



THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A WORK SESSION ON MONDAY, MARCH 11, 2019 AT 5:30 P.M. IN THE BOARD ROOM OF THE MESILLA TOWNHALL, 2231 AVENIDA DE MESILLA.

1. Discussion regarding **Ordinance 2018-03** amending Chapter 6.05 Animal Control.

THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A REGULAR MEETING ON MONDAY, MARCH 11, 2019 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. **PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.
5. ***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 February 25, 2019.
 - B. ***PZHAC Case 060848** – Southwest corner of Calle de Correo and Avenida de Mesilla, submitted by Ruben Contreras for Brittany Bloch (“Black Rat Tattoo”), a request for a zoning permit to construct a small commercial building and a casita on a vacant property at this location. Zoned: Historical Commercial (HC).
 - C. ***PZHAC Case 060850** – 2590 Calle de Colon, submitted by Daniel and Maxine Bustamantes; a request for a zoning permit to allow a stuccoed cinder block wall to be constructed at this address. Zoned: Historical Residential (HR).
 - D. ***PZHAC Case 060856** – 2755 Boldt Street, submitted by Daniel J Jones and Teresa Griffith; a request for a zoning permit to allow the repainting of the trim on a dwelling at this address. Zoned: Historical Residential (HR)
6. **NEW BUSINESS:**
 - A. **RESOLUTION 2019-02:** A resolution providing for determination of reasonable notice of meetings of the Board of Trustees pursuant to the Open Meetings Act.
7. ***STAFF REPORTS:**
 - Community Development
 - Community Programs
 - Finance Department
 - Fire Department
 - Marshal’s Department
 - Public Works Department
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 one week 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 3/7/19 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, Ristramnn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

**Chapter 6.05
ANIMAL CONTROL***

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA, DONA ANA COUNTY, NEW MEXICO, THAT:

SECTION 1:

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~~ [+Services Center of the Mesilla Valley.+]
- 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~~ [+identification microchip required+].
- 6.05.140 ~~Rabid animals~~ [+Rabies vaccination and exposure requirements+].
- 6.05.150 ~~Vicious~~ [+Dangerous+] or [+potentially+] dangerous ~~animals~~ [+dogs+].
- 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~~ [+Nuisance prohibitions+].
- 6.05.220 Prohibited acts and conditions.
- 6.05.230 Cruelty to animals prohibited.
- 6.05.240 Permitted premises.
- 6.05.250 Violation – Penalty.

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

3

4 **6.05.010 Short title.** 

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

6 **6.05.020 Authority, purpose and goals.** 

7 A. Authority. This chapter is adopted pursuant to the enabling provisions of Sections 3-13-3 and 3-17-1 NMSA
8 1978, as amended.

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

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

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

21 **6.05.030 Definitions.** 

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

23 A. "Abandoned" means ~~where an owner has relinquished all right, title, claim and possession of an animal~~
24 ~~with the intent of not reclaiming it or resuming its ownership, possession or enjoyment.~~ [+ "Abandonment (or to
25 abandon)" means to leave an animal for more than 24 hours without providing effective provisions for its
26 proper feeding and care. The term "abandonment" (or "to abandon") does not apply to a person or
27 organization operating a permitted feral cat colony returning cats as part of a Trap-Neuter-Return Program.
28 +]

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

3 C. "Amphibian" means any organism belonging to the vertebrate class Amphibia (including, but not limited to
4 frogs, toads, salamanders, and caecilians).

5 D. "Animal" means ~~a dog, cat, poultry, bird, reptile, insect, arachnid, fish or any other vertebrate, excluding~~
6 ~~the human species and those animals under the jurisdiction of the New Mexico Department of Game and Fish.~~
7 Any vertebrate member of the animal kingdom, excluding humans. +]

8 E. "Animal control center" or "animal control shelter" means any establishment or facility authorized by the
9 town of Mesilla, New Mexico, ~~for the care and custody of impounded animals.~~ [+that provides a temporary
10 home for a stray or surrendered pet animals until the animal is reclaimed by the owner, adopted to a new
11 owner, placed with another organization, euthanized or otherwise disposed of at the discretion of the marshal;
12 and, shall include any impoundment facility, kennel, shelter, veterinary shelter, lot, premise or building
13 maintained, contracted, or utilized by the town for the care and custody of impounded animals. Facilities
14 operated by private organizations for these purposes may be referred to as an "animal shelter". +]

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

18 G. "Apiary" means a location where one or more colonies or nuclei of bees are managed by a beekeeper.
19 [*Lettering adjusted hence*]

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

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

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

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

1 [+L. "Bee" means all races of the honeybee, *Apis mellifera* L., and other species of the genus *Apis*, that are
2 capable of being managed for the production of honey, wax or pollen, or that are capable of being managed to
3 pollinate plants.

4 M. "Beekeeper" means a person who owns, leases or manages bees.+]]

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

6 O. ~~"Town" means the land area within the boundaries of the town of Mesilla, New Mexico, as may be~~
7 ~~extended by future annexations from time to time, including privately owned land and city, state and federal~~
8 ~~owned land.~~ [+ "Breeding" means allowing, either intentionally or unintentionally, a dog, cat, or other domestic
9 animal to produce offspring.

10 P. "Board of Trustees" means the governing body of the town of Mesilla, New Mexico.

11 Q. "Canine hybrid" means any offspring resulting from the breeding of a domestic species or breed of canine
12 with that of a wild species or breed of canine, such as a wolf or coyote. Any animal which at any time has
13 been or is advertised, or otherwise described or represented as a canine hybrid, wolf-dog, or wolf hybrid by
14 its owner to an animal control officer, veterinarian, Marshal's Deputy, or official of the department of health
15 shall be considered a canine hybrid for the purposes of this chapter. An animal shall not be judged to be a
16 canine hybrid based strictly on its appearance.

17 R. "Cat colony" means a group of feral cats that congregates, more or less, together as a unit; and any cat
18 that congregates with the group shall be deemed to be part of it.

19 S. ~~"Cat colony caretaker" means an organization or person or persons responsible for the operation of a~~
20 ~~permitted feral cat colony.~~ "Cattery" means a separate enclosure used to house multiple feral cats.

21 T. "Collar" means a band, chain, harness or other suitable device worn around the neck or torso of an
22 animal to which current rabies vaccination and licensure tags can be affixed.

23 U. "Commercial apiary" means a location where a beekeeper is required to maintain the minimum number
24 of colonies designated by the Board of Regents of New Mexico State University.

25 V. "Community cat" means any unowned, free-roaming cat that may be cared for by one or more residents
26 of the immediate area who is/are known or unknown; a community cat may be or may not be feral.

1 W. "Community cat caregiver" means a non-profit organization or person who, in accordance with a good
2 faith effort to conduct Trap-Neuter-Return, provides care. This care includes providing food, shelter and
3 medical care to a community cat. However, community cat caregivers are not the owner, harborer,
4 controller, or keeper of a community cat and do not have custody over a community cat. +]

5 X. "Confinement" means the restriction of ~~movement of an animal to the premises of its owner, or to the~~
6 ~~premises of one charged with the care and control of the animal.~~ an animal at all times by an owner or keeper
7 to an escape proof building or other enclosure away from the public.

8 Y. "Contagious disease" means any disease, parasite or anything adversely affecting adult bees or their
9 brood that may be spread from one bee to another bee or from one colony to another colony;

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

11 AA. [+ "Dangerous dog" means a dog "that caused a serious injury to a person or domestic animal", as
12 defined under the Dangerous Dog Act, NMSA 1978, Sec. 77-1A-2, *et seq.*, as amended.

13 BB. "Eartipping" means the removal of the distal one-quarter of a community cat's left ear, which is
14 approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed
15 while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the
16 supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized,
17 microchipped and lawfully vaccinated for rabies, at the time of eartipping.

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

22 DD. "Estrus" means the period of fertility as it relates to a female animal.

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

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

5 GG. "Fertile" means capable of producing offspring.

6 HH. "Field health office" means the Public Health Office(s) located in each county and administered by
7 the Public Health Division of the New Mexico Department of Health.

8 II. "Foster care site, residential" means any premises on which more than three dogs, three cats, or any
9 combination thereof in excess of three receive temporary care. These animals have been rescued and are
10 in need of permanent homes. These sites have been approved for foster care by the marshal, an animal
11 control shelter, or by non-profit animal adoption agencies in the community, and may be exempted from
12 multi-site residential requirements by the marshal.

13 JJ. "Found animal report" means a written notice submitted to the marshal by the finder of an unclaimed or
14 stray animal, accurately describing the animal and the conditions under which the animal was found, including
15 the location, date, and time. Such a report shall also include the name and accurate contact information for the
16 person submitting said report.

17 KK. "Guard dog" means a dog that is used to ~~defend, patrol, secure, or~~ protect [+commercial+] property ~~or~~
18 ~~persons.~~, but excludes a dog used exclusively to guard livestock.

19 LL. "Harbor" means to allow, either intentionally or unintentionally, any stray animal to linger on one's
20 premises by feeding such animal without making all effective provisions for such animal as required by this
21 chapter. Persons harboring an animal shall be subject to the provisions of this chapter applicable to a person
22 owning or having custody, the care, or control of an animal. The term "harbor" does not apply to ~~a person or~~
23 ~~organization operating a permitted feral cat colony.~~ [+community cat caregivers.+]

24 MM. "Hive" means a container made or prepared that is used as a home by a colony of bees

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

27 [+ "Humane" means to have compassion, benevolence, and sympathy for people and animals, especially for
28 those suffering or in distress."

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

5 PP. "Immediate control" means direct physical control over an animal by a capable and competent person
6 by use of:

- 7 1. A secure collar or harness and leash for a dog; or
- 8 2. A secure leash in conjunction with a properly fitting harness for a cat or a ferret; or
- 9 3. A secure and appropriate portable animal crate or cage for any animal.

10 QQ. "Impoundment" means the taking custody of a stray, vicious animal or an animal alleged to be vicious,
11 by an animal control officer, municipal Marshal's Deputy, or duly authorized designee, and the detention of the
12 animal in the animal control center.

13 RR. ~~"In season" or "in heat" means a period of time during which a female animal is capable of being~~
14 ~~impregnated or conceiving.~~ "Insect" means any of a class of usually winged invertebrate animals, such as, but
15 not limited to, flies, beetles, moths, bees, wasps, butterflies, grasshoppers, lice, and fleas, having three pairs of
16 legs and a three-segmented body.

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

18 TT. ~~"Kennel" means any person, joint venture, partnership, limited liability company, corporation or other~~
19 ~~business entity that is engaged in the maintenance and shelter of animals not their own for profit, or that is~~
20 ~~engaged in the breeding and sale of animals for profit.~~ [+ "Inspection" means a visual check by the animal
21 control officer of any premises to ensure that no violations of this chapter are present.

22 UU. ~~"Leash" means a chain, strap or cord of sufficient substance to hold under control the animal attached~~
23 ~~thereto and shall be no longer than eight feet.~~ "Intact" means fertile, as defined in this chapter.

24 VV. ~~"Livestock" means horses, cattle, pigs, sheep, goats, rabbits and/or poultry.~~ "Isolation" means the
25 confinement of an animal in an escape proof run or cage so that there is no possibility of direct contact with
26 other animals or humans, except for the minimum contact by humans that may be required to maintain the
27 wellbeing of the animal.

1 WW. "Litter" means a group of one (1) or more young animals born at the same time from the same
2 mother.

3 XX. "Livestock" means all animals that have been domesticated for cultivation and/or domesticated
4 animals that are used for human consumption and includes horses, asses, mules, cattle, bison, buffalo,
5 beefalo, camelids, ostriches, emus, rheas, sheep, rabbits, goats, swine, peafowl, poultry, and farmed
6 cervidae, but excludes canine or feline animals.

7 [+YY. "Marshal" means the chief law enforcement officer and department supervisor of the police department
8 of the town of Mesilla, New Mexico, as defined under the MTC Chapter 2.45, Police Department, as amended.

9 ZZ. "Marshal's Department" The town's police department, as defined under the MTC Chapter 2.45, Police
10 Department, as amended.

11 AAA. "Microchip" means identification microchip, as defined in this chapter.

12 BBB. "Microchipped" means to have had a working registered identification microchip implanted.

13 CCC. "Missing animal report" means a written notice submitted to the marshal by the owner of a missing
14 animal, accurately describing the animal and the conditions under which the animal was last seen, including
15 the location, date and time. Such a report shall also include the name and accurate contact information for
16 the person responsible for submitting said report.

17 DDD. "Multi-animal site, commercial" means any premises on which a combination of eight or more dogs
18 or cats four months of age or older, are kept; or where the business of buying, selling, breeding, training or
19 boarding of such animals is conducted, but does not include veterinary hospitals or facilities operated by the
20 town marshal. Such premises were formerly defined as a kennel.

21 EEE. "Multi-animal site, residential" means any premises on which more than three dogs, three cats, or
22 any combination thereof in excess of three, but not more than seven in number, four months of age or older,
23 are kept and on which premises the business of buying, selling, breeding, training, or boarding for
24 compensation is not carried on, with the exception that the sale of not more than two litters per year for each
25 site shall be permitted. Buying, selling, breeding, training, or boarding of such animals for compensation
26 shall be deemed to be a commercial activity not allowed in a residential area unless otherwise permitted by
27 applicable zoning regulations. Such premises were formerly defined as a kennel.+]

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

1 FFF. "Neutered" means sterilized, as defined in this chapter.

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

5 HHH. "Owner" means a person ~~who owns, possesses, harbors, keeps, or has custody or control, or~~
6 ~~knowingly causes or knowingly permits an animal to be harbored or kept or has an animal in his care, or who~~
7 ~~permits an animal to remain on or about his premises.~~ [+eighteen (18) years of age or older or the parent or
8 guardian of a person under eighteen (18) years of age who owns, harbors, or keeps an animal or permits an
9 animal to remain on or about the premises owned or controlled by him/her. The term "owner" does not apply to
10 a community cat caregiver.

11 III. "Performing animal exhibition" means any spectacle, display, act, or event, other than a circus, in which
12 performing animals are used and to which the general public is invited.

13 JJJ. "Permit" means an official document or certificate issued by the marshal, or his/her designee,
14 authorizing the keeping of specific animals on specific premises.

15 KKK. "Pet" means any domesticated animal kept as a companion animal, and not intended to be used for
16 farming or human consumption. Livestock shall not be considered a pet even if kept as a companion animal
17 and not used for farming or human consumption.

18 LLL. "Pet identification" means a rabies tag, pet license tag, microchip tag, pet identification tag,
19 identification microchip, or any other potential source of owner contact information associated with an
20 impounded animal that may be obtained by the animal control officer. For the purposes of reclamation under
21 this chapter, an animal shall not be considered to be in possession of pet identification if such tags or owner
22 contact information proves to be invalid.

23 MMM. ~~"Pet shop" means any person, joint venture, partnership, limited liability company, corporation or~~
24 ~~other business entity that is engaged in the buying and selling or grooming of animals for profit.~~ "Pet mill"
25 means a commercial pet breeding facility operated with an emphasis upon profits above animal welfare and
26 often in substandard conditions regarding the well-being of the animals at the facility, which substandard
27 conditions include, but are not necessarily limited to overbreeding, inbreeding, minimal veterinary care, poor
28 quality of food and shelter, lack of human socialization, overcrowded cages, and the killing of unwanted
29 animals.

1 NNN. "Poisonous substance" means any substance, when introduced to the body of a person or animal,
2 causes injury, illness, or death.+]]

3 OOO. [+ "Potentially dangerous dog" means a dog as defined under the Dangerous Dog Act, NMSA 1978,
4 Sec. 77-1A-2, *et seq.*, as amended.

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

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

8 RRR. [+ "Qualified adopter" means a person who is 18 years of age or older, who has never been convicted
9 of any form of cruelty under any law and in addition has not been convicted two or more times for any violation
10 of this article or its predecessor ordinances, has never had any animal-related permit revoked or suspended,
11 has never failed to reclaim an animal from the town or its designee, has not surrendered an animal within one
12 year of the time of adoption and has never been convicted of child or domestic abuse.

13 SSS. "Qualified service animal" means ~~an animal which has been trained by a recognized service animal~~
14 ~~trainer to assist a blind person, a hearing-impaired person, or a mobility-impaired person~~ an animal recognized
15 as a service animal under either federal regulations implementing the Americans with Disabilities Act, or NMSA
16 1978, Chapter 28-11-2, as amended. ~~The term shall also include an animal that is deemed necessary by a~~
17 ~~physician licensed to practice medicine in the state of New Mexico.~~ As defined in NMSA 1978, Chapter 28-11-
18 2(B)(2013), a qualified service animal does not include a pet, an emotional support animal, a comfort animal, or
19 a therapy animal. The term shall also include an animal which has been trained and used by law enforcement
20 for legitimate law enforcement purposes.

21 TTT. "Quarantine" means the segregation of an animal for any time as required under state law or this
22 article in order to control the spread of rabies or contagious illness; and, specifically included the strict isolation
23 of a potential rabies suspect animal for a ten (10) day observation period at a place and in a manner
24 designated by the animal control officer and approved by a Field Health Office.

25 UUU. "Rabies vaccination" means ~~inoculation with an anti-rabies vaccine recognized and approved by the~~
26 ~~State of New Mexico and given in an amount sufficient to provide immunity from rabies for a minimum of one~~
27 ~~year~~ means the injection of an approved rabies vaccine by or under the supervision of a licensed
28 veterinarian.

1 VVV. "Reclaim" means an owner's recovery of an animal that has been impounded at the marshal's
2 department.

3 WWW. "Reclamation period" means the length of time made available to an animal's owner, during which
4 he or she may reclaim such animal from the marshal's department or another designated animal shelter as
5 his or her personal property. The reclamation period shall be measured in working days, which shall include
6 any day in which the marshal's department or a designated shelter's reclamation department/office is open
7 to the public for a minimum of three continuous hours.

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

10 YYY. "Reptile" means any of various cold-blooded, egg-laying vertebrates [+of the class Reptilia (including,
11 ~~such as, but not limited to,~~+) snakes, crocodiles, lizards, ~~frogs,~~ turtles, iguanas, ~~salamanders, newts, and toads~~
12 geckos).

13 ZZZ. [+ "Residence" means a building used by a person as a place of general abode, or as a principal or
14 actual dwelling place in fact, without regard to intent."

15 AAAA. "Restraint" means any of the following:

- 16 1. To be under the immediate control of a capable and competent person; or
- 17 2. To be secured by a tether confining the animal within the owner's premises; or
- 18 3. To be secured within an escape-proof enclosure within the owner's premises.

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

21 CCCC. ~~"Service animal" means an animal which has been trained by a recognized service animal trainer to~~
22 ~~assist a blind person, a hearing impaired person, or a mobility impaired person.~~ [+ "Sexual abuse of animals"
23 means intentionally engaging in sexual intercourse, cunnilingus, fellatio, or anal intercourse with an animal or
24 the causing of penetration, to any extent and with any object, of the genital or anal openings of an animal,
25 whether or not there is any emission.

26 DDDD. "Sterilization" means rendering an animal permanently incapable of producing offspring, either by
27 the spaying of a female animal or by the neutering of a male animal. Such an animal is deemed to be
28 sterilized. An unsterilized animal is also known as being intact.

1 EEEE. "Surrender" means the relinquishment of ownership of an animal to the animal control authority by
2 the owner of the animal.

3 FFFF. "Tether" means to restrain an animal by means of a chain, lead, runner, cable, rope, or similar device
4 attached to either a stationary object or to a running line, pulley, or trolley system.

5 GGGG. "Therapy animal" means a therapy animal, as defined in NMSA 1978, Section 28-11-2(A) (2013),
6 also known as an emotional support animal or comfort animal; and, is an animal selected to accompany an
7 individual with a disability that does not work or perform tasks for the benefit of an individual with a disability
8 and does not accompany at all times an individual with a disability. Also an animal used as a therapeutic tool
9 to improve social, emotional or cognitive function, improve communication, reduce stress and violence and to
10 provide health-promoting, preventive and rehabilitative measures.+]]

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

14 IIII. "Trap" means a ~~mechanical~~ humane device for catching and holding animals.

15 JJJJ. [+ "Trap-Neuter-Return" means the nonlethal process of humanely trapping, sterilizing, vaccinating for
16 rabies, microchipping, eartippng, and returning community cats to their original location or the immediate
17 vicinity.

18 KKKK. "Unrestrained" means to be free from physical restraint."+]]

19 LLLL. ~~"Vicious or dangerous animal" means any of the following:~~

20 ~~1. Any animal which kills or severely injures (so as to result in muscle tears, or disfiguring~~
21 ~~laceration, or require multiple sutures, corrective or cosmetic surgery) a person or domesticated~~
22 ~~animal within the town. It does not include an animal which bites, injures, attacks or attempts to~~
23 ~~attack any person or animal which is unlawfully or without permission upon its owner's or~~
24 ~~keeper's premises or which is provoked to attack or attempt to attack;~~

25 ~~2. Any animal which, when unprovoked, engages in behavior that requires a defensive action by~~
26 ~~a person to prevent bodily injury to a person or domesticated animal within the town when the~~
27 ~~person and the domesticated animal are off the owner's or keeper's property; or~~

1 3. Any animal which, because of its poisonous bite or sting, would constitute a significant hazard
2 to persons or domesticated animals within the town.

3 —No animal which bites, injures, attacks, or attempts to attack any person or animal which is unlawfully or
4 without permission upon its owner's or keeper's premises, or which is provoked to attack or attempt to attack,
5 or which is responding to pain or injury, protecting itself or its offspring, or protecting or defending a human
6 being, shall be deemed a vicious animal. "Venomous animal" means any animal with the capability of causing
7 harm by the introduction of a toxic or poisonous substance into the body of another animal or human being.

8 MMMM. "Veterinarian" means a person with a doctor of veterinary medicine degree licensed to practice
9 [+veterinary medicine+] in the state of New Mexico.

10 NNNN. [+“Veterinary hospital or clinic” means any establishment maintained or operated by a veterinarian
11 for surgery, diagnosis, and treatment of diseases and injuries of animals

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

15 PPPP. “Wildlife” means any wild, exotic, or nondomestic mammal, bird, reptile, amphibian, fish, mollusk,
16 or crustacean.+] [Ord. 2007-10 § 3]

17 **6.05.040 Joint agreement with Animal Humane Society Services Center of Mesilla Valley.**



18
19 The mayor is authorized, with the consent of the governing body, to execute on behalf of the town a joint
20 powers agreement for animal control services with the Animal Humane Society Services Center of Mesilla
21 Valley or an equivalent organization so as to accomplish the purposes of this chapter. [Ord. 2007-10 § 4]

22 **6.05.050 Animal control officer.** 

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

27 **6.05.060 Animal control authority.** 

1 A. Authority Granted to the Marshal or his Duly Authorized Designee, including the Animal Control Officer,
2 ~~Municipal Police, or Duly Authorized Designee.~~

3 1. Duty to Protect the Health and Safety of the Public. The [+marshal or his duly authorized
4 designee, including the+] animal control officer, ~~municipal police, or duly authorized designee~~
5 shall be concerned with the health and safety of the citizens of the town as affected by animals
6 and to protect the citizens of the town and their property.

