

TOWN OF TAOS

AMENDED ORDINANCE NO. 644

AN ORDINANCE PROVIDING FOR THE LICENSING, REGULATING VACCINATION, AND IMPOUNDING OF DOGS AND CATS WITHIN THE MUNICIPAL BOUNDARIES AND PRESCRIBING A PENALTY FOR VIOLATION.

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

ARTICLE I: WORDS AND PHRASES DEFINED.

SECTION 1. DEFINITIONS.

- (a) Owner: Any person, group of persons or corporation owning, keeping or harboring a dog or cat;
- (b) Vaccination: Protection provided against rabies by inoculation with anti-rabies vaccine recognized and approved by the U. S. Department of Agriculture, Bureau of Animal Industry, State of New Mexico Rabies Control Act of 1959, given in an amount sufficient to provide immunity from rabies for a minimum of one (1) year;
- (c) Exposed to rabies: A dog or cat is considered exposed to rabies if bitten by any other animal known to be infected with rabies or if it is known that the dog or cat has been in contact with an animal known or reasonably suspected to have rabies;
- (d) Bite or bitten: An actual puncture or tear of the skin inflicted by the teeth of an animal;
- (e) Spayed Female: A female dog or cat which has been operated upon by a licensed veterinarian to prevent conception permanently, as attested by a document signed by the veterinarian to the effect that such an operation has been performed;
- (f) Dog: Any dog, bitch, or whelp over three (3) months of age;
- (g) Cat: Any male or female Felidae over three (3) months of age;
- (h) Animal Control Officer: Any person designated by the Town of Taos to carry out the purposes of this Ordinance. The City Police of the Town of Taos is ex officio hereby designated as Animal Control Officer for the Town, except that, if the Town Council should designate any other person in this capacity, the City Police shall cease to be ex officio Animal Control Officer, except that nothing herein said shall be construed to prevent the City Police from acting as the Town law enforcement officer to enforce the laws of the Town as provided herein;
- (i) Running at Large Means: Off or away from the premises of the owner, possessor or keeper and not under the control of such owner, possessor or keeper or his agent or servant or member of his immediate family, either by leash, cord or chain, not more than ten (10) feet in

length;

- (j) Neutered Male: A male dog or cat which has been operated upon by a licensed veterinarian to render him incapable of spermatogenesis, as attested by a document signed by the veterinarian to the effect that such an operation has been performed;
- (k) Enclosed Lot: Parcel of land or portion thereof in private ownership around the perimeter of which a wall or fence has been erected;
- (l) Licensed Veterinarian: A person with a Doctor of Veterinary Medicine Degree licensed to practice in the State of New Mexico;
- (m) Nuisance: Means but is not limited to defecation, disturbing the peace, emitting noxious or offensive odors or otherwise endangering or offending the well-being of the inhabitants of the Town of Taos;
- (n) Vicious Animal: Any animal which shall bite or in any other manner attack or attempt to attack any person within the Town of Taos 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.

ARTICLE II: HEALTH PROVISIONS: VACCINATION AND BITES.

SECTION 1. ANNUAL VACCINATION OF DOGS AND CATS REQUIRED.

- (a) It shall be the duty of every owner of a dog or cat within the Town boundaries to have the dog or cat vaccinated annually by a licensed veterinarian;
- (b) All dogs and cats shall be vaccinated annually. Upon completion of the vaccination the veterinarian shall give the dog's owner a certificate attesting to the vaccination and a metal tag to be affixed to the animal's collar.

SECTION 2. VACCINATION CERTIFICATES & TAGS.

- (a) The vaccination certificates shall be prepared by the veterinarian in duplicate retaining one for his record and giving a copy to the owner. The certificate shall include the following:
 - (1) The name and address of the owner or harbinger of the inoculated dog or cat;
 - (2) The date of the inoculation;
 - (3) The year and series number of the tax;
 - (4) The breed, age, color and sex of the inoculated animal;
 - (5) The type and brand name of the rabies vaccine used.
- (b) The copy of vaccination certificate shall be retained by the owner and presented to the Town Clerk when applying for a license;
- (c) A metal tag shall be given to the owner to be attached to the collar of the inoculated dog. Each tag shall bear the name: "Town of Taos" and shall have a separate number;
- (d) Neither the certificates or tags are transferable to another



er animal;

- (e) Replacement tags may be purchased from the Town Clerk;
- (f) Dogs or cats brought into the Town having a current vaccination shall be held in compliance with this Ordinance if the animal has been vaccinated with approved vaccine within the past twelve (12) calendar months.
 - (1) If an imported dog or cat remains in the Town for more than thirty (30) days, then it shall be registered in accordance with the provisions of this Article;
 - (2) The requirements for vaccination shall not apply to dogs or cats belonging to non-residents of the Town when the animal is kept at all times within a building or vehicle or under immediate control.

