

VALENCIA COUNTY

- 1) This ordinance provides for the control and care of animals In the County of Valencia, New Mexico
- 2) Be it ordained by the Board of County Commissioners of Valencia County, State of New Mexico.

**SHORT TITLE AND LEGISLATIVE INTENT;**

This Ordinance shall be known and cited as the Valencia County Animal Control Ordinance. It is the intent of the County Commission that enactment of this ordinance will establish procedures that will:

- 1.1.01 Assist in providing control of animals not under the jurisdiction of the State Brand Inspector or of the New Mexico Department of Game and Fish.
- 1.1.02 Provide rabies control.
- 1.1.03 Provide for reporting of animal(s) bites.
- 1.1.04 Protect animals from neglect and abuse.
- 1.1.05 Protect residents from annoyance and injury by animals.
- 1.1.06 Establish certain fees related to the ordinance.
- 1.1.07 Prescribe penalties for violations of the ordinance.

**WORDS AND PHRASES DEFINED**

Definitions: For the purposes of this ordinance, the following terms, phrases, and derivations shall have the meaning given herein: "Shall" is always mandatory and not merely a directive. The masculine includes the feminine.

- 1.2.01 "Abandon" means to withdraw protection, support or help with the intent of never again claiming right or interest in.
- 1.2.02 "Abandoned Animal" means any animal that has been:
  - 1) Intentionally or knowingly released from the Owner/Guardian's control with the apparent intention of no longer providing care for the animal.
  - 2) Left at any location without acknowledgement and consent of the owner or occupant of the property.
  - 3) Left at any location within the county's jurisdiction by an Owner/Guardian or temporary custodian and that person fails to return within three calendar days.
  - 4) Left in the care or custody of any person other than the Owner/Guardian for a specified period of time and fails to reinstate care and custody beyond the specified time, and the temporary custodian does not wish to continue to care for the animal.
  - 5) Impounded or otherwise placed under the temporary control of Animal Control, and the person having been deemed to be the lawful Owner/Guardian of the animal refuses to claim or properly reclaim the animal.
- 1.2.03 "Adoption" means to take by choice and assume responsibility for proper care in accordance with this ordinance.
- 1.2.04 "Animal" means dog, cat, or any other mammal, excluding man and those controlled by the New Mexico Department of Game and Fish, and the New Mexico

- Livestock Board, and poultry.
- 1.2.05 "Animal" Control Center or "Shelter" means any establishment authorized by the County of Valencia for the care and custody of impounded animals.
  - 1.2.06 "Animal Control Officer" means that person who is responsible for the enforcement of this article and the regulations promulgated thereunder and under the supervision of the Animal Control Director.
  - 1.2.07 "Animal Rescue Organization/Animal Foster Home" means any private facility used for the temporary housing and care of animals for the primary purpose of public adoption and approved by the Animal Control Director and working with and under the permit of a recognized Humane Society.
  - 1.2.08 "Bite" means the puncture or tear of the skin inflicted by the teeth or claws of an animal.
  - 1.2.09 Commercial Kennel means any establishment where dogs and/or cats are boarded or maintained under controlled conditions and is operated as a business.
  - 1.2.10 "Commission" means the elected governing body of the County of Valencia.
  - 1.2.11 "Competent Person" means a person having training, knowledge and sufficient background to function in an appropriate and humane manner regarding the welfare of all animals.
  - 1.2.12 "Confined" means restriction of an animal, at all times, by an Owner/Guardian, custodian or keeper, to an escape proof building or other enclosure away from other animals and the public.
  - 1.2.13 "County of Valencia or County" shall include the land area within the boundaries of the County of Valencia, including privately owned land and state owned or federal land, except the area within the limits of any incorporated municipality.
  - 1.2.14 "Dangerous Dog" means a dog that:
    - 1) Makes an unprovoked attack on a person that causes serious bodily injury or death; OR
    - 2) Makes an unprovoked attack on a person that causes bodily injury which would cause a reasonable person to seek medical treatment whether or not that care was actually sought and occurs in a place other than an enclosure in which the dog was being kept which was reasonably certain to prevent the dog from leaving the enclosure on its own; OR
    - 3) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept which was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person; OR
    - 4) Makes an unprovoked attack on another dog causing death or injury that would cause a reasonable person to seek veterinary care whether or not that care was actually sought.

