

8-1-1

IN GENERAL

8-1-1 Short Title; Purpose of Chapter

8-1-2 Definitions

8-1-1 Short Title; Purpose of Chapter. This chapter shall be known and may be cited as the "Mountainair Animal Control Ordinance". It is the intent of the Town Council that enactment of this ordinance will protect animals from cruelty, neglect, and abuse, protect residents from annoyance and injury, assist in providing housing for animals in a control center, finance the functions of licensing and recovery and establish a program for sterilization of animals.

8-1-2 Definitions. As used in this ordinance, the following terms shall have the meaning given herein.

Animal - Any vertebrate member of the animal kingdom excluding human beings.

Animal Control Shelter - A facility designated by the Town of Mountainair for the humane treatment of animals pursuant to the provisions of this chapter.

Anti-Escape - Any housing, fencing or device which the guard dog cannot go over, under, through or around.

Bite - Any actual puncture or tear of the skin inflicted by the teeth of an animal.

Town - The Town of Mountainair, an incorporated municipality.

Commercial Property - (A) A portion of land and/or buildings zoned for, or utilized for commercial or business uses, in the Town of Mountainair, including temporary sites; (B) is any vehicle utilized for commercial or business purposes in the Town of Mountainair.

Dangerous Animal - Means any of the following:

1. An animal which, when unprovoked, engages in behavior that requires a defensive action by a person to prevent bodily injury to a person or animal when the person and the animal are off the property of the owner of the animal; or

8-1-2

2. An animal which, when unprovoked, injures a person or other animal, and the injury results in muscle tears or disfiguring lacerations, or require multiple sutures, or corrective or cosmetic surgery; or

3. An animal which, because of its poisonous bite or sting, would constitute a significant hazard to the public.

Designated Area - An area of private land which is determined by a property owner to house animals under the provisions of the ordinance.

Enclosed Lot - Parcel of land or portion thereof in private ownership around the perimeter of which a wall or fence has been erected.

Establishment - A place of business together with its grounds and equipment.

Estray - Any animal found running at large beyond the boundaries of the premises of the owner.

Guard Dog - Any dog that is utilized to protect commercial property, as defined below.

Handler - Is a person who is responsible for and capable of controlling the operations of a guard dog.

Hobby Breeder - A person involved in showing or controlled breeding of dogs and cats, which are registered with a nationally or internationally recognized animal registry organization.

Housing - Any location where the guard dog is kept when not utilized for protection purposes.

Impound - To take up an animal.

Kennel - Any commercial establishment or premises where ten or more dogs or cats over three months of age are boarded, kept or maintained for any purpose whatsoever, with the exception of state inspected veterinary hospitals and shelters.

Licensed Veterinarian - A person with a Doctor of Veterinary Medicine Degree licensed to practice in the state.

8-1-2

**Nuisance** - Means but is not limited to, defecation, urination, disturbing the peace, emitting noxious or offensive odors or otherwise endangering or offending the well-being of the inhabitants of the Town of Mountainair.

**Owner** - The owner of an animal is a person who owns, harbors or keeps, or knowingly permits an animal to be harbored or kept, or has an animal in his care, or who permits an animal to remain on or about his premises.

**Person** - Any individual, household, firm, partnership, corporation, company, society, association, and every officer, agent or employee thereof.

**Premises** - Are defined as a parcel of land and the structures thereon.

**Quarantine** - Is to detain or isolate an animal suspected of having a contagious disease.

**Refuge** - Means an establishment owned or operated by a non-profit organization whose sole function is to aide and comfort more than four (4) but not more than twelve (12) animals.

**Run or Running at Large** - To run or running at large is to be free of physical restraint beyond the boundaries of the premises of the owner.

**Shelter** - Any establishment owned and operated by a non-profit humane organization licensed to do business in the state.

**Vaccination** - Is protection provided against rabies by inoculation with anti-rabies vaccine recognized and approved by the state.

**Vicious Animal** - Any animal which shall bite or in any other manner attack or attempt to attack any person or other animal except that any animal that bites, attacks, or attempts to attack any person unlawfully upon its owner's or keeper's premises, or which is provoked to attack, shall not be deemed a vicious animal.

**Wild or Exotic Animal** - Any animal not normally considered domesticated and shall include, but not be limited to: (A) Class Reptilian; Order Phidia (such as racers, boas, alligators, caymans and crocodiles); (B) Following members of the Class Aves: Order Falconiforms (such as hawks, eagles and vultures) and Subdivision Ratitae (such as ostriches, rheas, cassowaries and emus); (C) Class Mammalia: Order Carnifora, Family Felidae, (such as ocelots, margays, tigers, jaguars, leopards and cougars) except commonly accepted domesticated cats, the Family Canidae, (such as wolves, dingos, coyotes and jackals, except domesticated dogs) Emily Mustelidae, (such as kangaroos and

8-1-2

common opossums), Order Edentata (such as sloths, anteaters and armadillos), Order Proboscidea (elephants), Order Primata (such as monkeys, chimpanzees and gorillas), Order Rodenta (such as porcupines) and Order Ungulata (such as antelope, deer, bison, and camels).