SECTION 3. REPORTING REQUIREMENTS WHEN PERSONS ARE BITTEN.

- (a) It shall be the duty of every physician to report to the State Health Department and Town Clerk concerning the biting of any person by a dog, cat or other animal. If a child is bitten it shall be the duty of the parent or guardian of the child to make a report to the State Health Department and Town Clerk concerning the bite. If an adult is bitten it is his duty or the duty of those caring for him to make such a report. The requirements for the report are:
 - (1) Made within twelve (12) hours after the bite;
 - (2) Name, age, sex and address of the person bitten;
 - (3) Type and location of the bite;
 - (4) If possible the address where the bite occurred; and,
 - (5) Address of the owner of the animal;
 - (6) Description of an immunization status of the animal.

SECTION 4. REQUIREMENTS WHEN A DOG OR CAT IS BITTEN BY A RABID ANIMAL

- (a) Whenever a dog, cat, or other animal is bitten by a rabid animal or an animal later proves to have been rabid, it shall be the duty of the owner of the animal that is bitten to report that fact to the District Health Officer and the Town Clerk.
- (b) It shall be the duty of the owner of the bitten animal to either kill or have his bitten animal killed; unless
 - (1) The animal which was bitten has been vaccinated against rabies at least three (3) weeks before being bitten and has a current vaccination; and
 - (2) If the bitten animal has a current vaccination, it shall be confined for ninety (90) days; and
 - (3) The bitten animal shall be released from confinement only upon written order from a veterinarian, who declares the animal to be free of rabies; and
 - (4) If the animal is found to have contracted rabies during confinement it shall be killed and properly disposed of.

SECTION 5. CONFINEMENT AND INSPECTION OF A DOG WHICH HAS BITTEN A PERSON.

- (a) When any person is bitten by an animal, it is the duty of such person or his parent or guardian and of the owner or keeper of the animal immediately to notify the District Health Officer and Town Clerk;
- (b) The owner or keeper of the animal shall immediately and at his own expense securely confine the animal for a period of at least ten (10) days at a place designated by the District Health Officer or Town Clerk;
- (c) If the animal dies during the confinement period, the head of the animal shall immediately be sent to a laboratory designated by the State Board of Health.

SECTION 6. QUARANTINE.

- (a) When the Town is notified by the State Health Department that there is danger that rabies exists and may spread within its jurisdiction, it shall publish a notice in the official newspaper or newspapers of the Town that all owners of dogs or cats shall confine those animals;
- (b) During the quarantine no dogs or cats shall be removed from the Town;
- (c) Any dog or cat running at large during the quarantine may be killed by any law enforcement officer;
- (d) The only dogs allowed to move about during the quarantine are guide dogs being used by a blind person.

ARTICLE III:

SECTION 1. LICENSE REQUIRED.

- (a) No dog or cat owner shall keep any dog or cat within the Town after sixty (60) days from the effective date of this Ordinance, unless a license therefor has first been secured. Licenses shall be issued by the Town Clerk for a fee of \$2.50 for each neutered male or spayed female and \$3.50 for each unneutered male or unspayed female. An applicant for a license for a spayed female shall present a statement from a qualified veterinarian indicating that the animal has been spayed and giving the date of the operation. Licenses shall expire on the last day of the same month of issuance in the year next following their issuance;
- (b) No licenses shall be issued unless the owner produces the vaccination certificate issued by the veterinarian who gave the animals [sic] its vaccination in accordance with Section 77-1-3 through Section 77-114 NMSA 1978. No licensing fees shall be required to be paid for a dog trained to lead a blind person if that dog is used for that purpose by a blind person.
- (c) Any owner presenting a certificate from a qualified licensed veterinarian to the effect that the animal to be licensed has been spayed or neutered and the date of such operation, shall obtain a lifetime license for the animal for a fee of \$2.50. This Section does not exempt said animals from the annual vaccination requirements set forth in this Ordinance.