- 1.2.15 “Exigent Circumstances” means any situation(s) that demand unusual or immediate action wherein such action literally must be now or never’ to preserve evidence of a crime or save the life of the animal.
- 1.2.16 “Guard Dog” means a dog that is used to protect commercial property.
- 1.2.17 “Guard Dog Site” means a premises utilizing a guard dog and which has a current Guard Dog Permit.
- 1.2.18 “Hobby Kennel/Cattery” means a person or place involved in animal activities such as, but not limited to, showing or controlled breeding of registered purebred dogs and/or cats.
- 1.2.19 “Humane Society” means any establishment owned or operated by an organization recognized by the State Corporation Commission to be non-profit, whose primary function is to bring aid and comfort to dogs and/or cats.
- 1.2.20 “Intact Animal” means an animal that has not been surgically sterilized.
- 1.2.21 “Intact Animal Permit” means a permit issued to those persons who wish to maintain an unsterilized dog or cat, for some purpose other than breeding.
- 1.2.22 “Minimum Care” means care sufficient to preserve the health and well-being of an animal and, except for emergencies or circumstances beyond reasonable control of the Owner/Guardian includes but is not limited to the following requirements:
1. Food of sufficient quantity and quality to allow for normal growth or maintenance of body weight.
  2. Clean water of a drinkable temperature in sufficient quantity and in a location to allow the animal access at all times.
  3. Continuous access to a building or other waterproof structure sufficient to protect the animal from wind, rain, snow or sun, that has adequate bedding to protect against cold and dampness. If a dog house is used as the animal’s shelter, it must be of sufficient size to allow the animal to enter, turn around, lie down and stand up easily.
  4. Reasonable veterinary care to prevent and/or relieve distress from injury or disease.
  5. Continuous access to shade from direct sunlight and heat and with ventilation to fresh air, or artificial air exchange, of a temperature suitable for the health of the animal.
  6. Adequate space for exercise necessary for the health of the animal.
- 1.2.23 “Owner/Guardian” means a person who owns, has, possesses, keeps, controls, maintains custody of, has legal title or interest in, harbors or permits animal(s) to remain in, on or about his/her premises.
- 1.2.24 “Permitted Premises” means the establishment, property or site for which a valid permit has been issued by the Animal Control Director for use as a Commercial Kennel, Humane Society, Pet Shop, Guard Dog Site or Hobby Kennel/Cattery site.
- 1.2.25 “Pet Shop” means any establishment owned or premises maintained for the purchase, sale, exchange or hire of animals except livestock.
- 1.2.26 “Provisional License” means a license issued for animal identification before/until a rabies vaccination can be given or verified. A provisional license expires if verification of vaccination is not provided by the required date.
- 1.2.27 “Public Nuisance Animal” means any animal that unreasonably disturbs humans, endangers the life or health or other animals or humans, or substantially interferes with the rights of citizens, other than their Owner/Guardians, to the enjoyment of life and property. The term Public Nuisance Animal shall mean and include, but is not limited to, any animal that:
- 1) Is repeatedly found at large
  - 2) Damages the property of anyone other than its Owner/Guardian
  - 3) Molests or intimidates pedestrians or passersby
  - 4) Chases vehicles
  - 5) Excessively makes disturbing noises including, but not limited to, continued and repeated howling, barking, whining or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored
  - 6) Attacks other domestic animals; OR
  - 7) Repeatedly trespasses on public or private property.
- 1.2.28 “Quarantine” means the detaining and strict isolation of an animal suspected of carrying or shedding the rabies virus, for the purpose of observation and for required periods of time as set forth by the State of New Mexico.
- 1.2.29 “Running at Large” means being neither confined by an enclosure, or physically restrained by a leash, when off the premises occupied by the Owner/Guardian.
- 1.2.30 “Senior Citizen” means any person who has reached the age of sixty-five.
- 1.2.31 Service Animal means an animal trained and certified by a recognized institution engaged in such training, to assist impaired persons and in the company of the person the animal was trained to assist.
- 1.2.32 “Sterilize” means surgically rendering an animal unable to reproduce.
- 1.2.33 “Stray” means any dog or cat that wanders, unattended, upon a public place or the property belonging to a person other than the Owner/Guardian of the animal, without tags or other indications of Owner/Guardianship.
- 1.2.34 “Unprovoked” means that the animal was not hit, kicked, tormented or teased, or struck by a person with any object or part of a person’s body, nor was any part of the animal’s body pulled, pinched or squeezed a person.
- 1.2.35 “Vaccination” for purposes within this ordinance means protection provided against rabies by inoculation with a recognized vaccine approved by the Director of the Health Services Division of the Health and Environment Department of the State of New Mexico,

and administered by or under the supervision of a licensed veterinarian.

- 1.2.32 "Veterinarian" means a person with a Doctor of Veterinary Medicine degree licensed to practice veterinary medicine in the State of New Mexico.
- 1.2.33 "Vicious Animal" means any animal, other than a Dangerous Dog, that at any time without provocation, shall bite, attack or injure any person who was peacefully conducting himself where he lawfully may be.
- 1.2.34 "Working Day" means, for the purpose of this ordinance, Monday through Friday, except when these days are observed as Holidays. When the Valencia County Animal Shelter is open to the public on any other day, that day shall also be counted as a Working Day.

**2.0.00: ADMINISTRATION OF ORDINANCE**

- 2.1.00 The County Commission shall appoint a competent person to the position of Animal Control Director.
- 2.1.01 The Animal Control Director shall be responsible for the training and certification of all employees. Such training shall include, but not be limited to, humane apprehension, handling and care of animals, ordinances and laws pertaining to animal control, euthanasia, breed determination, and rabies control.
- 2.1.02 All Animal Control Officers shall be deputized and/or commissioned full-time employees.
- 2.1.03 Animal Control Officers shall aid in the prevention and control of the spread of rabies within the County, including, but not limited to, the lawful capture and confinement of rabies suspect animals, the enforcement of quarantine orders, and the lawful destruction or confinement of animals exposed to rabies.
- 2.2.00 Enforcement of Ordinance:
  - 2.2.01 The Animal Control Director and his/her officers, with assistance from the Sheriffs Department, are responsible for the enforcement of this ordinance. There shall be no liability on the part of the Animal Control Director and his/her Officers in the lawful execution of their assigned duties.
- 2.3.00 Authority of Animal Control Officers:
  - 2.3-01 The Animal Control Director and his/her deputized and/or commissioned officers shall have the authority to issue citations for violations of this ordinance and to perform such other duties as are Prescribed herein.
  - 2-3-02 All citations issued by Animal Control Officers shall be filed in the appropriate Court. Citations to Owner/Guardians shall be served personally unless the Owner/Guardian is unavailable. Service of citations to unavailable Owner/Guardians shall be by certified mail and first class mail which shall constitute adequate notice to the Owner/Guardian.
  - 2.3.03 For the purpose of discharging the duties imposed by this ordinance, the Animal Control Director and his/her duly appointed and Officers are hereby permitted to enter upon any premises, after receiving a signed and lawful complaint and having notified residents of intent of investigation and gained their permission for such investigation, to ascertain if any provision of this

ordinance or any laws of the State of New Mexico relating to the care, treatment, control and prevention of cruelty to animals are being violated. If, however, the Owner/Guardian or occupant of any dwelling objects to an investigation as above stated, a warrant for the investigation of said dwelling and premises, issued by a court of competent jurisdiction, shall be in the possession of said officer(s) or deputy prior to inspection. Animal Control Officers are authorized and permitted to enter any property without notification and permission of the Owner/Guardian or occupant under exigent circumstances.

