

**NOTICE OF INTENT TO ADOPT AN ORDINANCE
AMENDING CHAPTER 6 (ANIMALS), ARTICLE III (RABIES CONTROL), SECTION
6-137 (DUTY OF OWNER TO SURRENDER ANIMAL FOR OBSERVATION), OF THE
MUNICIPAL CODE OF THE TOWN OF SILVER CITY**

The Council of the Town of Silver City, Grant County, New Mexico hereby gives notice of its intention to adopt a proposed amendment to the Town of Silver City Code of Ordinances. This notice is given the title as follows:

ORDINANCE NO. 1263

AN ORDINANCE AMENDING CHAPTER 6 (ANIMALS), ARTICLE III (RABIES CONTROL), SECTION 6-137 (DUTY OF OWNER TO SURRENDER ANIMAL FOR OBSERVATION), OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY

Sponsor: Councilor Cynthia Ann Bettison

WHEREAS, the Town Council is charged with enacting ordinances for the protection of the inhabitants of the Town, including the regulation of animals located therein; and

WHEREAS, upon recommendation of the Town’s Animal Control Officer, the Town Council finds that a waiting period of up to twenty-four hours for an owner of an animal to report an animal bite to proper authorities is not appropriate and may cause harm to victims of the bite with regard necessary medical treatment; and

WHEREAS, this amendment to the Town’s municipal code is necessary for the health, safety and welfare of the Town and its inhabitants;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, that:

Chapter 6, Section 6-137 is deleted in its entirety and amended to read as follows:

Sec. 6-137. Duty of owner or custodian to surrender animal for observation.

It shall be the duty of the owner or custodian of any animal to immediately notify Silver City Animal Control or the Silver City Police Department when the owner or custodian has

witnessed or has knowledge of said animal biting a person. Thereupon, said owner or custodian shall immediately deliver and surrender said animal to Animal Control or to the Police Department for quarantine and observation along with vaccination records. **If the animal has a current vaccination for rabies, and the area involved is not under quarantine, the Animal Control or Police Officer may permit the quarantine of such animal at the owner's home.** Failure to so notify, or to deliver and surrender such animal and required documents shall be a misdemeanor with a fine of not less than \$250.00 for each offense. Each day of failure to either notify or deliver and surrender of the animal shall be considered a separate violation supporting separate and cumulative fines.

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this _____ day of _____, 2017.

TOWN OF SILVER CITY

(Seal)

Ken Ladner, Mayor

Attest:

Ann L. Mackie, Town Clerk

Consideration of the final adoption of such proposed ordinance will not take place until at least two (2) weeks subsequent to the date of this notice and only at a public meeting called and held in accordance with Section 3-17-3, N.M.S.A. 1978. Consideration of adoption of said ordinance is currently scheduled for and will not take place prior to _____, 2017.

Ann L. Mackie, Town Clerk

Date