7 2. Methods Authorized. The [+marshal or his duly authorized designee, including the+] animal
8 control officer, ~~municipal police, or duly authorized designee~~ shall be authorized to use such
9 methods, means and equipment as are reasonably necessary to bring strays and other animals
10 under control and to enforce the provisions of this chapter. [+This includes the authority to
11 destroy an animal which reasonably appears to pose an immediate and serious threat to
12 human life, if the officer is unable to capture said animal without any substantial danger to
13 himself/herself or others. The destruction of an animal in conjunction with this chapter shall
14 be made with the concurrence of the marshal or a licensed veterinarian.+]

15 3. Entry on Premises [+or Vehicle+] Authorized. For the purposes of discharging his or her
16 duties imposed by this chapter, the [+marshal or his duly authorized designee, including the+] ~~animal control officer, municipal police, or duly authorized designee~~
17 shall be authorized to enter
18 upon any ~~manned~~ [+private+] premises [+or to enter a vehicle+] if he or she has reasonable
19 cause to believe a violation of this chapter has been committed; or if any provisions of this
20 chapter or any of the laws of the state of New Mexico relating to the care, treatment, control and
21 prevention of cruelty to animals have been or are being violated.

22 4. Entry on Private Land [or a Vehicle+] with a Search Warrant. If, however, the owner or
23 occupant of any dwelling or premises objects to inspection, as stated in this section, a search
24 warrant for the inspection of the dwelling and premises[+, or vehicle+] shall be obtained and
25 presented by the [+marshal or his duly authorized designee, including the+] animal control
26 officer, ~~municipal police, or duly authorized designee~~. A search warrant will be obtained from the
27 municipal court prior to inspection, when permission is denied [+ , however, a warrant shall not
28 be required if an emergency exists and emergency measures are taken, as defined in MTC
29 6.05.030+].

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

8 B. Authority of the Marshal, or his Duly Authorized Designee, including Animal Control Officer, ~~Municipal Police,~~
9 ~~or Duly Authorized Designee~~ to Enter Private Land without a Search Warrant.

10 1. Entry on Private Land without a Search Warrant. For the purpose of discharging his or her
11 duties imposed by this chapter, the [+marshal or his duly authorized designee, including the+] animal control officer, ~~municipal police, or duly authorized designee~~ shall be authorized and it is
12 declared to be their duty to enter upon private land without a search warrant for the purpose of
13 fresh pursuit or for impounding of any animal found running at large.
14

15 [+C. Interference Prohibited.

- 16 1. A person shall not threaten or interfere with the marshal or his duly authorized designee,
17 including the animal control officer, in the performance of the duties authorized by this
18 chapter.
- 19 2. False Report. A person shall not make a false report to the marshal or his duly authorized
20 designee, including the animal control officer, regarding any animal in danger or regarding
21 any alleged violation of this chapter
- 22 3. Animal trap. A person shall not move, open, close, or in any way alter an animal trap
23 belonging to the town or being used by the animal control officer without authorization
24 from the marshal. Removal or release of any animal from such a trap is prohibited.

25 D. Citations; criminal complaints. Whenever the [+marshal or his duly authorized designee, including the+] ~~municipal police~~
26 ~~or animal control officer~~ has probable cause to believe that a person has violated this chapter
27 or any other applicable animal control law or regulation, the [+marshal or his duly authorized designee,
28 including the+] ~~municipal police~~, animal control officer may prepare a criminal complaint to be filed with a court
29 of competent jurisdiction or may prepare a citation for the alleged violator to appear in court.+] [Ord. 2007-10
30 § 6]

1 **6.05.070 Animals to be personal property.** 

2 [+A. Animals are Personal Property.+] Dogs, cats and other animals shall be declared, deemed and considered
3 personal property of the owner thereof, and all remedies given for the recovery of personal property and of
4 damages for injuries thereto shall be extended to the owners thereof.

5 [+B. Sale of Unweaned Animals. A person shall not sell, offer for sale, barter, transfer, or adopt a domesticated
6 animal under eight (8) weeks of age, or a guinea pig, hamster, or rabbit under four (4) weeks of age. All
7 animals shall be fully weaned and capable of eating on their own to sufficiently maintain proper body condition
8 prior to being offered for sale, transfer or adoption. Nothing herein shall prohibit the transfer of animals
9 between animal shelters and animal rescue organizations. Nothing herein shall prohibit the sale, transfer, or
10 adoption of an unweaned animal if accompanied by a nursing female.

11 C. Sale in Public. A person shall not sell, offer for sale, barter, give away, transfer or adopt any animal upon a
12 street, sidewalk, public park, or any area open to the public, unless such person is acting on behalf of the
13 Animal Service Center of the Mesilla Valley or an animal shelter.

14 D. Prize. A person shall not offer an animal as a prize, giveaway, premium, novelty, or award for a contest,
15 game, or sport or as an incentive to purchase merchandise unless part of an FFA or 4-H sanctioned event.

16 E. Venomous Animal. A professional establishment shall not offer for sale any venomous animals, other than
17 tropical fish contained in accurately labeled aquaria.

18 G. Animal Exhibit Safety. A person shall not operate, conduct, or maintain any animal exhibit under conditions
19 that pose a danger to the public or the animals.

20 H. Deceased Animal Disposal Requirements.

21 1. Owner Responsibility. A person owning or having care, custody or control of an animal carcass
22 shall be responsible for its removal within twenty-four (24) hours of death, if the animal is not to be
23 used for human consumption.

24 a. An animal carcass may be disposed of at the South Central Solid Waste Authority facility as
25 authorized.

26 2. Removal. The animal control officer may remove any animal carcass from on or along any traveled
27 portion of any highway or public way normally used by motor vehicles or from any public property. The

1 animal control officer shall make reasonable efforts to notify the animal's owner or community cat
2 caregiver—if known—in the event of the animal's death.

3 a. The animal control officer may dispose of the animal carcass at the South Central Solid
4 Waste Authority facility as authorized after microchip scanning and making reasonable efforts
5 to notify the owner or community cat caregiver of the animal.

6 b. The animal control officer shall retain any tags or other identification found on an animal
7 carcass.

8 c. The animal control officer may, but is not obligated to, provide for the removal of an animal
9 carcass from private property at the request of the animal owner or property owner for a set
10 fee, as established by the Board of Trustees by resolution.

11 I. Abandonment prohibited. A person shall not abandon an animal or cause such abandonment.

12 1. Abandonment of an animal does not relieve the owner of the responsibilities associated with
13 ownership, and he may still be regarded as the owner for the purposes of this chapter.

14 2. A person owning or having care, custody or control over an animal shall not leave the animal at the
15 animal control shelter, or private animal shelter, without providing either notification of intent to
16 reclaim the animal or a release of ownership of the animal in writing. Such actions shall be considered
17 abandonment for the purposes of this chapter.

18 3. Abandonment does not apply to the Trap, Neuter and Return (TNR) of community cats.+] [Ord.
19 2007-10 § 7]

20 **6.05.080 Animals running at large.** 

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

25 B. Animals Running at Large Declared Nuisance and Menace to Public Health and Safety. Any animal found
26 running at large in violation of this section is declared to be a nuisance, a menace to the public health and
27 safety, and, if observed by the [+marshal or his duly authorized designee, including the+] animal control officer,

1 ~~municipal police, or duly authorized designee,~~ shall be taken up and impounded. Cats are not required to be
2 leashed but shall be required to remain confined within the owner's premises.

3 C. Unlawful to Chain or Stake an Animal on Unenclosed Premises. It is unlawful for any person to chain or
4 stake any animal on any unenclosed premises in such a manner that such animal may go beyond the property
5 line.
6

7 [+D. Community Cat Management Initiatives: The town of Mesilla recognizes the need for innovation in
8 addressing the issues presented by community cats. The Board of Trustees finds that a Trap, Neuter and
9 Return (TNR) program is valuable in this regard. To that end it recognizes that there are community cat
10 caregivers and acknowledges that properly managed community cats may be part of the solution to the
11 continuing euthanasia of cats; and, establishes the following requirements.
12

- 13 1. All community cat caregiving must be maintained on private property of the community cat
14 caregiver, or with permission of the private property or other landowner (including city/town, state,
15 and federal public property).
16
- 17 2. A free community cat certification program may be developed to educate people about community
18 cats, the importance of a veterinary provider relationship to best address community cat needs,
19 common diseases and proper care, good management practices, and maintenance of community
20 cats. The educational program shall be developed by community veterinarians, community cat
21 caregivers, the marshal's department and citizens through an *ad hoc* advisory committee that will
22 be disbanded upon recommendation to the marshal.
23
- 24 3. All community cats must be sterilized, microchipped, vaccinated against the threat of rabies, and
25 eartipped for easy identification; if these requirements are met the community cat is exempted
26 from licensing, stray, at-large and possibly other provisions of this ordinance that apply to owned
27 animals.
28
- 29 4. Community cat caregivers are required to provide certain necessities on a regular/ongoing basis,
30 including, but not limited to, proper nutrition and medical care as needed. If medical care is
31 unavailable or too expensive, the community cat caregiver must not allow the cat to suffer. Food
32 must be provided in the proper quantity for the number of cats being managed and is to be
33 supplied no less than once per day. Food must be maintained in proper feeding containers.
34 Water, if supplied, must be clean, potable and free from debris and algae. If shelter is provided, it
35 shall be unobtrusive, safe, and of the proper size for the cat(s).
36
- 37 5. Community cats that are discovered to be trapped on the private property of another three (3)
38 times within a 12-month period by the marshal or his duly authorized designee, including the
39 animal control officer shall be deemed a nuisance and are subject to proper disposition as the
40 marshal may direct.
41

42 The marshal's department is expressly authorized to cooperate with non-profit organizations that provide efforts
43 to assist in the proper care and management of community cats. Such organizations and members thereof
44 may likewise assist the marshal's department in the proper care and management of community cats.+] [Ord.
45 2007-10 § 8]

46 **6.05.090 Animal fighting prohibited.**

47 It is unlawful for any person to promote, stage, hold, conduct, carry on, or attend any game, exhibition, or fight
48 in which one or more animals is engaged for the purpose of injuring, killing, maiming or destroying themselves

1 or any other animal, or to train or breed any animals for such purpose, and/or to promote any of the activities in
2 this section. [Ord. 2007-10 § 9]

3 **6.05.100 Disturbing peace – Prohibited – Nuisance.** 

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

11 [1. It shall be a violation of this section if barking, howling or other noise that disturbs the peace is
12 frequent or long-continued; is audible beyond the property line of the premises on which the animal is
13 located for more than 10 minutes; and is attested to by:

- 14 a. Complaints from two or more separate properties;
- 15 b. A complaint from a separate property and verified by an audio recording which records the
16 howling, barking or noise for more than 10 minutes; or,
- 17 c. The marshal or his duly authorized designee, including the animal control officer.

18 The words “frequent or long-continued” as used in this section shall not mean continuous or uninterrupted in
19 time or without cessation.

20 B. Noise Abatement. In order to abate the nuisance created by the animal howling, barking, or making noise in
21 violation of this section, an animal control officer may enter the premises on which the animal is located and
22 may impound the animal if the animal control officer is unable to contact the person owning or having care,
23 custody, and control of the animal or if such person is unable or unwilling to stop the howling, barking or noise.
24 An animal impounded pursuant to this section shall be considered to be a care and maintenance impoundment
25 for purposes of reclamation.+]

26 ~~B. C. Total Number of Dogs and Cats Permitted. A person or household shall own, harbor, or keep no more
27 than the total number of dogs and cats over the age of six months permitted in the following schedule based on
28 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

1 If a person or household desires to own more than the total number of dogs and cats permitted immediately
2 above, such person or household must first qualify as a kennel, guard dog operation, or hobby breeder
3 operation as defined in this chapter and obtain from the town a permit in accordance with MTC [6-05-240](#) to
4 operate a kennel, guard dog operation or hobby breeder operation and be subject to the regulations thereof
5 and the regulations set out in MTC Title [5](#), Business Taxes, Licenses and Regulations, and MTC Title [18](#),
6 Zoning. Private Criminal Complaints. Private criminal complaints may be filed in municipal court by citizens
7 affected by any animal that may be determined a nuisance under subsection (A) of this section. Complaints
8 filed pursuant to this section shall be in writing, stating the name and address of the complainant and the
9 person(s) permitting the nuisance to occur and to continue. [Ord. 2007-10 § 10]

10 **6.05.110 Impounding strays – Procedure.** 

11 A. ~~Impounding Strays~~ [+Impoundment and Detention+].

12 1. Duty to Impound. It is declared to be the duty of the [+marshal or his duly authorized designee,
13 including the+] animal control officer, ~~municipal police or duly authorized designee~~ to take up and
14 impound or cause to be impounded any astray animals found in the town [+ , excepting community
15 cats+].

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

1 3. Astray Animals Not Displaying License or Other Identification. If the astray animal is not wearing a
2 license or other visual identification [+ , or lacks a working identification microchip with the current and
3 correct information available+], and after three business days no one has appeared to claim the
4 animal, the animal may be adopted, sold or euthanized in a humane manner in that order of priority
5 while in the physical possession of the [+marshal or his duly authorized designee, including the+]
6 animal control officer, ~~municipal police, or duly authorized designee.~~

7 4. The Town Is Not Liable for Disposition of Unclaimed Animal after Notification. If the the [+marshal or
8 his duly authorized designee, including the+] animal control officer, ~~municipal police, or duly authorized
9 designee~~ notified the owner or his or her agent or representative of the impoundment of the owner's
10 three business days, as specified in this section, then the town or its duly authorized agents and
11 representatives shall not be held liable to the owner of the animal for the adoption, sale or
12 euthanization of the impounded animal.

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

19 6. Claiming of Astray Animal. The astray animal may be claimed from the pound by its owner or his or
20 her agent or representative by payment to the town for the impounding fee, transportation fee,
21 quarantine fee, microchip fee, and payment of the license fee for the current year (if the animal was
22 unlicensed and a license is required), payment of vaccination charges (if necessary), and any medical
23 expenses incurred by the impounding authority. The aforementioned fees shall be those established
24 by town resolution, as may be amended from time to time. Any astray animal which is not claimed by
25 its owner or his or her agent or representative within three business days, as specified in this section,
26 may be adopted by another person through the ~~Animal Humane Society~~ [+marshal's department or an
27 animal control shelter designated by the marshal+] by payment to the town of the license fee for the
28 current year (if the animal was unlicensed and a license is required), payment of vaccination charges
29 (if necessary), and any medical expenses incurred by the impounding authority.

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

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

9 8. Public's Duty to Report Astray Animals. Any person finding any astray animal shall notify the
10 [+marshal or his duly authorized designee, including the+] animal control officer, ~~municipal police, or~~
11 ~~duly authorized designee~~ as soon as possible, and shall surrender the astray animal to the [+marshal
12 or his duly authorized designee, including the+] animal control officer, ~~municipal police, or duly~~
13 ~~authorized designee~~ upon demand.

14 [+9. Health or Safety Risk. The animal control officer may take emergency measures in order to seize
15 and detain any animal that poses a present or imminent health or safety risk to the public.

- 16 a. If the animal is not to be held pending court proceedings, such impoundment shall
17 be considered a care and maintenance impoundment for purposes of reclamation.

18 10. Critically Ill or Injured. The animal control officer may take emergency measures in order to seize
19 and detain any animal that is deemed by the animal control officer to be critically ill or
20 injured or in real and immediate jeopardy of becoming critically injured.

21 11. Running at Large. The animal control officer may detain any animal found running at large, except
22 as provided in this chapter.

- 23 a. If the animal control officer is unable to safely return said animal to the appropriate owner or
24 community cat caregiver within a reasonable amount of time, the officer may deliver the
25 animal to the animal control shelter.

1 i. If the animal is not to be held pending court proceedings, such an impoundment
2 shall be considered a running at large impoundment for the purposes of reclamation.

3 12. Owner Relinquish. The animal control officer may detain and deliver to the animal control shelter
4 any animal relinquished by its owner.

5 13. Cruelty; Extreme Cruelty. The marshal or his duly authorized designee, including the animal control
6 officer who reasonably believes that the life or health of an animal is endangered due to cruelty or
7 extreme cruelty shall follow the seizure, notice, disposition and cost procedures contained in NMSA
8 1978, Sections 30-18-1.1, 1.2, and 1.3, as amended.

9 14. Rabies Exposure; Animal Surrender.

10 a. A person owning or having care, custody, or control over an animal that bites a person shall
11 surrender custody of said animal to the animal control officer if the animal control officer
12 deems it necessary to impound said animal for a quarantine isolation and observation period.

13 b. A person owning or having care, custody, or control over an animal refuses to surrender
14 custody of said animal, the animal control officer may seek a warrant for the seizure of the
15 animal.

16 B. Reclamation; Right to reclaim. The owner of any animal that is impounded pursuant to this chapter shall
17 have the right to reclaim the animal from the animal control shelter during the allotted reclamation period upon
18 payment of all fees that may be owed for the impoundment of such animal.

19 1. Any animal not reclaimed within the reclamation period shall thereafter be considered
20 the property of the town.

21 2. The reclamation period may be interrupted if it is determined by the animal control officer that
22 euthanization of the animal is necessary due to the animal being in severe, acute distress or if the
23 animal is irremediably suffering.

24 3. The animal control officer shall hold any animal impounded for running at large without pet
25 identification for a minimum reclamation period of three (3) working days following impoundment.

26 4. The animal control officer shall hold any animal impounded for running at large with pet identification
27 for a minimum reclamation period of five (5) business days following impoundment.

1 5. The animal control officer shall not be required to hold for any minimum reclamation period any
2 animal that has been relinquished to the town by its owner.

3 6. The animal control officer shall hold any deceased animal delivered to the animal control shelter for
4 a minimum reclamation period of one (1) business day.

5 7. The animal control officer shall not be required to hold for any minimum reclamation period any
6 deceased animal delivered to the animal control shelter without pet identification.

7 8. The animal control officer shall hold any animal impounded as a care and maintenance
8 impoundment for a minimum reclamation period of five (5) working days following impoundment.

9 9. The owner may not reclaim any animal that has been placed under a court-ordered detainment.

10 10. Any animal that is placed under quarantine shall be held for the full quarantine isolation and
11 observation period before said animal may be reclaimed by the owner, unless a home quarantine is
12 authorized by the animal control officer.

13 C. Impoundment Fees. Fees for the impoundment and boarding of each animal shall be established by the
14 Board of Trustees by resolution; but, shall not be less than those fees charged by the Animal Services Center
15 of the Mesilla Valley or Dona Ana County.

16 1. Payment of such impoundment fees shall not bar the imposition of any fine that may be imposed by
17 a court of competent jurisdiction for the violation of this chapter or state law.

18 2. Boarding fees may be included for each day or fraction thereof of impoundment for feeding and care
19 of such animal.

20 3. The owner of any animal impounded shall be responsible for all fees associated with such
21 impoundment and boarding whether or not the animal is reclaimed.

22 4. All fees associated with such impound shall be paid to the town, sequestered and utilized
23 exclusively for animal control purposes.

24 D. Proof of Vaccination. A person reclaiming a domesticated animal judged to be three (3) months of age or
25 older by the animal control officer and that was seized or apprehended from an address or location within the

1 town shall provide a current rabies vaccination certificate for said animal before the animal may be reclaimed
2 from the animal control shelter.

3 1. If a current rabies vaccination certificated is not provided, the owner or community cat caregiver
4 shall purchase either a new vaccination or a vaccination voucher for the animal from a veterinarian
5 before said animal may be reclaimed.

6 a. If the owner or community cat caregiver chooses to purchase a vaccination voucher, the
7 owner or community cat caregiver shall sign an agreement stating he or she will have the
8 animal vaccinated against rabies within thirty (30) days of reclamation.

9 b. The owner or community cat caregiver shall subsequently provide current rabies
10 vaccination for said animal to the animal control officer within thirty-five (35) days of
11 reclamation.

12 E. Proof of microchip. Proof of a working implanted microchip in a domesticated animal seized or apprehended
13 from an address or location within the town and judged to be three (3) months of age or older by the animal
14 control officer shall be obtained by the animal control officer before such animal may be reclaimed.

15 1. Proof of the microchip implantation shall be a scan of the animal by the animal control officer
16 confirming the presence of a working identification microchip.

17 2. If proof of a working microchip implantation is not obtained, the owner or community cat caregiver
18 shall be charged for microchip implantation by the animal control officer before the animal can be
19 reclaimed.

20 a. If the owner or community cat caregiver chooses to purchase a microchip voucher, the
21 owner or community cat caregiver shall sign an agreement stating he or she will have said
22 animal microchipped within thirty (30) days of reclamation.

23 b. The owner or community cat caregiver shall then subsequently provide proof to the animal
24 control officer within thirty-five (35) days of reclamation that said animal has been
25 microchipped.

26 3. The microchip and corresponding owner or community cat caregiver contact information shall be
27 registered with the animal control officer.

1 4. The microchip fee shall be set by the Board of Trustees by resolution and payable to the town of
2 Mesilla, with all fees sequestered and utilized for exclusively for animal control purposes.

3 F. Proof of Sterilization. A person reclaiming a dog or cat judged to be six (6) months of age or older by the
4 animal control officer and that was seized or apprehended from an address or location within the town shall
5 provide proof that said animal has been sterilized before the animal may be reclaimed if such condition is not
6 readily obvious to the animal control officer.

7 1. Proof of sterilization shall consist of a written certificate by a veterinarian stating that the animal has
8 been sterilized, or that sterilization would be an unnecessary surgical risk for the animal due to animal
9 due to its age or physical condition.

10 2. If proof of sterilization cannot be provided or such condition is not readily obvious to the animal
11 control officer, the owner or community cat caregiver shall provide a sterilization deposit to the animal
12 control officer.

13 3. The owner or community cat caregiver shall sign an agreement stating that he or she will have the
14 animal sterilized within thirty (30) days of reclamation or will obtain an intact animal permit from the
15 animal control officer within such time.

16 4. The sterilization deposit shall be reimbursed to the owner or community cat caregiver upon
17 presentation of proof of sterilization to the animal control officer by the owner or community cat
18 caregiver within thirty-five days of reclamation.

19 5. The sterilization deposit shall not be reimbursed for obtaining an intact animal permit.

20 G. Release of Community Cats. Prior to release of any community cat, a licensed veterinarian must establish
21 that the cat has been sterilized, and is microchipped, vaccinated for rabies, and ear-tipped.+[Ord. 2007-10
22 § 11]

23 **6.05.120 Livestock, other animals.** 

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

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

4 C. Keeping of Livestock and Other Farm Animals. The owning, possessing, keeping or harboring of livestock
5 and other farm animals shall also be regulated by MTC Title [18](#), Zoning.