8-1-3

## ADMINISTRATION OF CHAPTER

- 8-1-3        **Generally**  
 8-1-4        **Impoundment -- Generally**  
 8-1-5        **Same -- Surrender of Estuaries; Disposition of Animals; Costs; Records**

8-1-3        **Generally.** The Chief of Police is responsible for the administration of this chapter. Reasonable rules and regulations shall be prescribed by the Chief of Police to carry out the intent and purpose of this chapter pursuant to the standard created by this chapter. Powers delegated to the Chief of Police may be delegated by the Mayor to his duly appointed animal control officer(s), as he may deem expedient for the effectuation of this chapter.

8-1-4        **Impoundment Generally.** It is the duty of the Animal Control Officer(s) and Police Officer(s) to take up and impound any stray or any animal kept or maintained contrary to this ordinance.

8-1-5        **Same -- Surrender of Estrays; Disposition of Animals; Costs; Records.**

(A) No person shall, without the 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 without first reporting the possession of an animal to the Police Department or Animal Control Department, giving his name and address, a true and complete statement of the circumstances under which he took up the animal, a description of the animal and the precise location where such an animal is confined.

(B) It is unlawful for a person taking up an animal to fail to give the notice required above and for any person having such animal in his possession to fail or refuse to immediately surrender such animal to the Town or his designee upon demand thereof.

(C) An estray may be confined at the Animal Control Shelter for a period of at least five (5) working days, during which time the Town will make a reasonable attempt to notify the owner, if known. If identification of the owner is not possible, the Town may, without notice, dispose of any stray impounded under this section. After the impoundment period, the Town may place the animal in an adoptive home if possible, or may destroy the animal in a humane fashion including but not limited to cremation.

**8-1-5**

(D) No animal that has been impounded by the Town will be adopted out for the purpose of breeding or sale. Every dog and cat adopted from the Animal Control Center shall be neutered or spayed by a licensed veterinarian and vaccinated in compliance with State Statutes. The cost of these activities shall be paid to the Town by the person adopting the dog or cat prior to release of the animals, which are less than five (5) months old. Nothing in this Section shall be construed as applicable to any dog or cat returned to the owner thereof.

(E) Any stray animal, equine, ovine, porcine, or caprine animal, which cannot be adopted, may be destroyed. Any other stray not redeemed by its owner or placed with a new owner may be disposed of by the Town after a period of five (5) working days.

(F) It shall be the responsibility of an animal owner redeeming any an animal legally impounded to pay for animal boarding and other costs. The Town of Mountainair shall establish appropriate fees. In addition, the owner shall pay any license fees due, cost of inoculations or other costs incurred in the care and maintenance of said animal.

(G) The Town shall maintain records for a reasonable period of time as determined by the Town Clerk of all animals impounded in the shelter. The record shall contain at least the following information.

1. A complete description of the animal;
2. The manner and date of its acquisition by the center;
3. The date and manner of its disposal;
4. The name and address of the purchaser of any animal; and
5. All fees received.

**8-1-6 Destruction and Disposal of Impounded Animals.** It shall be the responsibility of the Town of Mountainair to dispose of any animal. The Town of Mountainair shall establish, by resolution, appropriate fees. Payment for disposal, whether at the owner's personal request, or through enforcement of Section 8-1-4 and 8-1-5 will be the responsibility of the owner per the following fee schedule:

(A) If an individual, laboratory, or business has a small animal which belongs to it, which has been impounded and desires to have the same disposed of, the fee shall be thirty dollars (\$30.00).

(B) If an individual, laboratory, or business has a large animal which belongs to it, which has been impounded and desires to have the same disposed of, the fee shall be one hundred dollars (\$100.00).

**8-1-6**

**The Town Clerk shall collect from the owner of any animal impounded the sum of Twenty Dollars (\$20.00) for the impoundment of the animal. In addition thereto, shall collect the sum of Ten Dollars (\$10.00) for each day or fraction thereof that the animal is impounded.**

8-1-7

## OWNER'S DUTIES

(8-1-7	Rabies Vaccinations
8-1-8	Rabid Animal
8-1-9	Biting Dog, Etc.
8-1-10	Restraint of Animals
8-1-11	Confinement of Female Dogs or Cats in Mating Season
8-1-12	Dog Licenses
8-1-13	Space Requirements

8-1-7 Rabies Vaccinations. It is the duty of all persons owning or keeping a dog or cat over the age of three (3) months to have such animals vaccinated against rabies. The rabies vaccination shall be given in an amount sufficient to provide immunity from rabies for one (1) year and shall be administered by a licensed veterinarian. A certificate from a licensed veterinarian shall be evidence of vaccination. The Town may require other animals to receive annual rabies vaccination. The veterinarian administering anti-rabies vaccine to any animal shall issue to the owner or keeper of the animal a numbered vaccination certificate. The certificate shall contain the name and address of the owner or keeper of the animal, a description of the animal vaccinated the date of vaccination and the expiration date of the period of immunity.

