No owner or keeper of a dog or cat or other pet animal shall permit such animal to run at large.
- c. *Nuisance, Noise Area Endangerment* – No owner or keeper of a dog or cat or other pet animal to persistently bark, howl, or to make any other noise or to be kept or maintained in such a manner as to disturb the tranquility of the area, or to endanger the health, welfare and safety of the neighborhood or the animal.
- d. *Vicious Animals* – No person shall keep or harbor any vicious animal.
- e. *Physical Abuse of Animals* – No owner or keeper of animals shall maliciously kill, maim, torture, mutilate, burn, or to cruelly drive or work any animal.
- f. *Abandonment of Animals* – No owner or keeper of animals shall abandon any animal within the Village of Milan.
- g. *Poisoning of Animals* – No person shall poison domestic animals or distribute poison or toxicants in any manner with the intent of poisoning.
- h. *Care and Maintenance of Animals* – No owner or keeper of animals shall fail to provide an animal under their care and/or control with proper food, drink and shelter, or to carry an animal in or upon any vehicle in a cruel or inhumane manner. No owner or keeper of an animal shall keep or maintain an animal in such a manner as to endanger the health, welfare and safety of the animal.
- i. *Animal Fights* – No person shall cause, instigate, or promote any fight in which two or more animals are or would be engaged for the purpose of injuring, maiming, or destroying themselves or another animal.
- j. *Animals as Premiums or Incentives to Buy* – No person shall sell, attempt to sell, offer for sale, barter, or give away any live animal as a premium, prize, award, novelty, or incentive to buy merchandise.
- k. *Coloring, Staining or Dying of Feathered Animals* – No person shall color, attempt to change the color of, stain, or dye any feathered animal.
- l. *Turtles* – No person shall offer for sale, sell, barter or give away any turtle or turtles except in accordance with federal regulations.

EXCEPTION: Confinement during Estrus (Heat) – Any female dog or cat in the stage of Estrus (heat) shall be confined to a building or other secure enclosure so as to prevent contact with a male animal of the same species, except for intentional breeding purposes. Owners or keepers who do not comply with this section may be required to place such animal in a boarding kennel or veterinary hospital - at owners or keepers expense - for the period of Estrus.

**VILLAGE OF MILAN
ORDINANCE NO 241**

AN ORDINANCE AMENDING ORDINANCE 187 IN PART

BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF MILAN, NEW MEXICO.

SECTION 1. AMENDMENT

Section 1-106 of Ordinance 187 is hereby amended and henceforth shall read as follows:

SECTION 1-106 MAXIMUM NUMBER OF DOGS AND CATS PERMITTED; LICENSE REQUIRED

Except as otherwise herein allowed, no person shall keep more than five (5) dogs or five (5) cats nor any combination thereof exceeding five (5) in number that are over one hundred and twenty (120) days old on any residential or business premises in the Village. A kennel license as herein provided is required when the number as herein specified is exceeded.

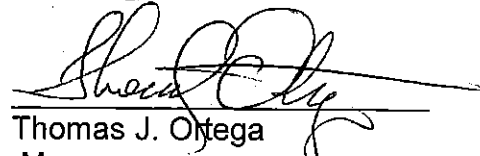
SECTION 2. EFFECTIVE DATE

This ordinance shall take effect five (5) days after its adoption, approval, and publication as provided by law.


SECTION 3. INSPECTION

Ordinance 187 as originally adopted as well as this Ordinance are available for inspection during normal and regular business hours (8:00 a.m. to 5:00 p.m. Monday through Friday, except designated holidays) at the office of the Village Clerk, 623 Uranium Ave., Milan, New Mexico. A copy of the complete ordinance may be obtained upon request and payment of a reasonable fee.

PASSED, APPROVED, and ADOPTED this 18th day of October, 2012.


Thomas J. Ortega
Mayor

ATTEST:


Theresa A. Garcia
Clerk

SECTION 1-105 IMPOUNDMENT-NOTICE TO OWNERS-RIGHT OF REDEMPTION

A suitable animal shelter shall be provided for the purpose of boarding and caring for animals impounded under the provisions of this section.

