

Village of Dora
P.O. Box 308
Dora, New Mexico 88115
505-477-2411

Incorporated 1959

Mayor
Mickey Burke

Councilman
Lewis Walker
Don Field
Sally Ryan
Ira Wilcher

Clerk-Treas.
Becky Franz



ORDINANCE NO. 14
ORDINANCE GOVERNING DOGS AND CATS
RUNNING AT LARGE IN THE VILLAGE OF DORA

WHEREAS, the Village of Dora, State of New Mexico, in the interest of public safety deems it necessary to prescribe safety regulations for the Village at large and WHEREAS dogs and cats running at large in the Village constitute a safety hazard to the public

BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF DORA, STATE OF NEW MEXICO, as follows, to wit:

ARTICLE I

SECTION I: DEFINITIONS: For the purpose of this Article the following words and phrases shall have the meanings respectively ascribed to them.

RUNNING AT LARGE: The phrase "running at large" shall mean being on private or public property other than that belonging to, being occupied or leased by the owner while not under the actual physical control of the owner, that is to say on a leash or at heel after a complaint has been received by an official charged with duty to enforce this ordinance.

SECTION II: RUNNING AT LARGE PROHIBITED: It shall be unlawful for any person owning, harboring, or having custody, control or possession of any dog or cat to cause or permit any dog or cat to run at large in the Village of Dora, State of New Mexico.

When dogs and cats are found running at large and their ownership can be established by the Sheriff of Roosevelt County or his Deputy, he shall notify the owner of such a fact, and shall cite the offending owner into the Magistrate Court of Roosevelt County, New Mexico for violation of the provision of this Section.

When dogs and cats are found running at large in the County and their ownership cannot be established by the Sheriff of Roosevelt County or his Deputy, then such dog or cat shall be disposed of by the Sheriff or his Deputy forthwith.

SECTION III: INTERFERING WITH SHERIFF OR DEPUTY PROHIBITED: It shall be unlawful for any person to interfere with, molest, hinder or prevent the Sheriff of Roosevelt County or his Deputy in discharging their duties as herein prescribed, or to violate any of the provisions of this Article.

SECTION IV: PENALTIES: Any person who violates the provisions of this Article shall be cited into the Magistrate Court of Roosevelt County, New Mexico, and if that person shall be found guilty of a violation of this Article, the Magistrate shall sentence such person to be imprisoned in the Roosevelt County Detention Center for a definite term not to exceed 60 days or to the payment of a fine not to exceed \$300.00 or to both such imprisonment and fine.

SECTION V: AREA IN WHICH ORDINANCE EFFECTIVE: This Ordinance is effective within the boundaries of the Village of Dora, State of New Mexico, including privately owned land or land owned by the United States.

SECTION VI: EFFECTIVE DATE: This Ordinance shall become effective on the 27th day of August, 1996.

Approved: August 20, 1996

Mickey Burkett

Mickey Burkett
Mayor, Village of Dora

Attest:

Becky Fraza

Becky Fraza
Clerk, Village of Dora

Village of Dora
P.O. Box 308
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Incorporated 1959

Ordinance No. 10

Mayor
CHESTER WYANT
Councilmen
MICKEY BURKETT
J.D. HAYS
ADRIAN STROUP
D.J. WILLHER
Sec. Treas.
ARTHUR KING



**AN ORDINANCE CREATING A CRIMINAL CODE FOR GENERAL OFFENSES
 PERTAINING TO NUISANCES**

BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF
 DORA:

Section 1. Definition. For the purposes of this ordinance, the word "nuisance" is hereby defined as any person doing an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission condition or thing either:

- a. Injures or endangers the comfort, repose, health or safety of others; or
- b. Offends decency; or
- c. Is offensive to the senses; or
- d. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage; or
- e. In any way renders other persons insecure in life or the use of property; or
- f. Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

Section 2. Illustrative enumeration. The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

- a. Noxious weeds and other rank vegetation.
- b. Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or other things.
- c. Any condition which provides harborage for rats, mice, snakes and other vermin.

d. Any building or other structure which is in such a dilapidated condition that is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.

e. All unnecessary or unauthorized noises and annoying vibrations, including animal noises.

f. All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.

g. The carcasses of animals or fowl not disposed of within a reasonable time after death.

h. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery, industrial wastes or other substances.

i. Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.

j. Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.

k. Dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities.

Section 3. Prohibited. It shall be unlawful for any person to cause, permit, maintain or allow the creation or maintenance of a nuisance. Violation of this section shall be subject to the criminal penalties set forth in the State of New Mexico Statutes.

Section 3-1. Responsibility of property owner. Each property owner within the city, whether a natural person or a business entity, shall be responsible under the provisions of this ordinance for each individual tract of property owned and his responsibility established herein will extend to abutment of other adjoining property lines. When any portion of the property abuts on a public road or alley the property owner's responsibility shall extend to the center of the road or alley; however, this shall not restrict in any manner the maintenance of the full alley and street by the city.

Section 4. Notice to abate. Whenever a nuisance is found to exist within the city, a duly designated officer of the city shall give written notice to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance.

Section 5. Contents of notice. The notice to abate a nuisance issued under the provisions of this ordinance shall contain:

- a. An order to abate the nuisance or to request a hearing with a stated time, which shall be reasonable under the circumstances.
- b. The location of the nuisance, if the same is stationary.
- c. A description of what constitutes the nuisance.
- d. A statement of acts necessary to abate the nuisance.
- e. A statement that if the nuisance is not abated as directed and no request for hearing is made within the prescribed time, the city will abate such nuisance and assess the cost thereof against such person.

Section 6. Service of notice. The notice to abate a nuisance shall be served by the County Sheriff of Roosevelt County or by certified mail.

Section 7. Abatement by city. Upon the failure of the person upon whom notice to abate a nuisance was served pursuant to the provisions of this ordinance to abate the same, a duly designated officer of the city shall proceed to abate such nuisance and shall prepare a statement of costs incurred in the abatement thereof.

Section 8. City's costs declared lien. Any and all costs incurred by the city in the abatement of a nuisance under the provisions of this ordinance shall constitute a lien against the property upon which such nuisance existed, which lien shall be filed, proven and collected as provided for by law. Such lien shall be notice to all persons from the time of its recording, and shall bear interest at the legal rate thereafter until satisfied.

Section 9. Alternative method of abatement.

- a. Except as herein provided, an action for the abatement of a public nuisance shall be governed by the general rules of civil procedure.
- b. A civil action to abate a public nuisance may be brought, by verified complaint in the name of the city without cost, by any public officer or private citizen, in the magistrate court against any person who shall create, perform, or maintain a public nuisance.

c. When judgment is against the defendant in an action to abate a public nuisance, he shall be adjudged to pay all court costs and a reasonable fee for the complaint's attorney, when the suit is not prosecuted exclusively by the city.

PASSED, ADOPTED, AND APPROVED BY THE GOVERNING BODY OF THE VILLAGE OF DORA THIS 24th DAY OF February 1986.

[Handwritten Signature]
Mayor

ATTEST:
[Handwritten Signature]
Municipal Clerk