It is unlawful for the owner or keeper of any dog or cat to fail to exhibit its certificate of vaccination upon demand by the Town.

8-1-8 Rabid Animal. An animal that has rabies or shows signs of having rabies and every animal bitten by another animal afflicted with rabies or that has been exposed to rabies shall be confined at once in a secure place by the owner. A person who knows or who has reason to know that an animal is infected with rabies or has been exposed to rabies shall immediately upon learning of the infection notify the Town and the State Health Department as to the place where the animal is confined and shall surrender said animal to the Animal Control Officer upon demand. The Town shall then deal with the rabid animal pursuant to state law.

8-1-9 Biting Dog, Etc.

(A) The owner of an animal that bites a person and a person bitten by an animal shall report that occurrence to the Town and the State Health Department within twenty-four (24) hours. The owner of an animal that



**8-1-9**

bites a person shall surrender said animal to the Animal Control Officer if the Town deems it necessary to impound said animal for a period of observation.

(B) A physician who renders professional treatment to a person bitten by an animal shall report that fact to the Town and the State Health Department within twenty-four (24) hours of his first professional attendance. The physician shall give the name and address of the owner of the animal that inflicted the bite, if known, and any other facts or details that may assist the Town in ascertaining the immunization status of the animal.

(C) An animal that bites a person shall be confined securely at a place and for a period of time deemed necessary by the Town. The owner of the animal shall bear the cost of confinement. The Town may consent to confinement on the owner's premises but only if the animal had 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 an Animal Control Officer. The owner of the animal shall be required to enter into an indemnity agreement on a form approved and prescribed by the Town before consent may be given for such home confinement.

A person who has custody of an animal that has bitten a person shall immediately notify the Town if the animal shows any signs of sickness, abnormal behavior or if the animal escapes confinement. If the animal dies while it is in confinement, the person having custody of the animal shall notify the Town or an Animal Control Official and relinquish any claims to said animal.

**8-1-10 Restraint of Animals.** It is unlawful to permit dogs in the streets or public places, unless on a secure leash.

**8-1-11 Confinement of Female Dogs or Cats In Mating Season.** Any person in control of a female dog or cat in mating season shall confine that dog or cat as to preclude other dogs or cats from either attacking or being attracted to such female animal.

**8-1-12 Dog Licenses.**

(A) Any person owning, possessing or harboring any dog three (3) months of age or over shall obtain a license for such animal. Written application for such license shall be made on such forms as supplied by the Town and shall state any information deemed necessary by the Town. A current

rabies vaccination certificate shall be presented at the time of the application for license. The license fee (tag and certificate) shall be \$3.00 for a neutered animal and \$5.00 for an un-neutered animal.

In the event a tag is lost, replacement tags costing one dollar (\$1.00) shall be purchased. The license shall expire one (1) year from date of purchase. License is renewable annually.

(B) A current license tag shall be affixed to the licensed dog at all times in a reasonable manner unless the licensed dog is being kept in an approved kennel, veterinary hospital, is appearing in an approved show or is being trained; provided that the person who is training a dog shall have in his personal possession the valid license tag for each dog and shall immediately display such upon request by an animal control officer, animal shelter personnel or other law enforcement officer.

(C) Animals belonging to non-residents who do not keep said animals within the corporate limits of the Town of Mountainair for thirty (30) consecutive days shall be exempt from this section; provided, however, that all the other provisions of this ordinance must be complied with.

(D) The license fees shall not apply to dogs trained to assist, and in fact, used to assist the blind or deaf.

8-1-13 Number of Animals Permitted.

(A) No household or member thereof is allowed to own, harbor or keep dogs or cats, or any combination thereof, totaling more than four (4) animals. Provided, further, that the head of any household shall be held responsible for any violation of this Section by the household or any of its members.

(B) Any household or member thereof owning, harboring or keeping more than four (4) dogs or cats on the date that this provision becomes effective shall be permitted to own, harbor or keep such number of animals upon the following conditions:

1. That the owner, within thirty (30) days after the effective date hereof, report in person the Animal Control Center, a description of such animals.

2. That all such owners, within thirty (30) days after the effective date hereof, show proof of compliance with Section 8-1-7 (Rabies Vaccinations) and Section 8-1-12 (License Required).