SECTION 2. DATE OF PAYMENT.

It shall be the duty of each owner of a dog or cat to pay the license fee imposed in Section 1 to the Town Clerk on or before sixty (60) days from the effective date of this Ordinance. The Clerk shall cause a notice of the necessity of purchase of the license fee to be published in The Taos News no less than one (1) week from the effective date. Thereafter, new licenses must be acquired within thirty (30) days of acquiring ownership and possession of an unlicensed animal, or establishing residence in the Town, or on or before expiration of the license term specified above.

SECTION 3. RECEIPTS AND TAGS.

Upon the payment of the license fee, the Town Clerk shall execute a receipt in duplicate. She shall deliver the original receipt to the person who pays the fee, retaining the duplicate. She shall also procure a sufficient number of suitable metallic tags, and shall deliver one appropriate tag to the owner when the fee is paid.

SECTION 4. AFFIXING TAGS.

The owner shall cause said tag to be affixed by a permanent metal fastening to the collar of the animal so licensed in such a manner that the tag may be easily seen by officers of the Town. The owner shall see that the tag is constantly worn by such animal, unless in a residence or permanent kennel.

SECTION 5. IMPOUNDING.

Sixty (60) days after the taking effect of this Ordinance the City Police or Animal Control Officer of the Town shall take up and impound any dogs found in the Town without valid license tags provided in Article II, Section 2 and Article III, Section 1 hereof, and shall impound any dogs found running at large as provided in Article V, Section 1. Officers shall be authorized to enter upon any unenclosed lot or enclosed lot or premises for the purpose of enforcing this section; however, this shall not be construed to allow any unconsented or prohibited entry into any home, enclosed lot, or portion of any other building not directly and normally accessible to the public unless the officer acquires a warrant from a court of law allowing such an entry and search of the premises.

SECTION 6. REDEMPTION.

Any dog or cat may be redeemed from the pound by the owner within the time stated in the notice by the payment to the Clerk of; the license fee for the current year, if the animal was unlicensed, an impounding fee of \$10.00, plus a charge of \$25.00 to cover the actual cost of impoundment.

SECTION 7. RELEASE.

Upon presentation of a correct license tag and a receipt for a license for the current year and for the fees provided in Section 1 above, the poundmaster shall release to the owner the dog or cat he claims to own.

SECTION 8. DUPLICATE TAGS.

In case any license tag is lost, duplicates may be issued by the Clerk upon presentation of a receipt showing the pay-

ment of a license fee for the current year for that animal. A charge of \$1.00 shall be made for each such duplicate tag.

ARTICLE IV:**SECTION 1. PLACE OF IMPOUNDMENT.**

The Town shall establish or designate a holding facility as the place of impoundment. Such facility shall conform to the following minimum requirements:

- (a) Structural Strength. Holding facilities for animals shall be structurally sound and shall be maintained in good repair, to protect the animals from injury, to contain the animals, and to restrict the entrance of other animals.
- (b) All animals and all animal buildings or enclosures shall be maintained in a clean and sanitary condition.
- (c) All animals shall be so maintained as to eliminate excessive and night-time noise;
- (d) No animals shall be without attention for more than twelve (12) consecutive hours;
- (e) Every reasonable precaution shall be used to insure that animals are not released, abused, mistreated, annoyed, tormented or in any manner made to suffer by any person or means;
- (f) No condition shall be maintained or permitted that is or could be injurious to the animals;
- (g) Animal buildings and enclosures shall be so constructed and maintained as to prevent escape of animals. All reasonable precautions shall be taken to protect the public from the animals and the animals from the public;
- (h) The holding facility shall isolate sick animals sufficiently so as not to endanger the health of other animals. Sick animals shall at all times be isolated from the other animals;
- (i) Every building or enclosure wherein animals are maintained, shall be constructed of material easily cleaned and shall be kept in a sanitary condition. The building shall be properly ventilated to prevent drafts and remove odors. Heating and cooling shall be provided as required, according to the physical needs of the animals, with sufficient light to allow observation of animals and sanitation.
- (j) All animal rooms, cages, kennels and runs shall be of sufficient size to provide adequate and proper accommodations for the animals kept therein;
- (k) Provide proper shelter and protection from the weather at all times;
- (l) Not give an animal any alcoholic beverage, unless prescribed by a veterinarian;
- (m) Not allow animals which are natural enemies, temperamentally unsuited, or otherwise incompatible, to be quartered together or so near each other as to cause injury, fear or torment;

If two or more animals are so trained that they can be placed together and do not attack each other or perform or attempt any hostile act to the others, such animals shall be deemed not to be natural enemies.



