BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR THE COUNTY OF Hidalgo, STATE OF NEW MEXICO:

Section 1. TITLE AND AUTHORITY--This ordinance may be cited as the HIDALGO COUNTY DOG ORDINANCE and is adopted pursuant to Section 4-37-1, NMSA 1978 Compilation.

Section 2. It is hereby declared to be unlawful for any person to allow a dog to run at large not under the active control of the owner or handler.

Section 3. Any peace officer may impound any dog found running at large unaccompanied by or not under the control of the owner or handler and further the peace officer shall kill the dog if it is in the act of pursuing or wounding livestock, wounding or killing poultry or attacking humans.

A. Any peace officer may kill any dog in the act of pursuing or wounding livestock, wounding or killing poultry, or attacking humans whether or not the dog wears a rabies tag required by Section 77-1-3, NMSA 1978; further, the peace officer may kill any dog not under the control of the owner or handler if that dog is not wearing a rabies tag as required by Section 77-1-3, NMSA 1978. There shall be no liability for the peace officer in damages or otherwise for such killing.
Section 4. ENFORCEMENT--Any person violating the provisions of this ordinance shall be punished by a fine not to exceed $300.00 and or imprisonment in the county jail for a period not to exceed 90 days or both such fined and imprisonment.

Section 5. EMERGENCY DECLARATION--The Commissioners hereby find that there is an immediate danger to the public health safety and welfare of the county and that it is necessary that this ordinance take effect immediately.

PASSED, ADOPTED AND SIGNED by the Hidalgo County Board of County Commissioners as Hidalgo County Ordinance No. 79-2 and recorded with the Hidalgo County Clerk this 10th day of July, 1979,

BOARD OF COUNTY COMMISSIONERS
HIDALGO COUNTY

[Signatures]

District Attorney