

ORDINANCE NO. 1321

AN ORDINANCE

AMENDING PARAGRAPH (1) OF SECTION 6-190, ADEQUATE CARE REQUIREMENTS AND SPECIFICATIONS, ARTICLE V, MISCELLANEOUS PROHIBITIONS, CHAPTER 6, ANIMALS, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.

WHEREAS, Animal Control officers are encountering situations where an animal has adequate shelter but does not possess adequate shade due to the heat that can build up in a shelter, and

WHEREAS, the Town Council finds that the Town’s animal ordinances should be amended to provide the animal with adequate shade in addition to its shelter and amendment of the ordinance is appropriate, proper and beneficial for the Town and its inhabitants.

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

1. Paragraph (1), Adequate shelter, of Section 6-190 (Adequate care requirements and specifications), Article V (Miscellaneous Prohibitions), Chapter 6 (Animals), is amended by adding a sentence at the end of Paragraph (1) to provide adequate shade for the animal, and shall now read as follows:

(1) *Adequate shelter*: The owner or keeper/guardian of an animal shall provide such animal with adequate shelter. It is the owner's or keeper/guardian's responsibility to clean the area and shelter of feces and excreta minimally every other day or more often if deemed necessary. The shelter shall, at a minimum, provide shade, a space within the structure for protection of the animal from wind, rain and snow, and reasonable access to fresh food and fresh water. The shelter shall have a floor which shall insure that the bedding is above flood and snow levels. It is the owner's continuing obligation to keep the bedding clean and dry. Any enclosure or area where the animal is kept shall provide adequate shade for the animal that is in addition to any shade provided by the shelter itself.

2. All of the rest and remainder of Section 6-190, Adequate care requirements and specifications, Article V, Miscellaneous Prohibitions, Chapter 6, Animals, is hereby reaffirmed as written and shall remain in full force and effect, except as amended by this ordinance

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this ____ day of _____, 2023.

TOWN OF SILVER CITY

(Seal)

Ken Ladner, Mayor

Attest:

Alfred Sedillo, Town Clerk