

**COUNCIL OF THE VILLAGE OF BOSQUE FARMS, NM
MINUTES OF THE ANIMAL CONTROL WORKSHOP
FEBRUARY 11, 2015**

1. CALL TO ORDER

Mayor Robert G. Knowlton called the meeting to order at 6:01 p.m.

2. ROLL CALL

Present were Mayor Robert Knowlton, Councilors Russ Walkup, Dolly Wallace, Bill Kennedy and Wayne Ake, Clerk/Administrator Gayle Jones, Animal Control Officer Vincent Otero, Planning and Zoning Officer Loretta Hatch and Attorney Mark Jarmie.

3. DISCUSSION OF ANIMAL CONTROL ORDINANCE

The Mayor gave a brief history on this animal control ordinance and stated that the copy that the Council has is the last one Council worked on in 2011. He stated that he would like to go through it section by section.

Dolly Wallace stated that she would like to go back to the original document that the Committee sent to Council in 2008. The Mayor disagreed and stated that we need to start where Council left off. Russ Walkup stated that he doesn't want to start from the beginning. Bill Kennedy and Wayne Ake agreed with Russ Walkup. Dolly Wallace stated that she would like to have the original document on record to refer back to. The Mayor retrieved his copy of the original document. There was discussion.

Dolly Wallace requested the Mayor discharge the committee at the next Council Meeting. The Mayor will research this.

The Governing Body discussed the Animal Control Ordinance section by section and the following changes were proposed:

8-1-3 PURPOSE

8-1-3 D. was changed to read "To regulate and control animals within the Village."

8-1-3 E. was changed to read "Protect animals from neglect, abuse and cruelty."

8-1-3 F. was changed to read "Promote responsible animal ownership."

8-1-3 G. was changed to read "Support the Right to Farm Act and Animal Welfare Act."

Animal Control Workshop Minutes
2/11/15 Page 2

8-1-3 I. was changed to read “Assist in providing control of animals not under the jurisdiction of the New Mexico Livestock Board and the New Mexico Department of Game and Fish.”

8-2-2 DEFINITIONS

8-2-2 C. was changed to read “Animal – Any dog, cat or exotic animal.”

8-2-2 T. was changed to read “Exotic Animal – any vertebrate animal, excluding man, wild animals, livestock and companion animals.”

8-2-2 W. was changed to read “Hobby Breeder Premises – means a premises operated by person(s) involved in: the controlled breeding of dogs and/or cats, that produces and may offer for sale, eighteen (18) puppies or kittens or three (3) litters, whichever is less, per calendar year.”

8-2-2 DD c. was changed to read “Acting in a highly aggressive manner within a fenced yard or enclosure.”

8-2-2 HH. was changed to read “Service/Therapy Animal – 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.

8-3-1 RULES AND PROCEDURES

8-3-1 A. was changed to read “The Village Clerk/Administrator is responsible for the administration of this Ordinance.”

8-3-3 SCHEDULE OF FEES AND OTHER ASSIGNABLE COSTS

8-3-3 B. was changed to read “Payment of any and all fees and other assignable costs shall be made to the Village in a method acceptable to the Village and become due within ten (10) days of notice.

8-3-4 ANIMAL CONTROL

8-3-4 D. was changed to read “Animal Control Authority shall, consistent with state laws, impound or destroy an animal in the act of pursuing, wounding, or killing livestock or poultry, or attacking a human. If the animal is impounded, Animal Control Authority shall attempt to identify and notify the Owner or Custodian.”

“There shall be no liability on the part of Animal Control Authority or the Village for damages for such destruction of the animal.”

Animal Control Workshop Minutes
2/11/15 Page 3

8-3-4 G. was added back in the Ordinance to read “When acting in the course and scope of their employment, Animal Control Authority is hereby authorized to carry, on their person or in Village vehicles, and use on animals, loaded tranquilizer guns approved by the Village Clerk/Administrator.”

8-3-5 IMPOUNDING, SEIZURE AND FOUND ANIMALS

8-3-5 B. 1. was changed in part to read...”If Animal Control Authority...”

8-3-5 B. 2. was changed to read “Under exigent circumstances, when Animal Control Authority witnesses a situation, and in their judgment determines that an animal’s life is in jeopardy and requires immediate action to protect the animal’s health or safety, Animal Control Authority may impound the animal without warrant or notice to the pet owner.”

8-3-5 C. was changed in part to read...”Animal Control Authority...”

8-3-5 D. was changed to read “Any known Owner or Custodian of an animal that is impounded pursuant to this Section shall be given written notice thereof.”

Change 8-3-5 E. to read “**E. RETENTION OF ANIMALS RUNNING AT LARGE/FOUND ANIMALS**”

8-3-6 RECORD KEEPING

8-3-6 A. was changed in part to read...”Animal Control Officer(s)...”

8-3-6 A. 3. was changed to read “The location of the animal.”

8-3-7 DISPOSITION OF IMPOUNDED ANIMALS

8-3-7 A. was changed to read “The Owner or Custodian of an impounded animal may be allowed to reclaim their animal as provided by this Ordinance or any other provisions by law.”

8-4-2 CONFINED AND TETHERED ANIMALS AND CARE AND MAINTENANCE

Council discussed this section but did not come to a consensus.

The Governing Body ended their discussion of the Animal Control Ordinance on page 13 under tethered animals.

Animal Control Workshop Minutes
2/11/15 Page 4

4. ADJOURNMENT

Mayor Knowlton adjourned the meeting at 8:55 p.m.

PASSED, APPROVED AND ADOPTED THIS 19TH DAY OF FEBRUARY 2015.

Wayne Ake, Mayor Pro-Tem

(SEAL)

ATTEST:

Gayle A. Jones, Clerk/Administrator