



VILLAGE OF CORRALES

ORDINANCE NO. 15-02

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 ORDINANCE 11-011, ADOPTED MAY 24, 2011; PROVIDING THAT ANIMALS IMPOUNDED AND DETERMINED UNADOPTABLE BY ANIMAL CONTROL AND VETERINARY PROFESSIONALS MAY BE HUMANELY DESTROYED

Whereas, by Resolution No. 13-048, dated December 10, 2013, the Governing Body of the Village of Corrales established a task force to study no-kill animal shelters and adoption centers funded and operated by local governments; and

Whereas, the task force delivered its report at the October 14, 2014 regular meeting of the Governing Body including a detailed assessment of the costs of caring for companion animals in “no kill” shelters, and advice to avoid providing a sanctuary of indefinite duration for unadoptable dogs and cats as a municipal function; and

Whereas, the task force also observed that the existing Animals Ordinance, as amended, needs clarification before other agencies, such as private non-profits and neighboring municipal and county government shelters would contract with Corrales to accept transfers and surrenders of impounded dogs and cats; and

Whereas, the task force stated the quality of life of unadoptable animals kept “in limbo” is not humane and is not acceptable for companion animals in an “animal friendly 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 as follows:

Section 1. Subsection (d) of Section 6-6, Impoundment, is amended to read as follows:

(d) At the end of the minimum confinement period under this section, the impounded animal shall be made available for adoption or fostering through any means reasonably available to the village, including but not limited to adoption through public or private animal shelters and humane organizations. Such shelter or humane organization shall also have a standing policy that all dogs and cats made available for adoption shall be spayed and neutered and have an ID chip inserted before they are adopted, or in the case of very young animals, as soon as practicable following adoption.

Section 2. Section 6-12, Destruction of Animals, is amended to read as follows:

(a) It is the policy of the village to avoid the killing of animals recovered, impounded or confined by the village whether killing is by euthanasia or otherwise. Village administration and staff, in cooperation

with animal shelters and humane organizations, shall encourage and promote the fostering and/or adoption of all animals recovered, impounded or confined by the village.

(b) An animal at large within the village may be destroyed by an officer of the village or by a licensed veterinarian contracted by the village if (1) the animal constitutes a clear and immediate threat to public health and safety, or (2) to eliminate untreatable suffering of the animal. Such killing shall be by euthanasia unless emergency circumstances render euthanasia impossible.

(c) An animal impounded by the village may be destroyed if determined to be unadoptable by the senior animal control officer of the village in consultation with a licensed veterinarian contracted by the village for this purpose. The determination of adoptability may consider physical condition, behavioral characteristics and likelihood of corrective training or treatment. Destruction shall be by euthanasia unless emergency circumstances render euthanasia impossible.

(d) Nothing in this Chapter shall be construed to prohibit the raising and the humane slaughter of livestock for food, nor to prohibit the conduct of agricultural operations in accordance with the Right to Farm Act (Sections 47-9-1 through 47-9-7, NMSA 1978).

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.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force an 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 _____, 2015.

APPROVED:

The Honorable Scott Kominiak
Mayor

ATTEST:

Jennifer A. Hise
Village Clerk