SECTION 2. NOTIFICATION OF OWNER OF IMPOUNDED CAT OR DOG.

- (a) If the identity of the owner of an impounded dog or cat is known he shall be notified of the impoundment of his dog or cat;
- (b) Impounded dogs and cats shall be kept for seven (7) days at which time if the animal has not been claimed it shall either be humanely killed or be released for sale to a person upon payment of the pound charge plus a service fee of \$10.00. Any dog or cat taken from the pound in such a manner shall have received its vaccination and license prior to departure from the pound. The person buying the animal shall be liable for vaccination and license charges;
- (c) If the identity of the owner of the impounded dog or cat is not known and if the animal is suffering due to accident and/or disease, the Director of the designated holding facility, upon the advice of a veterinarian, in his sole discretion, may humanely kill said animal.

ARTICLE V: PROHIBITED ACTIVITIES.

- (a) **Animals Running at Large.** It is unlawful for any person to allow or permit any animal to run at large in or on any street, alley, sidewalk, vacant lot, public property, or other unenclosed space in the Town or private property without the permission of the owner thereof. 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 may be taken up and impounded as provided in Article III, Section 5. Notwithstanding any provision herein, cats are not required to be leashed;
- (b) **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 property line;
- (c) **Vicious Animals.** It is unlawful for any person to keep or harbor a vicious animal in the Town of Taos. 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 Animal Control Officer for destruction.
- (d) **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 Taos, or to keep or maintain in such a manner as to disturb by noxious or offensive odors, or otherwise endanger the health and welfare of the inhabitants of the Town of Taos;
- (e) **Animal Nuisances on Sidewalks, Public Parks, Alleys and Other Places Open to the Public.** 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 the sidewalk or public park; or upon the floor or wall of any common hall in any multiple dwelling; or upon any entrance way, stairway or wall immediately abutting on a public sidewalk; or upon the floor or wall of any theatre, shop, store, office building or other building used in common by the public; or upon any private property other than that of the owner of the animal.
- (f) **Unlawful Use of License Tag.** It is unlawful for any person to move any license tag from one animal to another. It shall be unlawful for any person to manufacture or cause to be manufactured or to have in his control a stolen, counterfeit or forged animal license tag, rabies vaccination certificate or other form of licensing required under this Ordinance;
- (g) **Dogs Trained to Assist the Blind Allowed 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, provided that such dog be in the company of the blind person whom it was trained to assist in conformance with N.M.S.A. 77-1-14 (1978);
- (h) **Physical Abuse.** It shall be unlawful for any person to willfully or maliciously torture, torment, cruelly beat, mutilate or cruelly kill any animal except that reasonable force may be employed to drive off vicious or trespassing animals;
- (i) **Work Cruelty.** It shall be unlawful for any person to cruelly drive or work any animal when such animal is unfit for labor;
- (j) **Care and Maintenance.** 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 any animal in or upon any vehicle in a cruel or inhuman manner [sic]. Any animal habitually kept outside shall be provided with a structurally sound, weather-proof enclosure, large enough to accommodate the animal;
- (k) **Abandonment of Animals.** It is unlawful for any person to abandon any animal within the Town of Taos. All animals which are to be abandoned shall be turned over to a place of impoundment as defined in Article IV, Section 1;
- (l) **Animal 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;
- (m) **Uncared for Animals.** Whenever the Animal Control Officer finds that any animal is or will be without proper care because of injury, illness, incarceration or other voluntary absence of the owner or person responsible for the care of such animal, the Animal Control Officer may take up such animal for protective care; and in the



event of sickness or injury upon the advice of a licensed veterinarian, the Animal Control Officer may take such action as called for to prevent undue pain and suffering, including immediate destruction of the animal;