- a. *Impounding Animals* – Animals kept in violation of these sections and stray animals, shall be taken into custody by an animal control officer or other designated person and thereupon be impounded.
- b. *Right of Entry* – Animal Control Officer(s) and other designated persons, while in performance of their duties may enter upon private property, except a private residence, for the purpose of apprehending animals running at large and stray animals.
- c. *Registering of Animals* – The animal control Officer(s) or other designated person upon impounding or receiving any animal shall register such animal such animal by entering the breed, color, and sex of the animal and the time and place such animal was apprehended, into the registry kept for such purposes.
- d. *Notice to Owner or Keeper of Record* – The Animal Control Officer(s) or other designated person shall notify immediately the Owner or Keeper of the animal, if known, of the impoundment. If the owner or keeper is unknown, a notice of impoundment shall be conspicuously posted at the animal shelter for a period of five (5) days.
- e. *Right to Redeem* – The owner or keeper of any impounded animal shall have the right to redeem the animal upon payment of the impoundment fees, boarding charges, veterinary charges, and such other set costs.
- f. *Time for Redemption* – All impounded animals shall be redeemed within five (5) days after impoundment. Any Animal not redeemed within the required period for redemption, shall become the property of the animal shelter and may be placed for adoption upon payment of license fees, impoundment fees, boarding costs, veterinary charges, including for neutering or spaying and such other costs as set by the Village of Milan Trustees or the animal may be destroyed.
- g. *Disposition of Animals being held on Complaint* – If a complaint has been filed in the municipal court of the Village of Milan an animal in impoundment and/or against the owner or keeper of such animal, for against violating any of these against sections, the animal shall not be released except on order of the court. The court shall also direct the owner or keeper of such animal in violation of these sections, to pay any penalties and fines for the violation in addition to all specified impoundment fees.

**SECTION 1-106 MAXIMUM NUMBER OF DOGS AND/OR CATS PERMITTED-
LICENSE REQUIRED.**

No person, group of persons, or business entities in the Village of Milan shall own, keep, or harbor more than three (3) dogs or three (3) cats or a combination not to exceed Five (5) animals thereof when the ages of the animals are three (3) months of age or older. A kennel license is required when the number of animals as specified herein is exceeded.

SECTION 1-107 KENNELS

- a. *License Required* – Any Person, Group of Persons, or Business Entity who operates a kennel shall obtain a non-transferable kennel license, that shall be posted in a conspicuous place in the kennel. A kennel license shall expire on December 31 of each year and shall be renewed as soon as possible thereafter, but in no case later than February 1 of the following year. No kennel license may be issued without an inspection certificate, issued by the Chief of Police. The annual cost of a kennel license shall be as specified in the Village of Milan licensing ordinance.
- b. *Facilities and Care Applicable to Kennel Licensing* – Animal housing facilities shall be structurally sound and shall be constructed of non-toxic materials. The facility shall be maintained in good repair and kept clean and sanitary at all times, so as to protect animals from disease and injury.
 1. Animals maintained in pens, cages or runs for periods exceeding twenty-four (24) hours shall be provided with adequate space to prevent overcrowding and to permit an exercise according to requirements of the species.
 2. Indoor housing shall be provided with adequate ventilation and temperature control to provided for the animals health and comfort.
 3. Sufficient lighting shall be provided by either natural or artificial means.
 4. Outdoor housing shall provide for sufficient protection from excessive sunlight, rain, snow sleet, or cold weather.
 5. Provisions shall be made to for the removal and disposal of animal and food waste, bedding, dead animals, and debris.
 6. Disposal facilities shall operate to minimize vermin infestation, odors, and disease hazards.
 7. Food and water containers shall be kept clean and fresh food and water provided daily.
 8. Every animal in a licensed kennel shall be observed daily and diseased or injured animals shall be provided veterinary care.

