



VILLAGE OF CORRALES

ORDINANCE NO. 13-008

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AN ORDINANCE AMENDING CHAPTER 6, ANIMALS, OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, ETC. BEING ORDINANCE NO. 249, ADOPTED NOVEMBER 24, 1992, AS AMENDED BY ORDINANCE NO. 363, ADOPTED JULY 8, 2003, AND BY ORDINANCE NO. 11-011, ADOPTED MAY 24, 2011; PROHIBITING THE RESTRAINT OF DOGS BY STATIONARY TETHERS EXCEPT UNDER LIMITED CIRCUMSTANCES; PROHIBITING THE USE OF METAL CHAINS FOR THE RESTRAINT OR TETHERING OF DOGS; PROVIDING A PENALTY FOR VIOLATION.

15 **WHEREAS**, the Village of Corrales has declared itself to be an Animal Friendly Village; and

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17 **WHEREAS**, the Village has provided generally that cruelty to animals is prohibited in the Village;
18 and

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20 **WHEREAS**, the Village Council, the governing body of the Village (“Governing Body”) finds that
21 the practice of stationary tethering of dogs should be limited in scope and practice; and

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23 **WHEREAS**, the Governing Body further finds that the use of metal chains for tethering or restraint of
24 dogs should be prohibited in all circumstances; and

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26 **WHEREAS**, the Governing Body finds that persons improperly tethering dogs in violation of this
27 Ordinance should be penalized, upon conviction thereof, in accordance with applicable provisions of
28 the Code of Ordinances of the Villages.

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30 **NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Village of Corrales, New
31 Mexico, that Chapter 6. Animals of the Code of Ordinances of the Village shall be amended by the
32 addition of a new Section 6-14, reading:

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34 Section 6-14. Restraint of dogs

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36 (a) A person may restrain a dog with a stationary tether only as provided in Subsection (b) or
37 (c) of this Section 6-14. As used in this section, a stationary tether is one used to restrain a dog by tying
38 the dog to any object or structure including without limitation a house, tree, fence, post, garage or shed,
39 by any means including without limitation a rope, cord, leash or running line.

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41 (b) A dog may be restrained on a stationary tether provided all of the following requirements
42 are met:

43 (1) Tethering may only occur between the hours of sunrise and sunset.

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45 (2) The tethering apparatus must allow for freedom of movement of the dog within a
46 minimum area of 300 square feet; the minimum dimension of the dog’s tethered
47 movement in any direction must be no less than 10 feet.

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49 (3) The tethering apparatus must utilize a swivel-type attachment device at the dog’s
50 collar and at the point of attachment to an object or structure.

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52 (4) Food, water, and seasonally appropriate shelter from the elements must be easily
53 accessible to the dog within the range of movement allowed by the tether.

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55 (5) All requirements of Chapter 6 regarding the humane treatment of animals must be
56 met.

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58 (c) A dog may also be restrained by a tether if the dog is within a personal vehicle, within a
59 residence, or in an area immediately adjacent to a residence, and the owner or handler has the dog
60 continuously in sight.

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62 (d) The requirements in Subsection (a) and Subsection (b) of this Section 6-14 do not apply to
63 temporary restraint during a lawful animal event, veterinary treatment, grooming, training or law
64 enforcement activity provided the dog's owner or handler remains with the dog throughout the period
65 of temporary restraint.

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67 (e) Use of a metal chain of any size or length as a stationary or temporary tether or restraint for
68 a dog is prohibited under all circumstances.

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70 (f) Violation of this Section 6-14 shall be considered cruel treatment of an animal consistent
71 with Section 6-11 of this chapter. A person violating any provision of this Section 6-14 shall, upon
72 conviction, be penalized in accordance with Section 6-2 of this
73 chapter.

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75 **SEVERABILITY CLAUSE:** Should any section, paragraph, clause or provision of this Ordinance be
76 held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section,
77 paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The
78 Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance
79 and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more
80 sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise
81 invalid.

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83 **COMPILING CLAUSE:** The amended sections of the Village Code adopted pursuant to this
84 Ordinance shall be compiled as a part of the Code of Ordinances of the Village of Corrales, as
85 provided herein.

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87 **EFFECTIVE DATE AND PUBLICATION:** This Ordinance shall become effective and be in full
88 force and effect from and after its passage, publication and posting, according
89 to law.

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91 **PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Corrales, New
92 Mexico, this _____ day of _____, 2013.

93
94 APPROVED:

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96 _____
97 The Honorable Philip Gasteyer
98 Mayor

99 ATTEST:

100 _____
101 Juan J. Reyes Village Clerk