- 2.3.04 The Animal Control Director and his/her officers or any Sheriffs Deputy may impound any animal found running at large unaccompanied by or not under the control of the Owner/Guardian, or of a person capable of controlling the animal. Animal Control Officers shall have the right of ingress and egress on private property for the purpose of apprehending an animal running at large when such violation has been witnessed by the officer or in pursuit of a potential rabies suspect animal.
- 2.3.05 Animal Control Officers may impound or destroy an animal in the act Of pursuing wounding or killing livestock or poultry, attacking a human. If impounded, the Animal control Officer shall attempt to identify and notify the Owner/Guardian The Owner/Guardian shall be allowed seventy-two (72) hours to claim the animal, after which time the animal may be destroyed whether or not it wears a tag as required by the State of New Mexico. There shall be no liability on the part of the Animal Control Officers or the Sheriff Deputies in damages for such destruction of the animal.
- 2.3.06 Resisting Officers: It shall be unlawful for any person to hinder, resist or oppose the Animal Control Director or his/her officers and/or Sheriff's deputies in the lawful performance of their duties.
- 2.3.07 When acting in the course and scope of their employment, Animal Control Officers are hereby authorized to carry on their person, or in county vehicles, loaded tranquilizer guns approved by the Animal Control Director.
- 2.3.08 Animal Control Officers shall have the authority to use other appropriate weapons whenever necessary for the capture and/or destruction of a dangerous or vicious animal in order to insure public health and safety. Qualifications for firearms use will be achieved through standards adopted and set forth in the Standard Operating Procedures Manual by the Animal Control Director.
- 2.3.09 Animal Control Officers shall have the authority to euthanize animals whenever warranted by the criteria set forth in the department's Standard Operating Procedures Manual.
- 2.4.00 Citizen Filing of Complaints Against Another Citizen:
  - 2.4.04 A signed complaint alleging any violation of this Ordinance must be filed with the Office of Animal Control by a person who has knowledge of such viola-

tion and who can identify the Owner/Guardian of the animal involved or the premises where the animal is located.

2.5.00 Filing Complaints against an Animal Control Officer

2.5.01 A signed complaint must be filed with the Animal Control Director by a person who has knowledge of an incident of cruelty to an animal or conduct unbecoming an employee of Valencia County as stated in the County's personnel ordinance.

**3.0.0 ANIMAL CONTROL IMPOUNDING PROCEDURES**

3.1.00 IMPOUNDING ANIMALS

3.1.01 An animal shelter shall be provided for the purpose of boarding and caring for animal that have been impounded under the provision of this Ordinance. It shall be the duty of the Animal Control Director and his/her deputized and/or commissioned officers to take up and impound or cause to be impounded, any stray animals and/or any animals found to be running at large within the unincorporated area of Valencia County.

3.1.02 It shall be unlawful for any person, without the knowledge or consent of the Owner/Guardian, to hold or retain possession of any animal of which he is not, the Owner/Guardian, for more than twenty four (24) hours without reporting the possession of such animal to an Animal Control Officer, giving his/her name, address, a true and complete statement of the circumstances under which he came to have possession of the animal, and the precise location where such animal is confined. In attempting to confine the animal, the person shall not use any force that is intended or known by the person to cause, or in the manner of its use is capable of, causing death or injury to the animal.

3.1.03 Seizure of Animals; Notice: An Animal Control Officer or Sheriffs Deputy who reasonably believes that the life or health of an animal is endangered due to cruel or inhumane treatment may apply to the district court or magistrate court for a warrant to seize the animal.

3.1.04 Under exigent circumstances, when an Animal Control Officer of Sheriffs Deputy witnesses a situation in which the officer determines that the animal's health or life is in jeopardy and immediate action is required to protect the animal, the officer may impound the animal without warrant or prior notice to the owner.

3.1.05 Animals seized under this section may be impounded at the County Shelter or at a veterinary facility approved by the Animal Control Director.

3.1.06 Animal Control Officers and/or Sheriffs Deputies are not liable for any damages resulting from a seizure under this section.

3.2.00 RECORD KEEPING:

3.2.01 The Animal Control Officer, upon impounding or receiving any animal, shall register such animal into the registry kept for this purpose in accordance with the Standard Operating Procedures Manual.

3.2.02 The Owner/Guardian shall have the right to reclaim the animal within seventy-two (79) hours, or three (3) working days, upon payment of any related fees, penalties and/or fines. Notice of the impoundment be posted in a conspicuous place at Office of Animal Control for a period of (3) working days.

3.2.03 The Office of Animal Control shall maintain a record of all animals that have been impounded in the county shelter and shall maintain these records for not less than two years. The records shall contain at least the following information:

1. The manner and date of aquisition.
2. A complete description of the animal.
3. The date and manner of its disposal.
4. The name, address and phone number of the person reclaiming the animal.
5. All fees received.

3.3.00 DISPOSITION OF IMPOUNDED ANIMALS:

3.3.01 Any animal not reclaimed within the required three (3) working day period shall became the property of Valencia County and may be placed for adoption or humanely destroyed.

3.3.02 Any dog or cat placed for adoption that is under five months of age shall be released only upon payment of the adoption fee, the sterilization fee or deposit, and after the adopting person has signed an agreement stating that the adopted animal will be sterilized when no more than five months of age.

3.3.03 Any dog or cat placed for adoption that is over five months of age shall be released only upon payment of the adoption fee, the sterilization fee or deposit, and after the adopting person has signed an agreement stating that the adopted animal will be sterilized within thirty (30) days of the date of adoption.

3.3.04 The sterilization deposit shall be reimbursed only upon presentation of a receipt from a licensed veterinarian stating that the adopted animal has been sterilized.

3.3.05 All reasonable efforts shall be made to place adoptable animals. This shall include, but is not limited to, public advertisement and contacting rescue and humane organizations.

3.3.06 The Animal Control Director or his/he designee, shall make the final determination whether a dog or cat is suitable for adoption. The Animal Control Director will consider such factors as the health, temperament and age of the animal. However, such a decision by the Animal Control Director to permit the adoption (if A particular dog or cat shall not constitute a warranty or representation, expressed or implied, of the health, suitability or age of the animal.

3.3.07 An unsterilized animal reclaimed by its Owner/Guardian shall only be released without sterilization upon payment of all impoundment fees and the sterilization fee or deposit. The Owner/Guardian shall sign an agreement to have the dog or cat sterilized within thirty days of release or obtain an intact animal per-

mit.

