



VILLAGE OF CORRALES

ORDINANCE NO. 14-05

AN ORDINANCE PROHIBITING THE FEEDING OF PREDATORY MAMMALS WITHIN THE VILLAGE OF CORRALES; PROVIDING FOR EXCEPTIONS; ESTABLISHING PENALTIES FOR VIOLATION.

WHEREAS, the residents of the Village of Corrales (the "Village") desire to maintain a natural setting that is conducive to co-existence with wildlife; and

WHEREAS, coyotes and other predatory mammals within the Village are increasingly observed to be habituated to the presence and proximity of human activity; and

WHEREAS, coyotes and other predatory mammals that are habituated to human activity pose a significant and ongoing threat to the quality of life of residents in the Village and their companion animals and livestock; and

WHEREAS, the feeding of coyotes and other predatory mammals is a significant factor in their habituation to human activity, and interrupts their natural predator/prey relationships; and

WHEREAS, the residents of the Village desire to protect their domestic and livestock animals, and to reinforce natural behaviors in predatory mammals; and

WHEREAS, it is desirable that wildlife within the Village rely on their wild and natural prey food sources.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that the following Section 6-14 be adopted and incorporated as a part of Chapter 6. Animals of the Code of Ordinances of the Village:

Section 6-14. Feeding of Predatory Mammals Prohibited

(a) *Purpose.* The purpose of this Section is to protect the health and safety of residents and their companion animals and livestock in the Village of Corrales (the "Village"), with respect to dangers associated with coyotes and other predatory mammals, by minimizing opportunities for such animals to obtain food sources that are controlled or controllable by humans.

(b) *Definitions.* As used in this Section 6-14, the following words and phrases shall have the meaning indicated, unless a different meaning is clearly required by the context.

Attractant means any substance which could reasonably be expected to attract, is known to attract, or does attract predatory mammals, including but not limited to garbage, food products, pet food, carcasses, feed, and grain. Companion animals and livestock are not to be considered as attractants for purposes of this Section.

Companion animal means an animal that a person keeps for company and enjoyment, and also includes a working animal trained and kept for the purpose of providing assistance to any person.

Feeding means the leaving of food and/or attractants where it is available to and accessible by any predatory mammal.

Food means any and all substances consumed by humans or animals for nourishment except planted grass and landscape vegetation, growing crops, and food that is canned, sealed, or otherwise stored in a closed container that does not permit odors to escape.

Livestock means all domestic or domesticated animals typically used or raised on a farm or ranch, and includes horses, asses, mules, camelids, cattle, sheep, goats, swine, bison, poultry, ostriches, emus, rheas and farmed cervidae.

Person means a natural person or a corporation, company, firm, partnership, association or society.

Predator means an animal that naturally preys upon other animals.

Predatory mammal means any mammal considered to be a predator, including but not limited to coyotes, raccoons, skunks, mountain lions, bobcats and bears. Companion animals are not to be considered as predatory mammals for purposes of this Section.

(c) *Prohibition of feeding, exposed food or attractants.*

- (1) *Feeding, accessible food and attractants prohibited.* No person shall in any manner, intentionally or unintentionally, provide food or an attractant to predatory mammals within the Village. No person shall leave, store, or maintain any food or attractant in a manner, area, or location that is accessible to predatory mammals.
- (2) *Garbage and other attractants.* No person shall store garbage or other attractants, whether awaiting disposal as solid waste or otherwise, in an open container accessible to predatory mammals. Such materials if stored outdoors shall be stored within a strong bin or container with a tight-fitting lid, which shall be kept closed at all times except when the bin or container is opened briefly for the placement of material into it or the removal of material from it.

(d) *Exceptions.* The following activities are specifically excluded from the prohibitions contained in Subsection 6-14(c):

- (1) Feeding of birds and/or squirrels by use of elevated feeders that are located within a reasonable distance from a residence.
- (2) Indoor feeding of companion animals.
- (3) Feeding of companion animals and livestock outdoors, as long as the food is consumed over a reasonably brief period of time and is removed when it is no longer being consumed, or the animal is within the confines of a secure enclosure that is inaccessible to predatory mammals.