8-1-14

## ACTIVITIES GENERALLY

- 8-1-14 Animals Running At Large
- 8-1-15 Animals On Unenclosed Premises
- 8-1-16 Vicious Animals
- 8-1-16.1 Dangerous Animals
- 8-1-18 Nuisances
- 8-1-19 Unlawful Use of License Tags
- 8-1-20 Breaking into the Animal Control Center or Animal Control Shelter or Animal Control Center Vehicles
- 8-1-21 Dogs Trained to Assist the Blind or Deaf in Public Places

8-1-14 Animals Running at Large. It is unlawful for any person to allow or permit any animal to run at large in or upon any street, alley, sidewalk, vacant lot, public property, other enclosed place in the Town or private property not belonging to owner of animal. ~~Any animal 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 shall be taken up and impounded as provided in Section 8-1-14.~~

8-1-15 Animals on Unenclosed Premises. It is unlawful for any person to chain, stake out, graze or herd any animal on any unenclosed premises in such a manner that such an animal may go beyond the designated area.

8-1-16 Vicious Animals. It is unlawful for any person to keep or harbor any vicious animal. Any person attacked by a vicious animal while on public property may use reasonable force to repel said attack. After a judicial determination that an animal is vicious, the owner or keeper of such vicious animal shall destroy it humanely or turn such animal over to the Town for destruction.

8-1-16.1 Dangerous Animals. No person shall maintain a dangerous animal in a manner which constitutes a threat to any person or other animal.

8-1-17 Animals Disturbing the Peace. It is unlawful for any person to allow any animal to persistently or continuously bark, howl or make noise common to their species, or otherwise to disturb the peace and quiet of the inhabitants of the Town of Mountainair, or to keep or maintain animals in such a manner as to disturb by noxious or offensive odors, or otherwise endanger the health and welfare of another person.

**8-1-18**

**8-1-18 Nuisances.** 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 any property other than the owners of the animal, and then only so long as no other provision of this Ordinance is violated.

**8-1-19 Unlawful Use of License Tags.** It is unlawful for any person to remove any license tag from one animal to another or to remove a license tag from an estray without lawful permission. It is 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 animal or premises licensing.

**8-1-20 Breaking into the Animal Control Center or Animal Shelter or Animal Control Vehicles.** It is unlawful for any person to break open any pound, center, or animal control vehicle wherein animals are impounded by the Town of Mountainair or in any other way to remove or assist in the removal of any animal from such pound, center or vehicle without lawful permission.

**8-1-21 Dogs Trained to Assist the Blind or Deaf in Public Places.** It is unlawful for any person owning, operating or maintaining any public place of business or conveyance into which the general public is invited for any business purpose to debar or exclude therefrom any dog which has been trained to assist the blind or deaf provided that such dog be in the company of the blind or deaf person whom it was trained to assist in conformance with the law.

E

8-1-22

**CRUELTY TO ANIMALS PROHIBITED**

8-1-22	Physical Abuse Generally
8-1-23	Work Cruelty
8-1-24	Neglect
8-1-25	Abandonment
8-1-26	Poisoning
8-1-27	Protective Care by Town
8-1-28	Injury by Motorists
8-1-29	Hobbling Livestock
8-1-30	Keeping of Diseased or Painfully Crippled Animals
8-1-31	Animal Fights
8-1-32	Confining or Crating of Fowl
8-1-33	Birds

**8-1-22 Physical Abuse Generally.** It is unlawful for any person to willfully or maliciously kill, maim, disfigure, torture, kick, beat with a stick, chain, club or other object; mutilate, burn or scald with any substance, any animal, except that reasonable force may be employed to drive off vicious or trespassing animals.

(A) 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 when the vehicle is stationary and to prevent the animal from falling off while the vehicle is in motion. 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.

**8-1-23 Work Cruelty.** It is unlawful for any person to drive or work any animal cruelly.

**8-1-24 Neglect.** It is unlawful for any person to fail, refuse or neglect to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink, shade, care or shelter, or to carry an animal in or upon any vehicle in a cruel or inhumane manner. Any animal habitually kept outside shall be provided with a structurally sound, weatherproof enclosure, large enough to accommodate the animal.

**8-1-25**

**8-1-25 Abandonment.** It is unlawful for any person having charge, custody, or ownership, to abandon any animal. All animals which are to be abandoned may be turned over to the Animal Control Center or an Animal Shelter for adoption; such owner shall be required to sign an owner's release relinquishing ownership of said animal. In the event, however, that each animal is not adopted within five (5) working days, the animal may be destroyed pursuant to Section 8-1-5.

