

Excerpts from Animal Ordinances City of Las Vegas, New Mexico

§ 118-5 Surrender of estrays; disposition of animals; costs; records.

No person shall, without the knowledge or consent of the owner, hold or retain possession of any animal of which he is not the owner, for more than 24 hours without first reporting the possession of an animal to the Police Department, giving his name and address, a true and complete statement of the circumstances under which he took up the animal, a description of the animal and the precise location where such an animal is confined.

B.

It is unlawful for a person taking up an animal to fail to give the notice required above and for any person having such animal in his possession to fail or refuse to immediately surrender such animal to the City or his designee upon demand thereof.

C.

An estray may be confined at the Animal Control Shelter for a period of at least three working days, during which time the City will make a reasonable attempt to notify the owner, if known. If identification of the owner is not possible, the City may, without notice, dispose of any estray impounded under this section. After the impoundment period, the City may place the animal in an adoptive home, if possible, or may destroy the animal in a humane fashion, including but not limited to cremation.

D.

No animal that has been impounded by the City will be adopted out for the purpose of breeding or sale. Every dog and cat adopted from the Animal Control Center shall be neutered or spayed by a licensed veterinarian and vaccinated in compliance with state statutes. The cost of these activities shall be paid to the City by the person adopting the dog or cat prior to release of the animal. Neutering and spaying and vaccinations will not apply to animals which are less than five months old. Nothing in this section shall be construed as applicable to any dog or cat returned to the owner thereof.

E.

Any estray animal, equine, ovine, porcine, or caprine animal which cannot be adopted may be destroyed. Any other estray not redeemed by its owner or placed with a new owner may be disposed of by the City, at its discretion.

F.

It shall be the responsibility of an animal owner redeeming an animal legally impounded to pay for animal boarding and other costs. The City of Las Vegas shall establish, by resolution, appropriate fees. In addition, the owner shall pay any license fees due, cost of inoculations or other costs incurred in the care and maintenance of said animal.

G.

The City shall maintain records for a reasonable period of time as determined by the City Manager of all animals impounded in the shelter. The record shall contain at least the following information:

(1)

A complete description of the animal;

(2)

The manner and date of its acquisition by the center;

(3)

The date and manner of its disposal;

(4)

The name and address of the purchaser of any animal; and

(5)

All fees received.

§ 118-7 Rabies vaccinations.

A.

It is the duty of all persons owning or keeping a dog or cat over the age of five months to have such animals vaccinated against rabies. The rabies vaccination shall be given in an amount sufficient to provide immunity from rabies for one year and shall be administered by a licensed veterinarian. A certificate from a licensed veterinarian shall be evidence of vaccination. The City may require other animals to receive annual rabies vaccination. The veterinarian administering antirabies vaccine to any animal shall issue to the owner or keeper of the animal a numbered vaccination certificate. The certificate shall contain the name and address of the owner or keeper of the animal, a description of the animal vaccinated, the date of vaccination and the expiration date of the period of immunity.

B.

It is unlawful for the owner or keeper of any dog or cat to fail to exhibit its certificate of vaccination upon demand by the City.

§ 118-9 **Dog bites.**

A.

The owner of an animal that bites a person and a person bitten by an animal shall report that occurrence to the City and the State Health Department within 24 hours. The owner of an animal that bites a person shall surrender said animal to the Animal Control Officer if the City deems it necessary to impound said animal for a period of observation.

B.

A physician who renders professional treatment to a person bitten by an animal shall report that fact to the City and the State Health Department within 24 hours of his first professional attendance. The physician shall give the name and address of the owner of the animal that inflicted the bite, if known, and any other facts or details that may assist the City in ascertaining the immunization status of the animal.

C.

Home confinement.

(1)

An animal that bites a person shall be confined securely at a place and for a period of time deemed necessary by the City. The owner of the animal shall bear the cost of confinement. The City may consent to confinement on the owner's premises but only if the animal had a current rabies vaccination at the time the bite was inflicted. The premises where the home confinement is to occur shall be inspected and approved for such purposes by an Animal Control Officer. The owner of the animal shall be required to enter into an indemnity agreement on a form approved and prescribed by the City before consent may be given for such home confinement.

(2)

A person who has custody of an animal that has bitten a person shall immediately notify the City if the animal shows any signs of sickness, abnormal behavior or if the animal escapes confinement. If the animal dies while it is in confinement, the person having custody of the animal shall notify the City or an animal control official and relinquish any claims to said animal.

§ 118-10 **Restraint of animals.**

It is unlawful to permit dogs in the streets or public places unless on a secure leash and under the immediate physical control of the person having custody thereof.

§ 118-12 **Dog licenses; fees.**

A.

Any person owning, possessing or harboring any dog five months of age or over shall obtain a license for such animal. Written application for such license shall be made on such forms as supplied by the City and shall state any information deemed necessary by the City. A current rabies vaccination certificate shall be presented at the time of the application for license. The license fee (tag and certificate) for this section shall be \$2 for a neutered animal and \$5 for an unneutered animal. In the event a tag is lost, replacement tags costing \$1 shall be purchased. The license shall expire December 31, of each year.

B.

A current license tag shall be affixed to the licensed dog at all times in a reasonable manner unless the licensed dog is being kept in an approved kennel, veterinary hospital, is appearing in an approved show or is being trained; provided that the person who is training a dog shall have in his personal possession the valid license tag for each dog and shall immediately display such upon request by an animal control officer, animal shelter personnel or other law enforcement officer.