6 [+1. Large Livestock Animals. The following guidelines are established for the keeping of large
7 livestock animals such as, but not limited to, llamas, horses, mules, donkeys, swine, bovines, buffalo
8 and beefalo:

9 a. Large livestock should be kept in such a way as to provide reasonable space for feeding
10 exercise.

11 2. Small Livestock Animals. The following guidelines are established for the keeping of small
12 livestock animals such as, but not limited to, ducks, poultry, goats, sheep, and miniature
13 horses/donkeys:

14 a. Small livestock should be kept in such a way as to provide reasonable space for feeding
15 exercise..+]

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

20 **6.05.130 Licensing and vaccinations [+identification microchip+] required.** 

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

27 ~~B. Licensing. Any person [+A person owning or having care, custody or control over any dog or cat judged to~~
28 ~~be+] harboring or maintaining any dog or cat over the age of six [(6)+] months [+of age or older+] shall obtain~~

1 a license for each such dog or cat. Persons who are visiting or temporarily remaining within the town for less
2 than 30 consecutive days shall be exempt from this licensing requirement. Licenses may be issued only by the
3 [+marshal's department+] ~~animal control office, municipal police,~~ or duly authorized designee. Licenses shall
4 expire one year after the date of issuance of the license. The [+marshal's department or duly authorized
5 designee+] ~~animal control officer, municipal police, or duly authorized designee~~ shall keep a record of all
6 licenses issued. A current rabies vaccination certificate shall be presented at the time of application for the
7 license.

8 1. Affixing Tags. A current license tag number shall be affixed to the licensed dog or cat at all times in
9 a reasonable manner. [+The licensing tag may be removed on the owner's private property, while the
10 animal is undergoing treatment by a veterinarian or being groomed. Community cats are not required
11 to wear a license tag.+]

12 2. Fees. The annual license fee shall be ~~\$3.00~~ [+imposed+] for each ~~neutered or spayed~~
13 [+sterilized+] dog or cat and ~~\$10.00~~ for each ~~unspayed or unneutered~~ [+intact+] dog or cat
14 [+and shall be charged based on a schedule adopted by the Board of Trustees by resolution.+]
15 Any person seeking to obtain a license for a ~~neutered or spayed~~ [+sterilized+] dog or cat shall
16 furnish written proof from a licensed veterinarian that such dog or cat has been ~~neutered or~~
17 ~~spayed~~ [+sterilized+]. In the event a tag is lost, a replacement tag shall be obtained for a
18 charge of ~~\$1.00~~. Each ~~kennel or pet shop~~ [+multi-animal commercial site +] with 10 dogs or
19 more in possession shall pay an annual fee of ~~\$50.00~~ in lieu of licensing individual dogs and
20 such fee will cover all dogs kept by such business during the year.

21 [+a. A person over the age of 65, or veteran of the New Mexico or federal military
22 forces, owning a sterilized dog or cat shall obtain a pet license as a discounted rate.

23 All fees are based on a schedule adopted by the Board of Trustees by resolution. A
24 sterilization agreement and sterilization deposit may be required upon
25 release from the marshal's department or designated animal shelter in
26 accordance with NMSA 77-1-20 NM Stat [§ 77-1-20 \(2017\)](#) All fees
27 collected shall be paid to the town, sequestered and utilized exclusively for
28 animal control purposes+].

29 3. Breeder Fees. The owner who intentionally or unintentionally breeds dogs or cats must have
30 a current ~~hobby breeder's license~~ [+multi-animal residential site permit+] or shall pay a litter fee
31 of ~~\$25.00~~ for each litter. The ~~\$25.00~~ fee may be refunded at the time proof of sterilization of the

1 female dog or cat is submitted and verified by the [+marshal, his duly authorized designee,
2 including the animal control officer+], ~~municipal police, or duly authorized designee~~ but no later
3 than two months from the time the female dog or cat delivers a litter. Each ~~hobby breeder~~
4 [+multi-animal residential site permittee+] shall pay an annual fee of ~~\$50.00~~ in lieu of fees for
5 individual litters, and such fee will cover all litters during the calendar year.

6 [+a. All such fees are based on a schedule adopted by the Board of Trustees by
7 resolution+]. An owner shall not advertise, sell, barter, exchange, or give
8 away any dogs or cats within the town of Mesilla boundaries unless the
9 litter fee is displayed legibly. An owner shall furnish the litter fee or ~~hobby~~
10 ~~breeder~~ [+multi-animal residential site+] permit number to any prospective
11 recipient requesting the number. Each ~~hobby~~ ~~breeder~~ [+multi-animal
12 residential or commercial site permittee+] shall be subject to the regulations
13 of this chapter and the regulations set out in MTC Title 5, Business Taxes,
14 Licenses and Regulations, and MTC Title 18, Zoning.

15 [+ B. Microchip Requirement. A person owning or having care, custody or control over any dog, cat or ferret
16 judged to be six (6) months of age or older shall have the animal implanted with an identification microchip and
17 shall maintain current registration with a microchip registration company.

- 18 1. If there is a change in contact information of an owner of a registered microchipped dog, cat or
19 ferret, such owner shall update contact information, including any new address and telephone
20 number, with the microchip registration company within thirty (30) days of the date of change in
21 contact information.
- 22 2. If there is a change in ownership of a registered dog, cat or ferret, the previous owner shall be
23 responsible for ensuring that the microchip is no longer registered in the previous owner's name
24 within thirty (30) days of the change in ownership. The new owner shall be responsible for
25 registering the microchip to include any new address and telephone number and have the
26 registration information transferred to the new owner's name within thirty (30) days of the change
27 of ownership.
- 28 3. Any veterinarian or other person who implants an identification microchip in a dog, cat or ferret,
29 within town limits should provide proof of the microchip implant to the marshal's department. [Ord.
30 2007-10 § 13]

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6.05.140 Rabid animals Rabies vaccination and exposure requirements. 

~~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.~~ [+Vaccination. A person owing or having control of a domesticated animal judged to be three (3) months of age or older shall have the animal vaccinated against rabies.

1. The vaccine shall be administered by or under the supervision of a veterinarian.
2. The veterinarian shall issue for each administration a serially numbered certificate and metal tag bearing the certificate number.
3. The certificate shall contain the name and address of the owner or community cat caregiver of the animal, a description of the vaccinated animal, the date of the vaccination, and the expiration date of the vaccination.

B. Rabies Tag. A person owing or having control of a dog, cat or ferret judged to be three (3) months of age or older shall maintain a current rabies vaccination tag affixed to a collar or harness worn by the animal whenever the animal is away from the owner's property. Community cats are not required to wear a vaccination tag.

1. The rabies tag may be removed while the animal is undergoing treatment by a veterinarian or being groomed.
2. A person shall not remove or transfer any legitimate rabies tag from one animal to another.

C. Rabies Certificate. A person owing or having control of a dog, cat or domestic ferret judged to be three (3) months of age or older shall exhibit the vaccination certificate upon the request of the marshal's department.

D. Exposure; owner or community cat caregiver/victim responsibility. When any person is bitten by an animal, it is the duty of such person or his parent or guardian, or any person having knowledge of the whereabouts of the animal, to immediately contact the marshal's department ~~municipal police~~ or the Field Health Office.

1 E. Exposure; physician responsibility. A physician who renders professional treatment to a person bitten by an
2 animal shall report to the marshal's department ~~municipal police~~ such treatment immediately after the initial
3 treatment.

4 1. The physician shall report the name, address and phone number (if known) of the person bitten as
5 well as the type and location of the bite.

6 2. The physician shall report the name and address of the owner or community cat caregiver of the
7 animal that inflicted the bite (if known), and any other facts or details that may assist the marshal,
8 animal control officer or marshal's department ~~municipal police~~ in ascertaining the immunization status
9 of the animal.

10 F. Exposure; domesticated animal. Any domesticated animal that bites or potentially exposes a person to
11 rabies shall be either destroyed and the head sent to the laboratory for rabies testing, or placed in isolation
12 immediately at the owner's expense for a ten (10) day observation period at a place in a manner designated by
13 the animal control officer and approved by the Field Health Office. The lack of proof of current rabies
14 vaccination shall be *prima facie* evidence of a potential exposure to rabies, as described in this section.

15 1. The isolation and observation period shall end ten (10) days following the date and time of the
16 potential rabies exposure.

17 2. If the domesticated animal shows signs or symptoms of rabies during the ten (10) day isolation and
18 observation period, it shall be destroyed and the head sent to the laboratory for rabies testing.

19 G. Exposure, wild animal. Any skunk, bat, raccoon, coyote, bobcat, or other wild animal not born or reared in
20 captivity (with the exception of rodents or rabbits) that bites or otherwise exposes a person to rabies, shall be
21 destroyed immediately and the head sent to the laboratory for testing.

22 1. Rabbits and rodents do not normally carry rabies, but may be submitted for testing with the consent
23 of the Infectious Disease Epidemiology Bureau (IDEB), part of the Epidemiology and Response
24 Division of the New Mexico Department of Health.

25 H. Home Quarantine. The animal control officer may consent to confinement and isolation on the owner's
26 premises of a domesticated animal that bites a person on the owner's premises.

27 1. The premises where the home isolation is to occur shall be inspected and approved for such
28 purpose by the animal control officer.

1 2. The owner or community cat caregiver of the animal shall be required to enter into an indemnity
2 agreement on a form approved and prescribed by the marshal's department ~~municipal police~~ for such
3 home confinement.

4 3. The owner or community cat caregiver shall immediately notify the animal control officer if the
5 animal shows signs of sickness or abnormal behavior, if the animal escapes confinement, or if the
6 animal dies within the quarantine period.

7 I. Isolation Period – Extension. The ten (10) day isolation and observation period may be extended at the
8 request or direction of the Field Health Office.

9 J. Disposition of Quarantine Status. ~~If the animal has been determined not to be infected with rabies,~~ [+If at the
10 end of the ten (10) day isolation and observation period an animal is released from quarantine status, the
11 animal shall be returned to its owner or his or her agent or representative. However, if the animal has ~~been~~
12 ~~determined not to be infected with rabies but has~~ bitten a human being, a determination of whether the animal
13 is vicious shall be conducted in accordance with MTC [6.05.150](#); if the animal is determined not to be vicious,
14 the animal shall be returned to its owner or his or her agent or representative. If the animal dies during the
15 confinement period, all necessary laboratory inspections will be conducted by the ~~district health officer~~ [+Field
16 Health Office.

17 K. If any of the provisions of this section are in conflict with, or materially inconsistent with, regulations for the
18 reporting of animal bites, confinement and disposition of rabies-suspect animals, rabies quarantine, and the
19 disposition of dogs and cats exposed to rabies in the interest of public health and safety as prescribed by the
20 New Mexico Department of Health, pursuant to NMSA Section 77-1-6, and as amended, the state regulations
21 shall control.+]]

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

25 **6.05.150 Vicious [+Dangerous+] or [+potentially+] dangerous animals [+dogs+].**



27 A. ~~Definition. A vicious or dangerous animal is one as defined in MTC [6.05.030](#).~~ [+Dangerous or Potentially
28 Dangerous Dogs, Generally. A person having care, custody, or control over a dangerous or potentially

1 dangerous dog shall comply with the provisions of the Dangerous Dog Act, NMSA 1978, Section 77-1A-2, *et*
2 *seq.*, as amended.+]]

3 ~~B. Determination of Viciousness. The municipal court shall conduct a hearing to determine if the animal is~~
4 ~~vicious or dangerous as defined in MTC [6.05.030](#). If the court determines, by clear and convincing evidence,~~
5 ~~that the animal is vicious or dangerous, the court may impose a fine or imprisonment or both on the owner of~~
6 ~~the animal and shall order the animal destroyed in accordance with MTC [6.05.160](#).~~ Search and seizure;
7 petition. The [+marshal or his duly authorized designee, including the animal control officer, may apply to the
8 municipal or magistrate court for a warrant to seize a dog believed to be a dangerous dog or a potentially
9 dangerous dog, and may file a petition in municipal court seeking a determination of whether or the dog is
10 dangerous or potentially dangerous, all in compliance with the Dangerous Dog Act.+]]

11 ~~C. Owning or Keeping Vicious Animals Prohibited. It shall be unlawful for any person to own, keep or harbor a~~
12 ~~vicious, dangerous, or ferocious animal in the town.~~ [+Municipal Court; Hearing. The municipal court shall be
13 deemed a court of competent jurisdiction to issue a warrant to seize a dangerous or potentially dangerous dog;
14 to hear a petition seeking a determination of whether a seized dog is dangerous or potentially dangerous; and
15 to otherwise enforce the Dangerous Dog Act for dogs located within the town limits.]]

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

22 ~~D. Repelling Attack by Animal. Any attack by any animal may be repelled by the use of reasonable force.~~ [Ord.
23 2007-10 § 15]

24 **6.05.160 Destruction of animals.** 

25 A. Request to Destroy or Turn Over ~~Vicious~~ [+Dangerous+] or [+Potentially+] Dangerous Animals. The
26 [+marshal, his duly authorized designee, including the+] animal control officer, ~~municipal police, or duly~~
27 ~~authorized designee~~ may request the owner or keeper of a ~~vicious~~ [+dangerous+] or [+potentially+] dangerous
28 animal [+dog or potentially dangerous or ferocious wild animal+] to destroy it humanely or turn such animal
29 over to the [+marshal, his duly authorized designee, including the+] animal control officer, ~~municipal police, or~~

1 ~~duly authorized designee~~ for humane destruction [+ , or other disposition as a court of competent jurisdiction
2 might direct+].

3 B. Failure or Refusal to Destroy or Turn Over ~~Vicious~~ [+Dangerous+] or [+Potentially+] Dangerous Animal.
4 Should the owner or keeper of the ~~vicious~~ [+dangerous+] or [+potentially+] dangerous animal [+dog+] [+or
5 potentially dangerous or ferocious wild animal+] fail or refuse to humanely destroy or turn the animal over to the
6 [+marshal or his duly authorized designee, including the+] animal control officer, ~~municipal police, or duly
7 authorized designee~~, the [+marshal or his duly authorized designee, including the+] animal control officer,
8 ~~municipal police, or duly authorized designee~~ shall cause a complaint to be brought in municipal court against
9 such owner or keeper for failure or refusal to humanely destroy or turn the ~~vicious~~ [+dangerous+] or
10 [+potentially+] dangerous animal [+dog+] [+or potentially dangerous or ferocious wild animal+] over.

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

18 D. Animals Wounding, Injuring, or Killing Livestock or Other Animals Not in the Presence of the [+Marshal or
19 his Duly Authorized Designee, including the+] Animal Control Officer, ~~Municipal Police, or Duly Authorized
20 Designee~~.

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

28
29 2. Should the municipal court find that the animal in question did wound, injure, or kill livestock
30 or other animals, it shall order the [+marshal or his duly authorized designee, including the+]

1 animal control officer, ~~municipal police, or duly authorized designee~~ to have the animal
2 destroyed in a humane manner.

3 E. Destruction of Dogs or Cats Running in Packs. The [+marshal, his duly authorized designee, including the+]
4 animal control officer, ~~municipal police, or duly authorized designee~~ shall be authorized to destroy in a humane
5 manner any astray dogs or cats within the town which are running in packs and who are potentially dangerous
6 to humans, livestock, or other animals, as reasonably determined by the [+marshal or his duly authorized
7 designee, including the+] animal control officer, ~~municipal police, or duly authorized designee~~. [Ord. 2007-10
8 § 16]

9 **6.05.170 Housing of animals.** 

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

22 [+A. Animal Well-being. A person owning or having care, custody, or control over an animal shall provide such
23 care and husbandry as to maintain the good health and well-being of the animal and shall:

- 24
- 25 1. Provide the animal with adequate amounts, and with adequate frequency, of fresh potable water
26 and wholesome food sufficient and appropriate for the species, life stage, and medical condition of
27 the animal.
 - 28 2. Provide the animal with adequate shelter consisting of a structurally sound, species appropriate,
29 weatherproof housing or enclosure with elevated flooring and proper ventilation, large enough to
30 accommodate the animal comfortably. In winter months, clean species appropriate bedding shall
31 be provided on the floor of the housing or enclosure for warmth.
 - 32 3. Provide the animal with adequate shade from direct sunlight in addition to the shelter referenced
33 above.
 - 34 4. Keep enclosures where the animal is maintained free of garbage, feces, and other debris that
35 might endanger the animal's health or safety. The owner or person having care, custody, or
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 - 37
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1 control over animal, shall protect the animal from water and cleaning agents during the cleaning of
2 the animal's living area.
3

4 5. Keep enclosures where the animal is maintained free of insect infestation, including but not limited
5 to ant-hills, wasp nests, and flea, tick and maggot infestations.
6

7 6. Keep enclosures where the animal is maintained for periods exceeding twenty-four (24) hours with
8 adequate space to prevent overcrowding and to allow the animal to maintain normal exercise
9 according to the species. Such enclosures used to house or confine cats shall contain a regularly
10 cleaned and maintained litter box.
11

12 7. Provide the animal with professional veterinary care and necessary grooming so as to maintain
13 the animal's good health and protection from extreme weather elements and parasites.
14

15 8. Keep an animal dwelling unit no closer than one hundred (100) feet to any private water well or no
16 closer than two hundred (200) feet to any public water well.
17

18 B. Livestock Well-being. In addition to the requirements stated above under Section A, a person owing or
19 having care, custody, or control over a livestock animal shall also provide the following:
20

21 1. Running water facilities shall be provided within fifty (50) feet of each box stall and corral, and
22 each animal shall have access to fresh water in a clean container.
23

24 2. Clean feeding facilities or boxes shall be provided in each corral or box stall, and such facilities
25 shall be maintained accessible thereto by animals to be served thereby.
26

27 3. All areas adjacent to any pen, coop, stable, bar, corral; grazing, workout, or training areas; or
28 other building structures and areas where animals are kept and maintained, shall be graded to
29 drain water away from such facilities so as to prevent ponding and reduce insect harborage.
30

31 4. Such care and husbandry shall also include, but not be limited to, necessary hoof and teeth
32 care.+]
33

34 This section shall apply to all owners or keepers of animals in the town, including the general public, kennels,
35 guard dog operations, and hobby breeder operations.

36 [Ord. 2007-10 § 17]

37 **6.05.180 Wild animals.** 

38 ~~No person shall keep, harbor or maintain any poisonous reptiles, dangerous carnivorous wild animals, or~~
39 ~~dangerous or poisonous insects or arachnids, whether they are trained or not, without having first registered~~
40 ~~such reptiles, insects, arachnids, or other animals with the animal control officer, municipal police and duly~~
41 ~~authorized designee.~~ [+A. Wildlife, Wild and Exotic Animals. A person shall not possess, harbor, or keep any

42 wildlife, wild, or exotic animal of a species that in its natural life is potentially dangerous or ferocious. Such
43 animals, though they may be trained and domesticated, remain a danger to others and include:

- 1 1. Wolves, coyotes, foxes, dingoes, and other members of the non-domestic canine families
- 2 including, canine hybrids;
- 3 2. Lions, pumas, panthers, mountain lions, wild cats, and other members of the non-domestic feline
- 4 families, including feline hybrids;
- 5 3. All bears (Ursidae), including grizzly bears, black bears, brown bears, etc.
- 6 4. Raccoons (Procyonidae), including eastern raccoon, desert raccoons, ring tailed cat, coatimundi,
- 7 etc.;
- 8 5. Mustelids, other than the domestic ferret (*Mustela putorius furo*);
- 9 6. Primates (Hominidae), including all non-human great apes other than qualified service animals;
- 10 7. Skunks;
- 11 8. Bats;
- 12 9. Snakes, belonging to the families Elapidae, Viperidae, and Colubridae (twig snake, *Thelotornis*
- 13 *kirtlandii*; boomslang, *Dispholidus typus*; and keelbacks, *Rhabdophis*);
- 14 10. Lizards belonging to the family Helodermatidae (gila monsters, *Heloderma suspectum*, and
- 15 beaded lizards, *Heloderma horridum*);
- 16 11. Alligators, crocodiles, or caimans;
- 17 12. Venomous fish and piranha; and,
- 18 13. Any species of amphibian, snake, or reptile that is listed as threatened or endangered by the
- 19 federal or state government.

20 B. Exceptions. This section shall not apply to veterinary facilities, or individuals holding a state of New Mexico
21 Wildlife Rehabilitation or Educational Use Permit. [Ord. 2007-10 § 18]

22 **6.05.190 Service animals allowed in public places.**

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

28 **6.05.200 Restraint of animals.**

29 ~~A. Penning on Premises. All persons owning or having charge, custody, care or control of any animal shall~~
30 ~~keep such animal properly and securely penned on his or her own premises. [+Physical restraint. A person~~
31 ~~owning or having charge, custody, or care over an animal shall keep the animal under humane physical~~

1 restraint at all times, excluding community cats.+] The determination of whether the dog is under the immediate
2 physical control of a person having custody thereof shall be determined by the [+marshal or his duly authorized
3 designee, including the+] animal control officer, ~~municipal police, or duly authorized designee~~, as to what he
4 believes to be reasonable under the circumstances. Any animal trespassing upon private or public premises
5 shall be deemed *prima facie* not to be under the immediate control of a competent person and shall be reported
6 for impounding to the [+marshal or his duly authorized designee, including the+] animal control officer,
7 ~~municipal police, or duly authorized designee.~~

8 ~~B. Leashed Dogs. Dogs shall be permitted on the streets or public places of the town only if they are secured~~
9 ~~on a leash not over eight feet in length, under the immediate physical control of the person having custody~~
10 ~~thereof.~~ Dragging; hobbling. A person shall not hobble an animal, or tether or attach any animal to any object
11 that can be dragged or moved by the animal. Such animal, if not otherwise restrained by a secure tether or
12 enclosure, shall be considered by the animal control officer to be unrestrained. This shall not apply to livestock
13 animals properly used for work purposes.

14 ~~C. Animals Not under Immediate Control. Any animal trespassing upon private or public premises shall be~~
15 ~~deemed prima facie not to be under the immediate control of a competent person and shall be reported for~~
16 ~~impounding to the animal control officer, municipal police, or duly authorized designee.~~ Owner's premises. A
17 person owning or having care, custody, or control over an animal on his or her premises shall restrain the
18 animal either by a secure enclosure or by immediate control.

19 1. All pens, kennels, stalls, corrals, or other enclosures used to restrain an animal shall be
20 continuously maintained with preservatives, fasteners, and other materials to prevent deterioration and
21 animal escape. Substantial and acceptable locking or latching devices shall be installed on all gates
22 and doors to animal enclosures in such a manner as to be inaccessible to animals and small children
23 in order to prevent animal escape or unauthorized entry.

24 2. A person owning or having care, custody, or control over a dog on his or her premises may use a
25 tether as a temporary means of restraint only.

26 a. A person shall not tether a dog to a stationary object for more than two (2) hours in any
27 twelve (12) hour period.