**8-1-26 Poisoning.** It is unlawful for any person by any means to make accessible to any animal, with the intent to cause harm or death, any substance which has in any manner been treated or prepared with any harmful or poisonous substance. It is not the intent of this section to prohibit the use of poisonous substances for the control of vermin of significance to the public health.

**8-1-27 Protective Care by the Town.** Whenever the Town finds that any animal is or will be without proper care because of injury, illness, incarceration or absence of the owner or person responsible for the care of such animal, the Town may take up such animal for protective care; and in the event of sickness or injury upon the advice of a licensed veterinarian, the Town may take such action as called for to prevent undue pain and suffering including immediate destruction of the animal.

**8-1-28 Injury by Motorists.** Every operator of a motor or other self-propelled vehicle upon the streets and ways shall immediately, upon injuring, striking, maiming or running down any animal, give such aid as is reasonably able to be rendered. In the absence of the owner, he shall immediately notify the Town furnishing sufficient facts relative to such injury.

Every such operator shall remain at or near the scene until such time as the appropriate authorities arrive, and upon the arrival of said person, such operator shall immediately identify himself to the appropriate authorities. Alternatively, in the absence of the owner, a person may give aid by taking the animal to a veterinary hospital or the Animal Control Center and notifying the Town. Such animal shall be deemed an abandoned animal within the meaning of Section 8-1-25 above. This provision does not apply to operators of emergency vehicles.

**8-1-29 Hobbling Livestock.** It is unlawful to hobble livestock or other animals by any means which may cause injury or damage to any animal.

**8-1-30**

**8-1-30 Keeping of Diseased or Painfully Crippled Animals.** It is unlawful to have, keep or harbor any animal which is infected with any dangerous or incurable or painfully crippling condition except as hereinafter provided. The Town may impound such diseased or painfully crippled animal in accordance with the provisions of this Ordinance. All such animals impounded following examination and approval by a veterinarian may be destroyed humanely as soon thereafter as is conveniently possible. In the case of destruction of such animal, the Town shall not be required to give any of the aforesaid notices provided in this Ordinance. This section shall not be construed to include veterinary hospitals or animals under active veterinary care.

**8-1-31 Animal Fights.** It is unlawful for any person to promote, stage, hold, manage, conduct, carry on or attend any game, exhibition, contest or fight in which one or more animals is engaged in for the purpose of injuring, killing, maiming or destroying themselves or any other animal. No person shall provoke or entice an animal from the property of its owner for the purpose of engaging the animal in an animal fight.

**8-1-32 Confining or Crating of Fowl.** It is unlawful to confine any wild or domestic fowl or bird unless provisions are made for the proper feeding and the furnishing of water to such fowl or bird at intervals not longer than twelve (12) hours. It is unlawful to impound any wild or domestic fowl or bird in a crate, box or other enclosure, which does not permit the fowl or bird impounded therein to stand in a naturally erect position.

**8-1-33 Birds.** It is unlawful to willfully kill any bird, or to molest or rob the nest of a bird.

---

8-1-34

SALE

- 8-1-34 Use of Public Property
- 8-1-35 Rabbits or Fowl
- 8-1-36 Turtles

8-1-34 Use of Public Property. It is unlawful to display, sell or offer for sale, barter, give away or otherwise dispose of any animal upon any street, sidewalk or public park.

8-1-35 Rabbits or Fowl. It is unlawful to sell, offer for sale, barter or give away any unweaned baby rabbits, or fowl less than four (4) weeks of age. Raising of such rabbits and fowl by an individual for his personal use and consumption is not prohibited provided that he shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his possession. The sale of young fowl by commercial breeders is not prohibited.

8-1-36 Turtles. No person shall offer for sale, sell, barter or give away turtles, except in conformance with appropriate federal regulations.



8-1-37

**EXOTIC ANIMALS, GUARD DOGS, ETC.**

- 8-1-37 Wild or Exotic Animals
- 8-1-38 Housing of Guard Dogs

8-1-37 Wild or Exotic Animals. It is unlawful to be in charge of, possess or own:

(A) Any exotic animal or species prohibited by federal or state law.

(B) Any exotic animal or species when kept in such numbers or in such a way as to constitute likelihood of harm to the animals themselves, to human beings or to the property of human beings, or which constitutes a public or private nuisance.

(C) Bats

(D) Skunks

8-1-38 Housing of Guard Dogs.

(A) It is conducive to the promotion of the health and general welfare of the inhabitants of this Town to establish regulations for the proper and safe use of guard dogs used for protecting commercial property.

(B) Whenever there is a guard dog on the premises, the standards of this section, in addition to the other requirements of law and regulations, shall be complied with as follows:

1. Housing shall have anti-escape building sufficient to house guard dogs.

2. All gates and entrances to the area where the guard dog is housed, used or trained shall be locked when not in use.

3. Additional measures found necessary by the Town shall be taken to protect the public from accidental contact with any guard dogs.