- 3.3.08 Necessary Euthanasia: All unclaimed and non-adoptable, as well as severely ill or injured animals shall be humanely euthanized by a certified euthanasia technician, or under the direct supervision of a licensed veterinarian, veterinary technician, or the Animal Control Director, and as described by the New Mexico Pharmacy Board and the New Mexico Board of Veterinary Medicine.
- 3.3.09 Baby nursing animals impounded without the mother or whose mother cannot provide or refuses to provide nutritious milk, may be transferred to a licensed rehabilitation facility, humane organization, or veterinary facility whenever such facility is willing and able to provide care for the baby nursing animals. Should no facility be available, the animals may be humanely euthanized to prevent further suffering.
- 3.4.00 FEES:
- 3.4.01 All fees collected through the administration of this ordinance shall be deposited with the Treasurer's Office of Valencia County.
- 3.4.02 All fees collected shall be in accordance with the Schedule of Fees as listed in Appendix A, Schedule of Fees as determined by the Commission.
- 3.6.00 RESTRAINT OF ANIMALS:
- 3.6.01 Any person owning, possessing or keeping animals within the county, whether vaccinated or unvaccinated, licensed or unlicensed, shall confine such animals within an adequate fence or enclosure, or within a house, garage or other building, or shall keep such animals confined by leash or chain affixed to the animal's collar or harness and of sufficient strength and length to ensure that the animal cannot leave, on its own, the property of its Owner/Guardian.
- 3.6.02 This provision does not apply to animals in a bona fide animal show or trained hunting animals that are under the immediate and direct control of their Owner/Guardians where hunting is allowed.
- 3.6.03 Leashes may not exceed a length of eight (8) feet when held and controlled by a person.
- 3.6.04 Retractable leashes must be locked at a distance not to exceed four feet in length when in the immediate proximity of a passerby either on foot or on a non-motorized vehicle.
- 3.6.05 Tethering may be used as a temporary means of containment providing the animal is provided with adequate food, shelter, shade and water, such being within their reach while tethered. Tethered dogs must be located in an area where they cannot molest passersby or jump over or crawl under a fence while tethered. Dogs may not be tethered for more than twenty-four (24) continuous hours.
- 3.7.00 LICENSING:
- 3.7.01 Any person harboring or maintaining any dog or cat over the age of three months within the unincorporated area of Valencia County shall obtain a license or permit from the Office of Animal Control on an annual basis.
- 3.7.02 The Office of Animal Control shall keep a record of

all licenses issued for a period of not less than three (3) years.

- 3.7.03 A current rabies vaccination certificate shall be presented at the time of the application for the license. Licenses shall be denied for any animal for which a current and valid rabies vaccination cannot be verified. Only those animals impounded at or adopted from the Shelter may be issued a provisional license. Licenses shall be issued at the Animal Control Shelter.
- 3.7.04 Provisional License. Only animals adopted from the Animal Shelter, or those re-claimed by Owner/Guardian from impoundment, will be issued a provisional license. The provisional license shall be made valid only when proof of rabies vaccination is presented, within the required time period, after removal from the Shelter.
- 3.7.05 A current license tag shall be affixed to the collar or harness of a licensed dog or cat at all times.
- 3.7.06 Licenses Not Transferable. It shall be unlawful for the Owner/Guardian of any animal to place a license tag originally issued for another animal upon the collar or harness of any other animal.
- 3.7.07 Service Animals, Police K-9 dogs, Certified Foster Care Animals, and household pets numbering four or less and belonging to senior citizens, shall be required to be registered and licensed through the Office of Animal Control, but will be exempt from licensing fees. All other requirements for the keeping of such animals shall remain in effect. Documentation and verification of the animal's status or the age of the Owner/Guardian may be required at the time of registration for such animals.

**4.0.00 RABIES CONTROL.**

- 4.0.01 Rabies Vaccination: It is the duty of every person keeping a dog or cat over the age of three (3) months to have such animals vaccinated against rabies. All dogs and cats must be vaccinated annually. Every person who keeps a vaccinated dog or cat must exhibit his/her copy of the certificate of vaccination upon request of any person lawfully charged with enforcement of this ordinance. Any unvaccinated dog or cat brought into Valencia County shall be securely confined by the Owner/Guardian or keeper until vaccinated against rabies. This vaccination shall be administered within one (1) week of entry into the County. Any rabies vaccination performed by a veterinarian in another county, state, or country must conform to the requirements of the State of New Mexico to be valid in Valencia County.
- 4.2.00 ANIMAL BITES:
- 4.2.01 When an individual is bitten or scratched by a dog or cat, whether vaccinated or unvaccinated, it is the duty of the bite victim or the Owner/Guardian of said victim, or any other person having knowledge of such exposure, to notify the District Health Officer and/or an Animal Control Officer within twenty-four (24) hours of the exposure.
- 4.2.02 Quarantine:

- a. The Owner/Guardian or keeper of an animal that has bitten or scratched a person shall immediately surrender the animal to Animal Control Officers or Sheriff deputies for quarantine.
- b. The Animal Control Officer shall place the animal under strict quarantine for ten (10) days under the observation of the Animal Control Director or an approved licensed veterinarian, at the expense of the Owner/Guardian, or the animal shall be humanely euthanized and submitted for testing.
- c. Absolutely no animal that has bitten or scratched any person may be rabies vaccinated within ten (10) days of the occurrence.

4.2.03 Home Quarantine: Any dog or cat, determined by an Animal Control Officer to be currently vaccinated, that has bitten its Owner/Guardian, or another member of the household where the animal is kept, may be granted home quarantine privileges by the Animal Control Officer. Any such home quarantine is subject to approval by the Animal Control Director and may be refused for any reason. Home quarantines will be subject to a minimum standard of all regulations as stated on the Home Quarantine Agreement Form. On the final day of the observation period, the animal shall be presented to a licensed veterinarian for examination at the Owner/Guardian's expense. The quarantine shall not be considered concluded until an Animal Control Officer has confirmed that such examination has been done. The Owner/Guardian of the animal, when approved for Home Quarantine, shall pay the fee as set forth in Appendix A Schedule of Fees.

4.2.04 Unvaccinated dogs or cats bitten by a known rabid animal should be humanely destroyed immediately. If the Owner/Guardian is unwilling to have this done, the unvaccinated animal shall be quarantined immediately in strict confinement and isolation at the Owner/Guardian's expense in a manner prescribed by the Animal Control Director and approved by the District Health Officer.

4.2.05 If a dog or cat having a current rabies vaccination is bitten by a known rabid animal, it shall be re-vaccinated immediately and confined and isolated at the Owner/Guardian's expense for at least forty-five (45) days in a manner directed by the Animal Control Director and approved by the District Health Officer.

**5.0.0 PUBLIC NUISANCE ANIMALS:**

5.1.0 It shall be unlawful for any person to own, have, maintain, keep, or harbor any public nuisance animal.

**5.3.00 CRUELTY TO ANIMALS AND ABANDONMENT:**

5.3.01 It shall be unlawful for any person to neglect to provide any animal in his/her charge or custody with minimum care as defined in this ordinance and/or in New Mexico State law.

5.3.02 An animal carried in the bed of a truck must be crated or restrained so it cannot fall or jump from the truck or be strangled, or bite or molest passersby.