28 b. A person shall not tether a dog to a running line, pulley, or trolley system for more than four
29 (4) hours in any twelve (12) hour period.

1 c. A person shall not tether a dog in an unenclosed area where people or other animals are
2 able to wander in proximity of the tethered dog.

3 d. A tether used to restrain a dog shall be at least twelve (12) feet in length. Such tether shall
4 not enable the animal to reach beyond the owner's property.

5 e. A tether used to restrain a dog shall be affixed to a properly fitting collar or harness worn by
6 the dog.

7 f. A tether used to restrain a dog shall not weigh more than one-eighth (1/8) of the animal's
8 body weight. The tether weight shall include any additional objects attached to the dog or
9 tether, such as locks and fasteners.

10 g. A tether used to restrain a dog shall have working swivels on both ends and shall be
11 fastened so that the animal may sit, walk, and lie down using natural motions. Such tether
12 shall be unobstructed by objects that may cause the tether or animal to become entangled or
13 strangled.

14 h. In all cases, a tethered dog must be able to reach a container with water at all times.

15 3. Fences to be provided for a livestock enclosure shall be species appropriate. For use in conjunction
16 with stud stalls, such fences shall be maintained not less than six (6) feet in height.

17 4. A person owning or having care, custody, or control over a venomous reptile shall restrain the
18 animal to the owner's premises by a secure locked cage.

19 a. A cage used to restrain a venomous reptile shall feature labeling that clearly defines and
20 identifies the animal with the following information:

- 21 i. Common Name;
- 22 ii. Scientific Name; and
- 23 iii. Venomous Nature.

24 D. Public Premises. A person owning or having care, custody, or control over an animal off his or her premises
25 shall keep the animal under immediate control.

26 1. A leash used to restrain an animal shall be of suitable length as to enable the handler to maintain
27 control of the animal under specific circumstances.

1 2. A person shall not carry an animal in or upon any vehicle in a cruel, inhumane, or unsafe manner.
2 Animals carried in the open bed of a vehicle shall be crated or restrained upon a non-slick surface an
3 in a manner that prevents the animal from jumping out of the vehicle. In addition to all other
4 regulations in this section, animals should never be overcrowded when being transported. If the
5 animals are crated or kept in any enclosure, they may be allowed to share a crate but each animal
6 should be able to stand up, move around, lie down and stretch out naturally. If crates or enclosures
7 are stacked, they must be attached securely to prevent the crates or enclosures from falling or
8 turning over. If crates or other enclosures are stacked, it is important that no urine or feces are
9 passed between crates and enclosures. No animal shall be left in the open bed of a vehicle whether in
10 a crate or not when the weather is such that the animal will be exposed to extreme heat, cold or rain.

11 3. A person in charge of an amphibian or reptile away from the owner's premises shall keep the animal
12 secure within a closed container that will not expose people unexpectedly to the animal.

13 4. A person in charge of a venomous animal away from the owner's premises shall keep the animal
14 secured within a locked box clearly marked "Venomous Animal."

15 E. Property of Others. A person owning or having care, custody or control over an animal shall not detain or
16 restrain an animal upon another person's private property without having permission from the resident
17 or owner of such property.

18 1. If the resident or owner does not permit the animal being detained or restrained upon such property,
19 the animal may be taken up and impounded by the animal control officer at the request of the resident
20 or owner.

21 2. If the owner of a rented or leased property does not approved of an animal being restrained or
22 detained by the resident on such property, the dispute shall be regarded by the marshal or his
23 authorized designee as a civil matter.

24 F. Multiple Dwelling Unit. An owner, manager, agent or governing board of any multiple dwelling unit, including
25 mobile home parks and gated communities, shall not permit or authorize any animal to be unrestrained upon
26 the common areas of the multiple dwelling unit, except upon such areas and within such enclosures specifically
27 designed for such activity.

28 G. Exceptions.

1 1. A working dog that is under the control and supervision of the owner or handler performing such
2 acts such as herding, search and rescue, or police work shall not be considered unrestrained while
3 performing or being trained for such duties.

4 2. A hunting, tracking, or show dog that is under the control and supervision of the owner or handler
5 shall not be considered as unrestrained when performing in or being trained for those capacities. +]

6 ~~D. H. Dogs Not Allowed at Town Sponsored Events. Dogs shall not be allowed at town sponsored events. This~~
7 ~~restriction shall not apply to service animals as defined in MTC [6.05.030](#) or to animals which are authorized to~~
8 ~~participate in such events. [Ord. 2007-10 § 20]~~

9 **6.05.210 Penning female animals Nuisance prohibitions.** 

10 [+The following prohibitions are in addition to any other nuisances defined by this chapter.

11 A. Property Damage; Nuisance. A person owning or having care, custody, or control over an animal shall
12 prevent the animal from causing damage or being a nuisance to the person or property of another.

13 B. Females in estrus. A person owning or having care, custody, or control over ~~The owner of a female animal~~
14 ~~[+in estrus+]~~ shall ~~cause such animal when in season or in heat to be penned or enclosed during such period of~~
15 ~~time in a house, building or secure enclosure so that other animals are not attracted to the animal in a manner~~
16 ~~that will preclude occurrence of a public nuisance, but not tied. Such enclosure shall be constructed so that no~~
17 ~~other animals may gain access to the confined animal, except for intentional breeding purposes~~ confine the
18 animal in such a way that prevents the animal from becoming a nuisance.

19 C. Pet Waste. A person owning or having care, custody, or control over a pet such as a dog or cat shall
20 dispose of the waste from the animal in a watertight and fly tight receptacle, which shall be emptied frequently
21 and in such a manner so as to prevent a nuisance or a health hazard.

22 D. Livestock Waste. Waste from livestock shall be removed or spread at least once each week so as not to
23 constitute a nuisance. Additionally, all premises where livestock are kept shall be treated with approved
24 pesticides for the control of insects and rodents related to waste from livestock so as not to constitute a
25 nuisance.

26 E. Public Defecation. A person owning or having care, custody, or control over an animal shall not permit the
27 animal to defecate on or along any traveled portion of any highway or public way normally used by motor

1 vehicles, in any public park or on any public property, or the property of another, unless such waste is
2 immediately removed and disposed of properly.

3 F. Dust Control. All areas used as arenas for exercising, training or exhibition of livestock may be subject to
4 dampening via a sprinkler system when or if required by zoning provisions enacted by the Board of Trustees.

5 G. Feeding Animals Running at Large. A person shall not feed a dog or cat running at large. A community cat
6 may be fed.][Ord. 2007-10 § 21]

7 **6.05.220 Prohibited acts and conditions.** 

8 [+A. Interference with Animal Control.+] It shall be unlawful for any person to [+obstruct,+] hinder, resist, or
9 oppose the [+marshal or his duly authorized designee, including the+] animal control officer, ~~municipal police,~~
10 ~~or duly authorized designee~~ in the performance of his or her duties or to secret any animal from him or her that
11 requires attention.

12 [+B. Found Animals. A person shall harbor, hold or retain possession of any animal for more than 24 hours
13 without first submitting a found animal report to the marshal's department. A person having possession of
14 such an animal shall immediately surrender the animal to the animal control officer upon request.

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

18 2. If the animal remains in the custody of the finder and the owner of such animal fails to
19 submit a missing animal report with the marshal's department within seventy-two (72) hours
20 following the submission of the found animal report, the finder may thereafter claim ownership
21 of the animal.

22 C. Pet Mill. No person shall keep or operate a pet mill.+] [Ord. 2007-10 § 22]

23 **6.05.230 Cruelty to animals prohibited.** 

24 A. ~~Killing or Beating Animals Prohibited.~~ [+Cruelty to Animals. A person shall not negligently mistreat, injure, kill
25 without lawful justification, or torment an animal, or abandon or fail to provide necessary sustenance to an
26 animal under that person's care, custody or control. Under this section, "lawful justification" means humanely
27 destroying a sick or injured animal or protecting a person or animal from death or injury due to an attack by
28 another animal. It shall be unlawful for any person to willfully or maliciously kill, destroy, maim, disfigure,
29 torture, beat with a stick, chain, club or other object, mutilate, burn, or scald with any substance, overdrive, or

1 otherwise cruelly set upon any animal; except, that reasonable force may be employed to drive off vicious,
2 dangerous, or trespassing animals. It shall be unlawful to poison dogs, cats, and other domesticated animals.

3 1. Felony Prosecution. Prosecution under this section shall be limited to first, second, or third
4 offenses. Fourth and subsequent offenses, and offenses involving extreme cruelty as defined under
5 state law, shall be prosecuted as a felony under NMSA 1978, Section 30-18-1, as amended.

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

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

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

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

23 E F. Animals without Proper Care. Whenever the [+marshal or his duly authorized designee, including the+]]
24 animal control officer, ~~municipal police, or duly authorized designee~~ finds that any animal is without proper care
25 because of injury, illness, [+severe thirst,+] confinement or voluntary absence of the owner or person
26 responsible for the care of such animal, the [+marshal or his duly authorized designee, including the+] animal
27 control officer, ~~municipal police, or duly authorized designee~~ may impound such animal for protective care. In
28 the event of sickness or injury of the animal, upon the advice of a licensed veterinarian, the [+marshal or his
29 duly authorized designee, including the+] animal control officer, ~~municipal police, or duly authorized designee~~

1 may take such action as called for to prevent undue pain and suffering, including immediate destruction of the
2 animal.

3 F G. Abandoning of Animal Prohibited. It shall be unlawful for any person to abandon any [+domesticated+]
4 animal in the town of Mesilla, except community cat caregivers, in the case of community cats.

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

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

11 [+J. Sexual Abuse. It shall be unlawful for any person to take part in any sexual abuse of an animal. Nothing
12 herein shall prohibit a person from engaging in accepted veterinary practices, medical treatment by the owner
13 or with the owner's consent, or bona fide experimentation for scientific research.+]

14 K. Keeping of Infected or Painfully Crippled Animals. It shall be unlawful for any person to have, keep, or harbor
15 any animal which is known or believed to be infected with a dangerous or communicable disease or is painfully
16 crippled, wounded, or injured. All such animals shall be reported to the animal control officer, ~~municipal police,~~
17 ~~or duly authorized designee~~ who will make proper disposition of the animal. This section shall not be construed
18 to include veterinary hospitals in which animals are being treated.

19 [+1. Given probable cause, the animal control officer may require the owner to provide a letter of
20 health evaluation from a veterinarian describing the condition of the animal and the treatment provided
21 or recommended.

22 2. The animal control officer may evaluate the condition of an animal in order to determine probable
23 cause.

24 L. Vehicle Operator Responsibility. A person shall not intentionally strike any animal with any vehicle, self-
25 propelled or otherwise.

26 1. Any person who, as the operator of a motor vehicle, strikes any animal shall immediately report
27 such injury or death to the marshal, animal control officer, or municipal police.

1 ~~M. Performing Animal Exhibition; Circus. A performing animal exhibition or circus in which animals are induced~~
2 ~~or encouraged to perform through the use of chemical, mechanical, electrical, or manual devices in a manner~~
3 ~~that will cause or is likely to cause physical injury or suffering shall not be permitted.~~

4 ~~1. All equipment on a performing animal shall fit properly and shall be in good working condition.~~

5 M. Performance of Duty. Nothing herein shall prohibit the marshal, animal control officer, ~~municipal police, or~~
6 ~~duly authorized designee~~ from using a tranquilizer gun, snare, net, net gun, trap or other similar devices to
7 humanely capture animals as reasonably necessarily for the control of such animals.

8 N. Storage and Utilization of Hunting Traps. It is unlawful to use or authorize the use of any steel-jawed
9 leghold trap or any other body-gripping trap to capture any animal, except as allowed by state hunting
10 authorities. Such devices shall be stored appropriately when not in lawful use as not to present undue hazard
11 or injury to domesticated animals or humans.

12 O. Hunting. Nothing herein shall prohibit a person from engaging in legal hunting practices as allowed by state
13 hunting authorities. [Ord. 2007-10 § 23]

14 **6.05.240 Permitted premises.** 

15 A. Permit Required.

16 1. ~~No person shall operate a kennel~~ [+residential or commercial multi-animal site+], guard dog
17 operation, ~~hobby breeder operation~~, apiary operation, arachnid operation, or insect operation
18 without a valid permit issued by the animal control officer, municipal police, or duly authorized
19 designee. Any person who operates or proposes to operate a residential or commercial multi-
20 animal site shall file an application for a permit with the animal control officer.

21 2. No person shall operate a ~~kennel~~ [+residential or commercial multi-animal site, or+] guard
22 dog operation ~~or hobby breeder operation~~ without also obtaining a valid business license issued
23 by the town pursuant to MTC Title 5, Business Taxes, Licenses and Regulations. A minimum
24 fine of \$250.00 will be assessed for any violations.+]

25 3. ~~A minimum fine of \$100.00 will be assessed for any violations~~ [+All applications for multi-
26 animal site permits must meet the following conditions:

- 1 a. An initial non-refundable fee, established by the Board of Trustees by resolution,
2 for residential or commercial multi-animal sites must accompany any
3 application to defray the cost of processing the request.
- 4 b. Commercial sites must also comply with the town business registration
5 requirements.
- 6 i. An annual commercial multi-animal site permit fee shall be established
7 by the Board of Trustees by resolution.
- 8 ii. Approval is required by the town zoning administrator and animal control
9 officer.
- 10 iii. All boarded animals three months of age or over must be vaccinated for
11 rabies.
- 12 c. All multi-animal residential site permits must be renewed annually at a fee
13 established by the Board of Trustees by resolution.
- 14 d. An application may be denied if the owner or responsible person shows a history of
15 noncompliance with this chapter as evidenced by two or more convictions of
16 violations of this chapter during the past year.
- 17 e. Multi-animal sites must comply with applicable zoning regulations. If any provision
18 of this section is in conflict with the provision of any applicable zoning regulation, the
19 provision of the zoning regulation shall control.
- 20 4. A multi-animal site permit may be revoked when, in the opinion of the zoning administrator, code
21 enforcement or animal control officer, any one or more of the following conditions exist:
- 22 a. The premises or enclosures are not maintained in a clean and sanitary condition
23 and are a health hazard or produce noxious odors.
- 24 b. The enclosures are unsafe.
- 25 c. The number of animals exceeds the number allowed on the permit.
- 26 B. [+Special Animal Permits.

1 1. Applications Generally. A person or organization who seeks to keep any animal requiring a special
2 animal permit shall file an application with the animal control officer describing the location of the site
3 and the purpose for which it is to be maintained. Veterinary hospitals and clinics shall be exempt from
4 this requirement. It shall be a condition of the issuance of any special animal permit that the permittee
5 consents to inspection of the premises at any time between the hours of 6:00 a.m. and 10:00 p.m. The
6 application permit fee shall be set by the Board of Trustees by resolution.

7 2. Application conditions. All applications for special animal permits required under this section must
8 meet the following conditions:

9 a. An initial non-refundable fee must accompany any application to defray the cost of
10 the request.

11 b. An application may be denied if the owner or responsible person shows a history of
12 noncompliance with this chapter as evidenced by two or more convictions of
13 violations of this chapter during the past year.

14 3. Revocation. A special animal permit may be revoked when, in the opinion of the zoning
15 administrator, code enforcement or animal control officer, any one or more of the following conditions
16 exist:

17 a. The premises or enclosures are not maintained in a clean and sanitary condition
18 and are a health hazard or produce noxious odors.

19 b. The enclosures are unsafe.

20 c. Containers for venomous snakes or lizards are not clearly labeled and locked.

21 4. Restrictions. The keeping of any permit-required species not allowed under the provisions of the
22 existing special animal permit.

23 a. Outdoor Rehabilitation Aviary. A special permit is required by any person to keep
24 or maintain an outdoor rehabilitation aviary. The animal control officer will not issue
25 this special permit without proof of a license issued by the federal government and
26 the New Mexico Department of Game and Fish.

1 b. Birds of Prey. A special permit is required by any person to keep or maintain a bird
2 of prey. The animal control officer will not issue this special permit without proof of a
3 license issued by the federal government and the New Mexico Department of Game
4 and Fish.

5 c. Threatened or Endangered Amphibian, Snake, or Reptile. Federal and state
6 permits are required for any person to keep or maintain any species of amphibian,
7 snake or reptile that is listed as threated or endangered by the federal government or
8 the state.

9 d. Certain Snakes. A special permit is required for any person to keep or maintain
10 any snakes of the families Elapidae and Viperidae, or the three genera within the
11 family Colubridae (Thelotornis kirtlandii, the twig snake; Dispholidus typus,
12 boomsplang; and Rhabdophis, keelbacks). The animal control officer will not issue
13 this special permit until the appropriate federal and state permits are acquired.

14 e. Pigeons. Fancy pigeons, racing pigeons and sporting pigeons may be kept
15 pursuant to a special permit, provided that structures utilized as lofts shall be
16 maintained in a sanitary condition, and in compliance with all applicable health
17 regulations. The maintaining of undomesticated pigeons is prohibited within town
18 limits.

19 i. Fancy pigeons are those which, through past breeding, has developed
20 certain distinctive physical and performing characteristics as to be clearly
21 identified and accepted as such by the National Pigeon Association, the
22 American Pigeon Club, or the Rare Breeds Pigeon Club. Examples include
23 fantails, pouters, and trumpeters.

24 ii. Racing pigeons are those members of the family Columbidae which,
25 through selective past breeding, has developed the distinctive physical and
26 mental characteristics as to enable it to return to its home after being
27 released a considerable distance therefrom, and which is accepted as such
28 by the American Racing Pigeon Union, Inc., or the International Federation
29 of Racing Pigeon Union, Inc., or the International Federation of Racing

1 Pigeon Fanciers. Examples include the racing homer, homing pigeon, or
2 carrier pigeon.

3 iii. Before issuance of a special permit for the keeping of pigeons, the owner
4 must demonstrate that he is a member in good standing of the following:
5 The American Racing Pigeon Union, Inc., the International Federation of
6 Racing Pigeon Fanciers, the National Pigeon Association; the American
7 Tippler Society; the International Roller Association; or the Rare Breeds
8 Club, as such clubs have rules that help preserve the peace and tranquility
9 of the neighborhood. Membership must be renewed on an annual, or as
10 required, basis in order to maintain the special permit.+]]

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

17 D. Permit Requirement[+s; Transfer+]. No permit is transferable from one person or place to another person or
18 place. A valid permit shall be posted in a conspicuous place at each permitted premises. A permit holder shall
19 notify the [+marshal or his duly authorized designee, including the+] animal control officer, ~~municipal police,~~ or
20 ~~duly authorized designee~~ of any changes in operations which may affect the status of the permit and shall keep
21 the [+marshal or his duly authorized designee, including the+] animal control officer, ~~municipal police,~~ or ~~duly~~
22 ~~authorized designee~~ informed of any changes in name, address, or home and business telephone numbers.
23 Both the person in charge of the permitted premises and the owner of the permitted premises shall be
24 responsible for complying with this section. At each permitted premises, a current record shall be kept which
25 describes all animals owned, purchased or received after the date of issuance of the permit.

26 An application for renewal must be accompanied by a current certificate of inspection issued by the [+marshal
27 or his duly authorized designee, including the+] animal control officer, ~~municipal police,~~ or ~~duly authorized~~
28 ~~designee~~ and shall be filed with the animal control officer, municipal police or duly authorized designee at least
29 ~~30~~ [+thirty (30)+] days but no more than ~~60~~ [+sixty (60)+] days before the date of expiration. Failure to renew
30 the permit as specified shall result in the expiration of the permit or in the assessment of a late fee of ~~\$10.00~~

1 [+in accordance with a schedule adopted by the Board of Trustees by resolution+] for each day in violation after
2 the date of expiration[+,+] in addition to the cost of renewing the permit.

3 The application shall require information sufficient to assure the [+marshal or his duly authorized designee,
4 including the+] animal control officer, ~~municipal police, or duly authorized designee~~ that the applicant and
5 facilities are adequate, in compliance with MTC [6.05.170](#), to care for the animals in a manner that protects the
6 public and the animals and located in an area zoned by the town for such proposed use or facilities in
7 compliance with the regulations set out in MTC Title [18](#), Zoning.

8 D. E. Facilities and Care Applicable to ~~Kennels~~ [+Residential or Commercial Multi-Animal Sites+], Guard Dog
9 Operations, ~~Hobby Breeder Operations~~, Arachnid Operations, and Insect Operations. Housing facilities for
10 animals applicable to ~~kennels~~ [+residential or commercial multi-animal sites+], guard dog operations, ~~hobby~~
11 ~~breeder operations~~, arachnid operations, or insect operations shall be constructed, repaired and maintained in
12 compliance with MTC [6.05.170](#) and MTC Title [15](#), Buildings and Construction.

13 E. F. Access to Permitted Premises. The [+marshal or his duly authorized designee, including the+] animal
14 control officer, ~~municipal police, or duly authorized designee~~ shall be allowed to enter the premises following
15 notification to the permit holder or applicant for the purpose of inspection prior to issuance of a permit, renewal
16 of a permit, or for investigation of a complaint.

17 F. G. Suspensions and Revocations of Permits. When the [+marshal or his marshal or his duly authorized
18 designee, including the+] animal control officer, ~~municipal police, or duly authorized designee~~ discovers that a
19 permitted premises is in violation of this section or MTC Title [5](#), Business Taxes, Licenses and Regulations,
20 MTC Title [15](#), Buildings and Construction, or MTC Title [18](#), Zoning, he or she shall give written notice of this
21 violation to the permit holder, operator, owner or person in charge by means of an inspection report or other
22 written notice. The notification shall state that failure to comply with the provisions of this section may result in
23 immediate suspension or revocation of the permit. Permits may be suspended for 30 days to allow the permit
24 holder to comply with the requirements of this section or other applicable laws, ordinances or regulations. A
25 permit shall be surrendered to the [+marshal or his duly authorized designee, including the+] animal control
26 officer, ~~municipal police, or duly authorized designee~~ upon suspension or revocation. A person whose permit
27 has been suspended may apply for an inspection of the premises for the purpose of reinstating the permit by
28 filing an additional application for a permit on a form required by the [+marshal or his marshal or his duly
29 authorized designee designee, including the+] animal control officer, ~~municipal police, or duly authorized~~
30 ~~designee~~. Within five business days after the application is received by the animal control officer, municipal
31 police, or duly authorized designee, he or she shall conduct an inspection of the premises proposed to be

1 permitted or re-permitted. If the applicant and the site are in compliance with all the applicable requirements of
2 this section and all other applicable laws, regulations, and ordinances, the permit shall be reinstated.