8-1-38

4. Where guard dogs are used outside buildings, the area must be

enclosed by at least a six foot chain link fence or other fence of equal security, wall or adequate wood fence, to which anti-escape device have been added. The adequacy of the fencing shall be subject to the approval of the Town.

5. In order to control noise, the Town may require a sight barrier which breaks the dogs line-of-sight.

6. In buildings where guard dogs are housed, exterior glass must be adequate or additional protective measures taken by the owner as required by the Town, to prevent the dog from jumping through it.

7. The building and yard in which a guard dog is housed must be posted with bilingual (English and Spanish) or visual Guard Dog signs, shall not be more than 200 feet apart, and shall be at all property corners and at every entrance into the area.

8. For guard dogs either transported or utilized in vehicles, measures prescribed by rule and regulation of the Town must be taken to protect the public from accidental contact with a guard dog.

9. A handler is required to be physically present while guard dogs are being utilized at temporary sites which do not comply with this section of the Ordinance.

(D) Exclusions. Dogs which are used as private guard dogs on the property of their owner's private residence, shall be excluded from the provisions of this Section unless residence is located on premises utilized for commercial purposes. Guard dogs kept in a kennel with a valid professional animal permit are also excluded.

8-1-39

PENALTIES

8-1-39 Penalty  
8-1-40 Repeal

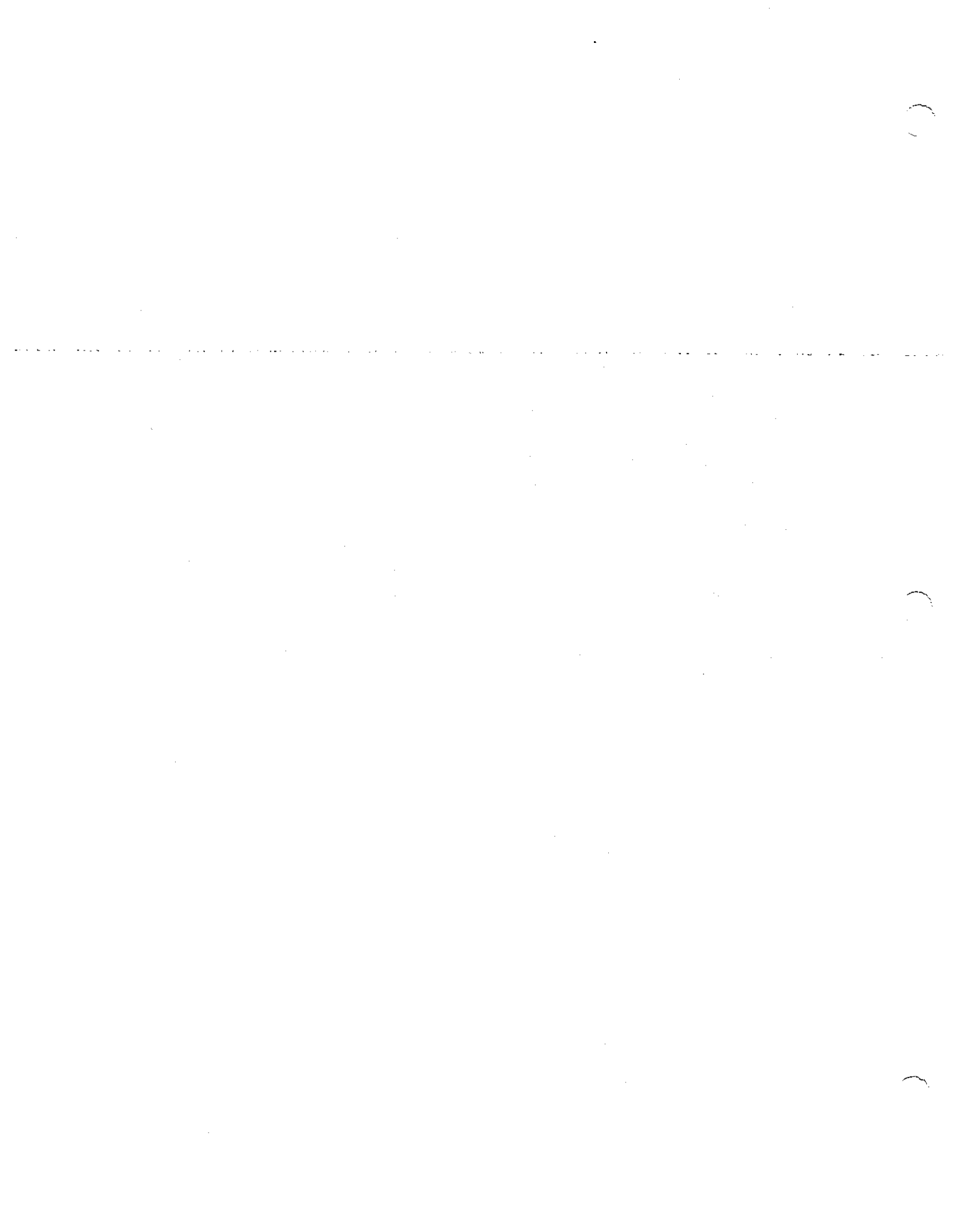
8-1-39 **Penalty.** Any person found guilty of violating the provisions of this Ordinance may be sentenced or fined, or both up to the maximum amount permitted by State Law for violation of municipal ordinances, such amount to be set by the municipal judge in his/her sound discretion, but not to exceed the amount established under Section 3-17-1, C, NMSA 1978 Compilation. Each day this Ordinance is violated shall constitute a separate offense.