SECTION 1-108 INSPECTION REQUIRED

The Chief of Police or a designated person shall be permitted to enter, at any reasonable time, for the purpose of inspecting or re-inspecting any kennel or pet shop to determine compliance with these sections. The Chief of Police shall inspect or cause an inspection to be done at least quarterly.

SECTION 1-109 VIOLATIONS – SUSPENSION, DENIAL, REVOCATION OF LICENSES – APPEAL – REINSTATEMENT - EXCEPTIONS

- a. *Violations- Penalty* - A kennel license shall be denied, revoked or suspended by the Chief of Police upon a determination the operator of a kennel or a pet store is in violation of any of these sections.
- b. *Appeal and Hearing* - Any operator of a kennel or pet store, whose license has been denied, revoked, or suspended may request an appeal hearing before the governing body of the Village of Milan at a set time and place. The governing body of the Village of Milan shall, based upon the record, make a finding and shall sustain, modify or rescind the action before the governing body.
- c. *Reinstatement* - Any owner or operator of a kennel whose license has been suspended or revoked may make application for reinstatement of the license. If, following a re-inspection, the applicant has complied with the requirements of these sections, the license shall be reinstated.

EXCEPTION: This section shall not apply to and shall not be construed to require a kennel license for:

1. A veterinary hospital or clinic operated by a licensed veterinarian.
2. A bona-fide research institution using animals for scientific research.
3. A publicly owned animal control center or shelter
4. A bona-fide animal shelter operated by an organized humane society.

SECTION 1-110 – KEEPING OF WILD AND EXOTIC ANIMALS - PROHIBITED – PERMIT REQUIRED - REVOCATION.

- a. Keeping of wild and exotic animals herein described are prohibited:
 1. Wild animals kept in such numbers or in such a manner as to constitute a likelihood of harm to the animals themselves, or to other animals, or to human beings, or to property of human beings, or that constitutes a public or private nuisance.
 2. Exotic or wild animals prohibited by federal, New Mexico State Law or Regulation.

- b. *Permit Required* - No person shall receive, purchase, own, or keep wild or exotic animals without first applying for and receiving from the governing body and from the State of New Mexico Department of Game and Fish, a permit to do so. Any applicant shall provide evidence of knowledge and have the facilities for the care and feeding of the animals involved.
- c. *Inspection of Facilities Required* - The Chief of Police or a designated person shall be permitted to enter, at any reasonable time, for the purpose of inspecting or re-inspecting any kennel or pet shop to determine compliance with these sections. The Chief of Police shall inspect or cause an inspection to be done at least quarterly.
- d. *Denial, Revocation and/or Suspension of Permits* - The Chief of Police, the Governing Body of the Village of Milan or the New Mexico State Department of Game and Fish shall deny, revoke and/or suspend a Permit for keeping of wild and exotic animals for violating provisions of this ordinance.
- e. *Appeal of Denial, Revocation and/or Suspension of Permits* - If action is taken on a permit by the chief of police, the owner or keeper of the animals may request an appeal hearing before the governing body of the Village of Milan at a set time and place. The governing body of the Village of Milan shall, based upon the record, make a finding and shall sustain, modify or rescind the action before the governing body or refer the appeal to the New Mexico State Department of Game and Fish.

SECTION 1-111 - DOMESTIC LIVESTOCK PROHIBITED - EXCEPTION PERMIT REQUIRED.

