



THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A WORK SESSION ON MONDAY, OCTOBER 22, 2018 AT 5:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWNHALL, 2231 AVENIDA DE MESILLA.

A. Discussion on amending the Mesilla Town Code Chapter 6.05 Animal Control Ordinance. – **Marshal K.C. Alberg.**

THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A REGULAR MEETING ON MONDAY, OCTOBER 22, 2018 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWNHALL, 2231 AVENIDA DE MESILLA.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL & DETERMINATION OF A QUORUM

3. CHANGES TO THE AGENDA & APPROVAL

4. PRESENTATIONS:

A. A presentation and the donation of American flags to the Board of Trustees from Woodmen Life Insurance.

5. PUBLIC INPUT – The public is invited to address the Board for up to 3 minutes.

6. *APPROVAL OF CONSENT AGENDA – The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk *:

A. *BOT Minutes – Minutes of a Regular meeting of October 9, 2018.

B. *PZHAC Case 060798 – 2112 Calle de Los Huertos, submitted by Robert Salais; a request for a building permit to repaint the outside of a dwelling at this address. Zoned: Historical Residential (HR).

C. *PZHAC Case 060801 – 1620 Calle de Alvarez, Suite C2, submitted by Chris/Stefan Schaefer; a request for a building permit to construct a four-foot-high metal security fence with gates between support columns of an existing porch of a commercial structure at this address. Zoned: General Commercial (C)

D. *PZHAC Case 060802 – 2111 Calle de Santo Tomas, submitted by Bill McClure for Nancy Clayshulte; a request for a building permit to construct a workshop as an addition to an existing dwelling at this address. Zoned: Historical Residential (HR).

7. NEW BUSINESS:

A. An update on Public Works Projects within the Town of Mesilla. – **Armando Cordero.**

B. For Approval: an agreement with Smith & Aguirre Construction Co. for construction of Calle Primera. – **John Montoya, Molzen Corbin.**

8. BOARD OF TRUSTEE COMMITTEE REPORTS
9. BOARD OF TRUSTEE/STAFF COMMENTS
10. ADJOURNMENT

NOTICE

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least 48 hours prior to the meeting. The Mayor and Trustees request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Board Room to respond to or to conduct a phone conversation. A copy of the agenda packet can be found online at www.mesillanm.gov.

Posted 10/18/18 at the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

Chapter 6.05 ANIMAL CONTROL*

Sections:

- 6.05.010 Short title.
- 6.05.020 Authority, purpose and goals.
- 6.05.030 Definitions.
- 6.05.040 Joint agreement with Animal Humane Society.
- 6.05.050 Animal control officer.
- 6.05.060 Animal control authority.
- 6.05.070 Animals to be personal property.
- 6.05.080 Animals running at large.
- 6.05.090 Animal fighting prohibited.
- 6.05.100 Disturbing peace – Prohibited – Nuisance.
- 6.05.110 Impounding strays – Procedure.
- 6.05.120 Livestock, other animals.
- 6.05.130 Licensing and vaccinations required.
- 6.05.140 Rabid animals.
- 6.05.150 Vicious or dangerous animals.
- 6.05.160 Destruction of animals.
- 6.05.170 Housing of animals.
- 6.05.180 Wild animals.
- 6.05.190 Service animals allowed in public places.
- 6.05.200 Restraint of animals.
- 6.05.210 Penning female animals.
- 6.05.220 Prohibited acts and conditions.
- 6.05.230 Cruelty to animals prohibited.
- 6.05.240 Permitted premises.
- 6.05.250 Violation – Penalty.

* Code reviser's note: This chapter, per MTC 9.05.010, is part of the "offense ordinance" of the town. See Chapter 9.05 MTC, Offenses, for definitions and rules of construction for offenses.

6.05.010 Short title. 

This chapter may be cited as the animal control ordinance of the town of Mesilla. [Ord. 2007-10 § 1]

6.05.020 Authority, purpose and goals. 

A. Authority. This chapter is adopted pursuant to the enabling provisions of Sections 3-13-3 and 3-17-1 NMSA 1978, as amended.

B. Purpose. The purpose of this chapter is to establish regulations and general guidelines for the ownership, control, registration, licensing, housing, vaccination, health, safety and care of animals, the impounding and disposition of animals running at large, and the prevention of cruelty to animals.

C. Goals. The goals of this chapter are to:

1. Protect the citizens of the town and their property;
2. Regulate, restrain and prohibit the running at large of any animal within the boundary of the town of Mesilla;
3. Regulate the ownership, control, registration, and licensing of animals; and encourage the vaccination of all animals;
4. Protect the health and safety of animals; reduce animal nuisances; and provide for the control of dangerous or vicious animals; and
5. Prohibit cruelty to animals. [Ord. 2007-10 § 2]

6.05.030 Definitions. 

The following words, terms, phrases, and their derivations shall have the following meanings:

A. ~~“Abandoned” means where an owner has relinquished all right, title, claim and possession of an animal with the intent of not reclaiming it or resuming its ownership, possession or enjoyment.~~ [+“Abandonment (or to abandon)” means to leave an animal for more than 24 hours without providing effective provisions for its proper feeding and care. The term "abandonment" (or "to abandon") does not apply to a person or organization operating a permitted feral cat colony.+]

B. “Adoption” means to take possession by choice and assume responsibility for proper care and keeping of an animal in accordance with this chapter.

C. "Animal" means a dog, cat, poultry, bird, reptile, insect, arachnid, fish or any other vertebrate, excluding the human species and those animals under the jurisdiction of the New Mexico Department of Game and Fish.

D. "Animal control center" or "animal control shelter" means any establishment or facility authorized by the town of Mesilla, New Mexico, for the care and custody of impounded animals.

E. "Animal control officer" means the person(s) appointed by the marshal pursuant to MTC 6.05.060 to assume and carry out the powers, authority, duties and responsibilities delegated to him or her by the governing body of the town of Mesilla, New Mexico, in MTC 6.05.060.

F. "Apiary operation" means the conduction of any activity where bees are raised or kept for their honey or pollination.

G. "Arachnid" means any of the various eight-legged arthropods, such as, but not limited to, spiders, scorpions, mites and ticks.

H. "Arachnid operation" means the conduction of any activity where arachnids are raised or kept.

I. "Astray" means any animal which shall be off and away from its home, unattended or running at large within the town of Mesilla.

J. "Bite" means any puncture or tear of the skin inflicted by the teeth of an animal.

K. ~~"Town" means the land area within the boundaries of the town of Mesilla, New Mexico, as may be extended by future annexations from time to time, including privately owned land and city, state and federal owned land.~~ ["Canine hybrid" means any offspring resulting from the breeding of a domestic species or breed of canine with that of a wild species or breed of canine, such as a wolf or coyote. Any animal which at any time has been or is advertised, or otherwise described or represented as a canine hybrid, wolf-dog, or wolf hybrid by its owner to an animal control officer, veterinarian, police officer, or official of the department of health shall be considered a canine hybrid for the purposes of this chapter. An animal shall not be judged to be a canine hybrid based strictly on its appearance.

L. ~~"Confinement" means the restriction of movement of an animal to the premises of its owner, or to the premises of one charged with the care and control of the animal.~~ ["Cat colony" means a group of feral cats that congregates, more or less, together as a unit; and any cat that congregates with the group shall be deemed to be part of it.

M. "Cat colony caretaker" means an organization or person or persons responsible for the operation of a permitted feral cat colony.

N. "Cattery" means a separate enclosure used to house multiple feral cats.

O. "Community cats" means any free-roaming cat that may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may be or may not be feral. Community cats shall be distinguished from other cats by being sterilized and ear tipped; qualified community cats are exempt from licensing, stray and at-large provisions of this ordinance and may be exempt from other provisions directed towards owned animals.+] [*Lettering adjusted hence*]

P. "Confinement" means the restriction of movement of an animal to the premises of its owner, or to the premises of one charged with the care and control of the animal.

Q. "Council" means the governing body of the town of Mesilla, New Mexico.

R. "County" means the county of Dona Ana, New Mexico.

S. [+ "Emergency measures" means any action taken by the animal control officer, municipal police, or duly authorized designee in order to preserve the health and/or life of an animal or human being, including but not limited to entering vehicles or premises, given probable cause, and detaining the animal to prevent present or imminent suffering to the animal, a human, or another animal.

T. "Feline hybrid" means any offspring resulting from the breeding of a domestic species or breed of feline with that of a wild species or breed of feline, such as an African Serval cat. Any animal which at any time has been or is advertised or otherwise described or represented as a feline hybrid by its owner to an animal control officer, veterinarian, police officer, or official of the department of health shall be considered a feline hybrid for the purposes of this article. An animal shall not be judged to be a feline hybrid based strictly on its appearance.

U. "Feral animal" means an individual animal of a domesticated species that is not behaviorally compatible with humans, and is therefore not suitable to serve as a pet, companion animal, or work animal. Feral cats include all cats that by physical aspect and behavior are deemed to be un-owned and have been trapped for purposes of improving public health and limiting reproduction.

V. "Harbor" means to allow, either intentionally or unintentionally, any stray animal to linger on one's premises by feeding such animal without making all effective provisions for such animal as required by this

chapter. Persons harboring an animal shall be subject to the provisions of this chapter applicable to a person owning or having custody, the care, or control of an animal. The term "harbor" does not apply to a person or organization operating a permitted feral cat colony.+]]

W. "Guard dog" means a dog that is used to defend, patrol, secure, or protect property or persons.

X. "Hobby breeder" means a small-scale dog or cat breeder who owns no more than three breeding female dogs or cats (older than six months) that are registered with a recognized registry organization or association.

Y. [+ "Identification microchip" means a small integrated circuit made of inert, biocompatible material that will not disintegrate or rust, implanted via injection beneath the skin of an animal typically in the area between the animal's shoulder blades, and stores a unique, unalterable, alphanumeric code which can be registered to correspond with contact information for the owner of the animal.+]]

Z. "Impoundment" means the taking custody of a stray, vicious animal or an animal alleged to be vicious, by an animal control officer, municipal police officer, or duly authorized designee, and the detention of the animal in the animal control center.

AA. "In season" or "in heat" means a period of time during which a female animal is capable of being impregnated or conceiving.

BB. "Insect" means any of a class of usually winged invertebrate animals, such as, but not limited to, flies, beetles, moths, bees, wasps, butterflies, grasshoppers, lice, and fleas, having three pairs of legs and a three-segmented body.

CC. "Insect operation" means the conduction of any activity where insects are raised or kept.

DD. "Kennel" means any person, joint venture, partnership, limited liability company, corporation or other business entity that is engaged in the maintenance and shelter of animals not their own for profit, or that is engaged in the breeding and sale of animals for profit.

EE. "Leash" means a chain, strap or cord of sufficient substance to hold under control the animal attached thereto and shall be no longer than eight feet.

FF. ~~"Livestock" means horses, cattle, pigs, sheep, goats, rabbits and/or poultry.~~ [+ "Livestock" means all animals that have been domesticated for cultivation and/or domesticated animals that are used for human consumption and includes horses, asses, mules, cattle, bison, buffalo, beefalo, camelids, ostriches, emus,

rheas, sheep, rabbits, goats, swine, peafowl, poultry, and farmed cervidae, but excludes canine or feline animals.+]

GG. "Municipal police" means the marshal's department of the town of Mesilla, New Mexico.

HH. "Nuisance" means, but is not limited to, defecation, urination, disturbing the peace, emitting noxious or offensive odors, or otherwise endangering or offending the well-being of the inhabitants of the town of Mesilla, New Mexico.

II. "Owner" means a person who owns, possesses, harbors, keeps, or has custody or control, or knowingly causes or knowingly permits an animal to be harbored or kept or has an animal in his care, or who permits an animal to remain on or about his premises.

JJ. "Pet shop" means any person, joint venture, partnership, limited liability company, corporation or other business entity that is engaged in the buying and selling or grooming of animals for profit.

KK. "Premises" means a parcel of land and the structures thereon.

LL. [+ "Potential rabies suspect animal" means any animal that has bitten a person causing a puncture or tear of the skin, potentially exposing the person to rabies.+]

MM. "Premises" means a parcel of land and the structures thereon.

NN. [+ "Qualified adopter" means a person who is 18 years of age or older, who has never been convicted of any form of Cruelty under any law and in addition has not been convicted two or more times for any violation of this article or its predecessor ordinances, has never had any Animal-related Permit Revoked or Suspended, has never failed to Reclaim an Animal from the Town or its designee, has not Surrendered an Animal within one year of the time of Adoption and has never been convicted of child or domestic abuse.

OO. "Quarantine" means the segregation of an Animal for any time as required under state law or this article in order to control the spread of rabies or contagious illness.

PP. "Rabies vaccination" means the injection of an approved rabies vaccine by or under the supervision of a licensed veterinarian.

QQ. "Reclamation period" means the length of time made available to an animal's owner, during which he or she may reclaim such animal from the marshal's department or another designated animal shelter as his

or her personal property. The reclamation period shall be measured in working days, which shall include any day in which the marshal's department or a designated shelter's reclamation department/office is open to the public for a minimum of three continuous hours.

RR. "Release of ownership (or owner relinquish)" means a document to be signed by the owner of an animal in which he or she relinquishes all right and title of the animal to the marshal's department.

SS. "Rabies vaccination" means inoculation with an anti-rabies vaccine recognized and approved by the State of New Mexico and given in an amount sufficient to provide immunity from rabies for a minimum of one year.

TT. "Reclaim" means an owner's recovery of an animal that has been impounded at the marshal's department.+]

UU. "Reptile" means any of various cold-blooded, egg-laying vertebrates, such as, but not limited to, snakes, crocodiles, lizards, frogs, turtles, iguanas, geckos, salamanders, newts, and toads.

VV. "Run or running at large" means to be free of physical restraints and go beyond the boundaries of the premises of the owner.

WW. "Service animal" means ~~an animal which has been trained by a recognized service animal trainer to assist a blind person, a hearing impaired person, or a mobility impaired person.~~ "qualified service animal" as defined as any qualified service dog or qualified service miniature horse that has been or is being trained to provide assistance to an individual with a disability; but "qualified service animal" does not include a pet, an emotional support animal, a comfort animal or a therapy animal, as provided in NMSA 28-11-2. The term shall also include an animal that is deemed necessary by a physician licensed to practice medicine in the state of New Mexico. The term shall also include an animal which has been trained and used by law enforcement for legitimate law enforcement purposes.