3 ~~G.~~ H. Guard Dog Operation. A person who wishes to conduct a guard dog operation or business shall first
4 obtain a guard dog permit in accordance with this section and shall be subject to any and all other requirements
5 therein applicable. In addition to the facilities and care standard requirements of permitted premises set forth in
6 this section, the area where the guard dog is housed while not on duty shall be secured in a manner which will
7 prevent their escape. The off-duty housing area shall be kept locked when not in use. Premises where guard
8 dogs are on duty or in use shall be posted with warning signs at least 42 [+twelve (12)+] inches long on each
9 side. The warning sign shall state "Guard Dog" or "Guardian" and shall show a picture of an aggressive dog.
10 The warning signs shall be posted not more than 200 feet apart on the exterior of the fences or walls
11 surrounding the site where such guard dogs are on duty or in use, and shall be posted at the exterior corners of
12 said site and every entrance of said site. Further:

13 [+1. A dog shall not be used to guard residential property.

14 2. The permit application shall include sufficient information to identify the name and address of the
15 owner of the commercial property, the name and address of the owner of the guard dog, and the
16 location intended to be guarded by the guard dog.

17 3. The permit applicant must submit to a pre-permit inspection of the premises by the animal control
18 officer, so that an accurate physical description of the animal may be obtained.

19 4. Prior to obtaining the permit, the permit applicant shall obtain liability insurance with an insurer
20 authorized to write liability insurance in this state providing coverage in each occurrence, subject to a
21 limit, exclusive of interests and costs, of not less than one hundred thousand (\$100,000) for damage or
22 bodily injury to or death of a person caused by the guard dog.

23 5. Vehicles used to transport a guard dog and vehicles being protected by a guard dog shall be
24 secured so the public is protected from injury. The vehicle shall be constructed or modified to ensure
25 that the guard dog is transported in a safe, humane manner. The vehicle shall be conspicuously
26 posted with guard dog signs on both sides of the vehicle.+]]

27 ~~H.~~ I. Apiary Operations, Arachnid Operations, and/or Insect Operations. A person who wishes to conduct an
28 apiary operation, arachnid operation, and/or insect operation or business shall first obtain a permit from the
29 [+marshal or his duly authorized designee, including the+] animal control officer, ~~municipal police, or duly~~

1 ~~authorized designee~~. To qualify for such a permit, the person must demonstrate in the form of certification,
2 training, or education to the marshal or his duly authorized designee, including the animal control officer,
3 ~~municipal police, or duly authorized designee~~ that such person or his or her agents or representatives have the
4 requisite or necessary knowledge, skill, or experience for the identification and handling or controlling of such
5 animals. [+A permitted individual or other person maintaining an apiary must comply with all provisions of the
6 New Mexico Bee Act, NMSA 1978, Chapter 76, including any rules and regulations promulgated by the New
7 Mexico Department of Agriculture, if applicable.

8 1. Abandoned Hives. Any hive or comparable apparatus that is not occupied by a live bee colony,
9 and that is accessible to bees, is hereby declared a public nuisance. The hive or apparatus shall be
10 subject to abatement.

11 2. Africanized Bees. If the marshal determines that the presence of Africanized or overly defensive
12 honey bees in a hive is a public nuisance or if Africanized or overly defensive honey bees from a hive
13 are entering land other than the land upon which the hive is located so as to endanger the public
14 health, safety, or welfare or so as to create an unreasonable interference with the use of the property
15 of others, the marshal or his duly authorized designee may take any action necessary to abate the
16 public nuisance, including, but not limited to, moving, selling, destroying, or otherwise disposing of the
17 infested hive as he might direct.+]]

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

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

25 **6.05.250 Violation – Penalty.** 

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

1 B. Citations may be issued to the custodian or owner of the animal in violation. The impounding fee shall be
2 \$25.00- [+based on a schedule adopted by the Board of Trustees for resolution -for the first impoundment
3 within a 12-month period, \$50.00 [+ \$75.00+] upon a second impoundment within the same 12-month period,
4 \$75.00 [+ \$150.00+] upon the third impoundment within the same 12-month period, and \$300.00 upon every
5 impoundment after the third impoundment within the same 12-month period. The fee for an animal with no
6 license tag shall be based on a schedule adopted by the Board of Trustees by resolution.+]

7 C. It shall be the duty of any person who is the owner or the keeper of any vicious or dangerous [+dangerous or
8 potentially dangerous dog, or potentially dangerous or ferocious wild+] animal, the keeping of which is unlawful,
9 to cause such animal to be destroyed[+, or other disposition as a court of competent jurisdiction might direct,+]
10 in accordance with MTC [6.05.160](#). Failure to comply with this section shall subject such owner or keeper to a
11 minimum fine of \$40.00 [+ \$100.00+] plus costs. Each day's failure to comply shall be considered a separate
12 offense. [Ord. 2007-10 § 25]

13 **Section 2. Severability**

14 Should any section, clause or provision of this ordinance, for any reason, be held invalid or
15 unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision
16 shall not affect any of the remaining provision of this ordinance.

17
18 **Section 3. Repealer**

19 All ordinances or resolutions, or part therefore, inconsistent with this ordinance are hereby
20 repealed to the extent only of such inconsistency. This repealer shall not be construed to revive
21 any ordinance or resolution.

22
23 **Section 4. Effective Date**

24 This ordinance shall be in full force and effect, five (5) days after this approval, adoption and
25 publication as provided by law.

26
27

1 PASSED, ADOPTED AND APPROVED this ____ day of _____ 20 ____.

2

3

4

Mayor

5

Town of Mesilla

6

7

8 ATTEST:

9

10 By: _____

11 Town Clerk/Treasurer

12

13

14

MEMO

1. The Ordinance needs to have consistency in how terms are written. Words such as animal control officer, municipal police, and town are sometimes capitalize the first letter and sometimes do not capitalize the first letter.
2. Unless the Town plans to change the Marshall to “municipal police”, it seems all reference to “Municipal Police”, even though defined as the Marshal, should be the Town Marshal.
3. A great deal of authority is given the animal control officer. That authority includes euthanasia. That authority is asking for a law suit. I suggest any decision to euthanize an animal must be concurred by the Town Marshal or veterinarian employed by the Town.
4. I suggest hiring a veterinarian to make medical decisions related to animals when called upon. This will minimize the risk of liability to the Town when a family’s pet is euthanized.
5. Requiring pets to wear licenses at all times means that a pet in my house or on my property must wear a tag. I have seen pictures of hung cats who get their collars caught in trees. Though I chip and more or less confine my dog and cat, the cat sometimes prowls within my fence into my trees.

Respectfully,

John A. Darden III
200 W. Las Cruces Avenue, Suite D
Las Cruces, NM 88005-1803



**BOARD OF TRUSTEES
TOWN OF MESILLA
REGULAR MEETING
MONDAY, FEBRUARY 25, 2019
6:00 P.M.**

- TRUSTEES:** Nora L. Barraza, Mayor
Jesus Caro, Mayor Pro Tem Absent
Carlos Arzabal, Trustee
Veronica S. Garcia, Trustee
Stephanie Johnson-Burick, Trustee
- STAFF:** Cynthia Stochner-Hernandez, Town Clerk/Treasurer
K.C. Alberg, Marshal
Kevin Hoban, Fire Chief
Rodney McGillivray, Public Works Director
Gloria Maya, Recorder
- PUBLIC:** Andrew Wray Valerie Sherman
Austin Frazier Andy Krentz
Allyssa Myrick Vanessa Lara
Arturo Guerrero David Gallegos
Marisol Diaz

1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Roll Call.

Present: Mayor Barraza, Trustee Arzabal, Trustee Garcia, Trustee Johnson-Burick

3. CHANGES TO THE AGENDA & APPROVAL

Motion: To approve the agenda Moved by Trustee Arzabal, Seconded by Trustee Johnson-Burick.

Roll Call Vote: Motion passed (summary: Yes = 3).

Trustee Arzabal Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

4. PROCLAMATIONS:

1 **A.** A proclamation declaring the month of March 2019 “Athletic Training Month in Mesilla,
2 New Mexico”.

3 Mr. Krentz read the proclamation declaring the month of March 2019 “Athletic Training Month in
4 Mesilla, New Mexico” for the eighth year.

5
6 Mayor Barraza asked how many athletic trainers there are in Dona Ana County.

7
8 Mr. Krentz responded there are around 25 trainers that serve the high schools and New Mexico State
9 University. Some of the trainers also work in clinics.

10
11 Mayor Barraza stated we are appreciative for what they do for the community. We will continue to
12 support activities they have going on.

13
14 Mr. Krentz introduced his family and staff.

15
16 **5.** A presentation by the Mesilla Valley Metropolitan Planning Organization

17 Ms. Sherman gave a presentation on the Mesilla Valley Metropolitan Planning Organization (MPO);
18 reviewed and gave an update on projects. She asked that they take the time to complete a survey.

19
20 Mayor Barraza stated she, Trustee Arzabal and Trustee Johnson-Burick sit on the MPO committee. The
21 MPO’s work is phenomenal. Our community has a need for sidewalks and bike paths. We are currently
22 working on completing the Multi-use Trail on Calle de Norte. We share the same concerns and
23 suggestions. She encouraged the public to complete the survey.

24
25 **6. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

26 Ms. Myrick stated she is with Unified Prevention Coalition which focuses on substance use and abuse
27 among youth and young adults in Dona Ana County. These individuals are getting it provided to them by
28 an older adult and even in their home. We are working with entities on controlling underage alcohol
29 consumption.

30
31 Sergeant Guerrero stated passing an ordinance will help us to prevent underage alcohol consumption and
32 the crimes associated with that.

33
34 Ms. Lara stated The City of Anthony and Sunland Park are 100% in support of this resolution.

35
36 Ms. Diaz stated they are here to address substance and abuse in a productive way. Youth are under the
37 care of an adult. No one under 21 should be provided alcohol by someone over 21. A homeowner as
38 well as a landlord will be responsible for providing alcohol to anyone under 21. We also need to consider
39 the physical and mental damage alcohol can cause to a young adult. She reviewed the different programs
40 that address the issue.

41
42 Mayor Barraza stated she understands the problem. She would like to meet to hear more about the
43 program and to move forward.

44
45 Trustee Johnson-Burick, Trustee Arzabal, and Trustee Garcia thanked them for the information provided.

46
47 **7. *APPROVAL OF CONSENT AGENDA** – The Board will be asked to approve by one
48 motion the following items of recurring or routine business. The Consent Agenda is
49 marked with an asterisk *:

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

1
2 **Roll Call Vote: Motion passed (summary: Yes = 3).**

3 **Trustee Arzabal Yes**

4 **Trustee Garcia Yes**

5 **Trustee Johnson-Burick Yes**

6
7 **A. *BOT Minutes** – Minutes of a Regular Meeting of February 11, 2019. *Approved by*
8 *consent agenda*

9 **B. *PZHAC Case 060849** – 2186 Calle de Guadalupe, submitted by Michael Clute; a request
10 for a zoning permit to add wood slats to a rear porch to provide privacy at a dwelling
11 located at the address. Zoned: Historical Residential (HR). *Approved by consent agenda*

12 **C. *PZHAC Case 060847** – 2424 Calle de Parian, submitted by Page Coleman; a request for a
13 zoning permit to restucco a house, shed and a casita on a property at this address. Zoned:
14 Historical Residential (HR). *Approved by consent agenda*

15
16 **8. NEW BUSINESS:**

17 **A. Update on ongoing projects in Mesilla. – Rod McGillivray, Public Works Director**

18 Mr. McGillivray gave an update on ongoing projects in the Town of Mesilla.

- 19 - Bowman Street construction to begin in May.
20 - McDowell Road preconstruction meeting will be held this week
21 - McDowell Road construction to begin on March 4th
22 - Trail design submitted to NMDOT for 60% review
23 - Calle de Parian will be out to bid in March; construction will begin after Cinco de Mayo Fiesta
24 - Local Government Road Fund application due on the 10th

25
26 Mayor Barraza stated the trail project is funded through TAP. We are hoping to get \$82K from Capital
27 Outlay for this project.

28 **9. BOARD OF TRUSTEE COMMITTEE REPORTS**

29 Trustee Garcia stated the Santa Fe trip was interesting and informative.

30
31 Trustee Arzabal stated CEO committee met. They are trying to get youth to utilize the money that is out
32 there for education.

33
34 Mayor Barraza stated that information was shared, and they will be in contact with Mr. Duran.

35
36 Trustee Johnson-Burick stated she attended the MPO meeting on February 13th. Presentations were made
37 on the Uniform Crash Report and inquiries were made on the status on the interim. The next MPO
38 meeting will be held in April.

39
40 **10. BOARD OF TRUSTEE/STAFF COMMENTS**

41 Trustee Johnson-Burick stated she was honored to welcome the Senior Olympics.

42
43 Trustee Garcia stated in the year she has been here she had never seen a breakdown of town projects;
44 thanked Mr. McGillivray. Reiterated Santa Fe was interesting and educational.

45
46 Trustee Arzabal stated he will be attending the State of the City of Las Cruces on Thursday. Lt. Governor
47 Morales asked about using Colonia money to improve infrastructure. Lt. Governor Morales could not
48 believe Mesilla was not a Colonia. He indicated there is a lot of money which Mesilla is losing out on.
49 The Colonia status does not change anything. People that do not want to be designated a Colonia do not
50 attend meetings. He feels the board should consider tapping into that.

1
2 Mayor Barraza responded Lt. Governor Morales was very attentive and asked about our infrastructure
3 needs. Money is available to us if we go through the Colonia process. The House passed the minimum
4 wage and tip servers but may not pass the Senate. Our local restaurants and servers, big or small, are
5 against it. She brought concerns up to legislators, Governor Lujan Grisham and Lt. Governor Morales.
6 This trip was well worth it. There will be a worksession on Animal Control Ordinance on March 11th and
7 up for approval at the March 25th meeting. She is working on the Sign Ordinance; joint worksession will
8 be held with Planning and Zoning. The Fire Code Ordinance has been submitted with revisions. At the
9 second Board of Trustees meeting in March she will be appointing a new Mayor Pro Tem and committee
10 representatives. There will be an RTD meeting on Wednesday afternoon. She will not be attending the
11 State of the City of Las Cruces address but is happy to know that Trustee Arzabal will be representing the
12 Town of Mesilla. She thanked Mr. McGillivray for his good job on the projects. She feels confident
13 that at least four, if not all five, of our projects will receive Capital Outlay funding. The amount we
14 would be receiving is over \$500K.

15
16 **11. ADJOURNMENT**

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

18
19 **MEETING ADJOURNED AT 7:04 P.M.**

20 **APPROVED THIS 11th DAY OF MARCH, 2019.**

21
22
23 _____
24 Nora L. Barraza
Mayor

25 **ATTEST:**

26 _____
27 Cynthia Stoeher-Hernandez
28 Town Clerk/Treasurer

BOT ACTION FORM
ZONING PERMIT 060848
[PZHAC REVIEW – 3/4/2019]
STAFF ANALYSIS

(Decision was based on information presented during the PZHAC Work Session – Item 1)

Item:

Case 060848 – Southwest corner of Calle de Correo and Avenida de Mesilla, submitted by Ruben Contreras for Brittany Bloch (“Black Rat Tattoo”), a request for a zoning permit to construct a small commercial building and a casita on a vacant property at this location. Zoned: Historical Commercial (HC)

Staff Analysis:

The proposed commercial building and casita were discussed in the PZHAC Work Session held February 19. The case was postponed in order to allow the applicant to return to the PZHAC with revised plans for the structures. The new plans were discussed in the Work Session 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 buildings 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 buildings 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: @ \$137,000.00

Consistency with the Code:

The PZHAC will need to determine that the proposed buildings 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 the construction of a small commercial building and a casita on a Historical Commercial property.
- The PZHAC has determined that the proposed work will meet all applicable Code requirements.

PZHAC ACTION:

The PZHAC determined that the request meets the requirements of the Code and 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
MARCH 4, 2019
ITEM 1**

Submitted by Ruben Contreras for Brittany Bloch (“Black Rat Tattoo”), a request to discuss plans to construct a small commercial building and a casita on a vacant property at the southwest corner of Calle de Correo and Avenida de Mesilla (address to be assigned). (Case 060848, Bus. Permit 0764) Zoned: Historical Commercial (HC)

This case was heard at the February 19 PZHAC Work Session and postponed in order to allow the applicant to return to the PZHAC with revised elevations of the structure. The applicant will present the new drawings at this Work Session. (The following is information that was presented to the PZHAC at the previous Work Session.)

The property, which is 0.24 acres (10454 square feet) in size, is currently vacant, and is being used as a parking lot for parking be Caballero’s Shopping area across Avenida de Mesilla. The applicant has been informed by Staff that water and sewer service would have to be provided to the property in order to develop the property. Staff has not yet seen proof that either utility is available to the property. Access to the property will be from Calle de Correo. The buildings will be located on the Avenida de Mesilla side of the property. The western half of the property will be used for parking.

Attached is a site plan of the property, along with an elevation and floor plans for the buildings. According to the applicant, the style and color of the buildings will be the same, and will be similar to the other historic structures in the area. According to the applicant, the style of the structure will be “Spanish Pueblo”, and is intended to fit in with the styles of other commercial structures along Avenida de Mesilla. (See photos of nearby commercial and residential structures.)

The size of the casita will be about 560 -600 square feet. The applicant intends to rent the casita as a short term rental. According to the applicant, “The residential portion of the site will house a studio residence with a living area, kitchenette, sleeping area and bathroom. The intent of the air b&b is partially to have a place for out-of-town clients to stay when scheduled for a tattoo. The air b&b will also provide accommodate tourists and contribute to the overall economy of Mesilla.”

The commercial building will be about 800 – 900 square feet and about 16 feet tall. The applicant proposes to use the commercial building to house “...“Black Rat Tattoo,” a well established professional business in the City of Las Cruces. The space will serve 1 to 2 artists.” A tattoo parlor (“Muerte Tattoo at 2309 Calle de Guadalupe, Suite B) has been an allowed use in the past in the HC zone as a “Professional Office” (Similar uses that have been allowed are “Kneading to Heal” at 2222 Avenida de Mesilla, and “Desert Mountain Acupuncture” at 2488 Calle de Guadalupe.) However, since the building is in the HC zone and many commercial uses are allowed by right in a commercial building, the use of the PZHAC should not grant or deny the construction of this building based solely on the use being proposed at this time. There are other uses that could possibly use the building in the future.

The PZHAC will need to determine that the proposed buildings will be architecturally compatible with the other commercial and residential structures in the area. This includes height, size (proportion) and style. Other commercial operations along Avenida de Mesilla have heights that are or appear to be several feet lower (Ristramann, Adventure Travel) to two stories (Steinborn Realty).

Some of the commercial operations along Avenida de Mesilla are: Steinborn Realty and two short term rentals, Caballero’s Plaza, and Ristramnn (across Avenida de Mesilla); Palacio’s Bar, a dancehall and bar operation that has been at this location since 1936; Chala’s Wood Fired Restaurant; and Mesilla Valley Plumbing (along the west side of Avenida de Mesilla to the south) and Kneading to Heal (along the west side of Avenida de Mesilla to the north).

Compliance with the Code:

Since this construction is in a Historic zoning district, the PZHAC will need to ensure that the following sections of the Code are met:

18.33.060 Development zone.

A development zone defines the immediate physical vicinity to be used to identify the historic character of a particular area and includes the predominant architectural style and design standards of existing structures together with their setting.

Additionally, the tattoo parlor (and similar uses) have been allowed in the past by the following sections of the Code:

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.

18.40.020 Uses permitted.

Uses permitted in the H-C zone are as follows:

Commercial uses allowed in C zone and residential uses subject to approval of the planning, zoning and historical appropriateness commission upon application and approval of a development plan. [Ord. 2001-04 § 1; Ord. 94-06 § 1; prior code § 11-2-11.5.B]

18.45.020 Uses permitted (C Zone)

A building and premises on any lot in the C zone shall be used for the following purposes only:

Office, business and professional

The applicant or her representative 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 THE SUBJECT PROPERTY LOOKING SOUTH FROM CALLE DE CORREO



Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

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: [R0400376](#)

Parcel Number: 4006137296464

Owner: BLACK RAT TATTOO LLC

Mail Address: 439 LINDA VISTA RD

Subdivision:

Property Address: CALLE DE

CORREO

Acres: 0.23999082



PHOTO OF THE STEINBORN REALTY PROPERTY FROM SUBJECT PROPERTY



PHOTO OF RISTRAMNN FROM SUBJECT PROPERTY



PHOTO OF PALACIOS BAR FROM SUBJECT PROPERTY



PHOTO OF PALACIOS BAR FROM THE SOUTH



PHOTO OF MESILLA VALLEY PLUMBING



PHOTO OF CHALAS RESTAURANT



PHOTO OF CABALLERO'S PLAZA



PHOTO OF NEARBY RESIDENTIAL RENTAL UNIT



TOWN OF MESILLA
 PERMISSION TO CONDUCT WORK
 OR

OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

OFFICIAL USE ONLY:

Case # 060848

Fee \$ 217.50

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

CASE NO. 060848 ZONE: H-C CODE: _____ APPLICATION DATE: 02/12/2019

Brittany Bloch _____ 575-526-1590 _____
 Name of Applicant/Owner Applicant's Telephone Number

439 Linda Vista Road Las Cruces NM 88005 _____
 Applicant's/Owner's Mailing Address City State Zip Code

freyja2012@zoho.com _____
 Applicant's/Owner's E-mail Address

RES Construction, Inc. (Ronald Scott) 2000 Bellamah, Las Cruces, NM 88001 _____
 Contractor's Name & Address (If none, indicate Self)

575 - 649 - 5425 _____ GB98 License # 395391 _____
 Contractor's Telephone Number Contractor's Tax ID Number Contractor's License Number

Address of Proposed Work: Intersection of Calle De Correo and Avenida de Meilla

Description of Proposed Work: The new 1,375 s.f. development is intended to house both a profes-
sional business and a residential (Air B&B studio) on a single parcel zoned as historic com-
mmercial.