8-1-40 **Repeal.** Ordinance, 8-1 & 8-2, Entitled "Animal Control" of the Municipal Code of the Town of Mountainair, New Mexico, relating to Animals and Fowl, as well as any other ordinances of said municipality, which are inconsistent with the provisions hereof are hereby repealed.

PASSED, ADOPTED, AND APPROVED THIS 13<sup>TH</sup> DAY OF APRIL, 1999.

  
John Romero, Mayor

ATTEST: \_\_\_\_\_  
Gayle A. Jones, Town Clerk




BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MOUNTAINAIR,  
NEW MEXICO:


Chapter VIII, Article II, Section X of the Code of Ordinances, Mountainair, New Mexico, 1977,  
is hereby amended to read as follows:

8-2-10 IMPOUNDMENT FEES:

The Town Clerk shall collect from the owner of any animal impounded the sum of Twenty Dollars (\$20.00) for the impoundment of the animal, and in addition thereto, shall collect the sum of Ten Dollars (\$10.00) for each day or fraction thereof that the animal is in the pound.

PASSED, ADOPTED, AND APPROVED THIS 9TH DAY OF DECEMBER, 1997.

  
\_\_\_\_\_  
John Romero, Mayor

ATTEST:   
Gayle A. Jones, Town Clerk

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

3. The third part of the document is a list of names and addresses of the members of the committee.

4. The fourth part of the document is a list of names and addresses of the members of the committee.

5. The fifth part of the document is a list of names and addresses of the members of the committee.

6. The sixth part of the document is a list of names and addresses of the members of the committee.

7. The seventh part of the document is a list of names and addresses of the members of the committee.

ARTICLE II

IMPOUNDMENT OF ANIMALS

- 8-2-1 Running At Large Prohibited
- 8-2-2 Unlawful Keeping of Animals
- 8-2-3 Impoundment
- 8-2-4 Who May Impound
- 8-2-5 Pound Keeper
- 8-2-6 Use of Funds
- 8-2-7 Notice of Impoundment
- 8-2-8 Unclaimed Animals
- 8-2-9 Removal of Animals
- 8-2-10 Impoundment Fees

8-2-1 RUNNING AT LARGE PROHIBITED: It shall be unlawful for any horses, cattle, burros, swine, sheep, or any other domestic animal to run at large within the corporate limits of the Town.

8-2-2 UNLAWFUL KEEPING OF ANIMALS: It shall be unlawful for any person to maintain at his residence or place of business, chickens, geese, turkeys, guineas or other like fowl, or to slaughter any fowl, for the purpose of sale, within 100 yards of a residence within the Town.

8-2-3 IMPOUNDMENT: It shall be the duty of Police Officers to provide a safe place for the keeping and caring for animals taken under this article.

8-2-4 WHO MAY IMPOUND: Any person who shall find any animal described in 8-2-1 running at large contrary to the provision hereof, may deliver the same to the police officer.

8-2-5 POUND KEEPER: The Pound Keeper shall be all police officers unless specifically designated otherwise by the Mayor and approved by the Board of Trustees.

8-2-6 USE OF FUNDS: All fees hereinafter provided for shall be paid to the Town Treasurer to be deposited in the General Operating Fund.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial data and for providing a clear audit trail. The records should be kept up-to-date and should be accessible to all relevant parties.

2. The second part of the document outlines the procedures for handling incoming payments. It is important to ensure that all payments are received in full and that the correct amount is recorded. Any discrepancies should be investigated immediately and reported to the appropriate authority.

3. The third part of the document describes the process of issuing invoices. Invoices should be issued promptly and accurately, reflecting the actual goods or services provided. It is also important to ensure that the correct terms and conditions are included on each invoice.

4. The fourth part of the document discusses the process of reconciling the accounts. This involves comparing the company's records with the bank statements to ensure that they match. Any differences should be investigated and resolved as soon as possible.