XX. "Sterilization" means rendering an animal unable to reproduce, either by the spaying of a female animal or by the neutering of a male animal. An unsterilized animal is known as being intact.

YY. "Surrender" means the relinquishment of ownership of an animal to the animal control authority by the owner of the animal.

ZZ. "Town" means the land area within the boundaries of the town of Mesilla, New Mexico, as may be extended by future annexations from time to time, including privately owned land and city-, state- and federal-owned land.

AAA. "Trap" means a mechanical device for catching and holding animals.

BBB. "Veterinarian" means a person with a doctor of veterinary medicine degree licensed to practice in the state of New Mexico.

CCC. "Vicious or dangerous animal" means any of the following:

1. Any animal which kills or severely injures (so as to result in muscle tears, or disfiguring laceration, or require multiple sutures, corrective or cosmetic surgery) a person or domesticated animal within the town. It does not include an animal which bites, injures, attacks or attempts to attack any person or animal which is unlawfully or without permission upon its owner's or keeper's premises or which is provoked to attack or attempt to attack;
2. Any animal which, when unprovoked, engages in behavior that requires a defensive action by a person to prevent bodily injury to a person or domesticated animal within the town when the person and the domesticated animal are off the owner's or keeper's property; or
3. Any animal which, because of its poisonous bite or sting, would constitute a significant hazard to persons or domesticated animals within the town.

No animal which bites, injures, attacks, or attempts to attack any person or animal which is unlawfully or without permission upon its owner's or keeper's premises, or which is provoked to attack or attempt to attack, or which is responding to pain or injury, protecting itself or its offspring, or protecting or defending a human being, shall be deemed a vicious animal.

DDD. ~~"Wild animal" means any of the various warm or cold blooded vertebrates, insects, or arachnids living in a natural state, not domesticated, bred or raised, including exotic species.~~ ["Wild animal" means any vertebrate animal(s) under the jurisdiction of the New Mexico Department of Game and Fish.

EEE. "Wildlife" means any wild, exotic, or nondomestic mammal, bird, reptile, amphibian, fish, mollusk, or crustacean.+] [Ord. 2007-10 § 3]

6.05.040 Joint agreement with Animal Humane Society. [SHARE](#)

The mayor is authorized, with the consent of the governing body, to execute on behalf of the town a joint powers agreement for animal control services with the Animal Humane Society or an equivalent organization so as to accomplish the purposes of this chapter. [Ord. 2007-10 § 4]

6.05.050 Animal control officer. [SHARE](#)

The governing body of the town shall delegate the powers, authority, duties and responsibilities set out in this title to the animal control officer, municipal police, or any duly authorized designee appointed by the mayor, with the consent of the governing body, to protect the citizens of the town and their property. [Ord. 2007-10 § 5]

6.05.060 Animal control authority. [SHARE](#)

A. Authority Granted to the Animal Control Officer, Municipal Police, or Duly Authorized Designee.

1. Duty to Protect the Health and Safety of the Public. The animal control officer, municipal police, or duly authorized designee shall be concerned with the health and safety of the citizens of the town as affected by animals and to protect the citizens of the town and their property.
2. Methods Authorized. The animal control officer, municipal police, or duly authorized designee shall be authorized to use such methods, means and equipment as are reasonably necessary to bring strays and other animals under control and to enforce the provisions of this chapter. [+This includes the authority to destroy an animal which reasonably appears to pose an immediate and serious threat to human life, if the officer is unable to capture said animal without any substantial danger to himself/herself or others.+]
3. Entry on Premises Authorized. For the purposes of discharging his or her duties imposed by this chapter, the animal control officer, municipal police, or duly authorized designee shall be authorized to enter upon any manned premises if he or she has reasonable cause to believe a violation of this chapter has been committed; or if any provisions of this chapter or any of the laws of the state of New Mexico relating to the care, treatment, control and prevention of cruelty to animals have been or are being violated.
4. Entry on Private Land with a Search Warrant. If, however, the owner or occupant of any dwelling or premises objects to inspection, as stated in this section, a search warrant for the inspection of the dwelling and premises shall be obtained and presented by the animal control

officer, municipal police, or duly authorized designee. A search warrant will be obtained from the municipal court prior to inspection, when permission is denied.

[+5. Rendering Medical Aid to Animals. The animal control officer, municipal police, or duly authorized designee shall be authorized to render life-saving medical intervention, consistent with the scope of training received and as may be allowed by law, when acting under the direction of a licensed veterinarian. When taking such emergency measures as specified in this section, then the town or its duly authorized agents and representatives shall not be held liable to the owner of the animal.+]

B. Authority of the Animal Control Officer, Municipal Police, or Duly Authorized Designee to Enter Private Land without a Search Warrant.

1. Entry on Private Land without a Search Warrant. For the purpose of discharging his or her duties imposed by this chapter, the animal control officer, municipal police, or duly authorized designee shall be authorized and it is declared to be their duty to enter upon private land without a search warrant for the purpose of fresh pursuit or for impounding of any animal found running at large. [Ord. 2007-10 § 6]

6.05.070 Animals to be personal property. 

Dogs, cats and other animals shall be declared, deemed and considered personal property of the owner thereof, and all remedies given for the recovery of personal property and of damages for injuries thereto shall be extended to the owners thereof. [Ord. 2007-10 § 7]

6.05.080 Animals running at large. 

A. Duty to Keep Animal on Owner's Premises or Leashed. Any person owning or having charge or control of any animal shall keep such animal on his or her premises. No animal shall be running at large or unleashed on any street, alley, sidewalk, vacant lot, public property (including public parks), or ~~nonenclosed~~ [+unenclosed+] space on private property not that of the owner of the animal.

B. Animals Running at Large Declared Nuisance and Menace to Public Health and Safety. Any animal found running at large in violation of this section is declared to be a nuisance, a menace to the public health and safety, and, if observed by the animal control officer, municipal police, or duly authorized designee, shall be taken up and impounded. Cats are not required to be leashed but shall be required to remain confined within the owner's premises.

C. Unlawful to Chain or Stake an Animal on Unenclosed Premises. It is unlawful for any person to chain or stake any animal on any unenclosed premises in such a manner that such animal may go beyond the property line.

[+D. Community Cat Management Initiatives: The town of Mesilla recognizes the need for innovation in addressing the issues presented by feral, free-roaming and other community cats. To that end it recognizes that there are community caregivers of cats and acknowledges that properly managed community cats may be part of the solution to the continuing euthanasia of cats; and, establishes the following requirements.

1. All managed community cat colonies/groups must be maintained on private property of the caregiver, or with permission of the private property of another landowner (including city, state, and federal public property).
2. A free community cat certification program may be developed to educate people about community cats, the importance of a veterinary provider relationship to best address community cat needs, common diseases and proper care, good management practices, and maintenance of community cats. The educational program shall be developed by community veterinarians, community cat caregivers, the marshal's department and citizens through an ad hoc advisory committee that will be disbanded upon recommendation to the marshal.
3. All cats that are part of community cat management programs must be sterilized, vaccinated against the threat of rabies, and ear-tipped (preferably on the left-ear) for easy identification; if these requirements are met the community cat is exempted from licensing, stray, at-large and possibly other provisions of this ordinance that apply to owned animals.
4. If a person is providing care for community cats, he/she is required to provide certain necessities on a regular/ongoing basis, including, but not limited to, proper nutrition and medical care as needed. If medical care is unavailable or too expensive, the caregiver must not allow the cat to suffer. Food must be provided in the proper quantity for the number of cats being managed and is to be supplied no less than once per day. Food must be maintained in proper feeding containers. Water, if supplied, must be clean, potable and free from debris and algae. If shelter is provided, it shall be unobtrusive, safe, and of the proper size for the cat(s).
5. Community cats that are discovered to be trapped on the property of a private landowner three times on private property within a 12-month period by the animal control officer, municipal police, or duly authorized designee shall be deemed a nuisance and are subject to proper disposition as the marshal may direct.

The marshal's department is expressly authorized to cooperate with organizations that provide efforts to assist in the proper care and management of community cats. Such organizations and members thereof may likewise assist the marshal's department in the proper care and management of community cats.+] [Ord. 2007-10 § 8]

6.05.090 Animal fighting prohibited.

It is unlawful for any person to promote, stage, hold, conduct, carry on, or attend any game, exhibition, or fight in which one or more animals is engaged for the purpose of injuring, killing, maiming or destroying themselves or any other animal, or to train or breed any animals for such purpose, and/or to promote any of the activities in this section. [Ord. 2007-10 § 9]

6.05.100 Disturbing peace – Prohibited – Nuisance. 

A. Animal Nuisance Prohibited. Any animal that habitually or continuously barks, howls or otherwise disturbs the peace of the inhabitants of the town, or is kept or maintained in such a manner or in such numbers as to disturb by noxious or offensive odors or otherwise endanger the health and welfare of the inhabitants of the town is declared to be an animal nuisance and shall be prohibited. Complaints filed pursuant to this section may be filed in writing with the animal control officer, municipal police, or duly authorized designee and shall include the name of the complainant and the name and address of the person(s) permitting the nuisance to occur and to continue.

B. Total Number of Dogs and Cats Permitted. A person or household shall own, harbor, or keep no more than the total number of dogs and cats over the age of six months permitted in the following schedule based on total acreage owned:

Total Number of Dogs and Cats (Or Any Combination) According to Acreage

Three dogs or three cats	One-half acre or less
Four dogs or four cats	More than one-half acre, up to one acre
Five dogs or five cats	More than one acre, up to two acres
Six dogs or six cats	More than two acres

If a person or household desires to own more than the total number of dogs and cats permitted immediately above, such person or household must first qualify as a kennel, guard dog operation, or hobby breeder operation as defined in this chapter and obtain from the town a permit in accordance with MTC [6.05.240](#) to operate a kennel, guard dog operation or hobby breeder operation and be subject to the regulations thereof and the regulations set out in MTC Title [5](#), Business Taxes, Licenses and Regulations, and MTC Title [18](#), Zoning.

C. Private Criminal Complaints. Private criminal complaints may be filed in municipal court by citizens affected by any animal that may be determined a nuisance under subsection (A) of this section. Complaints filed pursuant to this section shall be in writing, stating the name and address of the complainant and the person(s) permitting the nuisance to occur and to continue. [Ord. 2007-10 § 10]

A. Impounding Strays.

1. Duty to Impound. It is declared to be the duty of the animal control officer, municipal police or duly authorized designee to take up and impound or cause to be impounded any astray animals found in the town.

2. Astray Animals Displaying License or Other Identification. If the astray animal is wearing a license or bears other visual identification [+or has a readable identification microchip+], the animal control officer, municipal police or duly authorized designee will attempt to notify the owner or his or her agent or representative of the animal's impoundment. If after three business days the owner or his or her agent or representative has not claimed the animal, the animal may be adopted, sold or euthanized in a humane manner in that order of priority while in the physical possession of the animal control officer, municipal police or duly authorized designee.

3. Astray Animals Not Displaying License or Other Identification. If the astray animal is not wearing a license or other visual identification [+or lacks a readable identification microchip+], and after three business days no one has appeared to claim the animal, the animal may be adopted, sold or euthanized in a humane manner in that order of priority while in the physical possession of the animal control officer, municipal police, or duly authorized designee.

4. The Town Is Not Liable for Disposition of Unclaimed Animal after Notification. If the animal control officer, municipal police, or duly authorized designee notified the owner or his or her agent or representative of the impoundment of the owner's animal and if the owner or his or her agent or representative has not appeared to claim the animal after three business days, as specified in this section, then the town or its duly authorized agents and representatives shall not be held liable to the owner of the animal for the adoption, sale or euthanization of the impounded animal.

5. Town Not Liable for Disposition of Unclaimed Animal Where Notification Not Possible. If the animal control officer, municipal police, or duly authorized designee is unable to notify the owner because the animal does not have a license or other visual identification and the animal is not claimed within three business days, then the town or its duly authorized agents and representatives shall not be held liable to the owner of the animal for the adoption, sale or euthanization of the impounded animal.

6. Claiming of Astray Animal. The astray animal may be claimed from the pound by its owner or his or her agent or representative by payment to the town for the impounding fee, transportation fee, quarantine fee, microchip fee, and payment of the license fee for the current year (if the animal was unlicensed and a license is required), payment of vaccination charges (if necessary), and any medical expenses incurred by the impounding authority. The aforementioned fees shall be those established by town resolution, as may be amended from time to time. Any astray animal which is not claimed by its owner or his or her agent or representative within three business days, as specified in this section, may be adopted by another person through the Animal Humane Society by payment to the town of the license fee for the current year (if the animal was unlicensed and a license is required), payment of vaccination charges (if necessary), and any medical expenses incurred by the impounding authority.

7. Records Maintained. The town shall maintain a record of all animals impounded for a reasonable period of time. The record shall contain at least the following information:

- a. Description of the animal;
- b. Manner, place and date of its acquisition;
- c. Date and manner of its disposal;
- d. Name, address, and phone number of person claiming the animal;
- e. Copy of proof of identification of person claiming the animal (such as, but not limited to, copy of a valid driver's license, Social Security card, passport, or utility bill);
- f. All fees received; and
- g. Medical expenses for the animal.

8. Public's Duty to Report Astray Animals. Any person finding any astray animal shall notify the animal control officer, municipal police, or duly authorized designee as soon as possible, and shall surrender the astray animal to the animal control officer, municipal police, or duly authorized designee upon demand. [Ord. 2007-10 § 11]

6.05.120 Livestock, other animals.

A. Prohibition. It is unlawful for any person to permit livestock or other animals to stray, wander or graze upon or along any traveled portion of any highway or public way normally used by motor vehicles.

B. Owners or Custodians Responsible. Owners or custodians of livestock or other animals shall be guilty of a misdemeanor, punishable by a penalty as provided in MTC [6.05.250](#), upon conviction for violation of this section.