118-16 **Animals running at large.**

[Amended 6-16-1994 by Ord. No. 82-3]

It is unlawful for any person to allow or permit any animal to run at large in or upon any street, alley, sidewalk, vacant lot, public property, other enclosed place in the City or private property not belonging to owner of animal. 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 shall be taken up and impounded as provided in § **118-4**.

§ 118-20 **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 City of Las Vegas, or to keep or maintain animals in such a manner as to disturb by noxious or offensive odors, or otherwise endanger the health and welfare of another person.

§ 118-25 **Physical abuse.**

[Amended 6-16-1994 by Ord. No. 82-3]

A.

It is unlawful for any person to willfully or maliciously kill, maim, disfigure, torture, kick, beat with a stick, chain, club or other object; mutilate, burn or scald with any substance, any animal, except that reasonable force may be employed to drive off vicious or trespassing animals.

B.

It is unlawful for any person to carry any animal in or upon any vehicle in a cruel, inhumane, or unsafe manner. No person shall keep or transport an animal in the bed of a pickup truck unless the animal is properly restrained in a humane and safe manner to prevent the animal from leaving the confines of the bed of the truck when the vehicle is stationary and to prevent the animal from falling off while the vehicle is in motion. No person shall leave an animal in a closed vehicle for any length of time reasonably concluded to be dangerous to the health or safety of the animal.

§ 118-27 **Neglect.**

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 an animal in or upon any vehicle in a cruel or inhumane manner. Any animal habitually kept outside shall be provided with a structurally sound, weatherproof enclosure, large enough to accommodate the animal.

§ 118-27.1 **Anti-tethering of canines.**

[Added 2-15-2012 by Ord. No. 12-02^u]

Supervision, protection and continuous confinement and tethering of canines.

A.

As used in this section, "tether" means to restrain a canine by tying the canine to any object or structure, including without limitation a house, tree, fence, post, garage, or shed, by any means, including without limitation a chain, rope, cord, leash, or running line. Tethering shall not include using a leash to walk a canine.

B.

It shall be unlawful for a responsible party to tether a canine while outdoors, except when all of the following conditions are met:

(1)

The canine is in visual range of the responsible party, and the responsible party is located outside with the canine.

(2)

The tether is connected to the canine by a buckle-type collar or a body harness made of nylon or leather, not less than one inch in width.

(3)

The tether has the following properties: it is at least five times the length of the canine's body, as measured from the tip of the nose to the base of the tail; it terminates at both ends with a swivel; it does not weigh more than 1/8 of the canine's weight; and it is free of tangles.

(4)

The canine is tethered in such a manner as to prevent injury, strangulation, or entanglement.

(5)

The canine is not outside during a period of extreme weather, including without limitation extreme heat or subfreezing temperatures, thunderstorms, hail storms, tornadoes, tropical storms, or other extreme weather events.

(6)

The canine has access to water, shelter, and dry ground.

(7)

The canine is at least six months of age. Puppies shall not be tethered.

(8)

The canine is not sick or injured.

(9)

Pulley, running line, or trolley systems are at least 15 feet in length and are less than seven feet above the ground.

(10)

If there are multiple canines, each canine is tethered separately.

(a)

This section shall not apply to the transportation of canines.

(11)

For a first-time violation, the Code Enforcement Officer shall issue a warning notice to the responsible party and shall wait at least 10 days before taking any further enforcement action against the responsible party. Thereafter, each violation of this section shall be subject to enforcement in accordance with § **118-27.2** of this chapter or Article **VIII**, § **118-42**, of the Animal Ordinance. For all civil penalties for violations of this section collected pursuant to Chapter **118**, Article **V**, § **118-27.2**, 50% of the amount collected shall be paid to City of Las Vegas, New Mexico, Animal Shelter.

§ 118-28 Abandonment.

[Amended 6-16-1994 by Ord. No. 82-3]

It is unlawful for any person having charge, custody, or ownership to abandon any animal. All animals which are to be abandoned may be turned over to the Animal Control Center or an animal shelter for adoption; such owner shall be required to sign an owner's release relinquishing ownership of said animal. In the event, however, that each animal is not adopted within three working days, the animal may be destroyed pursuant to § **118-5**.

§ 118-30 Protective care by City.

Whenever the City finds that any animal is or will be without proper care because of injury, illness, incarceration or absence of the owner or person responsible for the care of such animal, the City may take up such animal for protective care; and in the event of sickness or injury upon the advice of a licensed veterinarian, the City may take such action as called for to prevent undue pain and suffering, including immediate destruction of the animal.

§ 118-33 Keeping of diseased or painfully crippled animals.

It is unlawful to have, keep or harbor any animal which is infected with any dangerous or incurable or painfully crippling condition except as hereinafter provided. The City may impound such diseased or painfully crippled animal in accordance with the provisions of this chapter. All such animals impounded following examination and approval by a veterinarian may be destroyed humanely as soon thereafter as is conveniently possible. In the case of destruction of such animal, the City shall not be required to give any of the aforesaid notices provided in this chapter. This section shall not be construed to include veterinary hospitals or animals under active veterinary care.

§ 118-37 Use of public property.

It is unlawful to display, sell or offer for sale, barter, give away or otherwise dispose of any animal upon any street, sidewalk or public park.

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