5.3.03 It shall be unlawful for any person to confine, or

allow to be confined, any animal in a motor vehicle or trailer under such conditions or for such a period of time as may endanger the health or well-being of the animal due to excessive heat, extreme cold, lack of food or water or any other circumstance which may cause suffering, disability or death of the animal. Excessive heat, when used in conjunction with this section, shall mean any temperature which would cause a reasonable person to believe that the animal may be endangered and may include, but not be limited to, such factors as; outdoor temperatures greater than seventy-five degrees Fahrenheit (750) or less than 32 degrees Fahrenheit (320), sealed windows and doors and the color of the vehicle.

5.3.04 Any animal showing evidence of cruelty or abuse shall be impounded until a full investigation into the matter has been done. If an Owner/Guardian is unwilling to surrender an animal for impoundment under this section, the officer shall seek a warrant from a judge or court of competent jurisdiction for seizure of the animal. No warrant shall be necessary under exigent circumstances.

5.3.05 Any person found guilty of cruelty or abuse of an animal shall be responsible for all expenses incurred for the animal while impounded. Should the person be found not guilty of cruelty or abuse, the animal shall be returned to the Owner/Guardian and no fees collected for such care.

5.3.06 It shall be unlawful for any person to willfully or maliciously kill or maim any animal except that reasonable force may be employed to drive off vicious or trespassing animals.

5.3.07 It is unlawful to poison a domestic animal or to distribute poison or toxicants in any manner with the intent of poisoning a domestic animal.

5.3.08 It is unlawful to abandon any animal as defined in this ordinance.

5.3.09 Injury to an animal resulting from an Animal Control Officer's reasonable attempt to capture, subdue or impound that animal while, following directives as put forth in the Policy and Procedures Manual, shall not be deemed cruelty to the animal.

**5.3.10 FIGHTING OF ANIMALS UPON EXHIBITION:**

1. No person shall promote, stage, hold, manage, conduct, on, train for or attend a game, exhibition, contest or fight in which one or more animals are injuring, killing, maiming or destroying themselves or other animals.

2. A person commits an offense under this section if he intentionally or knowingly;

- a. Causes a dog to fight with another dog.
- b. For pecuniary benefit causes a dog to fight with another dog.
- c. Participates in the earnings of or operates a facility used for dogfighting.
- d. Uses or permits to use any real estate, building, room, tent, arena or other property for dogfighting.
- e. Owns or trains a dog with the intent that the dog be used in an exhibition of dogfighting; or

- f. Attends as a spectator an exhibition of dogfighting.
- 5.3.11 No person shall provoke, entice, or intentionally release an animal from the property of its Owner/Guardian for the purpose of engaging the animal in a fight or to attack a person or another animal.

5.4.00 DOG KILLING OR INJURING LIVESTOCK AND/OR POULTRY.

5.4.01 If any dog shall kill or injure any livestock or poultry, the Owner/Guardian or keeper of such dog shall be liable for all damages that may be sustained thereby. It shall be unlawful to keep such dog after it is known that the dog is liable to kill livestock or poultry. It shall be the right of the Owner/Guardian of livestock or poultry so killed or injured by the actions of any dog to kill the dog while it is upon property controlled by the Owner/Guardian of the livestock or poultry.

5.4.02 An Animal Control Officer or any Sheriff's Deputy may destroy a dog if it is witnessed in the act of pursuing or wounding livestock, poultry or any other animal, or attacking humans whether or not the dog wears a required license tag, a rabies tag, or any other visible form of identification. There shall be no liability of the officer in damages or otherwise for such destruction of the animal.

5.5.00 DANGEROUS DOGS

5.5.01 For purposes of this section a Secure Enclosure; shall mean a fenced area or structure that is:

- a. Locked,
- b. Capable of preventing the entry of the general public, including children,
- c. Capable of preventing the escape of a dog,
- d. Clearly marked as containing a Dangerous Dog, &
- e. In conformance with all of the following specifications;
  - 1. Made of durable material sufficient to withstand an animal's attempt to chew, claw or otherwise damage said material in a way which would allow escape
  - 2. Sides a minimum of eight feet in height, firmly fixed at the bottom in concrete. or sunken a minimum of two feet into the ground, to prevent the animal from escape by digging under the sides. If sunken, the requirement shall be an overall height of ten feet, with two feet below ground level.
  - 3. A top over the entire enclosure and firmly attached to the sides to prevent the animal from escaping by climbing or jumping from the ground or from any object placed inside the enclosure such as, but not limited to, a dog house or platform.
  - 4. Each side of the enclosure clearly marked as containing a Dangerous Dog
  - 5. A gate of similar durable material as the sides, sufficient to withstand an animal's attempt to chew, claw or otherwise damage said material in a way that would allow the animal to escape. The ground area directly below the gate shall be concrete or some other material

equally strong to prevent the animal from escaping by digging, crawling or otherwise escaping under the gate.

2. Investigation:

- 1. Any complaint regarding a Dangerous Dog as defined within this Ordinance, whether reported by a citizen, or at the Animal Control Officer's own instigation, shall be investigated.
- 2. Investigative reports relative to such allegation shall include the following:
  - a. Identification of the Owner/Guardian of the accused animal.
  - b. An inspection, by all Animal Control Officer, of the animal so accused.
  - c. Photographs of the animal, if possible.
  - d. Any statements from victims and/or witnesses to the incident,
  - e. Documentation of the animal's history including, but not limited to, registrations, licensing, rabies vaccinations, current veterinarian records, any previous bite history, or violations of any laws or ordinances.
  - f. Information of any other animals residing at the same residence.

5.5.03 Declaration:

- 1. Based on the findings of an investigation regarding a suspected Dangerous Dog, the investigating officer shall make a full report to the Animal Control Director. The Animal Control Director shall make a determination to:
  - a. Declare the animal dangerous and notify the Owner/Guardian of that finding, or
  - b. Close the case citing insufficient evidence to conclusively deem the animal dangerous at this time.
  - c. Closing a case shall not prevent the case from being reopened in the future.
- 2. Notification to an Owner/Guardian that his/her dog has been declared dangerous shall include the following information:
  - a. The Owner/Guardian has a right to appeal such a declaration.
  - b. The amount of time for filing such an appeal.
  - c. The actual date of deadline for filing such appeal.
  - d. An outline for the requirements for compliance if the dog is to remain at the residence.
  - e. The amount of time for the Owner/Guardian to accomplish full compliance in order to keep the dog.
  - f. The actual date of deadline for compliance.
  - g. A copy of the Dangerous Dog section of this Ordinance, in its entirety.