C. Keeping of Livestock and Other Farm Animals. The owning, possessing, keeping or harboring of livestock and other farm animals shall also be regulated by MTC Title [18](#), Zoning. Nothing in this section shall be construed to prohibit the owning, possessing, keeping or harboring of livestock and other farm animals as prescribed or allowed in MTC Title [18](#), Zoning, unless the livestock or other farm animals are declared or determined to be a nuisance or vicious or dangerous under the provisions of this chapter. [Ord. 2007-10 § 12]

6.05.130 Licensing and vaccinations required.

A. Vaccinations. All dogs and cats shall be vaccinated as required by state law. It shall be the responsibility of the owner to comply with the regulations prescribed by the New Mexico Department of Health. Dogs and cats over the age of four months must be vaccinated against rabies and so tagged by a licensed veterinarian. Upon demand by the animal control officer, municipal police, or duly authorized designee, the owner or his or her agent or representative must present evidence or certificate of vaccination for dogs and cats owned by him or her.

B. Licensing. Any person harboring or maintaining any dog or cat over the age of six months shall obtain a license for each such dog or cat. Persons who are visiting or temporarily remaining within the town for less than 30 consecutive days shall be exempt from this licensing requirement. Licenses may be issued only by the animal control office, municipal police, or duly authorized designee. Licenses shall expire one year after the date of issuance of the license. The animal control officer, municipal police, or duly authorized designee shall keep a record of all licenses issued. A current rabies vaccination certificate shall be presented at the time of application for the license.

1. Affixing Tags. A current license tag number shall be affixed to the licensed dog or cat at all times in a reasonable manner.

2. Fees. The annual license fee shall be ~~\$3.00~~ [+imposed+] for each ~~neutered or spayed~~ [+sterilized+] dog or cat and ~~\$10.00~~ for each ~~unspayed or unneutered~~ [+intact+] dog or cat

[+and shall be charged based on a schedule adopted by the council by resolution.+] Any person seeking to obtain a license for a ~~neutered or spayed~~ [+sterilized+] dog or cat shall furnish written proof from a licensed veterinarian that such dog or cat has been ~~neutered or spayed~~ [+sterilized+]. In the event a tag is lost, a replacement tag shall be obtained for a charge of ~~\$1.00~~. Each kennel or pet shop with 10 dogs or more in possession shall pay an annual fee of ~~\$50.00~~ in lieu of licensing individual dogs and such fee will cover all dogs kept by such business during the year. [+A person over the age of 65 owning a sterilized dog or cat shall obtain a pet license as a discounted rate. All fees are based on a schedule adopted by the council by resolution. A sterilization agreement and sterilization deposit may be required upon release from the marshal's department or designated animal shelter in accordance with NMSA 77-1-20 [NM Stat § 77-1-20 \(2017\)](#)+] .

3. Breeder Fees. The owner who intentionally or unintentionally breeds dogs or cats must have a current hobby breeder's license or shall pay a litter fee of ~~\$25.00~~ for each litter. The ~~\$25.00~~ fee may be refunded at the time proof of sterilization of the female dog or cat is submitted and verified by the animal control officer, municipal police, or duly authorized designee but no later than two months from the time the female dog or cat delivers a litter. Each hobby breeder shall pay an annual fee of ~~\$50.00~~ in lieu of fees for individual litters, and such fee will cover all litters during the calendar year. [+All such fees are based on a schedule adopted by the council by resolution+]. An owner shall not advertise, sell, barter, exchange, or give away any dogs or cats within the town of Mesilla boundaries unless the litter fee is displayed legibly. An owner shall furnish the litter fee or hobby breeder permit number to any prospective recipient requesting the number. Each hobby breeder shall be subject to the regulations of this chapter and the regulations set out in MTC Title [5](#), Business Taxes, Licenses and Regulations, and MTC Title [18](#), Zoning. [Ord. 2007-10 § 13]

6.05.140 Rabid animals.

A. Reporting Animals Showing Symptoms of Rabies. It is unlawful to keep any unvaccinated dog, cat, ferret or any animal which has shown any symptom of rabies. Animals showing symptoms of rabies shall be reported to the animal control officer, municipal police, or duly authorized designee who shall then impound and confine the animal and send a sample for testing to determine whether the animal is infected with rabies. If the test results show that the animal is infected with rabies, the animal shall be destroyed. If the animal has been determined not to be infected with rabies, the animal shall be returned to its owner or his or her agent or representative. However, if the animal has been determined not to be infected with rabies but has bitten a

human being, a determination of whether the animal is vicious shall be conducted in accordance with MTC [6.05.150](#); if the animal is determined not to be vicious, the animal shall be returned to its owner or his or her agent or representative. If the animal dies during the confinement period, all necessary laboratory inspections will be conducted by the district health officer.

B. Interference with Officers. It shall be unlawful for any person to interfere with the animal control officer, municipal police, or duly authorized designee in the execution of the provisions of this section. [Ord. 2007-10 § 14]

6.05.150 Vicious or dangerous animals. 

A. Definition. A vicious or dangerous animal is one as defined in MTC [6.05.030](#).

B. Determination of Viciousness. The municipal court shall conduct a hearing to determine if the animal is vicious or dangerous as defined in MTC [6.05.030](#). If the court determines, by clear and convincing evidence, that the animal is vicious or dangerous, the court may impose a fine or imprisonment or both on the owner of the animal and shall order the animal destroyed in accordance with MTC [6.05.160](#).

C. Owning or Keeping Vicious Animals Prohibited. It shall be unlawful for any person to own, keep or harbor a vicious, dangerous, or ferocious animal in the town.

1. Keeping of Animals or Trained Animals Liable to Attack and Injure Human Beings or Other Animals Prohibited Unless Securely Kept. It shall be unlawful for any person to keep any animal or any trained animal liable to attack and injure human beings or other animals, unless such animals are securely kept so as to prevent injury to any persons or other animals. This section shall not apply to animals that are used by law enforcement for legitimate law enforcement purposes.

D. Repelling Attack by Animal. Any attack by any animal may be repelled by the use of reasonable force. [Ord. 2007-10 § 15]

6.05.160 Destruction of animals. 

A. Request to Destroy or Turn Over Vicious or Dangerous Animals. The animal control officer, municipal police, or duly authorized designee may request the owner or keeper of a vicious or dangerous animal to destroy it humanely or turn such animal over to the animal control officer, municipal police, or duly authorized designee for humane destruction.

B. Failure or Refusal to Destroy or Turn Over Vicious or Dangerous Animal. Should the owner or keeper of the vicious or dangerous animal fail or refuse to humanely destroy or turn the animal over to the animal control officer, municipal police, or duly authorized designee, the animal control officer, municipal police, or duly authorized designee shall cause a complaint to be brought in municipal court against such owner or keeper for failure or refusal to humanely destroy or turn the vicious or dangerous animal over.

C. Animals Wounding, Injuring, or Killing Livestock or Other Animals in the Presence of the Animal Control Officer, Municipal Police, or Duly Authorized Designee. The animal control officer, municipal police, or duly authorized designee shall have the authority to destroy an animal if it is in the act of wounding, injuring, or killing livestock or other animals or in the act of attacking a human being. There shall be no liability on the animal control officer, municipal police, or duly authorized designee in damages or otherwise for such destruction.

D. Animals Wounding, Injuring, or Killing Livestock or Other Animals Not in the Presence of the Animal Control Officer, Municipal Police, or Duly Authorized Designee.

1. Any person having knowledge that an animal has wounded, injured, or killed livestock or other animals shall report this to the animal control officer, municipal police, or duly authorized designee. Upon receiving such report or notice, the animal control officer, municipal police, or duly authorized designee having reason to believe that the animal did wound, injure, or kill livestock or other animals shall impound such animal. A complaint shall then be filed with the municipal court and a hearing shall then be had within a reasonable period of time to determine whether the animal did wound, injure, or kill livestock or other animals.

2. Should the municipal court find that the animal in question did wound, injure, or kill livestock or other animals, it shall order the animal control officer, municipal police, or duly authorized designee to have the animal destroyed in a humane manner.

E. Destruction of Dogs or Cats Running in Packs. The animal control officer, municipal police, or duly authorized designee shall be authorized to destroy in a humane manner any astray dogs or cats within the town which are running in packs and who are potentially dangerous to humans, livestock, or other animals, as reasonably determined by the animal control officer, municipal police, or duly authorized designee. [Ord. 2007-10 § 16]

6.05.170 Housing of animals.

Housing facilities for animals shall be structurally sound and constructed of nontoxic materials. Interior floors shall be smooth and easily cleanable and impervious to water. The premises shall be kept clean, sanitary and in good repair in a manner which will protect the animals from overcrowding, disease, and injury. Animals shall be provided the adequate space to allow each animal to turn about freely, to stand, sit, and lie in a comfortable, normal position, and to walk in a normal manner. Outside housing shall protect the animal from weather conditions (such as sunlight, rain, snow or cold or hot weather) that may be detrimental to the health of the animal. Animals maintained in pens, cages, or runs for periods exceeding 24 hours must be provided with adequate space for exercise for the comfort and health of the animal. Sufficient lighting shall be provided by either natural or artificial means. Disposal facilities shall be provided and operated so as to minimize vermin infestation, odors, and disease hazards. Animals shall be provided with sufficient fresh, clean and wholesome food and water. Food and water containers must be kept clean. Every animal kept in a kennel must be observed daily, and diseased or injured animals shall be provided with care from a licensed veterinarian. This section shall apply to all owners or keepers of animals in the town, including the general public, kennels, guard dog operations, and hobby breeder operations.

[+A. Chaining, when not accompanied by a person, shall conform to the following standards:

1. Chaining is prohibited as a means of outdoor confinement for more than one hour during any 24 hour period.
2. No chain shall weigh more than 1/8 of the Animal's weight.
3. The chain must be affixed to the animal by the use of a non-abrasive, well-fitted harness.
4. The chain must be at least 12 feet long and fastened so the animal can sit, walk, and lie down using natural motions.
5. The chain must be unobstructed by objects that may cause the chain or the animal to become entangled.
6. The chain shall have a swivel on both ends.
7. The chained animal shall be surrounded by a barrier sufficient to protect the chained animal from at large Animals. The barrier shall be sufficient to prevent children from accidentally coming into contact with the chained animal.+]

[Ord. 2007-10 § 17]

6.05.180 Wild animals.

No person shall keep, harbor or maintain any poisonous reptiles, dangerous carnivorous wild animals, or dangerous or poisonous insects or arachnids, whether they are trained or not, without having first registered

such reptiles, insects, arachnids, or other animals with the animal control officer, municipal police and duly authorized designee.

[+A. Venomous reptile cages. A person owning or having care, custody, or control over a venomous reptile shall restrain the animal to the owner's premises by a secure locked cage. The secure locked cage used to restrain a venomous reptile shall feature labeling that clearly defines and identifies the animal with the following information:

1. Common Name.
2. Scientific Name.
3. Venomous Nature.+]

[Ord. 2007-10 § 18]

6.05.190 Service animals allowed in public places.

It shall be unlawful for any person owning or maintaining any place or public accommodation, public entertainment or amusement, restaurant, hotel, hospital, swimming pool, store, or theater, or who operates any public transportation facility to exclude therefrom any service animal as defined in MTC [6.05.030](#); provided, that such service animal be in the company of the person for whom it was trained to assist. [Ord. 2007-10 § 19]

6.05.200 Restraint of animals.

A. Penning on Premises. All persons owning or having charge, custody, care or control of any animal shall keep such animal properly and securely penned on his or her own premises.

B. Leashed Dogs. Dogs shall be permitted on the streets or public places of the town only if they are secured on a leash not over eight feet in length, under the immediate physical control of the person having custody thereof. The determination of whether the dog is under the immediate physical control of a person having custody thereof shall be determined by the animal control officer, municipal police, or duly authorized designee, as to what he believes to be reasonable under the circumstances.

C. Animals Not under Immediate Control. Any animal trespassing upon private or public premises shall be deemed prima facie not to be under the immediate control of a competent person and shall be reported for impounding to the animal control officer, municipal police, or duly authorized designee.

D. Dogs Not Allowed at Town-Sponsored Events. Dogs shall not be allowed at town-sponsored events. This restriction shall not apply to service animals as defined in MTC [6.05.030](#) or to animals which are authorized to participate in such events [+by the mayor+].

[+E. Transporting Animals. When transporting Animals they must be kept safe.

1. Pickup Trucks. Animals that are transported in the bed of a pickup truck must be humanely restrained or crated to prevent the possibility of the animal falling out, protected from extreme temperatures and provided with a non-metal surface to sit or stand on.

(a) Humanely restrained. The animal must be attached to the truck by means of a harness, not a neck collar, in a way to insure that the animal cannot jump out of or fall from the truck or be strangled. There must be two fixed point fastening locations at least two feet apart to attach the harness to in order to prevent the animal from strangling or falling out.

(b) Crate. If an animal is put in a crate or other enclosure, the crate or enclosure must be securely fastened to the bed or sides of the truck so that the crate or enclosure cannot turn over or fall out.

(c) Protection from weather. No animal shall be left in the bed of a truck whether in a crate or not when the weather is such that the animal will be exposed to extreme heat, cold or rain.

2. Cars, Vans and Recreational Vehicles. Animals riding inside vehicles that are not in crates or other enclosures must not be allowed access to a window opened wide enough for the animal to jump, fly or fall out. Animals left unattended in cars, vans or recreational vehicles must have adequate ventilation to prevent the temperature in the vehicle from rising high enough such that any reasonable person would know that the animal would suffer from heat exposure. During the warmer months, no amount of ventilation will keep the car from getting too hot. If the animal control officer, municipal police, or duly authorized designee determines that an animal in a vehicle is in immediate danger, the animal control officer, municipal police, or duly authorized designee may enter the vehicle by whatever means necessary, without being liable to the owner of the vehicle, and seize the animal.

3. Transporting more than one Animal. In addition to all other regulations in this article, animals should never be overcrowded when being transported. If the animals are crated or kept in any enclosure, they may be allowed to share a crate but each animal should be able to stand up, move around, lie down and stretch out naturally. If crates or enclosures are stacked, they must be attached securely to prevent the crates or enclosures from falling or turning over. If crates or other enclosures are stacked, it is important that no urine or feces are passed between crates and enclosures.+] [Ord. 2007-10 § 20]

6.05.210 Penning female animals.

The owner of a female animal shall cause such animal when in season or in heat to be penned or enclosed during such period of time in a house, building or secure enclosure so that other animals are not attracted to the animal in a manner that will preclude occurrence of a public nuisance, but not tied. Such enclosure shall be constructed so that no other animals may gain access to the confined animal, except for intentional breeding purposes. [Ord. 2007-10 § 21]

6.05.220 Prohibited acts and conditions.

It shall be unlawful for any person to hinder, resist, or oppose the animal control officer, municipal police, or duly authorized designee in the performance of his or her duties or to secret any animal from him or her that requires attention. [+A person shall not, without the knowledge and consent of the owner, harbor, hold or retain possession of any animal for more than 24 hours without first submitting a found animal report to the marshal's department.