- (n) **Injury to Animals by Motorists.** Every operator of a motor or other self-propelled vehicle upon the streets and ways of the Town of Taos 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 Animal Control Officer furnishing sufficient facts relative to such injury. It is the duty of such operator to 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 a place of impoundment as defined in Article IV, Section 1, and notifying the Animal Control Officer. Such animal shall be deemed an uncared for animal within the meaning of Article V (m) above. Emergency vehicles are excluded from this provision;
- (o) **Keeping of Diseased or Painfully Crippled Animals.** It is unlawful for any person to have, keep or harbor any animal which is infected with any dangerous or incurable and/or painfully crippling condition except as hereinafter provided. The Animal Control Officer may impound such diseased or painfully crippled animal in accordance with the provisions of this Ordinance. All such animals impounded may be destroyed humanely as soon thereafter as conveniently possible. In the case of destruction of such animal, the Animal Control Officer 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;
- (p) **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 are engaged for the purpose of injuring, killing, maiming or destroying themselves or any other animal;

ARTICLE VI:

SECTION 1. ANIMAL CONTROL OFFICER’S DUTIES. The Animal Control Officer shall have the authority to issue citations for violations of this Ordinance and to perform such other duties as are prescribed herein. An Animal Control Officer shall wear a uniform and shall wear a numbered badge identifying him as an Animal Control Officer.

SECTION 2. The Animal Control Officer shall have the same power in regard to this Ordinance as if he were a full time Town Policeman, including but not limited to powers of arrest for violation of this Ordinance.

ARTICLE VII:

SECTION 1. PENALTIES.

Any person who violates any of the provisions of this Ordinance shall be liable to penalty of \$10.00 for the first offense and not less than \$25.00 nor more than \$50.00 for each subsequent offense in an action at law brought by the Town.

SECTION 2. SAVING CLAUSE.

If any of the sections, subsections, sentences, clauses or phrases are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not thereby be affected, since it is the express intent of the governing body to pass each section, phrase, paragraph and word separately.

SECTION 3. REPEALING CLAUSE.

Any Ordinance or part thereof solely relating to animals or the control of the same heretofore imposed by the Town and that are in conflict with this Ordinance are hereby repealed.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect seven (7) days after publication of the final Ordinance.

PASSED, ADOPTED AND APPROVED THIS 7th day of SEPTEMBER, 1980

TOWN OF TAOS ORDINANCE NO. 97-37

AN ORDINANCE AMENDING TOWN OF TAOS CODE OF ORDINANCES AS TO ORDINANCE 97-10 DEALING WITH REGULATION OF ANIMALS IN PUBLIC HOUSING (REPEALING SECTION 2(A) THEREIN WHICH LIMITS THE OWNERSHIP OF PETS TO THE ELDERLY AND THE HANDICAPPED)

WHEREAS, the Town Council of the Town of Taos recognizes the benefits of pets to all residents living in the Town’s low-rent [sic]

WHEREAS, the Town Council continues to recognize that pet must receive a minimum amount of care and upkeep to lead a happy, healthy and disease-free life; and

WHEREAS, the Town Council continues to recognize that consideration must be given to the safety and well-being of public housing occupants and of the general public, and to the cleanliness, peace and orderliness of the public housing grounds and units; and

WHEREAS, the Town Council continues to desire that animal regulations in public housing be more powerfully enforced with a Town Ordinance instead of the current resolution, Advisory Housing Board Resolution No. 89-1.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Town of Taos, meeting in Regular Session, and after having held a public hearing on the matter, that the following Ordinance is hereby adopted:

SECTION 1. Town of Taos Ordinance 97-10, adopted on August 19, 1997, is hereby amended to read as follows:

SECTION 1. DEFINITIONS.

- A. "Pet" is defined as comprising the following common household pets; dogs, cats, birds, fish and small caged mammals.
- B. "Elderly or handicapped family" means an elderly or a handicapped person or family, as defined in 24 CFR 912.2.

SECTION 2. OWNERSHIP, NUMBER, SIZE, WEIGHT, HEALTH REQUIREMENTS.

- A. In no case shall a tenant have more than one pet in an apartment except for fish, birds or small caged animals.
- B. Due to the limited size of apartments no animals shall exceed 20 lbs, consistent with the character of small lap dogs. Medium and large size dog breeds are not permitted.
- C. All dogs and cats must be spayed or neutered, have all required immunizations and be licensed by the Town of Taos.
- D. Nothing in this Ordinance pertaining to size, weight or ownership requirements shall apply to animals that are used to assist the handicapped and are registered as such.