5.5.04 Necessary Impoundment: If the Animal Control Director, or his/her designee, determines that any Owner/Guardian cannot sufficiently contain his/her accused dog during the process of appeal, or the required thirty (30) day period for compliance under this section, a warrant to seize the animal shall be

sought in compliance with Section 3.1.03 of this Ordinance. A dog seized under this section shall be humanely and securely held at the Valencia County Animal Control Shelter until such time as the Owner/Guardian complies with all requirements, the Owner/Guardian has exhausted all rights to appeal, or otherwise directed by a court of competent jurisdiction. Such confinement shall be at the expense of the Owner/Guardian.

5.5.05 Hearing: An Owner/Guardian whose animal has been seized by Animal Control under section 5.5.04 herein, shall be entitled to a hearing, to be held not later than the thirtieth (30) day after the date on which the animal was seized. This hearing shall be held in the court issuing the warrant, or in any other court of competent jurisdiction for the purpose of appealing the Dangerous Dog declaration.

5.5.06 Redemption:

1. A dog that has been seized by Animal Control and declared dangerous, and that declaration has been upheld by the courts if appealed, shall be returned to the Owner/Guardian only if the Owner/Guardian has met all requirements, paid all fees, and has established a secure enclosure in which to house the dog that complies with regulations set forth in section 5.5.01, as well as all requirements set forth in section 5.5.07.
2. If the declaration has been reversed through appeal, by a court of competent jurisdiction, the dog shall be returned to its Owner/Guardian. In this case, no fee will be charged to the Owner/Guardian.
3. No dog shall be returned to the Owner/Guardian once an order has been received by the courts to destroy the animal. No dog having caused serious bodily injury or death to a Person shall be returned to the Owner/Guardian.

5.5.07 Requirements For Owner/Guardians of Dangerous Dogs.

1. For purposes of this section, a person is notified that he/she is the Owner/Guardian of a Dangerous Dog when;
  - a. The Owner/Guardian knows of an attack described under the definition of Dangerous Dogs.
  - b. The Owner/Guardian receives notice that a court has found that the dog is a Dangerous Dog; or
  - c. The Owner/Guardian is informed by the Animal Control Director that the dog is a Dangerous Dog.
2. Not later than the thirtieth (30) day after a person learns that he/she is the Owner/Guardian of a Dangerous Dog, the person shall:
  - a. Register the Dangerous Dog with the Animal Control Director or Shelter in Valencia County.
  - b. Meet all requirements for keeping a Dangerous Dog as set forth in this Ordinance.
  - c. Obtain liability insurance in the amount of at least One hundred thousand dollars (\$100,000.00) to cover damages resulting from an attack by the Dangerous Dog causing bodily injury to a person and provide proof of the required liability insur-

ance coverage, or equal financial responsibility, to the Animal Control Director of Valencia County.

- d. Provide a secure enclosure as set forth in Section 5.5.01.
- e. The Dangerous Dog shall be controlled at all times on a leash in the immediate control of a responsible person capable of controlling the animal when not within a secure enclosure as specified herein.

5.5.08 No person shall knowingly sell, offer for sale, breed, or attempt to buy or train a Dangerous Dog within Valencia County.

5.5.09 No person shall remove a dog that has been declared dangerous to another jurisdiction without the prior knowledge and approval of the Animal Control Director.

5.5.10 Registration:

1. The Valencia County Animal Control Shelter shall annually register a Dangerous Dog if the Owner/Guardian;
    - a. Presents:
      - I. Proof of liability insurance or financial responsibility as required by subsection 5.5.07 (2) (c).
      - II. Proof of current and valid rabies vaccination of the Dangerous Dog.
      - III. Two color photographs of the animal taken within 6 months of application for registration.
      - IV. Two color photographs of the secure enclosure in which the Dangerous Dog is kept.
    - b. Has the secure enclosure re-inspected by an Animal Control Officer.
    - c. Pays an annual registration fee as set forth in Appendix A Schedule of Fees.
- 5.5.11 Upon completion of the requirements for registering a Dangerous Dog, the Animal Control Shelter shall provide to the Owner/Guardian a specific registration tag. The Owner/Guardian must place the tag on the dog's collar and ensure that the dog wears the collar with such tag attached, at all times. Such Dangerous Dog tags shall be red in color.

5.5.12 If an Owner/Guardian of a registered Dangerous Dog moves to a new address, the Owner/Guardian, not less than fourteen (14) days after the date of the move, shall notify the Animal Control Shelter of his/her new address.

5.5.13 If an Owner/Guardian of a registered Dangerous Dog wishes to give the animal to another person, relinquishing all further Owner/Guardianship, the new Owner/Guardian shall be held to all standards formerly required of the previous Owner/Guardian. The new Owner/Guardian shall comply with all requirements for registering the Dangerous Dog in his/her name.

5.5.14 An Owner/Guardian of a Declared Dangerous Dog shall notify the Office of Animal Control of any attacks the dangerous dog makes on people.

5.6.0 VICIOUS ANIMALS

5.6.01 No person shall keep or harbor a vicious animal.

5.7.0 PUBLIC ACCESS FOR ASSISTANCE



ANIMALS

5.8.0 It shall be unlawful for any person owning or maintaining any place for public accommodation, public entertainment or amusement, a restaurant, or who, operates a public transportation facility to exclude therefrom any dog which has been trained to assist the physically impaired, provided that such dog be in the company of the physically impaired person whom it was trained to assist.

**6.0.0 PERMITTED PREMISES PERMIT REQUIRED**

6.1.01 No person shall operate a Commercial Kennel/Cattery, Pet Shop, Humane Society, Guard Dog Site, Hobby Kennel/Cattery, or Animal Rescue Facility/Animal Foster Home without a valid permit issued by the Animal Control Director.

6.1.02 An Owner/Guardian shall not advertise for sale, barter, exchange or give away any dog or cat within the County unless the Litter Fee or Permitted Premises permit number is prominently displayed legibly in the ad, and the Owner/Guardian shall furnish the litter or Permitted Premises number to any prospective recipient requesting the number.