A. A person having possession of such an animal shall immediately surrender the animal to the animal control officer upon request.

1. A person having possession of such an animal shall allow the animal to be scanned for the presence of an identification microchip by the animal control officer immediately upon request.

2. If the animal remains in the custody of the finder and the owner of such animal fails to submit a missing animal report with the marshal's department within 72 hours following the submission of the found animal report, the finder may thereafter claim ownership of the animal.+] [Ord. 2007-10 § 22]

6.05.230 Cruelty to animals prohibited.

A. Killing or Beating Animals Prohibited. It shall be unlawful for any person to willfully or maliciously kill, destroy, maim, disfigure, torture, beat with a stick, chain, club or other object, mutilate, burn, or scald with any substance, overdrive, or otherwise cruelly set upon any animal; except, that reasonable force may be employed to drive off vicious, dangerous, or trespassing animals. It shall be unlawful to poison dogs, cats, and other domesticated animals.

B. Overworking Animals Prohibited. It shall be unlawful for any person to drive to work any animal cruelly when such animal is unfit for labor.

C. Slaughtering Wild Animals Excepted. The slaughtering of animals for food or the killing of wild animals, such as authorized by law, shall not be a violation of this section.

D. Duty to Provide Food and Shelter. It shall be unlawful for any person to fail, refuse or neglect to provide any animal in his or her custody, as owner or otherwise, with proper food, drink, shade, shelter, care, medical treatment or to carry any animal in or upon any vehicle in a cruel or inhumane manner, or to keep any animal under unsanitary or unhealthy conditions.

[+E. Basic Grooming. All animals shall be groomed in accordance with this article as described by the definition of basic grooming as applicable to the species. Basic grooming is necessary to maintain the eyes, ears, beaks, hooves, feet and skin of an animal in healthy condition. Basic grooming includes making sure that the toenails or hooves are not so long as to cause the animal not to be able to move normally or to cause pain to the animal. Basic grooming also includes providing the animal with whatever the animal needs for self-grooming. No animal shall be allowed to have a coat that is matted to the point that it becomes so heavy as to cause skin irritation or trap fecal matter. The animal shall not be so dirty as to provide a home for parasites and insects. No

animal shall be allowed to have foreign objects imbedded in its skin, fur or hair other than an identification microchip.+]]

Ⓔ F. Animals without Proper Care. Whenever the animal control officer, municipal police, or duly authorized designee finds that any animal is without proper care because of injury, illness, confinement or voluntary absence of the owner or person responsible for the care of such animal, the animal control officer, municipal police, or duly authorized designee may impound such animal for protective care. In the event of sickness or injury of the animal, upon the advice of a licensed veterinarian, the animal control officer, municipal police, or duly authorized designee may take such action as called for to prevent undue pain and suffering, including immediate destruction of the animal.

Ⓕ G. Abandoning of Animal Prohibited. It shall be unlawful for any person to abandon any animal in the town of Mesilla.

Ⓖ H. Discharging Firearms or Fireworks at Any Animal Prohibited. It shall be unlawful for any person to fire any BB gun, firearm or firework in the vicinity of an animal unless used to repel an attack by an animal on a human being, livestock or other animal or unless otherwise permitted pursuant to MTC [6.05.160](#)(C) and (E).

Ⓗ I. Animals on Unenclosed Premises. It shall be unlawful for any person to stake out, graze, or herd any animal upon any unenclosed private lot or parcel of land in a manner that such animal may be or go beyond the boundary of such lot or land.

Ⓙ J. Keeping of Infected or Painfully Crippled Animals. It shall be unlawful for any person to have, keep, or harbor any animal which is known or believed to be infected with a dangerous or communicable disease or is painfully crippled, wounded, or injured. All such animals shall be reported to the animal control officer, municipal police, or duly authorized designee who will make proper disposition of the animal. This section shall not be construed to include veterinary hospitals in which animals are being treated. [Ord. 2007-10 § 23]

6.05.240 Permitted premises.

A. Permit Required.

1. No person shall operate a kennel, guard dog operation, hobby breeder operation, apiary operation, arachnid operation, or insect operation without a valid permit issued by the animal control officer, municipal police, or duly authorized designee.

2. No person shall operate a kennel, guard dog operation or hobby breeder operation without also obtaining a valid business license issued by the town pursuant to MTC Title [5](#), Business Taxes, Licenses and Regulations.

3. A minimum fine of ~~\$100.00~~ [+\$250.00+] will be assessed for any violations.

B. Permit Applications. Persons who wish to apply for a permit shall file using forms provided by the animal control officer, municipal police, or duly authorized designee. The application shall require information sufficient to assure the animal control officer, municipal police, or duly authorized designee that the applicant and facilities are adequate, in compliance with MTC [6.05.170](#), to care for the animals in a manner that protects the public and the animals and located in an area zoned by the town for such proposed use or facilities in compliance with the regulations set out in MTC Title [18](#), Zoning.

C. Permit Requirement. No permit is transferable from one person or place to another person or place. A valid permit shall be posted in a conspicuous place at each permitted premises. A permit holder shall notify the animal control officer, municipal police, or duly authorized designee of any changes in operations which may affect the status of the permit and shall keep the animal control officer, municipal police, or duly authorized designee informed of any changes in name, address, or home and business telephone numbers. Both the person in charge of the permitted premises and the owner of the permitted premises shall be responsible for complying with this section. At each permitted premises, a current record shall be kept which describes all animals owned, purchased or received after the date of issuance of the permit. An application for renewal must be accompanied by a current certificate of inspection issued by the animal control officer, municipal police, or duly authorized designee and shall be filed with the animal control officer, municipal police or duly authorized designee at least 30 days but no more than 60 days before the date of expiration. Failure to renew the permit as specified shall result in the expiration of the permit or in the assessment of a late fee of ~~\$10.00~~ [in accordance with a schedule adopted by the council by resolution+] for each day in violation after the date of expiration[+,+] in addition to the cost of renewing the permit.

D. Facilities and Care Applicable to Kennels, Guard Dog Operations, Hobby Breeder Operations, Arachnid Operations, and Insect Operations. Housing facilities for animals applicable to kennels, guard dog operations, hobby breeder operations, arachnid operations, or insect operations shall be constructed, repaired and maintained in compliance with MTC [6.05.170](#) and MTC Title [15](#), Buildings and Construction.

E. Access to Permitted Premises. The animal control officer, municipal police, or duly authorized designee shall be allowed to enter the premises following notification to the permit holder or applicant for the purpose of inspection prior to issuance of a permit, renewal of a permit, or for investigation of a complaint.

F. Suspensions and Revocations of Permits. When the animal control officer, municipal police, or duly authorized designee discovers that a permitted premises is in violation of this section or MTC Title [5](#), Business Taxes, Licenses and Regulations, MTC Title [15](#), Buildings and Construction, or MTC Title [18](#), Zoning, he or she shall give written notice of this violation to the permit holder, operator, owner or person in charge by means of an inspection report or other written notice. The notification shall state that failure to comply with the provisions of this section may result in immediate suspension or revocation of the permit. Permits may be suspended for 30 days to allow the permit holder to comply with the requirements of this section or other applicable laws, ordinances or regulations. A permit shall be surrendered to the animal control officer, municipal police, or duly authorized designee upon suspension or revocation. A person whose permit has been suspended may apply for an inspection of the premises for the purpose of reinstating the permit by filing an additional application for a permit on a form required by the animal control officer, municipal police, or duly authorized designee. Within five business days after the application is received by the animal control officer, municipal police, or duly authorized designee, he or she shall conduct an inspection of the premises proposed to be permitted or re-permitted. If the applicant and the site are in compliance with all the applicable requirements of this section and all other applicable laws, regulations, and ordinances, the permit shall be reinstated.

G. Guard Dog Operation. A person who wishes to conduct a guard dog operation or business shall first obtain a guard dog permit in accordance with this section and shall be subject to any and all other requirements therein applicable. In addition to the facilities and care standard requirements of permitted premises set forth in this section, the area where the guard dog is housed while not on duty shall be secured in a manner which will prevent their escape. The off-duty housing area shall be kept locked when not in use. Premises where guard dogs are on duty or in use shall be posted with warning signs at least 12 inches long on each side. The warning sign shall state "Guard Dog" or "Guardian" and shall show a picture of an aggressive dog. The warning signs shall be posted not more than 200 feet apart on the exterior of the fences or walls surrounding the site where such guard dogs are on duty or in use, and shall be posted at the exterior corners of said site and every entrance of said site.

H. Apiary Operations, Arachnid Operations, and/or Insect Operations. A person who wishes to conduct an apiary operation, arachnid operation, and/or insect operation or business shall first obtain a permit from the animal control officer, municipal police, or duly authorized designee. To qualify for such a permit, the person

must demonstrate in the form of certification, training, or education to the animal control officer, municipal police, or duly authorized designee that such person or his or her agents or representatives have the requisite or necessary knowledge, skill, or experience for the identification and handling or controlling of such animals.

I. Exceptions to Permitted Premises. The following are not required to obtain a permit under this section but shall remain subject to the regulations set out in MTC Title [5](#), Business Taxes, Licenses and Regulations, MTC Title [15](#), Buildings and ~~Construction~~ [+Construction+], and MTC Title [18](#), Zoning:

1. A veterinarian hospital or clinic operated by a licensed veterinarian.
2. A bona fide research institution, using animals for research.
3. A publicly owned animal control center or shelter. [Ord. 2007-10 § 24]

6.05.250 Violation – Penalty.

A. Any person who shall violate any provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$500.00 or imprisonment for not more than 90 days or both. Each day of a violation shall be considered a separate offense.

B. Citations may be issued to the custodian or owner of the animal in violation. The impounding fee shall be ~~\$25.00~~ [+\$50.00+] for the first impoundment within a 12-month period, ~~\$50.00~~ [+\$75.00+] upon a second impoundment within the same 12-month period, ~~\$75.00~~ [+\$150.00+] upon the third impoundment within the same 12-month period, and \$300.00 upon every impoundment after the third impoundment within the same 12-month period. The fee for an animal with no license tag shall be based on a schedule adopted by the council by resolution.

C. It shall be the duty of any person who is the owner or the keeper of any vicious or dangerous animal, the keeping of which is unlawful, to cause such animal to be destroyed in accordance with MTC [6.05.160](#). Failure to comply with this section shall subject such owner or keeper to a minimum fine of ~~\$10.00~~ [+\$100.00+] plus costs. Each day's failure to comply shall be considered a separate offense. [Ord. 2007-10 § 25]



**BOARD OF TRUSTEES
TOWN OF MESILLA
REGULAR MEETING
TUESDAY, OCTOBER 9, 2018
6:00 P.M.**

TRUSTEES: Nora L. Barraza, Mayor
Jesus Caro, Mayor Pro Tem
Carlos Arzabal, Trustee
Veronica S. Garcia, Trustee
Stephanie Johnson-Burick, Trustee (6:05 p.m.)

STAFF: Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
K.C. Alberg, Marshal
Kevin Hoban, Fire Chief
Gloria Maya, Recorder

PUBLIC: Ashleigh Curry

1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Barraza, Mayor Pro Tem Caro, Trustee Arzabal, Trustee Garcia, Trustee Johnson-Burick (6:05 p.m.)

3. CHANGES TO THE AGENDA & APPROVAL

Motion: To approve the agenda, **Moved by** Trustee Arzabal, **Seconded by** Trustee Garcia.

Roll Call Vote: Motion passed (summary: Yes = 4).

Mayor Pro Tem Caro Yes

Trustee Arzabal Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

4. PROCLAMATIONS:

A. A proclamation declaring October 10, 2018 as International Walk to School Day in the

1 Town of Mesilla. – **Ashleigh Curry, Safe Routes to School Coordinator & kids.**
2 Ms. Curry read a proclamation declaring October 10, 2018 as International Walk to School Day in the
3 Town of Mesilla. She invited everyone to join the students at 7:30 a.m. in their walk to school and
4 thanked the board for their continued support.

5
6 Mayor Barraza thanked Ms. Curry for her continuous participation.
7

8 **5. CLOSED SESSION** – pursuant to NMSA 1978 Chapter 10-15-1(H)(2): discussion limited to
9 personnel matters in the Public Works Department. – **Nora L. Barraza, Mayor.**

10 **Motion:** To enter Closed Session pursuant to NMSA 1978 Chapter 10.15.1(H)(2): discussion limited to
11 personnel matters in the Public Works Department, **Moved by** Trustee Arzabal, **Seconded by** Trustee
12 Garcia.

13
14 **Roll Call Vote: Motion passed (summary: Yes = 4).**

15 **Mayor Pro Tem Caro Yes**

16 **Trustee Arzabal Yes**

17 **Trustee Garcia Yes**

18 **Trustee Johnson-Burick Yes**

19
20 **Entered Closed Session at 6:11 p.m.**
21

22 **Motion:** To enter Regular Meeting after limited discussion to personnel matters in the Public Works
23 Department pursuant to NMSA 1978 Chapter 10.15.1(H)(2); no action taken, **Moved by** Trustee Arzabal,
24 **Seconded by** Trustee Johnson-Burick.