\$137,500 _____ 02/12/2019 _____
 Estimated Cost Signature of Applicant Date

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 **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

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:



BLACK RAT TATTOO

AVENIDA DE MESILLA / CALLE DE CORREO

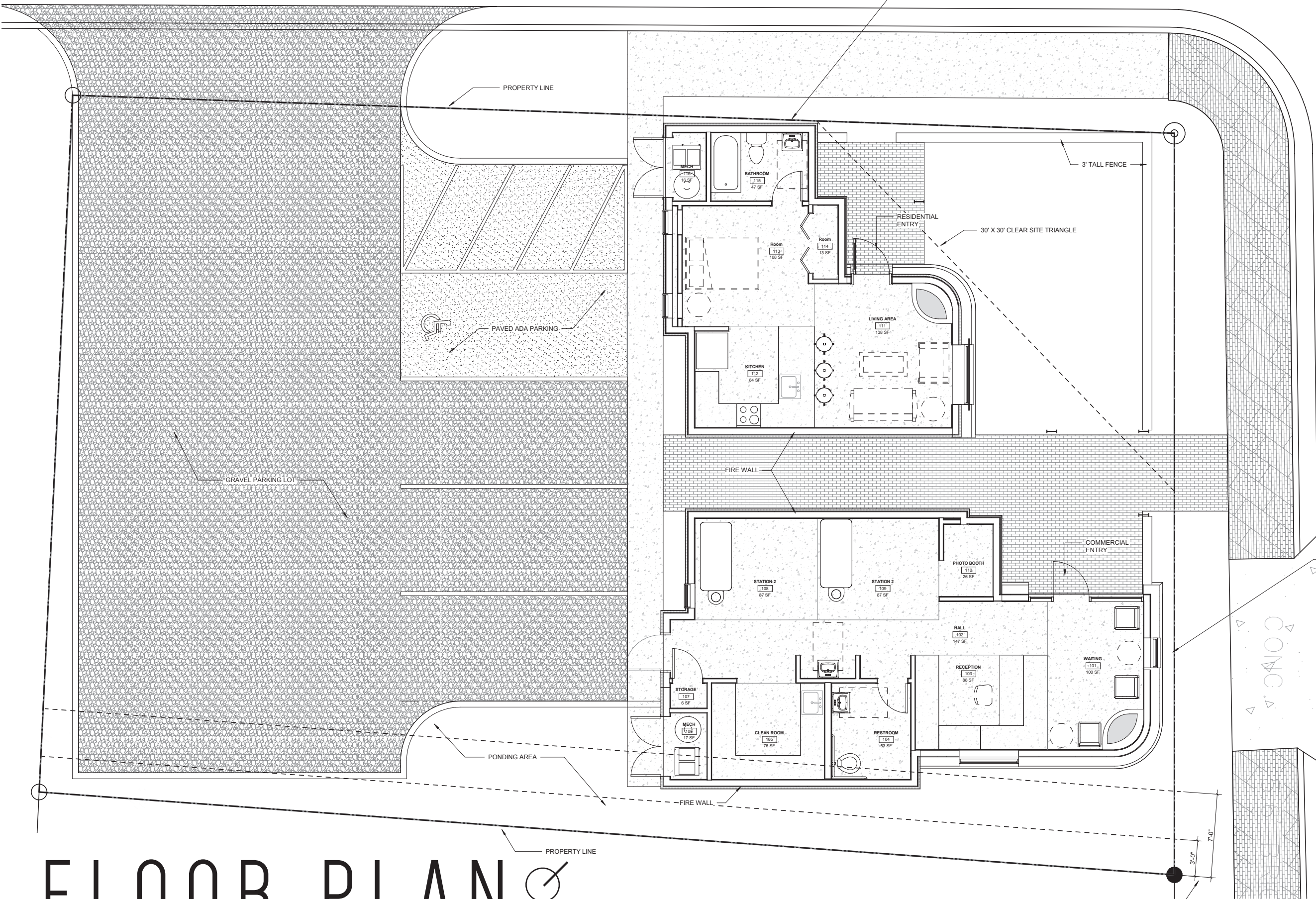


BLACK RAT TATTOO

AVENIDA DE MESILLA / CALLE DE CORREO

CALLE DE CORREO

0'-0" SETBACK FOR FRONT YARD SETBACK PERMITTED (SIMILAR SETBACK USED BY EXISTING BUILDINGS IN THE BLOCK/AREA)



AVENIDA DE MESILLA

0'-0" SETBACK FOR FRONT YARD SETBACK PERMITTED (SIMILAR SETBACK USED BY EXISTING BUILDINGS IN THE BLOCK/AREA)

FLOOR PLAN



1/8" = 1'

SIDE YARD SETBACK VARIES
3'-0" TO 7'-0"
(FIRE WALLS WHERE SETBACK IS LESS THAN 7')

CALLE DE CORREO

0'-0" SETBACK FOR FRONT YARD SETBACK PERMITTED (SIMILAR SETBACK USED BY EXISTING BUILDINGS IN THE BLOCK/AREA)



PROPERTY LINE

PROPERTY LINE



PAVED ADA PARKING

3' TALL FENCE

30' X 30' CLEAR SITE TRIANGLE

GARDEN

RESIDENTIAL

EXPOSED WOOD PORCH

FIRE WALL

GRAVEL PARKING LOT

AVENIDA DE MESILLA

0'-0" SETBACK FOR FRONT YARD SETBACK PERMITTED (SIMILAR SETBACK USED BY EXISTING BUILDINGS IN THE BLOCK/AREA)

COMMERCIAL

PONDING AREA

FIRE WALL

PROPERTY LINE

CONC.
5.6" BRIC

SITE PLAN



SIDE YARD SETBACK VARIES

3'-0" TO 7'-0"

(FIRE WALLS WHERE SETBACK IS LESS THAN 7')

1/8" = 1'

BOT ACTION FORM
ZONING PERMIT 060850
[PZHAC REVIEW – 3/4/2019]
STAFF ANALYSIS

(Decision was based on information presented during the PZHAC Work Session – Item 2)

Item:

Case 060850 – 2590 Calle de Colon, submitted by Daniel and Maxine Bustamantes; a request for a zoning permit to allow a stuccoed cinder block wall to be constructed at this address. Zoned: Historical Residential (HR)

Staff Analysis:

The proposed request 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 wall 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 wall 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: @ \$6000.00

Consistency with the Code:

The PZHAC will need to determine that the proposed wall 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 installation of a stuccoed concrete block wall on a residential property at 2590 Calle de Colon.
- The PZHAC has determined that the proposed work meets all applicable Code requirements.

PZHAC ACTION:

The PZHAC determined that the request meets the requirements of the Code and 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
MARCH 4, 2019
ITEM 2**

Submitted by Daniel and Maxine Bustamantes, a request to discuss plans to construct a stuccoed concrete block wall on a residential property at 2590 Calle de Colon (**Case 060850**) Zoned: Historical Residential (HR)

DESCRIPTION OF REQUEST:

The applicant would like to construct the wall around part of the front of the property in order to provide an area for a pet dog (see attached site plan). The wall will be made of concrete blocks covered with stucco and painted to match the dwelling. The two sections (one across the part of south portion of the property and the other across part of the west portion) will be anchored to the walls of the dwelling. The wall will be 5 feet 8 inches high with a gate. The applicant has provided photos (attached) that show the proposed style of the wall and gate.

The wall will enclose a small piece of the property formed by two parts of the dwelling (see site plan) and will not run along any property lines, nor will it affect any clear-sight-triangles. The applicant will be present to describe exactly how the walls will be combined with the existing walls of the dwelling to provide a visual uniformity.

The property contains two dwellings. The main dwelling is not in the Historical Register and appears to have been built after 1980. (There are no construction records on file.) The accessory dwelling was approved by the Town and built in 2002. Both dwellings appear to be similar to dwellings in the surrounding area.

CONSISTENCY WITH THE CODE:

The PZHAC will need to determine that the proposed wall will be compatible with the historical aspect of the surrounding area, and will be consistent with the following section of the Code:

Chapter 18.35 HR – Historical Residential Zone

The proposed wall could be compatible with the HR zoning of the property if it is completed and painted to match the rest of the dwelling.

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

PHOTO OF PROPERTY FROM CALLE DE COLON SHOWING AREA TO BE ENCLOSED



Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

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: [R0400475](#)

Parcel Number: 4006138125077

Owner: GALLEGOS PAUL GIL

Mail Address: PO BOX 844

Subdivision:

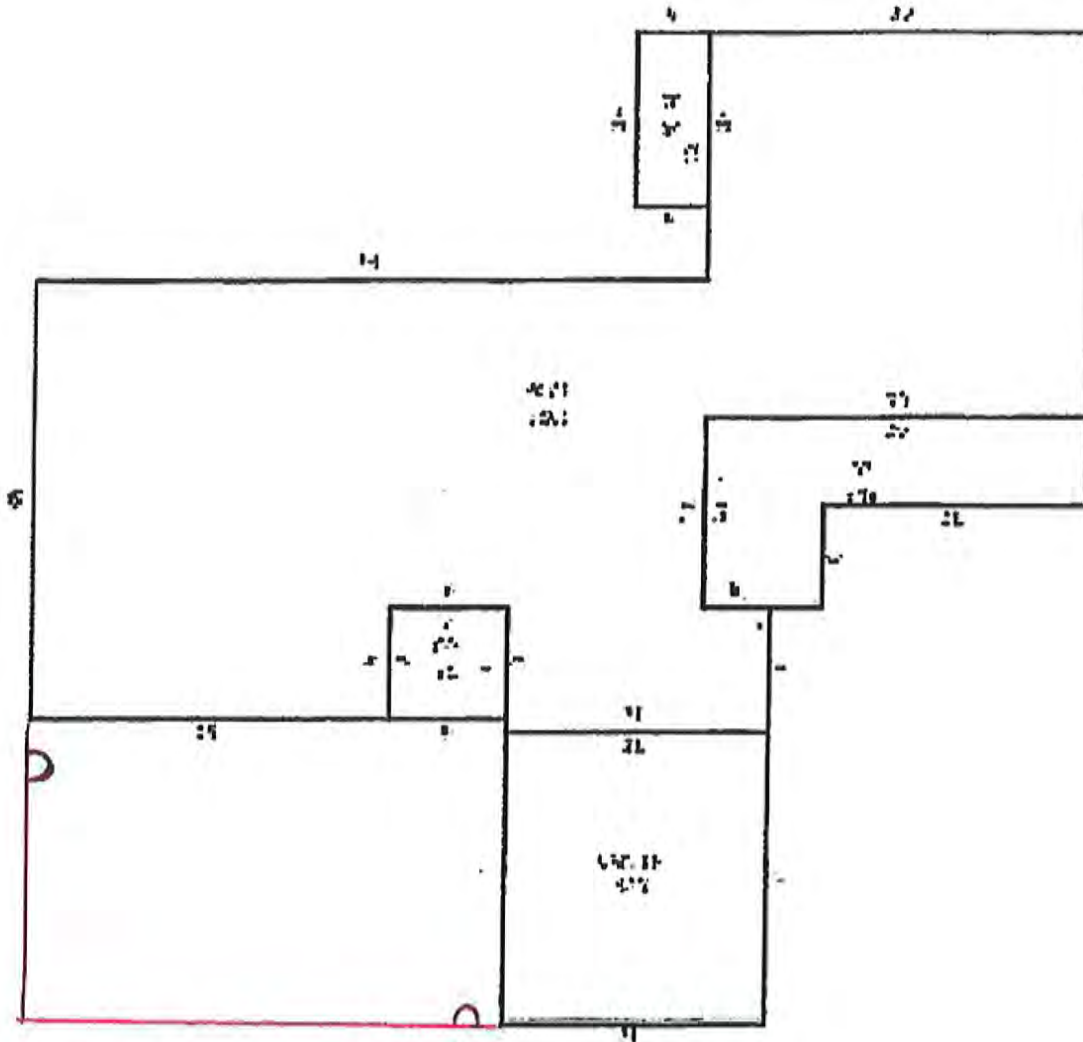
Property Address: 2590 CALLE DE

COLON

Acres: 0.41999541



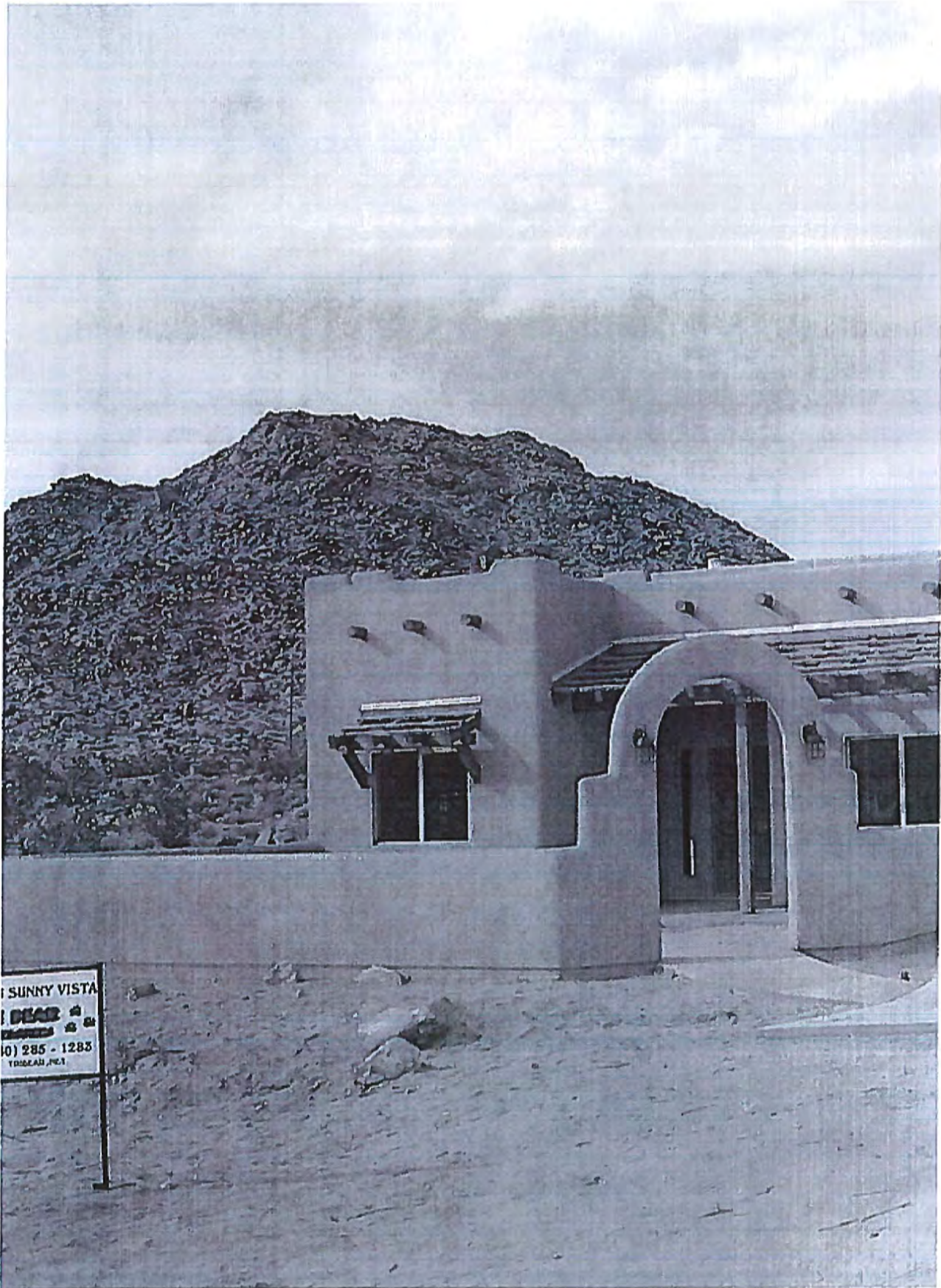
Back of 2590 Calle De Colon

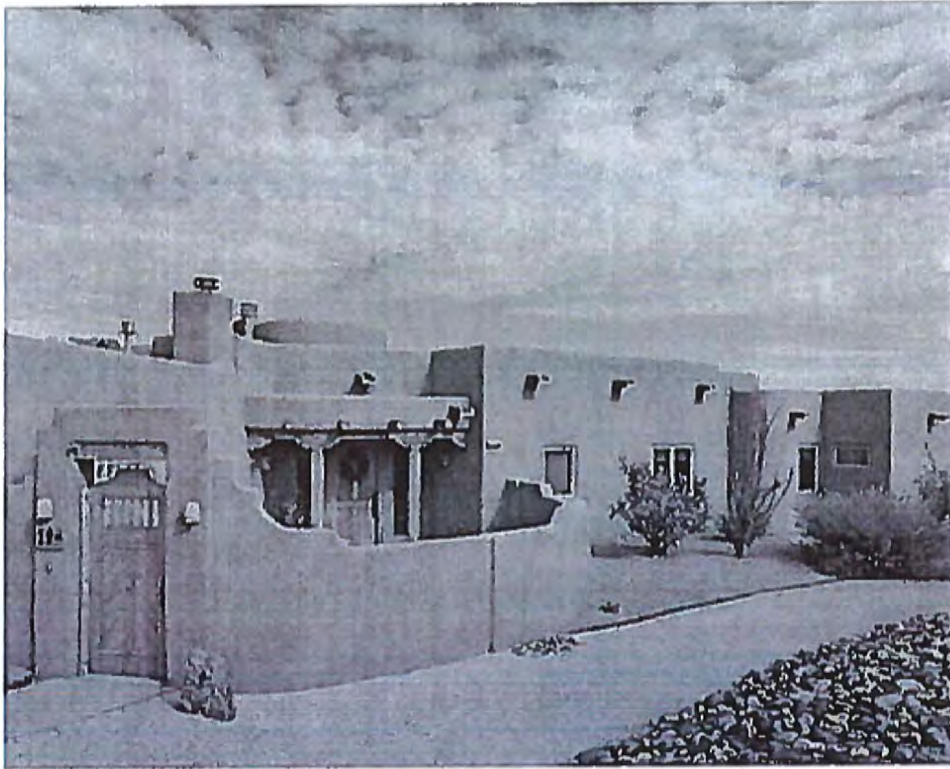


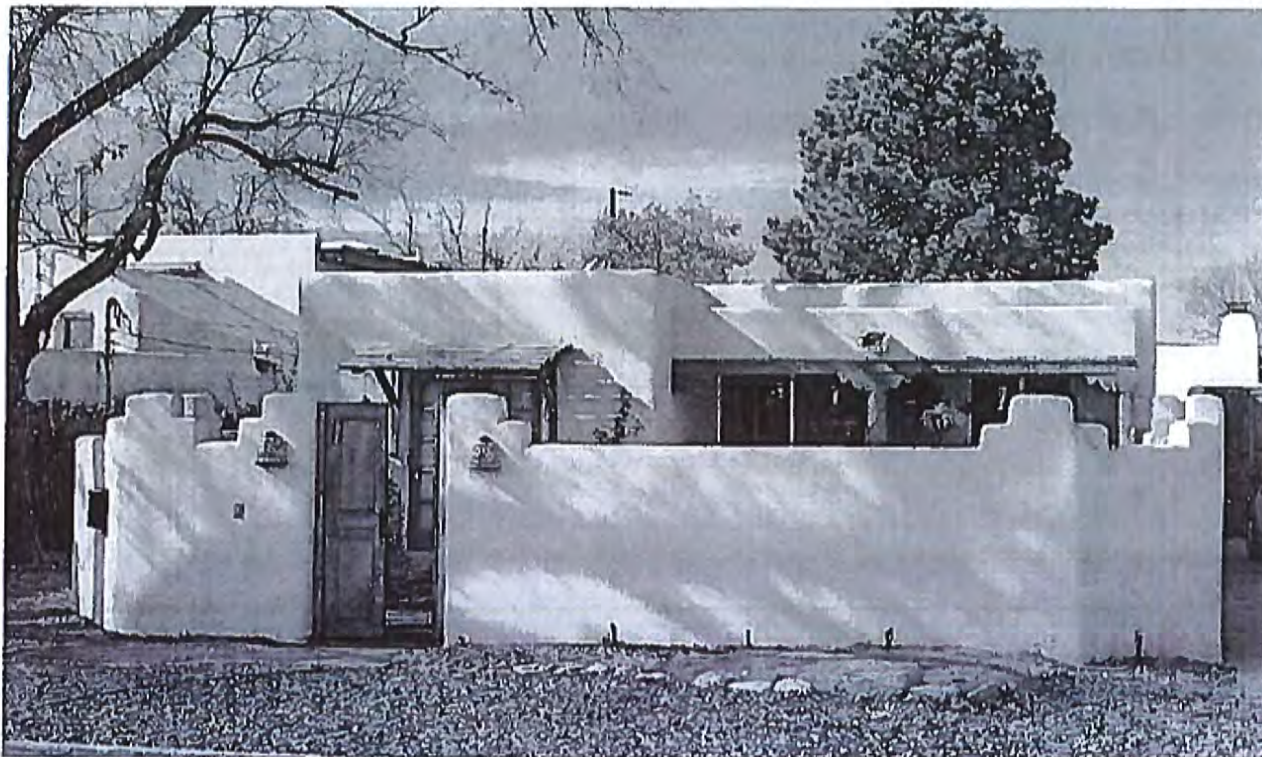
Southwest Style brick wall stucco and painted the same color of the house.

5 feet high and 8 inches in width with a gate/door.

Front of 2590 Calle De Colon







TOWN OF MESILLA
PERMISSION TO CONDUCT WORK
OR

OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

OFFICIAL USE ONLY:

Case # 260850
 Fee \$ 110.00

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

CASE NO. 260850 ZONE: RR CODE: 41 APPLICATION DATE: 2/5/19

Daniel & Maxine Bustamantes _____ 575-635-1549 / 575-650-8843
 Name of Applicant/Owner _____ Applicant's Telephone Number
 2590 Calle De Colon _____ Mesilla _____ NM _____ 88046
 Applicant's/Owner's Mailing Address _____ City _____ State _____ Zip Code
 nivemb@gmail.com _____
 Applicant's/Owner's E-mail Address _____
 Self _____
 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: 2590 Calle De Colon

Description of Proposed Work: Southwest Style cinder block wall stucco and painted the same color of the house.

\$ 6,000 _____  _____ 02-05-2019
 Estimated Cost _____ Signature of Applicant _____ Date _____

Signature of property owner if applicant is not the property owner: n/a

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

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. xx Proof of legal access to the property.
 4. ___ Drainage plan.
 5. xx 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 060856
[PZHAC REVIEW – 3/4/19]
STAFF ANALYSIS

Item:

Case 060856 – 2755 Boldt Street, submitted by Daniel J Jones and Teresa Griffith; a request for a zoning permit to allow the repainting of the trim on a dwelling at this address. Zoned: Historical Residential (HR)

Summary of Request:

The property is located in the Mesilla Farms Subdivision. Although dwellings in this subdivision are not in the Historical Register for the Town, the subdivision is subject to the restrictions of the Historical district. These restrictions include limits on house and trim colors. The dwelling and trim are currently painted one color (see attached photo). The applicant would like to add a little “interest” to the dwelling by painting the trim around the dwelling, windows, and doors a slightly darker color to add some contrast to the appearance of the dwelling. (The applicant would like to use the two trim colors around the windows and the garage door.) There will be no other changes to the dwelling.

Photos of the dwelling are attached. The colors chosen for the trim are very similar (or identical) to colors in the catalog of acceptable colors for the Town (see attached colors and color chart). 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: @ 100.00

Consistency with the Code:

The PZHAC will need to determine that the colors proposed for the trim will be consistent with the color of neighboring 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 of the trim on a dwelling at this address.
- The PZHAC has determined that the proposed color meets all applicable Code requirements.