6.1.03 An Owner/Guardian shall not sell, barter, exchange or give away any dog or cat before the age of six (6) weeks.

**6.2.0 PERMIT APPLICATIONS**

6.2.01 Persons who wish to apply for a permit shall file an application on forms provided by the County. The applications shall require information sufficient to assure the Animal Control Director that the applicant and the facilities are adequate to care for the animals in a manner that protects the public and the animals. The Animal Control Director or his/her designee shall make a personal inspection of the facility before issuing any permit.

**6.3.00 PERMIT REQUIREMENTS-EXPIRATION RENEWAL**

6.3.01 No permit is transferable from one person or place to another person or place.

6.3.02 A valid permit shall be posted in a conspicuous place at each Permitted Premises.

6.3.03 A permit holder shall notify the Valencia County Animal Control Director of any changes in operations which may affect the status of the permit and shall keep the Director informed of all changes in name, address, home and business telephone numbers.

6.3.04 Both the person in charge of Permitted Premises and the Owner/Guardian of the Permitted Premises shall be responsible for complying with this ordinance.

6.3.05 At each Permitted Premises, a current record shall be kept which describes all animals owned, purchased or received, and the final disposition of each animal.

6.3.06 Permitted premises must meet all requirements for rabies vaccination of any animals over the age of three months.

6.3.07 Permits shall expire one year after the date of issuance of the permit. An application for renewal,

accompanied by a current certificate of inspection issued by the Animal Control Director, shall be filed at the Office of Animal Control thirty (30) days before the date of expiration.

**6.4.0 FACILITIES AND CARE APPLICABLE TO KENNEL/CATTERY PERMIT**

6.4.01 Dog and/or cat housing facilities must be structurally sound and shall be constructed of nontoxic 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.

6.4.02 Animals maintained in pens, cages or runs for periods exceeding twenty-four (24) hours, must be provided with adequate space for exercise, for the prevention of overcrowding and to permit adequate ventilation and temperature control to provide for the animals' health and comfort. Sufficient lighting shall be provided by either natural or artificial means. If outside housing is provided, it must be sufficient to protect the dog and/or cat from sunlight, rain, snow, hot or cold weather detrimental to the animal's health. Disposal facilities shall be provided and operated so as to minimize vermin infestation, odors and disease hazards.

6.4.03 Animals shall be provided with sufficient fresh clean and wholesome food and water. Food and water containers must be kept clean.

6.4.04 Every animal kept in a Kennel/Cattery must be observed daily and diseased or injured animals must be separated from others and provided with veterinary care.

**6.5.0 ACCESS TO PERMITTED PREMISES**

6.5.01 Animal Control Officers shall be allowed to enter a Permitted Premises, following proper notification of permit holder or applicant, for the purpose of inspection prior to issuance of permit, renewal of permit, or for investigation of complaint as specified in Section 2.3.03 of this ordinance.

**6.6.0 SUSPENSION/REVOCATION OF PERMIT**

6.6.01 When the Animal Control Director discovers that a Permitted Premises is in violation of this ordinance, he/she shall give notice of the violation to the permit holder, operator or person in charge by means of an inspection report or other written notice. The notification shall state that failure to comply with the inspection report issued in accordance with the provisions of this ordinance may result in immediate suspension or revocation of the permit.

6.6.02 Permits may be suspended for thirty (30) days to allow permit holder to comply, with the requirements of this Ordinance or other applicable laws, ordinances, or regulations.

6.6.03 Permits may be revoked for serious or repeated violations of the requirements of this Ordinance, or for violations of other applicable laws, ordinances or regulations. A permit shall be revoked for a minimum of one year. The permit shall be surrendered to the Animal Control Director upon suspension or revocation. A person whose permit has been suspended may apply for an

inspection of the premises for the purpose of re-instating the permit by filing an additional application for a permit at the Office of Animal Control on the form required by the Animal Control Director. Within five working days after receiving the application, an Animal Control Officer shall make an inspection. If the applicant and the site are in compliance with the requirements of this ordinance and all other applicable laws, regulations and ordinances, the permit may be re-instated.

6.6.04 Bona Fide rescue organizations must be registered, inspected and approved by the Animal Control Director to be exempt from permit requirements.

6.7.00 GUARD DOG SITE I PERMIT

6.7.01 Guard Dog Permit. A person who wishes to use a guard dog shall first obtain a guard dog permit.

6.7.02 Guard Dog Housing. In addition to the facilities and care standard requirements for Permitted Premises set forth elsewhere in this here ordinance, the area where the guard dog is housed, while not on duty, shall be secured in a manner which will prevent their escape. The off duty housing area shall be kept locked when not in use. Guard dog premises shall be posted with warning signs at least 12 inches long on each side. The warning signs shall state Guard Dog or Owner/Guardian and shall show a picture of an aggressive dog. The warning signs shall be posted not more than 200 feet apart on the exterior of the fences or walls surrounding the site, and shall be posted at all exterior corners of the site and every entrance to the site.

6.8.0 EXCEPTIONS TO PERMITTED PREMISES

The following are not required to obtain a permit:

1. A veterinary hospital or clinic operated by a licensed veterinarian.
2. A bona fide research institution, using animals for research.
3. A publicly owned Animal Control Center or Shelter.

7.0.0 FEE ADJUSTMENT, PENALTY, SAVINGS, REPEALING

7.1.0 FEE ADJUSTMENTS

7.1.01 All fees included in this ordinance will be reviewed as appropriate to consider changes in the cost of providing services and related increases or decrease in fees.

7.2.00 PENALTY CLAUSE

7.2.01 Any person who violates any of the provisions of the Valencia County Animal Control Ordinance shall be deemed guilty of a misdemeanor.

7.2.02 Each offense of this ordinance shall be considered a separate offense.

7.2.03 Each day that a violation continues shall be considered a separate offense.

8.3.00: SAVINGS CLAUSE

8.3.01 If any of these sections, subsections, sentences, clauses, words or phrases, are held to be unconstitutional or invalid, the validity of the remaining portions of

this ordinance shall not be affected since it is the express intent of the Valencia County Commission to pass each section, phrase, paragraph and word separately.

8.5.0 REPEALING CLAUSE

8.5.01 All other County Commission Ordinances relating to dogs and/or cats, or to the control of same, and which are in conflict with the above provisions are hereby repealed.