25
26 **Roll Call Vote: Motion passed (summary: Yes = 4).**

27 **Mayor Pro Tem Caro Yes**

28 **Trustee Arzabal Yes**

29 **Trustee Garcia Yes**

30 **Trustee Johnson-Burick Yes**
31

32 **Entered Regular Meeting at 6:19 p.m.**
33

34 **6. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

35 Ms. Krueger expressed her concerns regarding the procedure of the agreement between Souder, Miller
36 and Associates and the Town of Mesilla. She stated that if Mr. Steve Ramirez had been present at the
37 meeting he would have followed through with questions as to what the agreement entailed.
38

39 **7. *APPROVAL OF CONSENT AGENDA** – **The Board will be asked to approve by one motion**
40 **the following items of recurring or routine business. The Consent Agenda is marked with an**
41 **asterisk *:**

42 **Motion:** To approve the consent agenda, **Moved by** Trustee Arzabal, **Seconded by** Trustee Johnson-
43 Burick.
44

45 Trustee Caro asked on what side of Palacio Bar the mural would be on.

46
47 Mayor Barraza responded it will be placed on the south wall.
48

49 **Roll Call Vote: Motion passed (summary: Yes = 4).**

50 **Mayor Pro Tem Caro Yes**

51 **Trustee Arzabal Yes**

1 **Trustee Garcia Yes**
2 **Trustee Johnson-Burick Yes**

3
4 **A. *BOT Minutes** – Minutes of a Regular meeting of September 24, 2018. *Approved by*
5 *consent agenda*

6 **B. *PZHAC Case 060797 w/CONDITION** – 2600 Avenida de Mesilla, submitted by Velia
7 Chavez for Palacio’s Bar; a request for a building permit to enable a mural to be painted on
8 the side of a commercial structure at this address. Zoned: Historic Residential (HR).
9 *Approved by consent agenda*

10
11 **8. NEW BUSINESS:**

12 **A. For Approval:** The hiring of a Maintenance/Water Operator. – **Nora L. Barraza, Mayor.**
13 Mayor Barraza stated the committee is recommending Mr. Manuel Hernandez for the position of
14 Maintenance/Water Operator contingent on the reference from the immediate supervisor. Mr. Hernandez
15 has the Level 2 Water Certification which makes him well qualified. These levels are required by the state
16 in order to keep our water wells in operation.

17
18 Mayor Pro Tem Caro stated he feels Mr. Hernandez will fit right in and that Mr. Cordero will keep an eye
19 on his progress.

20
21 **Motion:** To approve the hiring of a Maintenance/Water Operator, **Moved by** Trustee Arzabal, **Seconded**
22 **by** Trustee Johnson-Burick.

23
24
25 **Roll Call Vote: Motion passed (summary: Yes = 4).**

26 **Mayor Pro Tem Caro Yes**

27 **Trustee Arzabal Yes**

28 **Trustee Garcia Yes**

29 **Trustee Johnson-Burick Yes**

30
31 **9. *STAFF REPORTS:**

32 Community Development

33 Finance Department

34 Marshal’s Department

Community Programs

Fire Department

Public Works Department

35
36 **10. BOARD OF TRUSTEE COMMITTEE REPORTS**

37 Trustee Johnson-Burick indicated the MPO will meet tomorrow.

38
39 Mayor Barraza stated she attended the NMML Board of Directors meeting. They discussed the Roswell
40 Conference; the audit report, the issue with the Taxation and Revenue Department which she will bring
41 forth at a later time. A staff member and commissioner attended the Zoning Conference in Red River.
42 We will be identifying Airbnb’s and Short Term Rentals in the Town of Mesilla. They will be notified
43 that a business license must be filed with the town and that Lodger’s Tax and Gross Receipt Tax must be
44 reported.

45
46 **11. BOARD OF TRUSTEE/STAFF COMMENTS**

47 Trustee Garcia asked for an update on the bikers.

48
49 Ms. Stohner-Hernandez responded she had emailed the trustees that they are working with the attorney
50 and will share the information once it is received.

51
52 Trustee Garcia asked if the ACLU and the NMSU are included.

53

1 Ms. Stoechner-Hernandez responded yes.
2
3 Trustee Arzabal stated he cannot put something on the consent agenda unless there is a second by another
4 board member. He just makes a motion; motion dies if it is not seconded. He requested a presentation of
5 a rubric on when the plaza is closed. We received calls and we need a better answer than telling them to
6 call the mayor.
7
8 Mayor Pro Tem Caro expressed his thanks and appreciation to the Public Works Department for filling in
9 the potholes. He indicated there are some potholes near the Fire Department that need attention.
10
11 Mayor Barraza responded she believes they did repair those.
12
13 Mayor Pro Tem Caro stated he saw them on Sunday.
14
15 Fire Chief Hoban inaudible
16
17 Mayor Barraza stated Mr. Cordero contracted someone who is cleaning out the holes, filling them with
18 hot mix and running the roller to pack them. Bowman Road was repaired to the best of their ability until
19 we receive the \$325K in Capital Outlay Funding. Paperwork has been submitted but due to the short staff
20 at DFA things are being delayed. She met with former Mayor Noble from Las Cruces who lives on
21 Bowman who shared a memo from the early 60's which he feels shows that Bowman Road belongs to the
22 City of Las Cruces. We will be doing some research as the City of Las Cruces states that Bowman
23 belongs to the Town of Mesilla and if it does not belong to us we will turn it over.
24
25 Mayor Pro Tem Mayor stated he has tried speaking to representatives but nothing has been done.
26
27 Mayor Barraza responded she thinks it belongs to the county. We will continue to work and following up
28 on the on-going projects. She spoke to the attorney regarding agenda items who stated if there is a
29 motion, a second and a vote an item can be placed on the consent agenda.
30
31 Trustee Garcia stated we will be getting remnants of Hurricane Sergio.
32
33 Fire Chief Hoban inaudible
34
35 Mayor Barraza stated she met with the reporter referred by Trustee Garcia regarding Chala's. She has a
36 copy of the report; NMED approved the inspection with recommendations such as a higher stack. They
37 will not be going out to inspect again. The reporter met with Mr. Frankie Torres owner of Chala's as
38 well.
39
40 Trustee Garcia stated received a call from the reporter who started asking questions regarding the
41 restaurant; she directed him to the mayor.
42
43 Mayor Barraza thanked Trustee Garcia for following protocol. She asked Trustee Arzabal what he needs
44 regarding plaza closure.
45
46 Trustee Arzabal responded he wants the process followed that determines closure of the plaza.
47
48 Mayor Barraza responded Ms. Parra brings events requests to the Department Head meetings. We look at
49 the type of event, how many people are they going to attract, foot traffic and the effect on the businesses.
50 Our number one concern is Public Safety. The decision is made by everyone at the meeting. We rely on
51 the Fire Chief and the Marshal opinions with regards to liability. It has been brought to her attention that
52 items discussed in closed session are being discussed out in the public. Comments are being made that
53 trustees are talking to residents and this is a concern. She wants to reiterate the importance of keeping

1 confidentiality and attorney/client privilege. She would hate to censure a trustee from participating in
2 closed session. Upcoming events are Food Truck Fiesta-October 17th, 6-8 p.m.; SSCOG meeting-October
3 19th; Infrastructure Conference-October 24th-26th; Board of Trustee meeting-October 22nd.

4
5 Ms. Stohner-Hernandez indicated Los Leones Car Show-October 13th; Halloween Carnival-October 27th
6 6-9 p.m.; 5K-October 14th; Mariachi Sunday-October 28th. Ms. Parra is accepting candy donations and
7 volunteers for the Halloween Carnival.

8
9 **12. ADJOURNMENT**

10 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4)**

11
12 **MEETING ADJOURNED AT 6:45 P.M.**

13
14 **APPROVED THIS 22nd DAY OF OCTOBER, 2018.**

15
16
17
18
19 _____
20 Nora L. Barraza
21 Mayor

22
23 **ATTEST:**

24
25
26 _____
27 Cynthia Stohner-Hernandez
28 Town Clerk/Treasurer
29
30

OCTOBER 15, 2018 PZHAC CASES TO THE BOT

Building Permits

1. **Case 060798** – 2112 Calle de Los Huertos, submitted by Robert Salais; a request for a building permit to repaint the outside of a dwelling at this address. Zoned: Historical Residential (HR) (Discussed at Work Session – Item 1)
2. **Case 060801** – 1620 Calle de Alvarez, Suite C2, submitted by Chris/Stefan Schaefer; a request for a building permit to construct a four foot high metal security fence with gates between support columns of an existing porch of a commercial structure at this address. Zoned: General Commercial (C) (Discussed during Work Session – Item 2)
3. **Case 060802** – 2111 Calle de Santo Tomas, submitted by Bill McClure for Nancy Clayshulte; a request for a building permit to construct a workshop as an addition to an existing dwelling at this address. Zoned: Historical Residential (HR) (Discussed during Work Session – Item 3)

BOT ACTION FORM
BUILDING PERMIT 060798
[PZHAC REVIEW – 10/15/18]
STAFF ANALYSIS

(Decision to be based on information presented during the Work Session – Item 1)

Item:

Case 060798 – 2112 Calle de Los Huertos, submitted by Robert Salais; a request for a building permit to repaint the outside of a dwelling at this address. Zoned: Historical Residential (HR)

Staff Analysis:

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

If it is determined that the color proposed for the dwelling is acceptable to the Town as proposed, or if an alternate solution is arrived at, then the request can proceed on the assumption that all requirements of the Code will be satisfied. The PZHAC should continue on to approve the request based on the Findings stated below.

If, on the other hand, it is determined that the proposed color for the dwelling would not be acceptable to the Town, and no other solution can be reached, then the PZHAC should either postpone the request further until the applicant can return with a proposal that meets the standards set forth by the PZHAC; or the PZHAC should deny the request based on the request not meeting any or all of the Findings as listed.

Estimated Cost: @ \$300.00

Consistency with the Code:

The PZHAC will need to determine that the color of the dwelling will be consistent with the color of dwellings in the HR zoning district. Additionally, the PZHAC will need to determine that the request meets all other development and application requirements of the Code.

The PZHAC will also need to determine that the request, as submitted, is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this project.

Findings:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of repainting a dwelling at this address.
- The PZHAC has determined that the proposed color meets all applicable Code requirements.

PZHAC ACTION:

The PZHAC voted 3 – 0 to recommend APPROVAL of the permit to the BOT.

BOT OPTIONS:

1. Approve the requested permit as approved by the PZHAC.
2. Approve the requested permit with conditions.
3. Reject the application.

BOT ACTION:

**PZHAC WORK SESSION
OCTOBER 15, 2018
ITEM 1**

Submitted by Robert Salais; a request to discuss plans to repaint the outside of a dwelling at 2112 Calle de Los Huerto. (Case 060798). Zoned: Historical Residential (HR)

The property is located on the west side of Calle de Los Huerto and is accessed by a driveway from Calle del Norte. The Historical Register estimates the structure to have been built in 1955. It is described as being “insignificant”, and is not similar to its surroundings, as well as having a “minus” architectural contribution to the surroundings (see attached).

Note: In the original packet to the PZHAC, it was brought to staff’s attention that the determination of the structure being “I” was erroneously explained as meaning the property’s contribution was “insignificant”. A description of “I” actually means that the structure is “intrusive”, which is defined in the Nomination Form for the National Register of Historic Places as being structures that “...clash with the overall feeling of the district.” This clarification was explained to the PZHAC.

The applicant would like to repaint the structure a slightly darker color than it is now. The color chosen is “Suede” by Sto. This is a color that is allowed by the Town in Historic Districts (see attached color charts). (Since this is a color approved by the Town, it could actually be an improvement over the existing color given the overall evaluations in the Historical Register for the structure.)

There will be no other changes to the structure.

Photos of the structure are attached. According to the applicant, the color chosen will be compatible with the surrounding properties. Since the dwelling is in a Historic zoning district, the following section of the Code applies:

18.33.080 Historical appropriateness permit.

A. Identification. A permit for a certificate of historical appropriateness shall be required before any of the following actions or work is undertaken: new construction, exterior alteration, demolition or removal. All work or acts of new construction or exterior alteration requiring a permit for a certificate of appropriateness shall comply with the design criteria established by the precedent styles within the development zone of the proposed work.

Estimated Cost: @ 300.00

The applicant will be present at the work session to provide further details about the proposed construction, and to answer any questions that may arise.

Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

Select Search Type:

Account Numbe

Enter Value:

Maps

Legend

Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: [R0400167](#)

Parcel Number: 4006137018472

Owner: SALAIS ROBERT P &
YOLANDA P

Mail Address: PO BOX 105

Subdivision:

Property Address: CALLE DE LOS
HUERTOS

Acres: 0



PHOTO OF DWELLING FROM DRIVEWAY TO THE WEST



CLOSE-UP OF DWELLING FROM DRIVEWAY TO THE WEST SHOWING EXISTING COLOR



COLOR REQUESTED BY THE APPLICANT

Todos los colores de esta cartilla se aplican en superficies de concreto, mamparas, cerámica, etc. Para mayor información consulte con el representante de Sto en su país.

All colors in this color chart are applied on concrete, masonry, tiles, etc. For more information, please contact the Sto representative in your country.