PZHAC ACTION:

The PZHAC determined that the request meets the requirements of the Code and 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:

PHOTO OF DWELLING FROM BOLDT STREET



Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

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: [R0401046](#)

Parcel Number: 4006137390458

Owner: JONES DANIEL J

Mail Address: 2755 BOLDT ST

Subdivision: MESILLA FARMS
SUBDIVISION (BK 15 PG 389-390 -
8822094)

Property Address: 2755 BOLDT ST

Acres: 0.22490817



CLOSE-UP OF WINDOW FROM BOLDT STREET SHOWING TRIM



CLOSE-UP OF GARAGE FROM BOLDT STREET SHOWING TRIM



PROPOSED TRIM COLORS



ALLOWED TRIM COLORS



TOWN OF MESILLA
 PERMISSION TO CONDUCT WORK
 OR

OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

OFFICIAL USE ONLY:

Case # 060856

Fee \$ 0.00

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

CASE NO. 060856 ZONE: HR CODE: M1 APPLICATION DATE: 2/25/19

Daniel J. Jones (Teresa Griffith) 740-350-6418 Dan 740-350-8440 Teresa
 Name of Applicant/Owner Applicant's Telephone Number
P.O. Box 1410 Mesilla Park NM 88047
 Applicant's/Owner's Mailing Address City State Zip Code
dannyjones@suddenlink.net tagriffithhome@gmail.com
 Applicant's/Owner's E-mail Address
Self
 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: 2755 Boldt Street Mesilla Farms Subdivision
 Description of Proposed Work: House has been recently painted - we are not repainting house. Trim only to be painted. Trim colors attached. - previous owner
 \$ 100.00/xx Teresa A Griffith Feb 25, 2019
 Estimated Cost Signature of Applicant Date
 Signature of property owner if applicant is not the property owner: Daniel Jones

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

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:



RESOLUTION NO. 2019-02

A RESOLUTION PROVIDING FOR DETERMINATION OF REASONABLE NOTICE OF MEETINGS OF THE BOARD OF TRUSTEES PURSUANT TO THE OPEN MEETING ACT.

WHEREAS, Section 10-15-1 (B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative ad judicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1 (D) of the Open Meetings Act requires the Board of Trustees to determine annually what constitutes reasonable notice of its public meetings;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees that:

1. All meetings shall be held in the Board Room of the Mesilla Town Hall located at 2231 Avenida de Mesilla at 6:00 p.m. or as indicated in the meeting notice.

2. Unless otherwise specified, regular meetings of the Board of Trustees shall be held each month on second and fourth Monday. The agenda will be available at least 72 hours prior to the meeting from the Town Clerk, whose office is located in the Town Hall.

3. The Board of Trustees, or a majority of the members, upon 72 hours' notice may call special meetings. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least 72 hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances, which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Town will avoid emergency meetings whenever possible. The Mayor or a majority of the members upon twenty-four (24) hours' notice may call emergency meetings, unless threat of personal injury or property

damage require less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

5. For the purposes of regular meetings described in paragraph 2 and 5 of this resolution, notice requirements are met if notice of the date, time, place and agenda is posted in 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, Ristramnn Chile Co. 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian. Agenda packets will also be posted on the town's web site at www.mesillanm.gov. The Town Clerk shall also provide mail, fax, or e-mail copies of the written notice to those broadcast stations licensed by the Federal Communications Commission and newspaper of general circulation, which have made a written request for notice of public meetings.

6. For the purpose of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, place and agenda in 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 , Ristramnn Chile Co. 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian. Agenda packets will also be posted on the town's web site at www.mesillanm.gov. The Town Clerk shall also provide e-mail or fax notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

7. In addition to the information specified above, all notices shall include the following language:

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 one (1) week prior to the meeting or as soon as possible.

8. If otherwise allowed by law or rule of the public body, a member of a public body may participate in a meeting of the public body by means of a conference telephone, video call (example: Skype) or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting. This is according to the Open Meetings Act 10-15-1 (C).

9. The Board of Trustees may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.

a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board of Trustees taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on

the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

b. If the decision to hold a closed meeting is made when the Board of Trustees is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of the law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.

c. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

d. Except as provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussion in a closed meeting shall be made by vote of the Trustees in an open public meeting.

PASSED, APPROVED AND ADOPTED by the Board of Trustees at its regular meeting of **March 11, 2019**.

Nora L. Barraza
Mayor

ATTEST:

Cynthia Stoechner-Hernandez
Town Clerk-Treasurer

MEMORANDUM

TO: MAYOR NORA L. BARRAZA AND BOARD OF TRUSTEES
FROM: LARRY SHANNON, COMMUNITY DEVELOPMENT COORDINATOR
SUBJECT: ACTIVITY REPORT – FEBRUARY, 2019
DATE: MARCH 1, 2019

PZHAC BUSINESS
FEBRUARY 2019
[Items presented to the PZHAC]

PZHAC WORK SESSION ITEMS:

1. Submitted by Burt McClure, a request to discuss plans to conduct several projects on a residential property at 2551 Calle Principal. (Cases 060841 and 060842) Zoned: Historical Residential (HR)
2. Submitted by Anna Biad; a request to discuss plans to use one of the buildings at 1750 Calle de Mercado for a catering operation (Case 060843, Business Permit 0673), and to construct a rock and wrought iron wall at the rear of the buildings, and to install signs on two of the buildings on this property. (Cases 060843, 060844, and 060845) Zoned: General Commercial (C)
3. Submitted by Jessica Kane, a request to discuss plans to construct a dwelling on a vacant residential property located at the southwest corner of Calle de Colon and Calle Tercera (address to be assigned). Zoned: Historical Residential (HR)
4. Submitted by Ruben Contreras for Brittany Bloch (“Black Rat Tattoo”), a request to discuss plans to construct a small commercial building and a casita on a vacant property at the southwest corner of Calle de Correo and Avenida de Mesilla (address to be assigned). (Case 060848, Bus. Permit 0764) Zoned: Historical Commercial (HC)
5. Submitted by Michael Clute; a request to discuss plans to add wood slats to a rear porch to provide privacy at a dwelling located at 2186 Calle de Guadalupe. (Case 060849) Zoned: Historical Residential (HR)
6. Submitted by Daniel and Maxine Bustamantes, a request to discuss plans to construct a stuccoed concrete block wall on a residential property at 2590 Calle de Colon (Case 060850) Zoned: Historical Residential (HR)

PZHAC ADMINISTRATIVE APPROVALS:

Building Permits

1. Case 060821 – 2231 Calle de Parian, submitted by Eric and Teresa Sanchez; a request for a zoning permit to remodel the interior of a dwelling at this address. Zoned: Historical Residential (HR)
2. Case 060846 – 1717 West Boutz Road, a request by Mesilla Valley Disposal for Roy Torres; a request for a zoning permit to allow the repair of a block wall at this address. Zoned: Historical Commercial (HC)
3. Case 060839 – 2215 Calle de Guadalupe, submitted by Robert Hamilton; a request for a zoning permit to install a washer and dryer, tankless water heater, gas line, and bathroom door; and to repair an inside courtyard fence on a dwelling at this address. Zoned: Historical Residential (HR)

PZHAC DECISION ITEMS:

Building Permits

1. Case 060840 – 3044 Estrada Road, submitted by Las Cruces Window World for Jeff Pfeifer, a request for a zoning permit to allow the replacement of six windows on a dwelling at this address. Zoned: Rural Agricultural (RA)
2. Case 060841 – 2551 Calle Principal, submitted by Burt McClure, a request for a zoning permit to allow the repair and repainting of window trim; and the construction of a small fence and shed on a residential property at this address. Zoned: Historical Residential (HR) (This case was heard during the Work Session)
3. Case 060842 – 2551 Calle Principal, submitted by Burt McClure, a request for a zoning permit to allow the repair of plaster and the repainting of a dwelling on a residential property at this address. Zoned: Historical Residential (HR) (This case was heard during the Work Session)
4. Case 060843 – 1750 Calle de Mercado, submitted by Anna Biad for “Blue Door Venue”; a request for a zoning permit to allow the applicant to set up one of the buildings and an outdoor garden area at this address for a catering operation, and to build a rock wall at the rear of the building. Zoned: General Commercial (C) (This case was heard during the Work Session)

5. **Case 060844** – 1750 Calle de Mercado, submitted by Anna Biad for “Blue Door Venue”; a request for a sign permit to allow the applicant to erect a wall sign on the building used for the catering operation. Zoned: General Commercial (C) **(This case was heard during the Work Session)**
6. **Case 060845** – 1750 Calle de Mercado, submitted by Anna Biad for “Acton Academy”; a request for a sign permit to allow the applicant to erect a wall sign on the building used for the school operation. Zoned: General Commercial (C) **(This case was heard during the Work Session)**
7. **Case 060833** – 207 Capri Arc, submitted by Albert and Dawn Stephens, a request for a zoning permit to allow the construction of a work shed/storage building in the rear yard of a property at this address. Zoned: Residential, Single Family (R-1)
8. **Case 060847** – 2424 Calle de Parian, submitted by Page Coleman; a request for a zoning permit to restucco a house, shed and a casita on a property at this address. Zoned: Historical Residential (HR)
9. **Case 060848** – Southwest corner of Calle de Correo and Avenida de Mesilla, submitted by Ruben Contreras for Brittany Bloch (“Black Rat Tattoo”), a request for a zoning permit to construct a small commercial building and a casita on a vacant property at this location. Zoned: Historical Commercial (HC) **This case was heard during the Work Session)**
10. **Case 060849** – 2186 Calle de Guadalupe, submitted by Michael Clute; a request for a zoning permit to add wood slats to a rear porch to provide privacy at a dwelling located at the address. Zoned: Historical Residential (HR) **(This case was heard during the Work Session)**
11. **Case 060850** – 2590 Calle de Colon, submitted by Daniel and Maxine Bustamantes; a request for a zoning permit to allow a stuccoed cinder block wall to be constructed at this address. Zoned: Historical Residential (HR) **(This case was heard during the Work Session)**

Work Session Decision Item:

1. Determination by the PZHAC as to the Historical Appropriateness of the dwelling proposed for the property at the southwest corner of Calle de Colon and Calle Tercera (address to be assigned). Zoned: Historical Residential (HR) **(Discussed during Work Session)**

Business Permits:

1. **0763** – 1750 Calle de Mercado, submitted by Hacienda Investments LLC for “Blue Door Venue”; a request for a business license to allow the applicant to operate a catering operation for weddings and receptions in one of the buildings and an outdoor garden area at his address. Zoned: General Commercial (C) **(This case was heard during the Work Session)**
2. **0764** – Southwest corner of Calle de Correo and Avenida de Mesilla, submitted by Brittany Bloch for “Black Rat Tattoo”; a request for a business license to allow the applicant to operate a tattoo parlor at this location. Zoned: Historical Commercial (HC) **(This case was heard during the Work Session)**

If you have any questions, comments or concerns please feel free to call me at 524 -3262 ext. 104; or e-mail me at larrys@mesillanm.gov.

**Town of Mesilla Assessor's Report
FEBRUARY 2019**

Mesilla CASE #	DAC ACC'T #	APPL. DATE	ISSUEE/CONTRACTOR	VALUATION / COST	FEE	BLDG CODE	ADDRESS	DESCRIPTION OF WORK
060847	04-00480	2/5/19	Page Coleman/Denney Construction, Inc	18,000.00	37.50	MI	2424 Calle de Parian	Restucco and repaint a dwelling, casita, and storage structure at this address
060848	04-00376	2/12/19	Brittany Bloch/RES Construction, Inc	137,500	217.50	NC	SW corner of Calle de Correo and Ave. de Mesilla	New commercial and residential buildings
060849	04-00274	2/6/19	Michael Clute/self	800.00	54.00	MI	2186 Calle de Medanos	Construct privacy panels for a residential patio
060850	04-00475	2/5/19	Daniel and Maxine Bustamantes/self	6,000.00	110.00	MI	2590 Calle de Colon	Construct a cinder block and stucco wall in a front yard
060851	04-00790	2/14/19	Arlene and Matthew Watson/E&R Roofing Co., Inc	4600.00	18.00	RR	217 Capri Road	Reroof a dwelling at this address
060852	04-00222	2/14/19	Jorge Larrazabal/Texas Star Steel, LLC	8,000.00	27.50	ACC	2195 Calle del Norte	Construct a combination carport/storage structure at this address
060853	04-00356	2/19/19	Alison Tinsley/self	300.00	0.00	MI	2043 Calle de Correo	Patch part of a roof at this address
060854	04-01017	2/22/19	Larry Lytle/Gilbert and Sons Roofing	18,482.00	39.00	RR	2825 Teresita Street	Reroof a dwelling at this address
060855	04-01099	2/25/19	Zach Penn/Cementek, LLC	50,000.00	85.50	ACC	Lot 8, Cielo Grande Court	Construct a 50 foot by 75 foot metal storage building on this property
060856	04-01046	2/25/19	Daniel J. Jones/self	100.00	0.00	MI	2755 Boldt Street	Repaint trim
060857	04-00192	2/25/19	Geronimo Garcia/self	0.00	0.00	MI	2168 Calle de Los Huertos	Minor repairs to water damaged adobe

Community Projects Report

Project	Description
Current Contact information	Irene E. Parra Email: irenep@mesillanm.gov Work: 575-524-3262 Cell:575-571-3890
Easter Bunny in the Plaza	The Town of Mesilla will host the Easter Bunny in the Plaza, for Mesilla Elementary School students on Wednesday April 17 th at 9am. Volunteers are needed to help hide eggs.
El Paso Electric Grant	I have reapplied for funding for the El Paso Electric Grant. The funds will go towards the Summer Recreation Program salaries and equipment. Last year the town received approximately \$2,000.00.
Cinco de Mayo	I continue to receive applications from vendors and book entertainment for the fiesta. Once the schedule is confirmed, posters will be distributed throughout the community.
Clean & Beautiful Grant	I am re-applying for funds through the Clean & Beautiful Grant. Currently, I am looking to continue improvements to the Community Center park, as well as efforts to eradicate graffiti. The last project funded by the Clean and Beautiful Grant was in the amount of \$3,900.00 to build a dog park.



MEMORANDUM

To: Mayor and Trustees

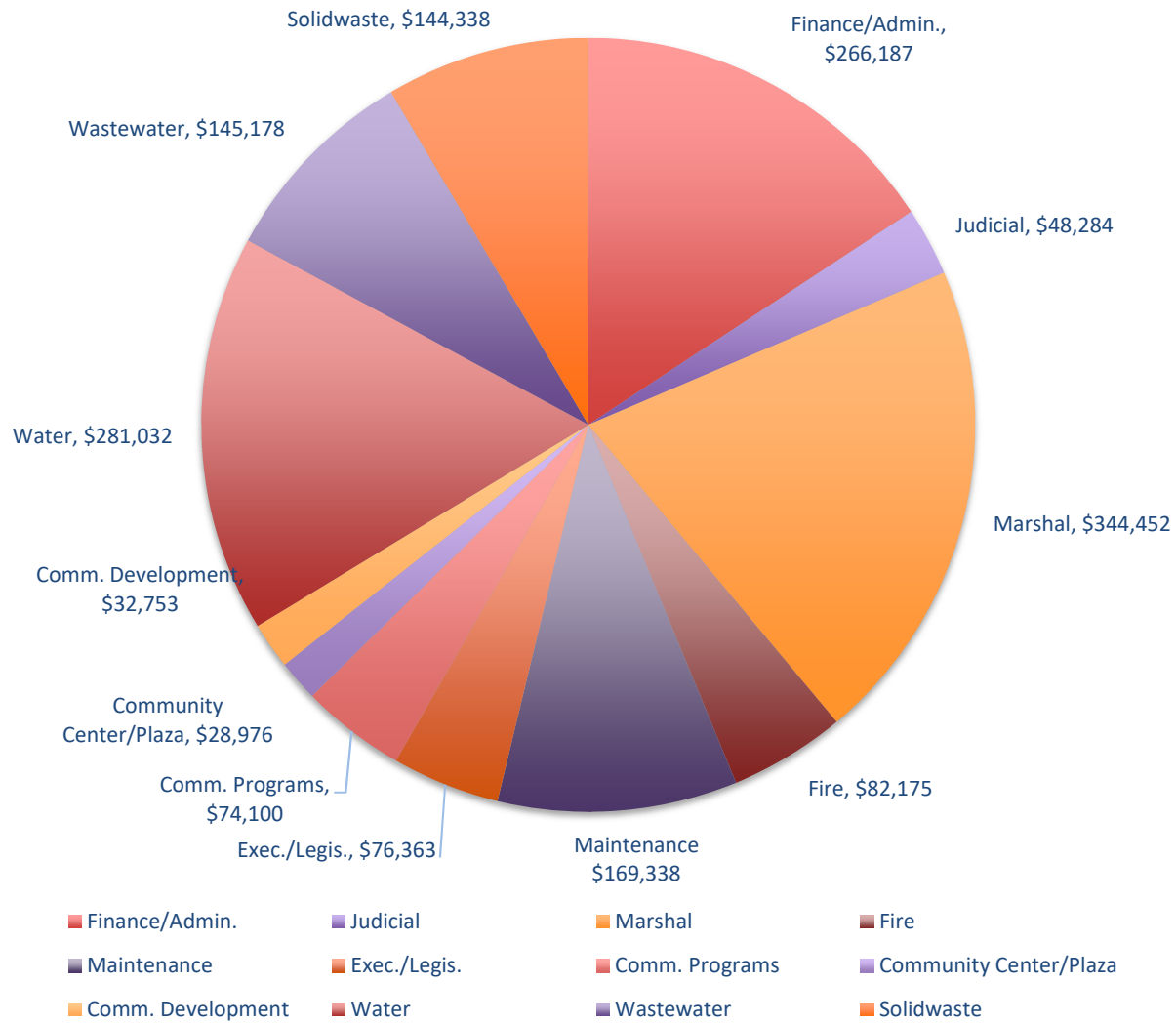
From: Cynthia Stoechner-Hernandez
Town Clerk-Treasurer *CSH*

RE: Monthly Finance Report

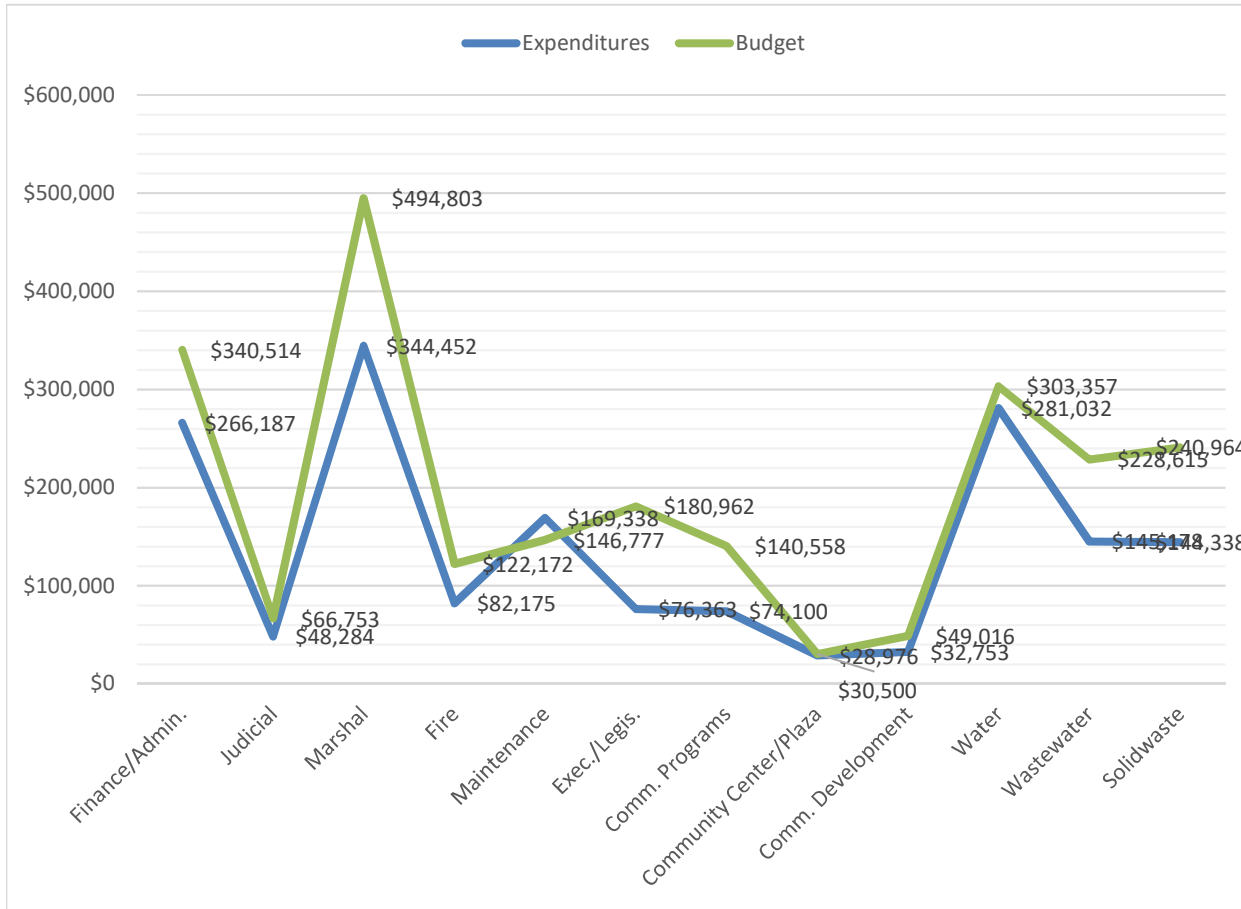
Listed below is a review of department and fund expenditures for: FEBRUARY
General Fund should be at: 66.67% spending

YTD EXPENDITURES	%Exp.	\$ Money YTD	Mo.%	YTD % over/under	Approved Budget
Finance/Admin.	78.17%	\$266,187	100.00%	-21.83%	\$ 340,514
Judicial	72.33%	\$48,284	100.00%	-27.67%	\$ 66,753
Marshal	69.61%	\$344,452	100.00%	-30.39%	\$ 494,803
Fire	67.26%	\$82,175	100.00%	-32.74%	\$ 122,172
Maintenance	115.37%	\$169,338	100.00%	15.37%	\$ 146,777
Exec./Legis.	42.20%	\$76,363	100.00%	-57.80%	\$ 180,962
Comm. Programs	52.72%	\$74,100	100.00%	-47.28%	\$ 140,558
Community Center/Plaza	95.00%	\$28,976	100.00%	-5.00%	\$ 30,500
Comm. Development	66.82%	\$32,753	100.00%	-33.18%	\$ 49,016
General Fund	71.41%	\$1,122,626	100.00%	-28.59%	\$ 1,572,055
Water	92.64%	\$281,032	100.00%	-7.36%	\$ 303,357
Wastewater	63.50%	\$145,178	100.00%	-36.50%	\$ 228,615
Solidwaste	59.90%	\$144,338	100.00%	-40.10%	\$ 240,964
Enterprise Fund	69.00%	\$570,547	100.00%	-31.00%	\$ 826,936

