

**MINUTES OF THE COUNCIL OF THE TOWN OF SILVER CITY  
WORK SESSION  
GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM  
February 11, 2008 – 2:00 p.m.**

**Present:** James R. Marshall, Mayor  
A. Judith Ward, District 1  
Thomas Nupp, District 2  
Simon Wheaton-Smith, District 3  
Steve May, District 4

**Also Present:** Alex C. Brown, Town Manager-Finance Director  
Ann L. Mackie, Town Clerk  
Robert Scavron, Town Attorney  
Ed Reynolds, Chief of Police  
Sherwood Nance, Animal Control Officer

**CALL TO ORDER / PLEDGE OF ALLEGIANCE** - Mayor Marshall called the meeting to order at 2:05 p.m.

**WORK SESSION: Discuss Animal Control Issues.** Mayor Marshall received the Council's consensus to begin the meeting by hearing public input from the audience. Several members of the audience commented on the following animal control issues: barking dogs in their neighborhoods; the lack of respect that people have for their fellow neighbors by allowing their dogs to bark constantly; the need for more law enforcement related to barking dogs and loose dogs; kennel permits in the Town and concerns about kennels in the ETZ; issues related to animal cruelty and neglect; and complaints about feces. There was discussion between the Council and each of the audience members that had made comments.

Sherwood Nance, Animal Control Officer, commented on the various complaints and how the laws are enforced. He commented that it was difficult to patrol and enforce problems in the Boston Hill area because the boundaries were not clear since it included Town, County, and Bureau of Land Management jurisdiction. He stated that changes were being considered in the revisions of the Land Use Code to include new rules for obtaining kennel permits. He commented that his only tool of enforcement was to write citations and he suggested that fines should be increased with each offense and written into the ordinance. There was further discussion and Chief Reynolds advised that he would work with the Animal Control Officer on the problems. He suggested that a procedure be included in the ordinance to address incidents where people do not want to file complaints against their neighbors. He commented that other avenues of enforcement should be considered. He stated that in 2007 the Police Department responded to 1,700 calls regarding animal issues.

The Council commented on the following items: the number of animals allowed per household; compliance and enforcement of the ordinance; ways to educate the public on how to control their pets; creating one ordinance to enforce animal control issues with noise, sanitation, cruelty, etc.; reconcile the Town and County ordinance; issues in the ETZ; the need for an additional Animal Control Officer; how complainants should identify themselves; how more citations should be written; how repeat offenders should be treated aggressively; other sources of wildlife, etc. that cause dogs to bark; and other sources of noise that were not related to barking dogs.

Robert Scavron, Town Attorney, commented that the Land Use Code does not permit any kennel permits in Residential A or B. He also stated that laws exist in the Municipal Code and the State Law that give individuals standing to file a nuisance action in the name of the Town (not the ETZ). He commented that six years ago a very extensive Animal Control Ordinance was prepared and presented to the Council, but the Notice of Intent Ordinance was never voted on. There was further discussion. Mayor Marshall asked Mr. Scavron to re-distribute the old Notice of Intent Ordinance to Council and staff so it could be reviewed and reconsidered.

**ADJOURNMENT** – Councilor Ward moved to adjourn the meeting, Councilor Wheaton-Smith seconded the motion. All were in favor, motion passed. The meeting adjourned at 3:17 p.m.

/s/  
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James R. Marshall, Mayor

Attest: /s/  
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Ann L. Mackie, Town Clerk