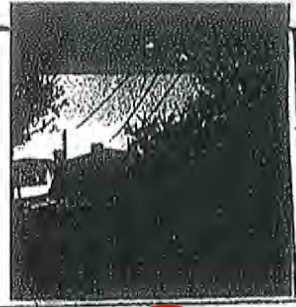
Sto

COLORS ALLOWED BY MESILLA

					<p>All of Sto's paint and coating products are designed to last. To make them last, Sto's Southwest color system. Made with only the highest quality ingredients, each product offers extra durability and performance. Sto's new generation of color pigments offers a high level of color stability and protection.</p> <p>Sto's products are specifically designed and selected to provide greater resistance to dirt pickup, which can result in less maintenance.</p> <p>Sto Powerflex® Silco and Sto Silco Flex Our top of the line silico-elastic, elastomeric finish. Its highly elastic film. Sto Powerflex and Sto Silco Flex are designed to provide superior weather resistance and durability. Packaging: 5 gal. pail.</p> <p>Sto Powerflex® and Flexifinish An acrylic elastomeric, textured finish. Its elastic quality bridges hairline cracks. Packaging: 5 gal. pail.</p> <p>StoSilco® Lastic All the benefits of Sto Powerflex® and Sto Silco Flex, with extra weather resistance and durability in a coating! Packaging: 5 gal. pail.</p> <p>StoStastic An acrylic, elastomeric coating ideal for bridging hairline cracks in stucco surfaces. Packaging: 5 gal. pail.</p> <p>CO - Reference Color</p>

300

7



1. ALERT SHEET? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NEW MEXICO HISTORIC BUILDING INVENTORY FORM 1: BUILDINGS & STRUCTURES 6-6-79			
2. SURVEY DATE 7/10/81	3. BY MRE	4. CHECK DATE 5. BY	6. COMPUTER DATE 7. BY	8. FILE DATE 9. BY	10. REVISION DATE 11. BY
12. COUNTY Doña Ana		13. FIELD MAP 2112		14. NUMBER	
16. SPECIFIC LOCATION ca. 40 yards SW of SE corner Calle del Oeste & Calle del Norte		15. UTM REFERENCE NUMBER 13 330300 3571900 ZONE EASTING NORTHING		17. CITY/TOWN Mesilla	
20. LEGAL DESCRIPTION: TOWNSHIP NS RANGE EW SECTION 1/4 1/4 1/4		18. ZIP 88046		22. ROLL # 93	
25. ARCHITECTURAL STYLE small gable		26. NUMBER OF STORIES one		23. NEG # 2	
27. FOUNDATION MATERIAL(S)		28. EXTERIOR WALL SURFACE(S) white stucco		24. LOCATION OF NEG.	
29. FENESTRATION (TYPE, DIVISIONS, SURROUNDS/SILLS/ARRANGEMENTS) - horiz slide aluminum sash		30. DOOR ENTRANCE (TYPE/SURROUNDS) not visible		20. D. # 18320300	
31. ROOF(S) (NUMBER/SHAPE/MATERIAL DETAILS) medium gable covered with asphalt shingles		32. CHIMNEY(S) (NUMBER EXTERIOR-INTERIOR/MATERIALS) - 1 exterior white stucco		21. NEG # 2	
33. EXTERIOR DETAILS - trailer adjacent to it on the north		34. COMMENTS		22. ROLL # 93	
35. ESTIMATED DATE OF CONSTRUCTION 1955		36. ACTUAL		45. IMMEDIATE SURROUNDINGS open residential	
37. SOURCE OF DATE		38. ARCHITECT/ENGINEER/BUILDER		46. RELATION TO SURROUNDINGS <input type="checkbox"/> SIMILAR <input checked="" type="checkbox"/> NOT SIMILAR	
39. SOURCE OF INFORMATION		40. NAME		47. ARCHITECTURAL CONTRIBUTION TO SURROUNDINGS <input type="checkbox"/> PLUS <input type="checkbox"/> NEUTRAL <input checked="" type="checkbox"/> MINUS	
41. PRESENT USE residential		42. HISTORIC CONDITION		48. OVERALL SIGNIFICANCE <input type="checkbox"/> NATIONAL <input type="checkbox"/> STATE <input type="checkbox"/> LOCAL <input checked="" type="checkbox"/> NONE	
43. EXCELLENT <input type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input checked="" type="checkbox"/> DETERIORATED <input type="checkbox"/>		44. DEGREE OF REMODELING <input checked="" type="checkbox"/> MINOR <input type="checkbox"/> MODERATE <input type="checkbox"/> MAJOR		49. ASSOCIATED BUILDINGS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
				50. WHAT TYPE?	
				51. IF INVENTORIED, LIST I.D. #'S	
				52. SEE BACK? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

- 287 This stuccoed, gabled house has aluminum frame windows and a gabled porch protecting the entrance. est. 1960. (N)
- 288 This is a stuccoed residence with a flat roof and parapet and aluminum frame windows. est. 1930. (C)
- ~~289 This is an adobe farm house with aluminum frame windows, a flat roof with parapet, viga ends visible, and a shed roof porch with mission tile. There is a utility shed, a barn, and a silo associated with this house. est. 1900. (C)~~
- 290 This stuccoed adobe residence has a flat roof and parapet and metal casement windows. est. 1910. (C)
- 291 This stuccoed adobe residence has a flat roof, wood frame windows, a parapet, and a square-plan. est. 1920. (C)
- 292 This Ranch Style house has terrecotta brick walls. est. 1965. (N)
- 293 This is an apartment complex in a Territorial Revival style. The architecture matches that of the house to the north. This building blends well with the surroundings. est. 1975. (N)
- 294 This stuccoed house has a gabled roof and wood frame windows. est. 1910. (C)
- 295 This stuccoed gabled house with a brick half wall and wood frame windows has purlins and brackets. est. 1935. (N)
- 296 This gabled adobe residence has wood frame windows. est. 1910. (C)
- 297 This Ranch Style house has brick walls and aluminum frame windows. est. 1965. (I)
- 298 This stuccoed adobe house has a low gabled roof and aluminum frame windows. est. 1900. (C)
- 299 This is a rectangular-plan house with aluminum frame windows and a gabled roof. est. 1965. (N)
- 300 This is a small gabled house with aluminum frame windows. A trailer house is adjacent to it to the west. est. 1955. (I)
- 301 This house has a crenalated parapet and wood frame windows covered by tiled hoods. est. 1915. (C)
- 302 This square-plan stuccoed house with a flat roof and parapet has wood frame windows. est. 1900. (C)
- 303 This is a very long, rectangular-plan adobe house with a flat roof, parapet, wood frame windows, and an open porch spanning the length of the facade. est. 1900. (C)

TOWN OF MESILLA
PERMISSION TO CONDUCT WORK
OR

OFFICIAL USE ONLY:

Case # 060798

Fee \$ 0.00

OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

contact #
575-644-8792

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 060798 ZONE: HR CODE: MI APPLICATION DATE: 10/16/18

Name of Applicant/Owner: Robert P. Salas
Applicant's Telephone Number: 575-644-8792
Applicant's/Owner's Mailing Address: P.O. Box 8121 Ruidoso City: Ruidoso State: N.M. Zip Code: 88355
Applicant's/Owner's E-mail Address: robi.robi@gmail.com

Contractor's Name & Address (If none, indicate Self): N/A

Contractor's Telephone Number: _____ Contractor's Tax ID Number: _____ Contractor's License Number: _____

Address of Proposed Work: 2112 Calle de Los Arboles

Description of Proposed Work: paint the outside of house

Estimated Cost: \$ 300.00 Signature of Applicant: Robert P. Salas Date: 10/25/18

Signature of property owner if applicant is not the property owner: _____

With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and BOT before issuance of a building permit. Recorded proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. **Plan sheets are to be no larger than 11 x 17 inches.**

FOR OFFICIAL USE ONLY

PZHAC Administrative Approval Approved Date: _____ Disapproved Date: _____ Approved with conditions
BOT Approved Date: _____ Disapproved Date: _____ Approved with Conditions

FIRE INSPECTION/APPROVAL REQUIRED: ___ YES NO ___ SEE CONDITIONS

CID PERMIT/INSPECTION REQUIRED: ___ YES NO ___ SEE CONDITIONS

CONDITIONS: PZHAC REVIEW & BOT FINAL APPROVAL REQUIRED

PERMISSION ISSUED/DENIED BY: _____ ISSUE DATE: _____

This Application will include the following, if checked:

- 1. ___ Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was legally subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
- 2. ___ Site Plan with dimensions and details.
- 3. ___ Proof of legal access to the property.
- 4. ___ Drainage plan.
- 5. ___ Architectural style and color scheme – diagrams or elevations (Historical and commercial zones only).
- 6. ___ Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).
- 7. ___ Other information as necessary or required by the City Code or Community Development:

BOT ACTION FORM
BUILDING PERMIT 060801
[PZHAC REVIEW – 10/15/2018]
STAFF ANALYSIS

(Decision to be based on information presented during the Work Session – Item 2)

Item:

Case 060801 – 1620 Calle de Alvarez, Suite C2, submitted by Chris/Stefan Schaefer; a request for a building permit to construct a four foot high metal security fence with gates between support columns of an existing porch of a commercial structure at this address. Zoned: General Commercial (C)

Staff Analysis:

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

If it is determined that the proposed fence will be acceptable for the zoning of the property, or if an alternate solution is arrived at, then the request can proceed on the assumption that all requirements of the Code will be satisfied. The PZHAC should continue on to approve the request based on the Findings stated below.

If, on the other hand, it is determined that the proposed fence will not be acceptable to the zoning of the property, and no other solution can be reached, then the PZHAC should either postpone the request further until the applicant can return with a proposal that meets the standards set forth by the PZHAC; or the PZHAC should deny the request based on the request not meeting any or all of the Findings as listed.

Estimated Cost: @ \$1,200.00

Consistency with the Code:

The PZHAC will need to determine that the proposed work, when finished, will be consistent with the zoning requirements for this property. Additionally, the PZHAC will also need to determine that the request, as submitted, is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this project.

Findings:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of constructing a four foot high security fence with gates at this address.
- The PZHAC has determined that the proposed wall meets all applicable Code requirements.

PZHAC ACTION:

The PZHAC voted 3 – 0 to recommend APPROVAL of the permit to the BOT.

BOT OPTIONS:

4. Approve the requested permit as approved by the PZHAC.
5. Approve the requested permit with conditions.
6. Reject the application.

BOT ACTION:

**PZHAC WORK SESSION
OCTOBER 15, 2018
ITEM 2**

Submitted by Chris/Stefan Schaefer; a request to discuss plans to construct a four foot high metal security fence with gates between support columns of an existing porch of a commercial structure at 1620 Calle de Alvarez, Suite C2. (Case **060801**). Zoned: General Commercial (C)

The property is located on the north side of Calle de Alvarez and is in a commercial building occupied by medical offices and a beauty salon. The purpose of the request is to install a security fence at the front of a craft distillery operation that was approved for this location in 2016. The fence will consist of a four foot high wrought iron security fence that will extend along the covered walkway at the front of the distillery (see attached). There will be two gates in the fence-one at the entrance and one at the handicapped ramp in the sidewalk.

Photos of the structure are attached. According to the applicant, the style and color of the fence will not be out of character or detract from the style of the existing structure.

The applicant will be present at the work session to provide further details about the proposed construction, and will be available to answer any questions that may arise.

PHOTO OF PROPERTY



PHOTO OF PROPOSED FENCE LOCATION



Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

Select Search Type:

Account Numbe

Enter Value:

Maps

Legend

Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: [R0401622](#)

Parcel Number: 4006137268014

Owner: UNIT OWNERS OF MESILLA
MERCADO PROFESSIONAL PLAZA
CONDOMINIUM ASSN

Mail Address: 1680 CALLE DE
ALVAREZ STE B

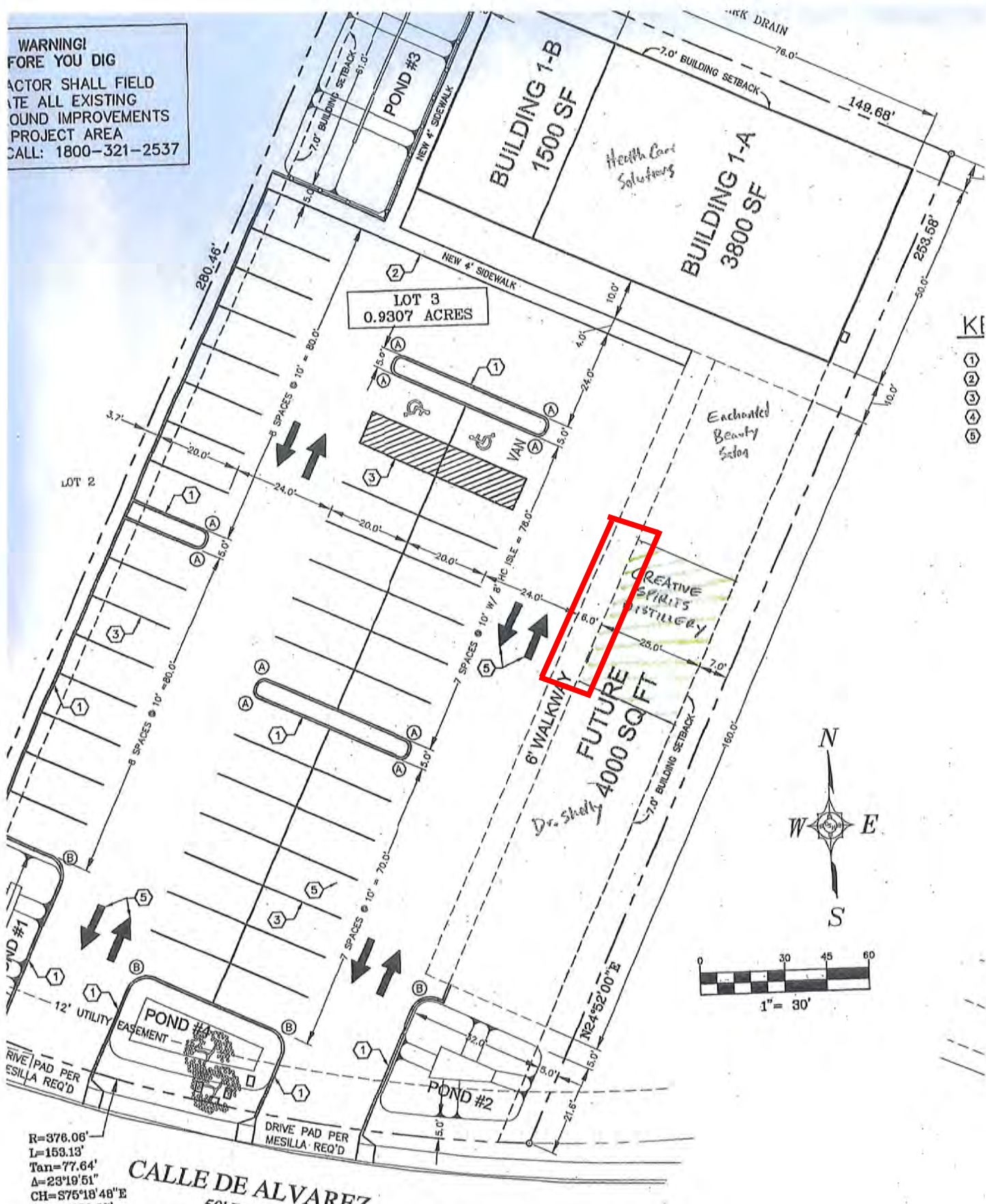
Subdivision: MERCADO DE LA
MESILLA PHASE 3A REPLAT #1 (BK 23
PG 145 - 1035564)

Property Address: 1680 CALLE DE
ALVAREZ #B

Acres: 0



WARNING!
BEFORE YOU DIG
 CONTRACTOR SHALL FIELD
 VERIFY ALL EXISTING
 GROUND IMPROVEMENTS
 IN PROJECT AREA
 CALL: 1800-321-2537



CALLE DE ALVAREZ
 50' R.O.W.