It shall be unlawful for any person to keep any domestic livestock, including but not limited to horses, cattle, mules, donkeys, swine, goats, sheep or fowl within the municipal limits of the Village of Milan. EXCEPTIONS:

- a. *Permit Required* - ~~Before any~~ domestic livestock shall be permitted within the municipal limits of the Village of Milan, each owner or keeper of such animals shall apply for and receive a permit to domicile such animal or animals on any property. The application for a permit shall be requested on forms available at the Village of Milan City Hall. The application shall include a non-refundable fee of \$50.00 for the cost of administration. If approved, the permit fee shall be \$35.00, renewable annually on December 31st of each year. Each species of domestic animal shall require a separate permit.
- b. *Inspection of Facilities required - Inspection of Facilities Required* - The Chief of Police or a designated person shall be permitted to enter, at any reasonable time, for the purpose of inspecting or re-inspecting any place where domestic livestock is domiciled to determine compliance with the provisions of this ordinance. The Chief of Police shall inspect or cause an inspection to be done at least quarterly.
- c. *Denial, Revocation and/or Suspension of Permits* - The Chief of Police, the Governing Body of the Village of Milan shall deny, revoke and/or suspend a Permit for keeping of domestic livestock in violation of this ordinance.



Milan Police Department

619 Uranium Avenue P.O. Box 2727

Milan, New Mexico 87021

Phone

(505)287-4491

FAX (505)287-4492

Jerry Stephens

Chief of Police

VILLAGE OF MILAN
MILAN POLICE DEPARTMENT
ANIMAL CONTROL DIVISION

PERMIT FOR HOUSING OF DOMESTIC LIVESTOCK

APPLICANT: _____

ADDRESS: _____

TELEPHONE: _____

SPECIES OF ANIMAL TO BE HOUSED: _____

NUMBER OF ANIMALS: _____

The application shall include a non-refundable fee of \$50.00 for the cost of administration. If approved, the permit fee shall be \$35.00, renewable annually on December 31st of each year. Each species of animal shall require a separate permit.

The Chief of Police or a designated person shall be permitted to enter, at any reasonable time, for the purpose of inspecting or re-inspecting any place where domestic livestock is domiciled to determine compliance with the provisions of this ordinance. The Chief of Police shall inspect or cause an inspection to be done at least quarterly.

The Chief of Police or the Governing Body of the Village of Milan shall deny, revoke and/or suspend a permit for keeping of domestic livestock in violation this ordinance (#187, Adopted December 20, 2001).

Domestic livestock shall include, but is not limited to horses, cattle, mules, donkeys, swine, goats, sheep, rabbits or fowl.

Applicant signature: _____ Date: _____

FOR OFFICE USE

Administrative Fee Paid: _____ Annual Fee Paid: _____

Received by: _____ Date: _____

Permit Approved: _____ Date: _____

- d. *Appeal of Denial, Revocation and/or Suspension of Permits* - If action is taken on a permit by the chief of police, the owner or keeper of the animals may request an appeal hearing before the governing body of the Village of Milan at a set time and place. The governing body of the Village of Milan shall, based upon the record, make a finding and shall sustain, modify or rescind the action before the governing body.

SECTION 1- 112 - DOMESTIC LIVESTOCK RUNNING AT LARGE – PROHIBITED

- a. *Domestic Animals Running at Large* - It is unlawful for any owner or keeper to permit domestic livestock to be turned loose, abandoned, or to run at large within the municipal limits of the Village of Milan; or for any such animal to be tethered so that it may roam across or into any street or public place within the Village of Milan.
- b. *Impoundment* – Every animal running at large shall be impounded by the Chief of Police who shall also provide for the proper care and maintenance of the animal so impounded, at the expense of the owner or keeper, including any veterinary care.
- c. *Notice of Impoundment* – Within twenty-four (24) hours of impounding of any domestic animals, the Chief of Police shall notify the owner or keeper of such impoundment, if the Chief of Police is unable to determine the owner or keeper of such animal, he shall post conspicuously, in public places within the Village of Milan for five (5) consecutive days, a notice of impoundment. The notice shall include a description of the animal.
- d. *Right of Redemption of Impounded Animals* – Upon presenting proper documentation of ownership of an impounded animal(s), the owner, keeper or possessor of the impounded animal may redeem the animal from impoundment. An impoundment fee shall be collected by the Village of Milan as follows:
1. An impoundment fee of \$100.00 for each large animal impounded (cattle or horses) or \$50.00 for each small animal (sheep, goats, swine fowl) shall be paid before the animal may be released by the Chief of Police or his designee.
 2. The impound fee shall be in addition to any costs incurred by the Village of Milan for care, feeding and maintenance of the animal, including any veterinary fees.

