

ORDINANCE NO. 409, 1990

AN ORDINANCE

ENACTING AND AMENDING CERTAIN SECTIONS OF THE 1985 ORDINANCE PROVIDING FOR THE LICENSING OF ALL DOMESTIC ANIMALS WITHIN THE CORPORATION LIMITS OF THE VILLAGE OF WAGON MOUND, NEW MEXICO, A MUNICIPAL CORPORATION, PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS OF WAGON MOUND, NEW MEXICO; AUTHORIZING THE DISORDERLY CONDUCT BY OWNERS OF DOMESTIC ANIMALS WHICH TEND TO DISTURB THE PEACE, AND PROVIDING PENALTIES.

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

SECTION 12. Disorderly conduct which tends to disturb the peace includes disorderly ~~conduct~~ by owners of domestic animals and consists of an owner permitting animals, such as dogs and cats, to persistently or continuously bark, howl or make unreasonable loud noises common to its species which will tend to disturb the peace.

SECTION 13. Whoever commits disorderly conduct which tends to disturb the peace is guilty of a misdemeanor and shall be subject to the following penalties of not less than \$10.00 nor more than \$100.00 for such offense.

PASSED, ADOPTED AND APPROVED this 9th day of April, 1990

Alfred E. Romero
MAYOR

(SEAL)

ATTEST:

Arcilia M. Valdez
MUNICIPAL CLERK

ORDINANCE NO 308ORDINANCE FOR THE LICENSING
AND REGULATION OF DOGS

AN ORDINANCE PROVIDING FOR THE LICENSING OF ALL DOGS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF WAGON MOUND PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS OF WAGON MOUND, NEW MEXICO: AUTHORIZING THE IMPOUNDING AND DESTRUCTION OF DOGS: PROVIDING A PENALTY, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAGON MOUND,
NEW MEXICO

SECTION 1. Definition of Terms. As used in this ordinance, unless the context other indicates.

- (a) "Dog" shall be intended to mean both male and female.
- (b) "Owner" shall be intended to mean any person or persons, firm, association or corporation owning, keeping, or harboring a dog.
- (c) At large shall be intended to mean off the premises of the owner, and not under the control of the owner or a member of his immediate family either by leash, cord, chain or otherwise.

SECTION 2. License and Registration Required. All dogs kept, harbored, or maintained by their owners in the Village of Wagon Mound shall be licensed and registered if over 3(three) months of age. Dog licenses shall be issued by the City Clerk upon payment of a license tag of \$2.00 for each male, or spayed female, and \$3.00 for each female. The provisions of this section shall not be intended to apply to dogs whose owners are nonresidents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor to seeing eye dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place.

SECTION 3. Tag and Collar. Upon payment of the license fee, the clerk shall issue to the owner a license certificate and a metallic tag for each dog so licensed. The tag shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate will be issued by the clerk upon presentation of a receipt showing the payment of the license fee for the current year, and the payment of \$1.00 for such duplicate. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving the city before expiration of the license period.

SECTION 4. Impounding. It shall be the duty of every police officer or his agent to apprehend any dog found running at large and to impound such dog in the city pound or other suitable place. The poundmaster (or some other designated official) upon receiving any dog shall make a complete registry, entering the breed, color, and sex of such dog and whether licensed. If licensed shall enter the name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs.

SECTION 5. Notice to owner and redemption. Not later than 3 (three) days after the impounding of any dog the owner shall be notified or if the owner of the dog is unknown written notice shall be posted for 3 (three) days at City Hall in the Village of Wagon Mound describing the dog and the place and time of taking. The owner of the dog so impounded may reclaim such dog upon payment of the license fee, if unpaid, and of all costs and charges incurred by the Village of Wagon Mound for impounding and maintenance of said dog. The following charges shall be paid: \$2.00 for the first day and \$1.00 thereafter.

SECTION 6. Disposition of Unclaimed or Infected Dogs. It shall be the duty of the poundmaster to keep all dogs so impounded for a period of 5 (five) days. If at the expiration of 5 (five) days from the date of notice to the owner of the posting of notice such dog shall not have been redeemed, it may be destroyed. Any unlicensed dog required by law to be licensed, or any dog which appears to be suffering from rabies or affected with hydrophobia, mange, or other infectious or dangerous disease shall not be released but may be forthwith destroyed.

SECTION 7. Unclaimed Dogs for Scientific Purposes. Whenever any hospital or reputable institution of learning shall apply to the Village of Wagon Mound for permission to use for research purposes in the study of prevention of disease or the betterment of mankind, any impounded dog or dogs remaining unclaimed, the Village of Wagon Mound shall request the poundmaster to surrender to the institution or hospital such unclaimed dogs as it has requested, and they shall be so surrendered.

SECTION 8. Confinement of Certain Dogs. No dog of fierce, dangerous or vicious propensities and no female dog in heat, whether licensed or not, shall be allowed to run at large or upon the premises of one other than the owner. If any such dog is found running at large in violation of this provision it shall be taken up and impounded and shall not be released except upon approval of poundmaster after payment of the fees. Provided, however, that if any dangerous, fierce, or vicious dog so found at large cannot be safely taken up and impounded, such dog may be slain by any policeman.

SECTION 9. Muzzling. Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the Mayor, if he deems it necessary, shall issue a proclamation ordering every person owning or keeping a dog to confine it securely on his premises unless such dog shall have a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog running at large during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies. All dogs so noticeably infected with rabies and displaying vicious propensities shall be killed by the poundmaster without notice to the owner. Dogs impounded during the first two days of such proclamation shall, if claimed within five days be released to the owner, unless infected with rabies upon payment of the impounding charges. If unclaimed after that period, such dog may be summarily destroyed.

SECTION 10. Rabies--Notice. If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies such dog shall be confined by a leash or chain on the owner's premises and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two weeks. The owner shall notify the poundmaster of the fact that his dog has been exposed to rabies and at his discretion of the poundmaster is empowered to have such dog removed from the owner's premises to a veterinary hospital and there placed under observation for a period of two weeks at the expense of the owner.

It shall be unlawful for any person knowing or suspecting a dog that has rabies to allow such dog to be taken off his premises or beyond the limits of the City without the written permission of the poundmaster. Every owner, or other person, upon ascertaining a dog is rabid shall immediately notify the poundmaster or a policeman who shall either remove the dog to the pound or summarily destroy it.

Section 11. Vaccination. It shall be unlawful for the owner of any dog to keep or maintain such a dog within the municipality unless it shall have been vaccinated by a licensed veterinary surgeon with anti-rabies vaccine. Within one year preceding the date on which such dog is kept maintained.

PASSED, ADOPTED, AND APPROVED, this 13th day of May, 1985.



Pam Clouthier, Mayor



Ellen L. Salazar, Clerk