CURB RADIUS LEGEND

- (A) = 2.0' RADIUS
- (B) = 5.0' RADIUS

THE PLAN
 SCALE: 1" = 20'

REDUCED PRESSURE
 BACKFLOW PREVENTER

MARK "W" CURB
 & GUTTER

PROP. LINE

TOWN OF MESILLA
 PERMISSION TO CONDUCT WORK
 OR
 OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

OFFICIAL USE ONLY:
 Case # 060801
 Fee \$ 62.00

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 060801 ZONE: C CODE: M1 APPLICATION DATE: 10/4/18

Chris Schaefer / Stefan Schaefer

575-036-3856

Name of Applicant/Owner

Applicant's Telephone Number

704 Carver RD Las Cruces

NM 88005

Applicant's/Owner's Mailing Address

City

State

Zip Code

chris@drypointdistillersnm.com

Applicant's/Owner's E-mail Address

Self/TBD

Contractor's Name & Address (If none, indicate Self)

Contractor's Telephone Number

Contractor's Tax ID Number

Contractor's License Number

Address of Proposed Work: 1680 Calle de Alvarez Ste C2

Description of Proposed Work: Installation of 4 foot high metal security fence to run between existing support columns of existing porch, with gates.

\$ 1200

Estimated Cost

Gig Shaw
 Signature of Applicant

9/27/18
 Date

Signature of property owner if applicant is not the property owner: [Signature]

With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and BOT before issuance of a building permit. Recorded proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. **Plan sheets are to be no larger than 11 x 17 inches.**

FOR OFFICIAL USE ONLY

PZHAC Administrative Approval **BOT** Approved Date: _____
 Approved Date: _____ Disapproved Date: _____
 Disapproved Date: _____ Approved with Conditions
 Approved with conditions

FIRE INSPECTION/APPROVAL REQUIRED: ___ YES NO ___ SEE CONDITIONS

CID PERMIT/INSPECTION REQUIRED: ___ YES ___ NO SEE CONDITIONS

CONDITIONS: REVIEW BY PZHAC & FINAL APPROVAL BY BOT REQUIRED
CID PERMIT MAY BE REQUIRED

PERMISSION ISSUED/DENIED BY: _____ ISSUE DATE: _____

This Application will include the following, if checked:

1. ___ Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was **legally** subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
2. ___ Site Plan with dimensions and details.
3. ___ Proof of legal access to the property.
4. ___ Drainage plan.
5. ___ Architectural style and color scheme – diagrams or elevations (Historical and commercial zones only).
6. ___ Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).
7. ___ Other information as necessary or required by the City Code or Community Development:

BOT ACTION FORM
BUILDING PERMIT 060802
[PZHAC REVIEW – 10/15/2018]
STAFF ANALYSIS

(Decision to be based on information presented during the Work Session – Item 3)

Item:

Case 060802 – 2111 Calle de Santo Tomas, submitted by Bill McClure for Nancy Clayshulte; a request to for a building permit to construct a workshop as an addition to an existing dwelling at this address. Zoned: Historical Residential (HR)

Staff Analysis:

The proposed work was discussed in the PZHAC Work Session held prior to this meeting. (Please refer to the information provided in the write-up for this item in the Work Session.)

If it is determined that the addition will be acceptable for the property or the Town, or if an alternate solution is arrived at, then the request can proceed on the assumption that all requirements of the Code will be satisfied. The PZHAC should continue on to approve the request based on the Findings stated below.

If, on the other hand, it is determined that the proposed addition will not be acceptable to the property or the Town, and no other solution can be reached, then the PZHAC should either postpone the request further until the applicant can return with a proposal that meets the standards set forth by the PZHAC; or the PZHAC should deny the request based on the request not meeting any or all of the Findings as listed.

Estimated Cost: @ \$21,000.00

Consistency with the Code:

The PZHAC will need to determine that the proposed addition, when finished, will be consistent with the zoning requirements for this property. Additionally, the PZHAC will also need to determine that the request, as submitted, is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this project.

Findings:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of adding a workshop to a dwelling at this address.
- The PZHAC has determined that the proposed wall meets all applicable Code requirements.

PZHAC OPTIONS:

1. Recommend approval of the requested building permit to the BOT.
2. Recommend approval of the requested building permit to the BOT with conditions.
3. Reject the permit.

PZHAC ACTION:

The PZHAC voted 3 – 0 to recommend APPROVAL of the permit to the BOT.

BOT OPTIONS:

7. Approve the proposed mural as approved by the PZHAC.
8. Approve the proposed mural with conditions.
9. Reject the application.

BOT ACTION:

**PZHAC WORK SESSION
OCTOBER 15, 2018
ITEM 3**

Submitted by Bill McClure for Nancy Clayshulte, a request to discuss plans to construct a workshop as an addition to an existing dwelling at 2111 Calle de Santo Tomas. (Case 060802). Zoned: Historical Residential (HR)

The dwelling is located among pecan trees on the east side of Calle de Santo Tomas, about 500 feet south of Calle del Norte. The dwelling is in the Historical Register, and is estimated to have been built in the 1920's. According to the work sheet for the Historical Register, the structure has "local" overall significance, and was considered a "plus" architectural contribution to the surroundings in 1980 (see attached).

The applicant would like to construct an 8 foot by 30 foot (240 square foot) concrete block addition to the north side of the dwelling. The addition will be the same height as the original structure, and will be finished to match the exterior texture and color of the structure. It will appear as an extension of the original structure. The extension will be used as a workshop. (This is an allowed use in the Historical Residential district.) According to the applicant, the proposed construction will not change the character or overall look of the structure. The addition will meet the three foot setback requirements of the zoning district.

A culvert over an irrigation ditch at the front of the property along Calle de Santo Tomas will also be replaced at this time. This will not have any affect on the use or appearance of the property.

Photos of the existing structure are attached. Since this construction is in a Historic zoning district, the following section of the Code applies:

18.33.080 Historical appropriateness permit.

A. Identification. A permit for a certificate of historical appropriateness shall be required before any of the following actions or work is undertaken: new construction, exterior alteration, demolition or removal. All work or acts of new construction or exterior alteration requiring a permit for a certificate of appropriateness shall comply with the design criteria established by the precedent styles within the development zone of the proposed work.

The applicant will be present at the work session to provide further details about the proposed construction, and will be available to answer any questions that may arise.

Doña Ana County, NM

General Reference Maps

2014 Aerial | Addresses | County Address Points

Select Search Type: Account Nu

Maps

Legend

Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: [R0400206](#)

Parcel Number: 4006137124423

Owner: CLAYSHULTE NANCY L &
SAMANTHA J REINHOLD

Mail Address: PO DRAWER P

Subdivision:

Property Address: 2111 SANTO
THOMAS

Acres: 0.58999997



PHOTO OF THE NORTH SIDE OF THE DWELLING FROM CALLE DE SANTO TOMAS



PHOTO OF THE SOUTH SIDE OF THE DWELLING FROM CALLE DE SANTO TOMAS



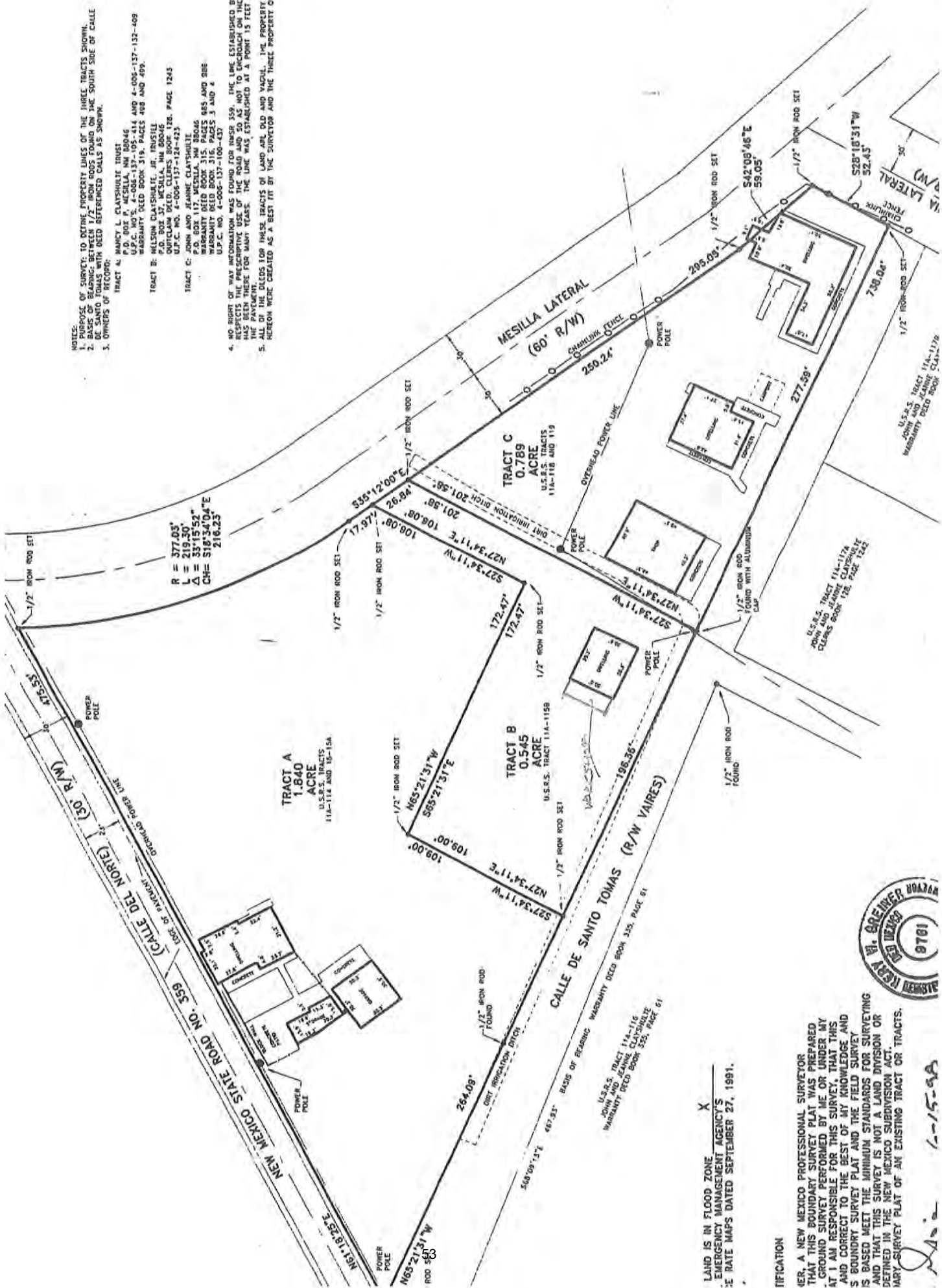
NOTICE:
 1. PURPOSE OF SURVEY: TO DEFINE PROPERTY LINES OF THE THREE TRACTS SHOWN.
 2. BASIS OF BEARING: BETWEEN 1/2" IRON RODS FOUND ON THE SOUTH SIDE OF CALLE DE SANTO TOMAS WITH DEED REFERENCED CALLS AS SHOWN.
 3. OWNERS OF THE PROPERTY:

TRACT A:
 HANLEY L. CLAYSHULTZ TRUST
 P.O. BOX 117, MESILLA, NM 88046
 U.P.C. NO. 4-006-137-105-414 AND 4-006-137-132-409
 WARRANTY DEED BOOK 319, PAGES 408 AND 409.

TRACT B:
 NELSON CLAYSHULTZ, JR., TRUSTEE
 P.O. BOX 37, MESILLA, NM 88046
 U.P.C. NO. 4-006-137-124-423, PAGE 1243

TRACT C:
 JOHN AND JEANNE CLAYSHULTZ
 P.O. BOX 117, MESILLA, NM 88046
 WARRANTY DEED BOOK 315, PAGES 685 AND 686
 U.P.C. NO. 4-006-137-100-437

4. NO RIGHT OF WAY INFORMATION WAS FOUND FOR INRS 159. THE LINE ESTABLISHED BY THIS SURVEY RESPECTS THE PRESCRIPTIVE USE OF THE ROAD AND SO AS NOT TO ENCRUMBER ON THE DWELLING HAS BEEN THERE FOR MANY YEARS. THE LINE WAS ESTABLISHED AT A POINT 15 FEET FROM CENTRE LINE OF THE DIELDS FOR THESE TRACTS OF LAND ARI, OLD AND YACULI. THE PROPERTY LINES SHOWN HEREON WERE CREATED AS A BEST FIT BY THE SURVEYOR AND THE THREE PROPERTY OWNERS.