SECTION 1- 113 - BREAKING INTO OR AIDING OR ABETTING BREAKING INTO IMPOUNDMENT ENCLOSURES.

It shall be unlawful for any person to break into or to aid and/or abet the breaking into any enclosure in which any animal is impounded. Any person violating this provision shall be guilty of a misdemeanor.

SECTION 1-114 - OBSTRUCTING THE DISCHARGE OF OFFICIAL DUTIES OF THE CHIEF OF POLICE OR DESIGNEE.

It shall be unlawful for any person to willfully or intentionally hinder or obstruct the Chief of Police or his designee while in the discharge of official duties under the provisions of this ordinance. Any person violating this provision shall be guilty of a misdemeanor.

SECTION 1-115 - SALE OF UNREDEEMED IMPOUNDED ANIMALS.

- a. *Sale of Unredeemed Animals* - Any animal unredeemed after the aforesaid twenty-four (24) notification to the owner or keeper, if known, by the Chief of Police, or at the end of the aforesaid five (5) day notification posted by the Chief of Police, the Chief of Police shall post a notice of sale for a five (5) day period, indicating that any unredeemed animal(s) shall be set for sale to the highest bidder on the day following the five day notification, except when that day falls on Sunday, a legal holiday or an election day. In which case the sale shall occur the next succeeding day. The Chief shall sell to the highest bidder for cash, the animal advertised, and shall furnish to the purchaser a Bill-of-Sale.
- b. *Redemption During Notification Period* - any time during the five (5) day notification of sale, the owner or keeper may redeem the animal after paying the fees and costs as herein provided.
- c. *Proceeds of Sale* - After the sale, the Chief of Police shall turn over to the Village of Milan all proceeds of the sale and shall maintain records of the sale. The Chief of Police shall also furnish a monthly report to the Village of Milan showing all animals impounded, owners or keeper, if known and the disposition of each case. All animals shall be listed individually and the amount of money collected on each.

SECTION 1-116 – PENALTIES.

Unless stipulated otherwise by the court, any person found guilty of violating any of the provisions of this ordinance shall be fined not more than five hundred dollars (\$500.00) or imprisonment for a period of ninety (90) days or both as provided for under the provision of Article 17, 3-17-1 C. (1) NMSA 1978.

SECTION 1-117 – AMENDMENTS.

Amendments to this ordinance shall be adopted as a numerical extension of the ordinance e.g Ordinance 187-1, and this ordinance shall not be repealed by an amendment. Any amendment shall become a part hereof as provided for under New Mexico State Law, and so indicated so that a reference to Animal Control shall be understood as including any amendments.

SECTION 1-118 – SEVERABILITY.

If any of the sections, subsections, sentences, clauses, or phrases of this ordinance shall be held to be unconstitutional or invalid for any reason, the validity of the remaining portion of this ordinance shall not be affected, since it is the express intent of the Village of Milan Trustees to adopt each section, phrase, paragraph, and word of this ordinance separately.

SECTION 1-119 – REPEALER.

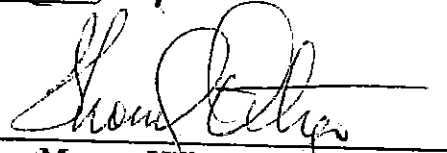
Any ordinance, or parts of any ordinance in conflict herewith are hereby repealed.

SECTION 1-120 – EFFECTIVE DATE.

This ordinance is hereby declared to be an emergency and shall be effective upon expiration of five (5) days following the completion of Notice of Publication as required by law.

PASSED, APPROVED AND ADOPTED BY THE VILLAGE OF MILAN BOARD OF

TRUSTEES THIS 20th DAY OF December, 2007



Mayor, Village of Milan

ATTEST:



David R. Jiron, Village Clerk