5. The fifth part of the document outlines the process of preparing the financial statements. These statements should be prepared on a regular basis and should provide a clear and concise summary of the company's financial performance. It is important to ensure that the statements are accurate and that they are supported by the underlying records.

6. The sixth part of the document discusses the process of archiving the records. Once the records have been reviewed and found to be accurate, they should be archived in a secure and accessible location. This will ensure that the records are available for future reference and for any audits that may be conducted.

7. The seventh part of the document outlines the process of reviewing the records. This involves a regular review of the records to ensure that they are accurate and that they are up-to-date. Any errors or discrepancies should be identified and corrected as soon as possible.

8. The eighth part of the document discusses the process of reporting the results of the review. This involves preparing a report that summarizes the findings of the review and provides recommendations for any improvements that need to be made. The report should be presented to the appropriate authority and should be used to guide the company's future operations.

9. The ninth part of the document outlines the process of implementing the recommendations. This involves putting the recommendations into practice and ensuring that the company's records are maintained in accordance with the best practices. It is important to ensure that the recommendations are implemented effectively and that the company's records are kept up-to-date and accurate.

10. The tenth part of the document discusses the process of monitoring the results of the implementation. This involves regularly reviewing the company's records to ensure that they are accurate and that they are up-to-date. Any errors or discrepancies should be identified and corrected as soon as possible. It is also important to ensure that the company's records are accessible to all relevant parties and that they are protected from unauthorized access.



8-2-7

8-2-7 NOTICE OF IMPOUNDMENT: If the owner of an animal running at large is known, or can, be reasonable diligence be ascertained, notice of the impounding of the animal shall be given to the owner, and upon payment of the fees herein provided, the animals shall be released to their owners. In the event the owner does not appear and pay the fees or charges hereinafter provided within twenty-four (24) hours after the animal is impounded, the pound keeper shall post in a conspicuous place within the Town written or printed notice of the fact that the animal has been impounded, the date when impounded, the description of the animal, and reciting the fact that the owner is unknown, or if known has not appeared to redeem the animal, or has failed to pay the legal charges thereon after due notice, as herein provided, and that unless the owner of the animal shall, within five (5) days from the impoundment, appear and redeem the animal, it will be sold to satisfy the cost of care, maintenance and sale, giving the date, time and place of sale. The sixth day after the impoundment notice, if the animal remains unclaimed and the charges unpaid, the peace officer shall sell the animal at public auction at the place designated in the notice. The Mayor and the Town Clerk shall deliver in the name of the Town a good and sufficient bill of sale to the purchaser of any animal sold.

8-2-8 UNCLAIMED ANIMALS: In the event any animal shall be unclaimed, and the impounded animal cannot be sold as hereinabove provided, the animal shall be killed by the peace officer upon the order of the Mayor. The peace officer shall post notices in three conspicuous places within the Town, one of which places shall be the Post Office, describing the animals to be killed, not less than five (5) days after the posting of the notice, and that the owner may regain possession of the animal.

8-2-9 REMOVAL OF ANIMALS: It shall be unlawful for any person to break open any pound wherein any animals are impounded under the provisions of these articles, or to remove or aid in the removal of the animals so impounded without having paid all of the charges and expenses herein provided.

8-2-10 IMPOUNDMENT FEES: The Town Clerk shall collect from the owner of any animal impounded, the sum of Three Dollars (\$3.00) for the impounding of the animal and in addition thereto shall collect the sum of Two Dollars (\$2.00) for each day or fraction thereof that the animal shall be in the pound.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. The text also mentions the need for regular audits to ensure the integrity of the financial data. Furthermore, it highlights the role of the accounting department in providing timely and accurate information to management for decision-making purposes. The document concludes this section by stating that proper record-keeping is essential for the long-term success of the organization.

The second part of the document focuses on the implementation of internal controls. It describes various measures that can be put in place to prevent fraud and errors. These include the separation of duties, the use of physical safeguards, and the establishment of a strong code of ethics. The text also discusses the importance of training employees on these controls and the need for ongoing monitoring and evaluation. The document ends this section by noting that effective internal controls are a key component of a robust risk management framework.

The third part of the document addresses the issue of financial reporting. It explains the different types of financial statements and the requirements for their preparation. The text discusses the importance of transparency and the need to provide clear and concise information to stakeholders. It also mentions the role of external auditors in verifying the accuracy of the financial statements. The document concludes this section by stating that high-quality financial reporting is crucial for building trust and confidence in the organization.

The final part of the document provides a summary of the key points discussed. It reiterates the importance of accurate record-keeping, effective internal controls, and high-quality financial reporting. The text also offers some final thoughts on the overall goal of financial management, which is to ensure the financial health and sustainability of the organization. The document ends with a call to action, encouraging all employees to take responsibility for their role in maintaining the organization's financial integrity.