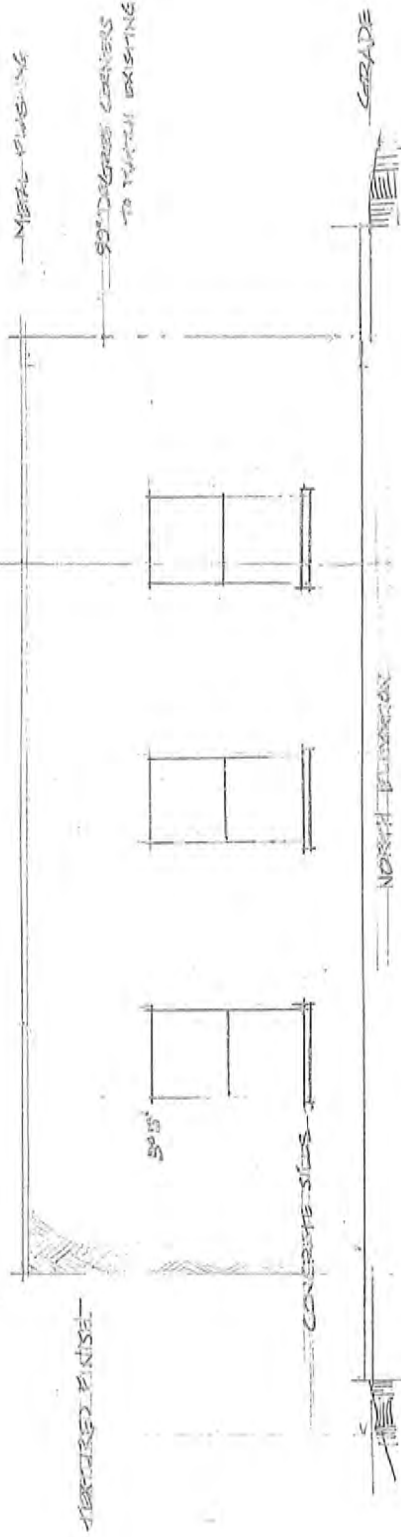
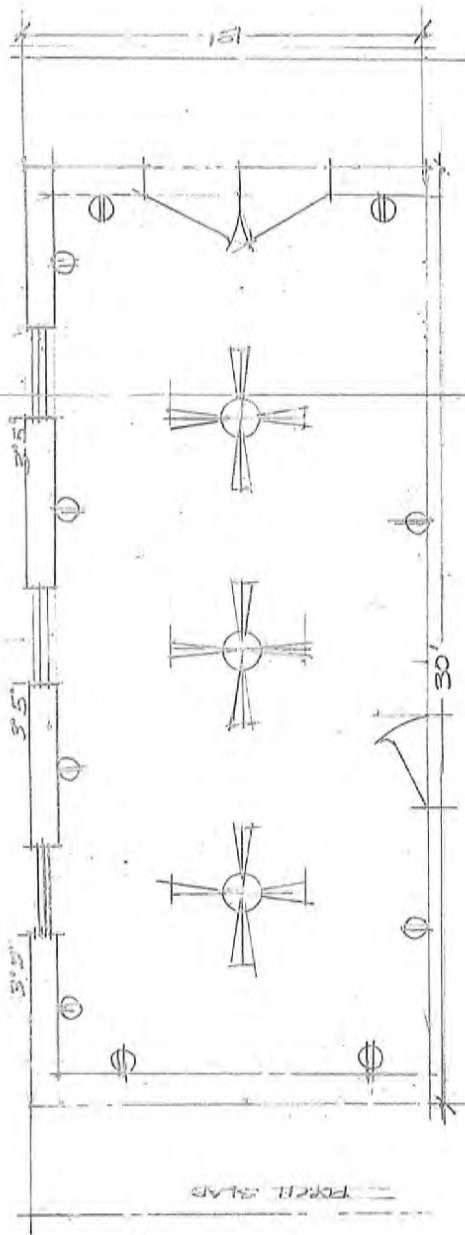
LAND IS IN FLOOD ZONE
 EMERGENCY MANAGEMENT AGENCY'S
 FLOOD MAPS DATED SEPTEMBER 27, 1991.



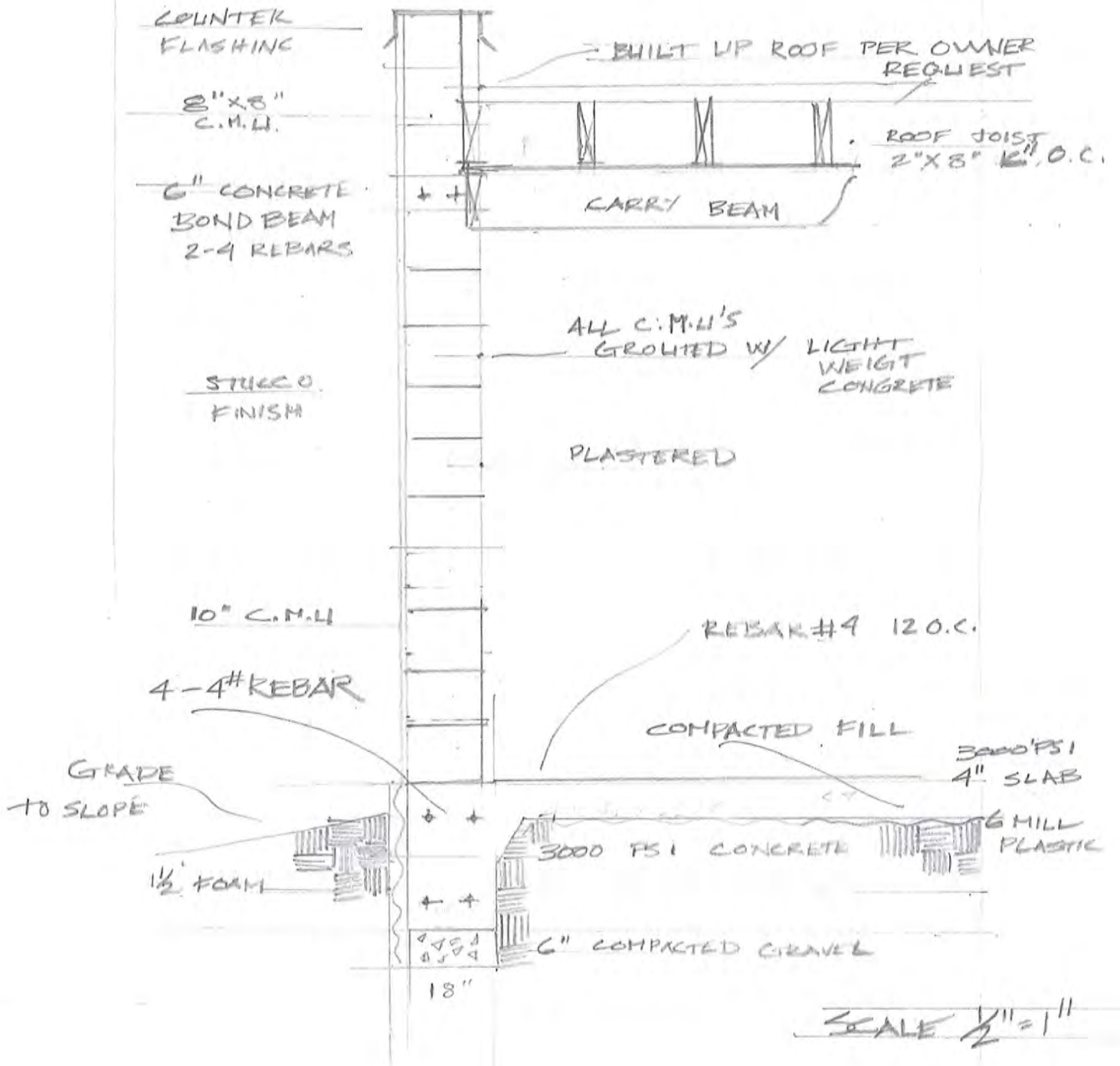
TIFICATION
 I, A NEW MEXICO PROFESSIONAL SURVEYOR
 THAT THIS BOUNDARY SURVEY PLAT WAS PREPARED
 GROUND SURVEY PERFORMED BY ME OR UNDER MY
 AT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS
 AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND
 BOUNDARY SURVEY PLAT AND THE FIELD SURVEY
 IS BASED UPON THE MINIMUM STANDARDS FOR SURVEYING
 AND THAT THIS SURVEY IS NOT A LAND DIVISION OR
 DEFINED IN THE NEW MEXICO SUBDIVISION ACT.
 BOUNDARY SURVEY PLAT OF AN EXISTING TRACT OR TRACTS.

Terry W. Greiner
 1-15-98

PROPOSED WORKSHOP NANCY CLAYSHULTE



TYPICAL WALL SECTION



SCALE 1/2" = 1"

L V L L

1. ALERT SHEET? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NEW MEXICO HISTORIC BUILDING INVENTORY FORM 1: BUILDINGS & STRUCTURES 6 6 79				
2. SURVEY DATE 7/18/80 TP	3. BY	4. CHECK DATE	5. BY	6. COMPUTER DATE	7. BY	
8. FILE DATE	9. BY	10. REVISION DATE		11. BY		
12. COUNTY Dona Ana	13. FIELD MAP		14. NUMBER		15. UTM REFERENCE NUMBER 650 200 13 330500 357200 ZONE EASTING NORTHING	
16. SPECIFIC LOCATION 359 = CALLE DEL NORTE 2111 CALLE SANTO TOMAS Second house South of N.E. Corner of Calle Santo Tomas and NM 359		17. CITY/TOWN Mesilla		18. ZIP		20. I.D. # 18320-278
20. LEGAL DESCRIPTION: TOWNSHIP NS RANGE EW SECTION 1/4 1/4 1/4		19. LAND GRANT OR RESERVATION Mesilla Civil Colony		22. ROLL # 6018		23. NEG # 13
25. ARCHITECTURAL STYLE Adobe Vernacular		26. NUMBER OF STORIES One		24. LOCATION OF NEG.		
27. FOUNDATION MATERIAL(S) Concrete		26. NUMBER OF STORIES Nancy Clayshulte P.O. Drawer R Mesilla NM 88846				
28. EXTERIOR WALL/SURFACE(S) Stucco / Adobe		4-006-137-132-409				
29. FENESTRATION (TYPE, DIVISIONS, SURROUNDS/SILLS/ARRANGEMENTS) Single 1/2 double hung windows w/o surrounds or sills Single metal casement small light windows w/o surrounds; concrete lug sills						
30. DOOR/ENTRANCE (TYPE/SURROUNDS) Standard wood panel door w/o surrounds						
31. ROOF(S) (NUMBER/SHAPE/MATERIAL DETAILS) Flat roof w/ flat parapet						
32. CHIMNEY(S) (NUMBER/EXTERIOR-INTERIOR/MATERIALS) none visible						
33. EXTERIOR DETAILS none						
34. COMMENTS						
35. ESTIMATED DATE OF CONSTRUCTION 1920		36. ACTUAL		45. IMMEDIATE SURROUNDINGS Residential / Agricultural		
37. SOURCE OF DATE		38. ARCHITECT/ENGINEER/BUILDER		46. RELATION TO SURROUNDINGS <input checked="" type="checkbox"/> SIMILAR <input type="checkbox"/> NOT SIMILAR		
39. SOURCE OF INFORMATION		40. NAME		47. ARCHITECTURAL CONTRIBUTION TO SURROUNDINGS <input checked="" type="checkbox"/> PLUS <input type="checkbox"/> NEUTRAL <input type="checkbox"/> MINUS		
41. PRESENT USE 42. HISTORIC USE Residential		43. CONDITION <input type="checkbox"/> EXCELLENT <input checked="" type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> DETERIORATED		48. OVERALL SIGNIFICANCE <input type="checkbox"/> NATIONAL <input type="checkbox"/> STATE <input checked="" type="checkbox"/> LOCAL <input type="checkbox"/> NONE		
44. DEGREE OF REMODELING <input checked="" type="checkbox"/> MINOR <input type="checkbox"/> MODERATE <input type="checkbox"/> MAJOR		49. ASSOCIATED BUILDINGS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		50. WHAT TYPE?		
		51. IF INVENTORIED, LIST I.D. #'S		52. SEE BACK? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

- 264 This is a stuccoed residence with metal casement windows and gabled roofs covered with asphalt shingles. est. 1945. (N)
- 265 This is a stuccoed adobe house with metal casement windows. Two gabled roofs meet at right angles with a wood louvered air vent at the gable ends, and purlins on the south side. It is said among some of the towns people that there was an old brick kiln on this spot at one time. est. 1915. (C)
- 266 This building was used as a carriage house and office around the turn of the century when the property was acquired by Albino Frietze. It has since been converted into a residence. Its walls are of unplastered adobe. It has a flat roof with parapet, wood frame windows, and a back porch with a shed roof. est. 1880. (C)
- 267 Albino Frietze bought this house in the latter part of the 19th century. It is a fine example of Territorial architecture. It is of a square-plan floor plan, has wood frame windows, a flat roof with dentil brick coping on the parapets, and numerous red brick chimneys. est. 1875. (S)
- 268 This is a very large unplastered adobe barn. It has a gabled roof that is covered with corrugated tin and two large sliding tin bay doors on the north and south sides. According to Mrs. Josephina Guerra, wife of the current owner, this barn was built around 1915. Because of its size and uniqueness, it is considered a significant building. (S)
- 269 This tiny, square-plan residence has tandem wood frame windows and a flat roof with slight overhang. It appears that this was a small shed that was added onto and converted into an apartment. The walls are unplastered adobe brick. est. 1930. (C)
- 270 This square-plan stuccoed adobe house has a flat roof, parapet, and wood frame and metal casement windows. est. 1930. (C)
- 271 This is a square-plan adobe residence that is covered by a corrugated tin hip roof. Its door has a transom and sidelites and an ornate wood screen door. A front porch is supported by chamfered columns. est. 1900. (C)
- 272 This stuccoed adobe house has wood and metal casement windows, a low gable roof and a screened front porch. There is a large, stuccoed adobe garage and utility shed apart from and to the west of the house. est. 1900. (C)
- 273 The Acequia Madre and the Contracequia were originally dug in the late 1840's. These are earthen ditches approximately five feet deep and eight feet wide with narrow dirt levies on each side, just wide enough for a car to pass over. The Acequia Madre runs south the entire length of Mesilla and roughly cuts the village in half. The Contracequia runs perpendicular to the Acequia Madre. (S)

TOWN OF MESILLA
 PERMISSION TO CONDUCT WORK
 OR
 OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

OFFICIAL USE ONLY:

Case # 060802

Fee \$ 43.00

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 060802 ZONE: HR CODE: AD APPLICATION DATE: 10/4/18

Name of Applicant/Owner: Nancy Clayshulte Applicant's Telephone Number: 575-624-9724

Applicant's/Owner's Mailing Address: P.O. Box "P" Mesilla NM 88046 City: Mesilla State: N.M. Zip Code: 88046

Applicant's/Owner's E-mail Address: nancy5737@yahoo.com

Contractor's Name & Address (If none, indicate Self): self

Contractor's Telephone Number: _____ Contractor's Tax ID Number: _____ Contractor's License Number: _____

Address of Proposed Work: 2111 Santo Tomas

Description of Proposed Work: Work shop

Estimated Cost: \$ 21K Signature of Applicant: Nancy Clayshulte Date: 10-1-18

Signature of property owner if applicant is not the property owner: Nancy Clayshulte

With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and BOT before issuance of a building permit. Recorded proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. **Plan sheets are to be no larger than 11 x 17 inches.**

FOR OFFICIAL USE ONLY

PZHAC Administrative Approval Approved Date: _____ BOT Approved Date: _____
 Approved Date: _____ Disapproved Date: _____
 Disapproved Date: _____ Approved with Conditions
 Approved with conditions

FIRE INSPECTION/APPROVAL REQUIRED: YES NO SEE CONDITIONS

CID PERMIT/INSPECTION REQUIRED: YES NO SEE CONDITIONS

CONDITIONS: PZHAC REVIEW & BOT FINAL APPROVAL REQUIRED
CID PERMIT REQUIRED

PERMISSION ISSUED/DENIED BY: _____ ISSUE DATE: _____

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