

ORDINANCE   91  

AN ORDINANCE COVERING THE LICENSING AND REGULATIONS OF DOGS AND CATS WITHIN THE TOWN LIMITS OF ELIDA, NEW MEXICO.

BE IT ORDAINED BY THE GOVERING BODY OF THE TOWN OF ELIDA, NEW MEXICO:

## SECTION 1

No person shall own, keep or harbor any dog or cat within the Town limits unless the dog or cat is licensed. No more than 4 dogs and 4 cats, 4 months of age or older may be owned per family or household. Written applications shall be made to the Town of Elida, Town Clerk or representative. The application shall state the owners name and address along with the name, breed, color and sex of dog or cat. A current updated rabies certificate verifying vaccination must be presented at the time of application for each dog and cat.

## SECTION 2

A license fee of \$5.00 for each dog and \$1.00 for each cat. Licenses shall be issued annually and shall be renewable during the anniversary month of the originally issued license and shall expire on the last day of the anniversary month. A tag may be issued and should be affixed to collar of dog or cat.

## SECTION 3

Authority shall be given to Animal Control Officers and or Public Safety Officers appointed by the Town Board of Trustees to enforce and issue citations for any violations contained in this Ordinance and of any law of the State of New Mexico relating to the care, treatment, control and prevention of cruelty to animals, dogs and cats.

## SECTION 4

## IMPOUNDMENT

The Animal Control Officer or Public Safety Officer shall pickup up and impound every dog or cat found running at large suspected of rabies, injured or diseased, believed to have been cruelly treated or known to be vicious. Impoundment will be left to the discretion of the officers who may decide to release dogs or cats to owners with a warning. That warning may be verbal or written and may also decide to cite owners whose dogs and cats are running at large, rather than impounding the dog or cat. If the dog or cat is impounded, a fee of \$12.00 per day will be assessed to the owner. A dog or cat shall be deemed running at large if the owner is not present or under his control while on public property or private property not his own. Notice shall be given as soon as possible to owners if known. Dogs and cats shall be kept a minimum of two days. After two days dogs and cats may be humanely euthanized, destroyed or given to some one who agrees to take ownership of said cat or dog. They must pay all fees due and assume responsibility for dog or cat to comply with the above stated ordinance in full.

## SECTION 5

## REGULATING DOGS &amp; CATS

It is a petty misdemeanor, and a violation of this chapter for any person to do any of the following:

1. To willfully abandon a dog or cat within the Town limits.
2. To allow a dog or cat to run at large within the Town limits.
3. To own a dog or cat which has not been vaccinated for rabies at least once in each 12 month period.
4. To own a dog or cat that has not been licensed once in each twelve month period.

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5. To own or harbor a dog which annoys others by constant or consistent loud or frequent barking, howling, yelping or any other noise.
6. To own, harbor or maintain an animal which is a nuisance; for purpose of this section, an animal nuisance shall be an animal that:
- A. Habitually prowls around, on or through premises which do not belong to its owner.
  - B. Overturns garbage cans or scatters the contents of garbage cans.
  - C. Habitually chases motor vehicles, bicycles, or any other vehicle, or people.
  - D. Scratches or digs up yards, flower beds, gardens, shrubs or trees.
7. To willfully or intentionally hinder or obstruct the Animal Control Officer in the performance of his official duties.

SECTION 6

PENALTY

Any violation of the above sections or ordinance shall be punishable by a fine of not less than \$25.00 and not more than \$500.00, plus any court costs.

SECTION 7

All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF FEBRUARY, 1999.

Bennie L. Thurman  
Bennie L. Thurman - Mayor

ATTEST:

Madie Swagerty  
Town Clerk