- (4) The use of food or attractant as bait in an animal trap set by an authorized officer of the Village, the State of New Mexico or other public authority, or as permitted pursuant to Section 6-13.
- (5) The taking of a companion or livestock animal by a predatory mammal is not considered as feeding for purposes of this Section.

(e) *Penalty for violation.* A person violating any provision of this Section 6-14 shall, upon conviction of a first violation, be subject to a fine of up to \$100.00 for each day such violation continued or continues. A person convicted of a second or subsequent violation of this Section shall be subject to a fine of up to \$500.00 for each day such violation continued or continues.

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: This Ordinance shall be incorporated in and 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 _____ day of _____, 2014.

APPROVED:

Mayor, Village of Corrales

ATTEST:

Jennifer A. Hise
Acting Village Clerk



VILLAGE OF CORRALES

ORDINANCE NO. 14-~~06~~ 05

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WHEREAS, the residents of the Village of Corrales (the "Village") desire to maintain a natural setting that is conducive to co-existence with wildlife; and

WHEREAS, coyotes and other predatory mammals within the Village ~~may become~~ increasingly observed to be habituated to the presence and proximity of human activity, particularly if they come to associate humans and their domestic animals with food; and

WHEREAS, coyotes and other predatory mammals that are habituated to human activity may pose a significant and ongoing threat to the quality of life of residents in the Village and their companion animals and livestock; and

WHEREAS, the feeding of coyotes and other predatory mammals is a significant factor in their habituation to human activity, and may interrupts their natural predator/prey relationships; and

WHEREAS, the Village Council, the governing body of the Village, finds that it is in the public interest ~~residents of the Village desire~~ to protect their domestic and livestock animals of Village residents, and for that purpose to reinforce natural behaviors in predatory mammals; and

WHEREAS, it is desirable that wildlife within the Village be forced to rely on their wild and natural prey food sources.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that the following Section 6-14 be adopted and incorporated as a part of Chapter 6. Animals of the Code of Ordinances of the Village:

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Feeding means the leaving of food ~~and/or attractants~~ where it is available to and accessible by any predatory mammal.

Food means any and all substances ~~that may be consumed by humans or animals~~ for nourishment, ~~including human food discarded as garbage,~~ except planted grass and landscape vegetation, ~~growing~~ crops, and food that is canned, sealed, or otherwise stored in a closed container that does not permit odors to escape.

Livestock means all domestic or domesticated animals typically used or raised on a farm or ranch, and includes horses, ~~donkeys asses,~~ mules, ~~llamas, alpacaseamelids,~~ cattle, sheep, goats, swine, bison, poultry, ostriches, emus, rheas and farmed ~~deereervidae.~~

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opened briefly for the placement of material into it or the removal of material from it.

(d) *Exceptions.* The following activities are specifically excluded from the prohibitions contained in Subsection 6-14(c):

- (1) Feeding of birds and/or squirrels by use of elevated feeders that are located within a reasonable distance from a residence.
- (2) Indoor feeding of companion animals.
- (3) Feeding of companion animals and livestock outdoors, as long as the food is consumed over a reasonably brief period of time and is removed when it is no longer being consumed, or the animal is within the confines of a secure enclosure that is inaccessible to predatory mammals.
- (4) Crops in the field, including growing crops, unharvested crops and residual organic materials left after crops have been harvested, and compost.
- ~~(5)~~ The use of food or attractant as bait in an animal trap set by an authorized officer of the Village, the State of New Mexico or other public authority, or as permitted pursuant to Section 6-13.
- ~~(6)~~ The taking of a companion or livestock animal by a predatory mammal is not considered as feeding for purposes of this Section.

(e) *Penalty for violation.* A person violating any provision of this Section 6-14 shall, upon conviction of a first violation, be subject to a fine of up to \$100.00 for each day such violation continued or continues. A person convicted of a second or subsequent violation of this Section shall be subject to a fine of up to \$500.00 for each day such violation continued or continues.

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PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this _____ day of _____, 2014.

APPROVED:

Mayor, Village of Corrales

ATTEST:

Jennifer A. Hise
Acting Village Clerk

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