SECTION 3. REQUIREMENTS FOR ADMISSION TO PUBLIC HOUSING. Prior to Admission of any animal as defined above, the tenant must submit to the Town the following:

- A. A signed veterinarian's statement verifying the animal is in good health and has no communicable diseases or pests and has all immunizations.
- B. Signed statement from the tenant accepting complete responsibility for care, cleaning and financial responsibility of the pet.
- C. At Admission and then annually, all pets must be registered with the Town. The registration shall take place at the annually scheduled re-certification. During the new certification the tenant must produce proof of valid rabies shots and Town license.

SECTION 4. CONTROL OF ANIMALS.

- A. In the case of dogs and cats, the pets must be confined to interior of the unit. All pets (cats and dogs) must be kept on a leash when being walked/exercised outside of the unit and be accompanied by a person able to control them.
- B. All pets other than cats and dogs must be kept in fish tanks or cages at all times.
- C. All cats and dogs shall be required to wear a current Town Tag and a valid rabies tag. The tenant is strongly encouraged to have the pet wear a tag bearing the owner's name, address and telephone number.
- D. The owner of every pet will be responsible for:
 - 1. Collection and disposal of all waste left by the pet.
 - 2. Any damages caused by their pet.
 - 3. Personal liability for any damages or injury caused by a tenant's pet.
- E. The Town reserves the right to require the removal of

any pet at any time for the following reasons:

- 1. If the Town determines the pet is not being cared for properly.
- 2. Disturbance of other tenants for any reason, including but not limited to noise, odor and allergic reactions.
- 3. Damage or infestation caused by pets.
- 4. Pets that bite, attack or may be considered dangerous.

SECTION 5. VIOLATIONS.

- A. Any tenant who receives three (3) letters of violations other than for Section 4(E) above (in which case an immediate disposal of the pet may be required) must dispose of the pet and produce evidence to that effect.
- B. Any tenant who is required to dispose of their pet and does not comply shall be subject to eviction.
- C. Any violation of this Ordinance can be dealt with by the Town as any other offense or violation of Town Ordinances.

SECTION 6. Advisory Housing Board Resolution 89-1, approved and passed on March 23, 1989, and which is superseded by this Town of Taos Ordinance, is hereby repealed in its entirety.

SECTION 7. This ordinance shall become effective as provided by law. ADOPTED this 16th day of December, 1997.

**TOWN OF TAOS ORDINANCE 03 - 14
AN ORDINANCE AMENDING TITLE 6 OF THE
TAOS MUNICIPAL CODE REGARDING VACCINATION OF ANIMALS.**

WHEREAS, The State of New Mexico has adopted new regulations relating to the vaccination of cats and dogs for rabies. These regulations are set forth in the New Mexico Administrative Code; and

WHEREAS, the new regulations reads as follows:
"7.4.2.8 NMAC

- A. Dogs and cats over the age of three months shall be vaccinated against rabies. The animals shall receive a booster within the 12-month interval following the initial vaccination. Every domestic dog and cat shall be revaccinated against against rabies within 12 months if a 1-year vaccine is administered or within 36 months if a 3-year vaccine is administered with a rabies vaccine licensed by the United States Department of Agriculture and administered according to label recommendations. The "Compendium of Animal Rabies Control (CARC)," published by the National Association of Public Health Veterinarians, Inc., shall be the reference for the route of inoculation and the type of vaccine. Copies are available upon request from the department."

WHEREAS, the Town's current regulations require that a cat or dog be vaccinated annually; and

WHEREAS, the Governing Body of the Town of Taos wish-

es to amend its ordinance to comply with new Mexico State Law.

NOW THEREFORE BE IT ORDAINED by the Governing body of the Town of Taos, meeting in Regular Session and after having held a public hearing on the matter that Title 6 of the Municipal Code is hereby amended as follows:

**TITLE 6 - ANIMAL CONTROL ORDINANCES
CHAPTER 6.12 RABIES CONTROL**

6.12.010 ANNUAL RABIES VACCINATION OF DOGS AND CATS REQUIRED.

- A. It shall be the duty of every owner of a dog or cat within the town boundaries to have the dog or cat vaccinated against rabies annually or as otherwise required by New Mexico State Regulation by a licensed veterinarian.
- B. Upon completion of the vaccination, the veterinarian shall give the dog's owner a certificate attesting to the vaccination and a metal tag to be affixed to the animals collar. (Prior code § 5-51)