APPENDIX A SCHEDULE OF FEES

9.0.01 The following fee schedule shall apply to the corresponding sections set forth in this Ordinance.

9.0.02 Impoundment: Twenty-five dollars (\$25.00) per animal for the first impoundment. Each subsequent impoundment of the same animal shall increase by increments of ten dollars (\$10.00). There shall be no limit to the amount of accumulated impoundment fees paid by an owner/Guardian for any animal.

9.0.03 Boarding fees; Ten dollars (\$10.00) per day or any portion of a day, per impounded animal. This shall be paid in addition to any other fees or penalties for an impounded animal.

9.0.04 Rabies Quarantine: Twelve dollars (\$12.00) per day or any portion of a day. While under quarantine, the quarantine fee shall apply. Any day or any portion of a day that the animal remains in custody of Animal Control beyond that required for quarantine, shall revert to regular boarding fees of ten dollars (\$10.00) per day.

9.0.05 Adoption: The fee to adopt any dog or cat shall be ten dollars (\$10.00) in addition to a sterilization fee or deposit.

9.0.06 Sterilization Fee or Deposit for Adoptable Animals: The prepaid sterilization fee shall be fifty five dollars (\$55.00). Sterilization fees shall be applicable for sterilization at a participating veterinary facility. The Sterilization deposit shall be twenty-five dollars (\$25.00). The sterilization deposit shall be refunded to the person adopting an animal upon completion of the sterilization agreement within the required time period.

9.0.07 The sterilization deposit for any intact or undetermined animal reclaimed by its Owner/Guardian from impoundment at the Animal Control Shelter shall be seventy-five dollars (\$75.00). The applicable sterilization deposit shall be charged for any animal for which there is no prior proof of sterilization. The sterilization deposit shall be refunded upon presentation of proof that the animal has been sterilized by a licensed veterinarian within the required time period.

9.0.08 Licensing fees: The fee for registering a sterilized dog or cat shall be five dollars (\$5.00) per animal per year. The fee for registering an intact dog or cat shall be twenty-five dollars (\$25.00) per animal per year in addition to an intact animal permit fee.

9.0.09 Replacement cost of lost license tags: When the license has been issued for less than six (6) months, the replacement cost shall be one dollar (\$1.00). When the license has been issued for more than six months, the

replacement cost shall be five dollars (\$5.00). Tags issued shall be valid for one year from the date of original issue,

9.0.10 Traps: There shall be a thirty dollar (\$30.00) deposit for all traps, refundable upon return of the trap in good condition to the Animal Control Shelter.

9.0.11 Permitted Premises: The fee for a Premises Permit shall be fifty dollars (\$50.00) per year for a Commercial Kennel or Pet Shop; Twenty-five (\$25.00) per year for a Humane Society, Guard Dog Site or Hobby Kennel. Possession of a permit precludes purchase of individual animal licenses for those dogs and/or cats maintained by the permit holder on the site for which, and the purpose for which, the permit is issued.

9.0.12 Intact Animal Permits: The fee for persons wishing to maintain an unsterilized animal shall be one hundred dollars (\$100.00) per animal for each intact animal they choose to keep. Permits shall be good for one year from date of issue and the fee shall be in addition to any license fee or applicable impoundment fee. Intact Animal Permits shall be revoked, and the animal required to be sterilized at the expense of the Owner/Guardian, if the animal is found to be running at large, at any time, within the county's jurisdiction, or it is known that the animal has been bred or allowed to breed.

9.0.13 Litter Fee: The fee for any person not holding a current and valid Permitted Premises certificate, that allows dogs or cats under his/her care to breed and produce a litter, shall pay a fee of twenty five dollars (\$25.00) per litter. This fee is refundable upon verification that the mother dog or cat has been sterilized within three months of litter birth.

9.0.14 Additional Fees For Impounded Animals: In certain situations, additional fees may be imposed on impounded animals for necessary emergency veterinary medical treatment. Only animals with current, valid license tags attached to a collar and worn by the animal at the time of impoundment, will be eligible for emergency veterinary medical treatment. Fees charged by a veterinarian for such treatment shall be passed on to the Owner/Guardian at the time of reclamation. No animal that has received such treatment shall be released back to the Owner/Guardian until these fees have been paid. Known Owner/Guardians of animals wearing tags and having received medical treatment are responsible for all costs incurred whether they reclaim the animal or not.

9.0.15 Failure to Renew Permit as Required. The late fee for Permit Renewal shall be ten dollars (\$10.00) per month until the permit has been renewed.

Noted changes, additions, and revisions.

1. An extensive revision to the ordinance has been made and includes necessary changes, additions and revisions. A summary of these changes are as follows.
2. Adding definitions and sections relating to:
  - a. abandoned animals

- b. dangerous dogs
  - c. animal cruelty and abuse
  - d. public nuisance animal
  - e. unprovoked attack
  - f. working day
  - g. separate appendix setting forth fees
  - h. separate appendix setting forth fine amounts.
3. The changes, additions and revisions have been made for the following reasons:
  - a. To allow for more effective enforcement
  - b. To further protect public health, safety and welfare
  - c. To clarify vague or complicated sections
  - d. To correct typographical or grammatical errors
  - e. To accommodate annual review and possible changes to fees and fines without changes to the body and text of the ordinance.
4. Changes/increases in certain fees have been requested in order to help assist the Shelter in meeting the needs relevant to the care and sheltering of animals impounded without further burden on the general population of citizens of the county. This is an attempt to promote Owner/Guardian responsibility for the animals they choose to keep as pets. It is also a means to promote the routine spay/neuter of animals.
  - a. Increasing the reclamation fee for intact animals
  - b. Increasing the cost of licensing for intact animals
  - c. Imposing new licensing requirements for all dogs and cats and causing these licenses to be renewable annually. Setting separate license fees for altered animals and those unaltered.
5. Expected negative responses to changes from the public include:
  - a. Objecting to any fee increases.
  - b. An escalation of un-claimed animals for a minimum of the first six months after enactment.
  - c. Resistance to the licensing requirements causing more citations to be issued.
  - d. A possibility of more animals being abandoned during the minimum first six month after enactment.
6. Expected positive response to changes
  - a. The lowering of frustration by citizens when officers have been unable to act due to weak areas of law, especially when dealing with aggressive or dangerous dogs.
  - b. Increase in the number of sterilized animals, resulting in a lower birth rate of unwanted animals and thereby followed by a reduction in the number of animals euthanized.
  - c. Ability to better identify Owner/Guardianship in order to safely return missing pets to their homes.
  - d. Better able to track and insure rabies vaccinations that are required by state law.