



## VILLAGE OF CORRALES

### ORDINANCE NO. 13-009

**AN ORDINANCE AMENDING CHAPTER 6, ANIMALS, OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, 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.**

**WHEREAS**, the Village of Corrales (“Village”) has declared itself to be an Animal Friendly Village; and

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

**WHEREAS**, the Village Council, the governing body of the Village (“Governing Body”), finds that the stationary tethering of dogs, except under limited circumstances where such restraint is reasonably necessary, is a cruel practice that should be prohibited; and

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

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

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

#### **Section 6-14. Restraint of dogs**

(a) Except as provided in Subsection (b) of this Section 6-14, a person may not restrain a dog with a stationary tether. As used in this section, a stationary tether is one used to restrain a dog by tying the dog to any object or structure including without limitation a house, tree, fence, post, garage or shed, by any means including without limitation a rope, cord, leash or running line.

(b) The prohibition in Subsection (a) of this Section 6-14 does not apply to temporary restraint during a lawful animal event, veterinary treatment, grooming, training

or law enforcement activity provided the dog's owner or handler remains with the dog throughout the period of temporary restraint. Nor does this prohibition apply to dogs restrained within personal vehicles, within personal residences or in areas immediately adjacent to residences when an owner or handler has the dog continuously in sight. A person may temporarily tether a dog no longer than is necessary to the person to complete a temporary task.

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

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

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

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

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

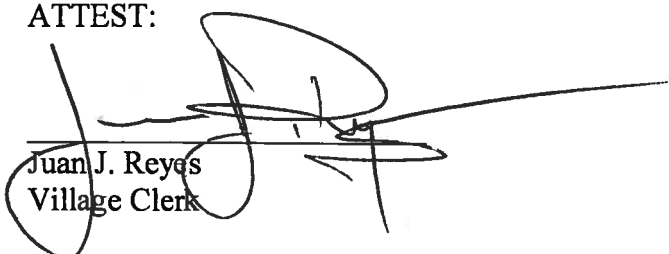
**PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Corrales, New Mexico, this 18<sup>th</sup> day of June, 2013.

APPROVED:



The Honorable Philip Gasteyer  
Mayor

ATTEST:



Juan J. Reyes  
Village Clerk