6.12.020 VACCINATION CERTIFICATES AND TAGS.

- A. The vaccination certificates issued pursuant to this chapter shall be prepared by the veterinarian in duplicate, retaining one for his records and giving a copy to the owner. The certificates shall include the following:
 - 1. The name and address of the owner or harbinger of the vaccinated dog or cat;
 - 2. The date of the vaccination.
 - 3. The year and series number of the tag.
 - 4. The breed, age, color, and sex of the vaccinated animal;
 - 5. The type and brand name of the rabies vaccine used.
- B. The copy of vaccination certificate shall be retained by the owner and presented to the town clerk when applying for a license under Section 6.08.040 (Prior code §5-52)

6.12.030 IMPORTED DOGS AND CATS - NONRESIDENT OWNERS.

- A. Any Dog or cat brought into town, that has a current vaccination shall be deemed in compliance with this chapter if the animal has been vaccinated within the time period required in section 6.12.010. as otherwise provided herein within the preceding twelve (12) calendar months.
- B. If an imported dog or cat remains in the town for more than thirty (30) days, then it shall be licensed and registered in accordance with the provisions of this title.

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WHEREAS, the new regulations reads as follows:

“7.4.2.8 NMAC

- A. Dogs and cats over the age of three months shall be vaccinated against rabies. The animals shall receive a booster within the 12-month interval following the initial vaccination. Every domestic dog and cat shall be revaccinated against against rabies within 12 months if a 1-year vaccine is administered or within 36 months if a 3-year vaccine is administered with a rabies vaccine licensed by the United States Department of Agriculture and administered according to label recommendations. The "Compendium of Animal Rabies Control (CARC)," published by the National Association of Public Health Veterinarians, Inc., shall be the reference for the route of inoculation and the type of vaccine. Copies are available upon request from the department."

WHEREAS, the Town's current regulations require that a cat or dog be vaccinated annually; and

WHEREAS, the Governing Body of the Town of Taos wishes to amend its ordinance to comply with new Mexico State Law.

NOW THEREFORE BE IT ORDAINED by the Governing body of the Town of Taos, meeting in Regular Session and after having held a public hearing on the matter that Title 6 of the Municipal Code is hereby amended as follows:

**TITLE 6 - ANIMAL CONTROL ORDINANCES
RABIES CONTROL**

6.12.010 ANNUAL RABIES VACCINATION OF DOGS AND CATS REQUIRED.

- A. It shall be the duty of every owner of a dog or cat within the town boundaries to have the dog or cat vaccinated against rabies annually or as otherwise required by New Mexico State Regulation by a licensed veterinarian.
- B. Upon completion of the vaccination, the veterinarian shall give the dog's owner a certificate attesting to the vaccination and a metal tag to be affixed to the animals collar. (Prior code § 5-51)

6.12.020 VACCINATION CERTIFICATES AND TAGS.

- A. The vaccination certificates issued pursuant to this chapter shall be prepared by the veterinarian in duplicate, retaining one for his records and giving a copy to the owner. The certificates shall include the following:
 - 1. The name and address of the owner or harbinger of the vaccinated dog or cat;
 - 2. The date of the vaccination.
 - 3. The year and series number of the tag.
 - 4. The breed, age, color, and sex of the vaccinated animal;
 - 5. The type and brand name of the rabies vaccine used.
- B. The copy of vaccination certificate shall be retained by

the owner and presented to the town clerk when applying for a license under Section 6.08.040 (Prior code §5-52)

6.12.030 IMPORTED DOGS AND CATS - NONRESIDENT OWNERS.

- A. Any Dog or cat brought into town, that has a current vaccination shall be deemed in compliance with this chapter if the animal has been vaccinated within the time period required in section 6.12.010. as otherwise provided herein within the preceding twelve (12) calendar months.
- B. If an imported dog or cat remains in the town for more than thirty (30) days, then it shall be licensed and registered in accordance with the provisions of this title.
- C. The requirements of this chapter for vaccination shall not apply to dogs or cats belonging to non-residents of the town when the animal is kept at all times within a building or vehicle or under the immediate control of the non-residents. (Prior code § 5-53)

ADOPTED this 21st day of Oct. 2003.