EXPENDITURES



EXPENDITURES VS BUDGET

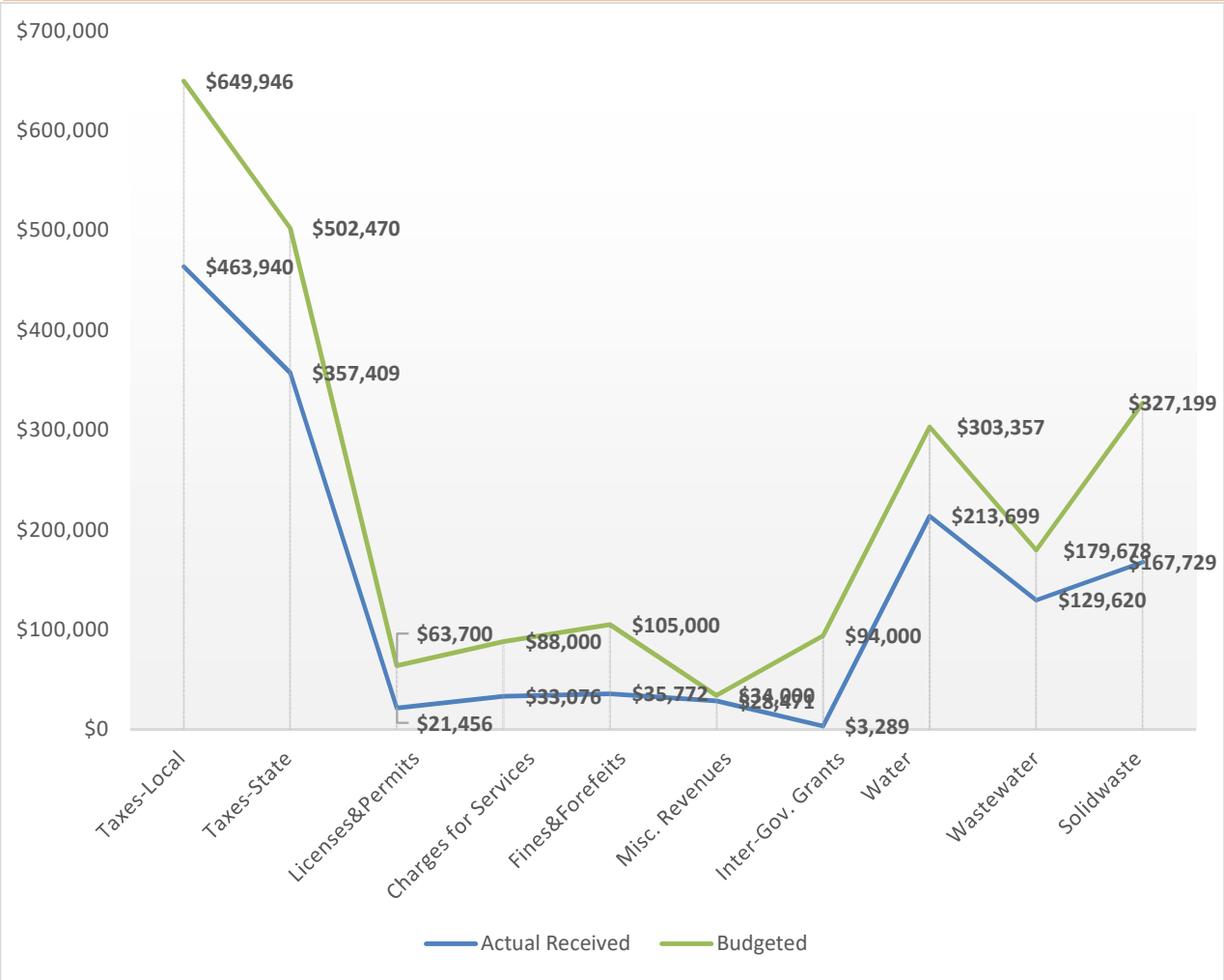


Please request the INCODE report for detail revenues and expenses by fund.

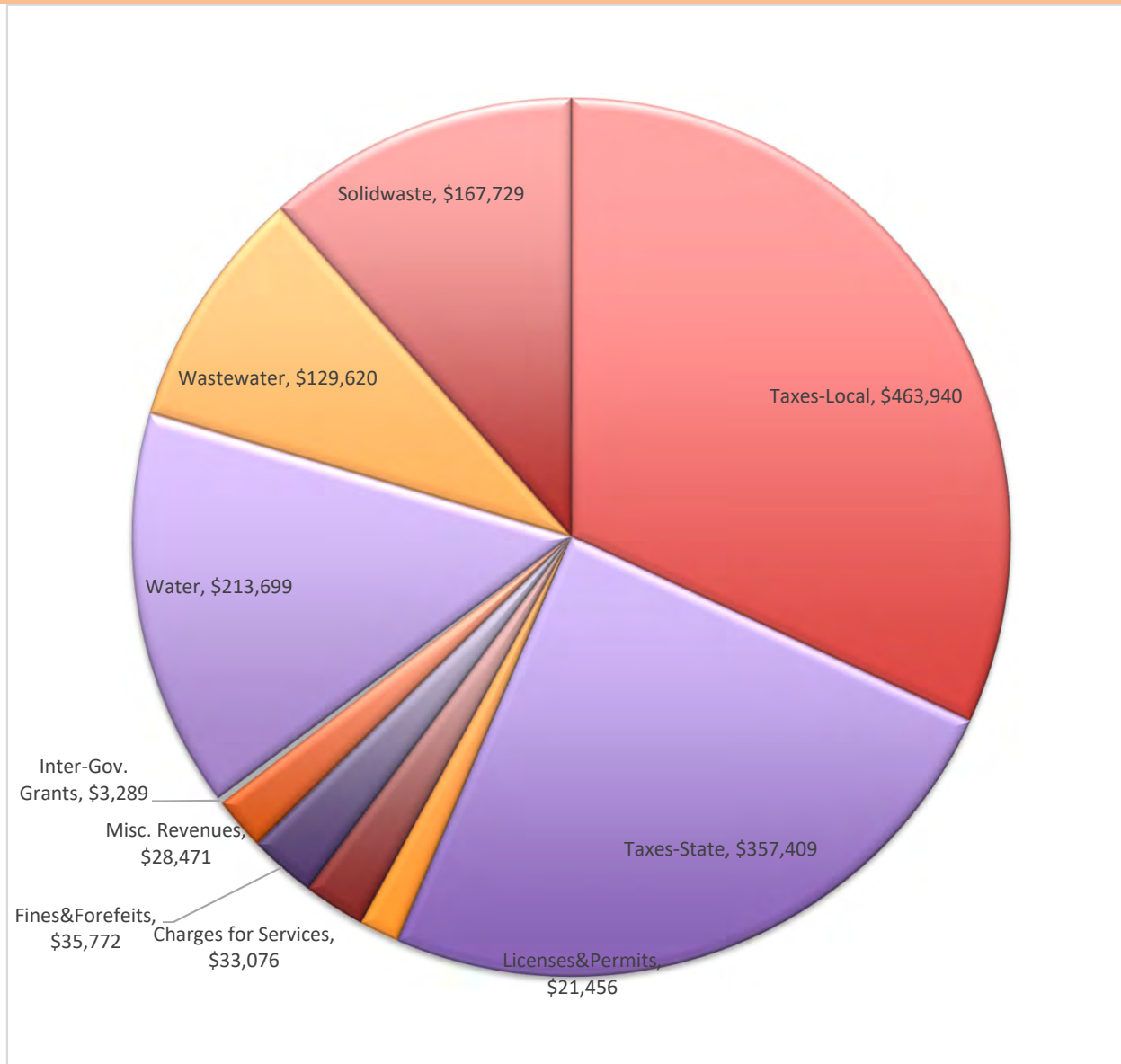
REVENUE

YTD REVENUES	% Rec.	YTD Money \$	% Est.	YTD % over/under	AMOUNT BUDGETED
Taxes-Local	71.38%	\$463,940	100.00%	-28.62%	\$649,946
Taxes-State	71.13%	\$357,409	100.00%	-28.87%	\$502,470
Licenses&Permits	33.68%	\$21,456	100.00%	-66.32%	\$63,700
Charges for Service	37.59%	\$33,076	100.00%	-62.41%	\$88,000
Fines&Forefeits	34.07%	\$35,772	100.00%	-65.93%	\$105,000
Misc. Revenues	83.74%	\$28,471	100.00%	-16.26%	\$34,000
Inter-Gov. Grants	3.50%	\$3,289	100.00%	-96.50%	\$94,000
General Fund	61.38%	\$943,412	100.00%	-38.62%	\$1,537,116
Water	70.44%	\$213,699	100.00%	-29.56%	\$ 303,357
Wastewater	72.14%	\$129,620	100.00%	-27.86%	\$ 179,678
Solidwaste	51.26%	\$167,729	100.00%	-48.74%	\$ 327,199
Enterprise Fund	63.07%	\$511,047	100.00%	-36.93%	\$810,234

REVENUE vs BUDGET



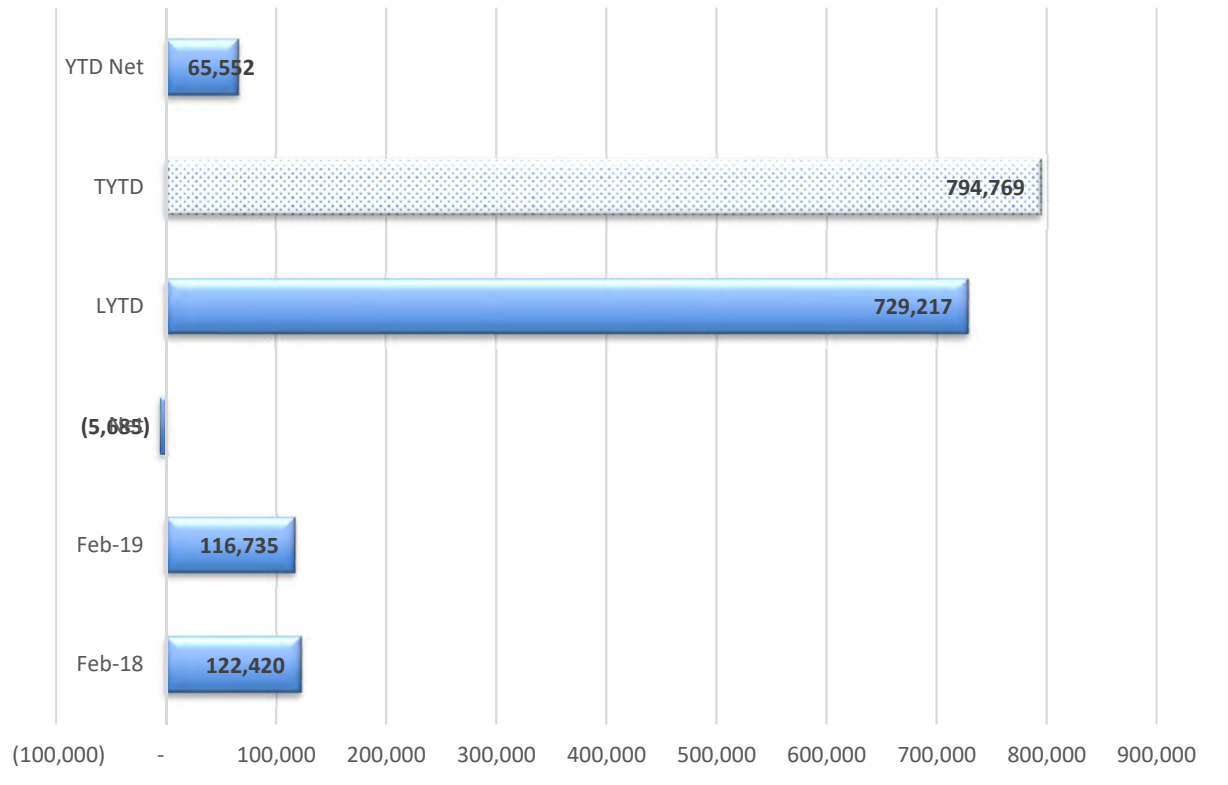
YTD REVENUES



GRT COMPARISONS

Feb-18	Feb-19	Net	LYTD	TYTD	YTD Net
122,420	116,735	(5,685)	729,217	794,769	65,552

GRT Comparisons



Business GRT in December 2018

Percentage by month	-5%	Percentage over last FYTD	9%
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**TOWN OF MESILLA FIRE DEPARTMENT
MONTHLY BOT REPORT**



DATE: February, 2019

MAJOR ADDITIONS TO INVENTORY

None

MAINTENANCE OF EQUIPMENT

One SCBA to be sent in for sensor problem. 2 Gas Alert Max XT and 1 RKI GX2001 gas detectors tested and calibrated.

COMMENTS

Selection of new volunteers was initiated with eight applicants moving forward to background and reference checks. We are still awaiting word on grant applications for EMS equipment and system improvement funds. Application for Fire Protection Funds submitted. An audit conducted by the NM Fire Marshal's Office for FY 2017 and 2018 spending was completed. One correction was made to a fund entry error with no findings against the Town of Mesilla.

SUBMITTED BY

Fire Chief Kevin Hoban _____

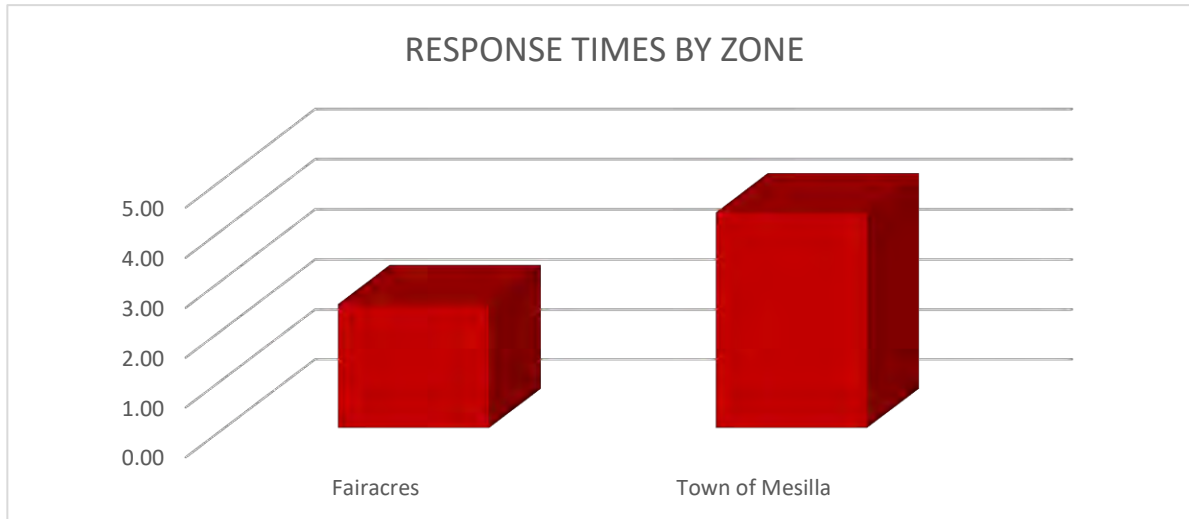
Mesilla Fire Department

Mesilla, NM

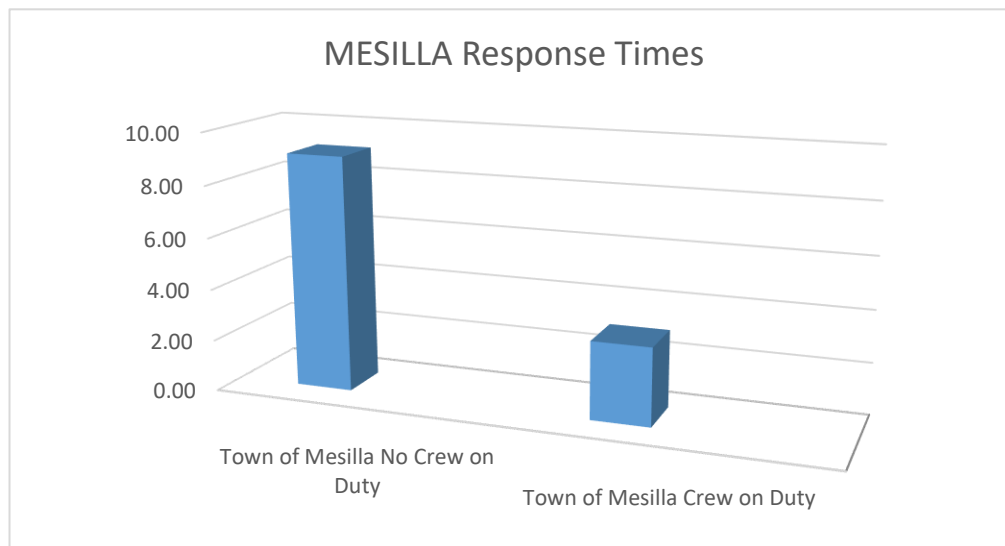
This report was generated on 01/02/2019



Response Mode: Lights and Sirens | Start Date: 12/01/2018 | End Date:12/31/2018



Zone	AVERAGE RESPONSE TIME (in minutes)
Fairacres	2.48
Town of Mesilla	4.31
Town of Mesilla No Crew on Duty	9.10
Town of Mesilla Crew on Duty	3.00



Only REVIEWED incidents included. Response Time is Dispatched to Arrived.

Mesilla Fire Department

Mesilla, NM

This report was generated on 3/1/2019 10:42:40 AM



Incident Statistics

Start Date: 02/01/2019 | End Date: 02/28/2019

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		16	
FIRE		17	
TOTAL		33	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
Bat31	0	0	6
Br31	0	0	5
E31	0	0	2
TOTAL	0	0	13
PRE-INCIDENT VALUE		LOSSES	
\$0.00		\$0.00	
CO CHECKS			
736 - CO detector activation due to malfunction		1	
TOTAL		1	
MUTUAL AID			
Aid Type		Total	
Aid Given		3	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
2		6.06	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
Mesilla Fire Main Station 31	0:03:52	0:04:41	
AVERAGE FOR ALL CALLS		0:04:08	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
Mesilla Fire Main Station 31	0:01:04	0:00:45	
AVERAGE FOR ALL CALLS		0:00:58	
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
Mesilla Fire Department		82:52	

Only Reviewed Incidents included. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = # of PCR with disposition "Treated, Transported by EMS". # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate.

Mesilla Fire Department

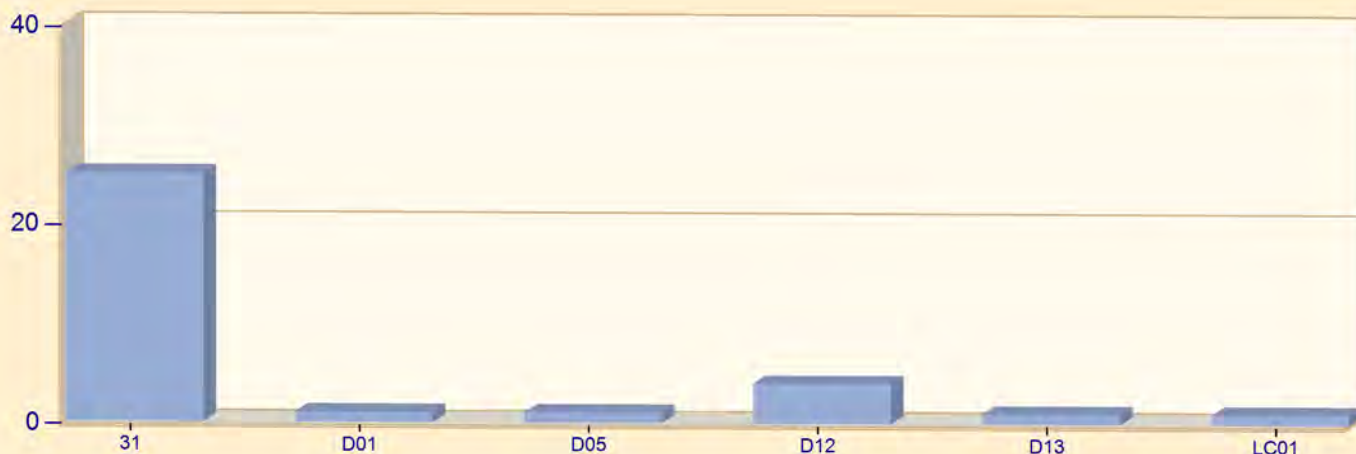
Mesilla, NM

This report was generated on 3/1/2019 10:29:11 AM



Incident Type Count per Zone for Date Range

Start Date: 02/01/2019 | End Date: 02/28/2019



ZONES	INCIDENT TYPE	COUNT
31 - Town of Mesilla		
	113 - Cooking fire, confined to container	1
	321 - EMS call, excluding vehicle accident with injury	9
	324 - Motor vehicle accident with no injuries.	1
	381 - Rescue or EMS standby	3
	412 - Gas leak (natural gas or LPG)	3
	561 - Unauthorized burning	2
	631 - Authorized controlled burning	3
	671 - HazMat release investigation w/no HazMat	1
	736 - CO detector activation due to malfunction	1
	744 - Detector activation, no fire - unintentional	1
	<i>Total Incidents for 31 - Town of Mesilla:</i>	25
D01 - Dona Ana		
	611 - Dispatched & cancelled en route	1
	<i>Total Incidents for D01 - Dona Ana:</i>	1
D05 - Organ		
	611 - Dispatched & cancelled en route	1
	<i>Total Incidents for D05 - Organ:</i>	1
D12 - Fairacres		
	143 - Grass fire	1
	321 - EMS call, excluding vehicle accident with injury	1

Zone information is defined on the Basic Info 3 screen of an incident.
Only REVIEWED incidents included.

ZONES	INCIDENT TYPE	COUNT
	550 - Public service assistance, other	1
	611 - Dispatched & cancelled en route	1
	<i>Total Incidents for D12 - Fairacres:</i>	4
D13 - South Valley		
	322 - Motor vehicle accident with injuries	1
	<i>Total Incidents for D13 - South Valley:</i>	1
LC01 - City of Las Cruces		
	311 - Medical assist, assist EMS crew	1
	<i>Total Incidents for LC01 - City of Las Cruces:</i>	1
Total Count for all Zone:		33

Zone information is defined on the Basic Info 3 screen of an incident.
Only REVIEWED incidents included.

Mesilla Fire Department

Mesilla, NM

This report was generated on 3/1/2019 10:04:45 AM



Occupancies Inspected for Date Range

Start Date: 02/01/2019 | End Date: 02/28/2019

OCCUPANCY	ID	ADDRESS	ZONE	LAST INSPECTION
Emerald Isle	84	1701 Mercado #2		02/07/2019
Hacienda de Mesilla		1891 Avenida De Mesilla		02/07/2019
Studio E		1701 Calle de Mercado #6		02/07/2019
Vigil & Associates		1765 Calle de mercado		02/07/2019

of Occupancies Inspected: 4

% Occupancies Inspected: 1.95

Included occupancies are those that have a LOCKED inspection on record for the date range provided.

Mesilla Fire Department

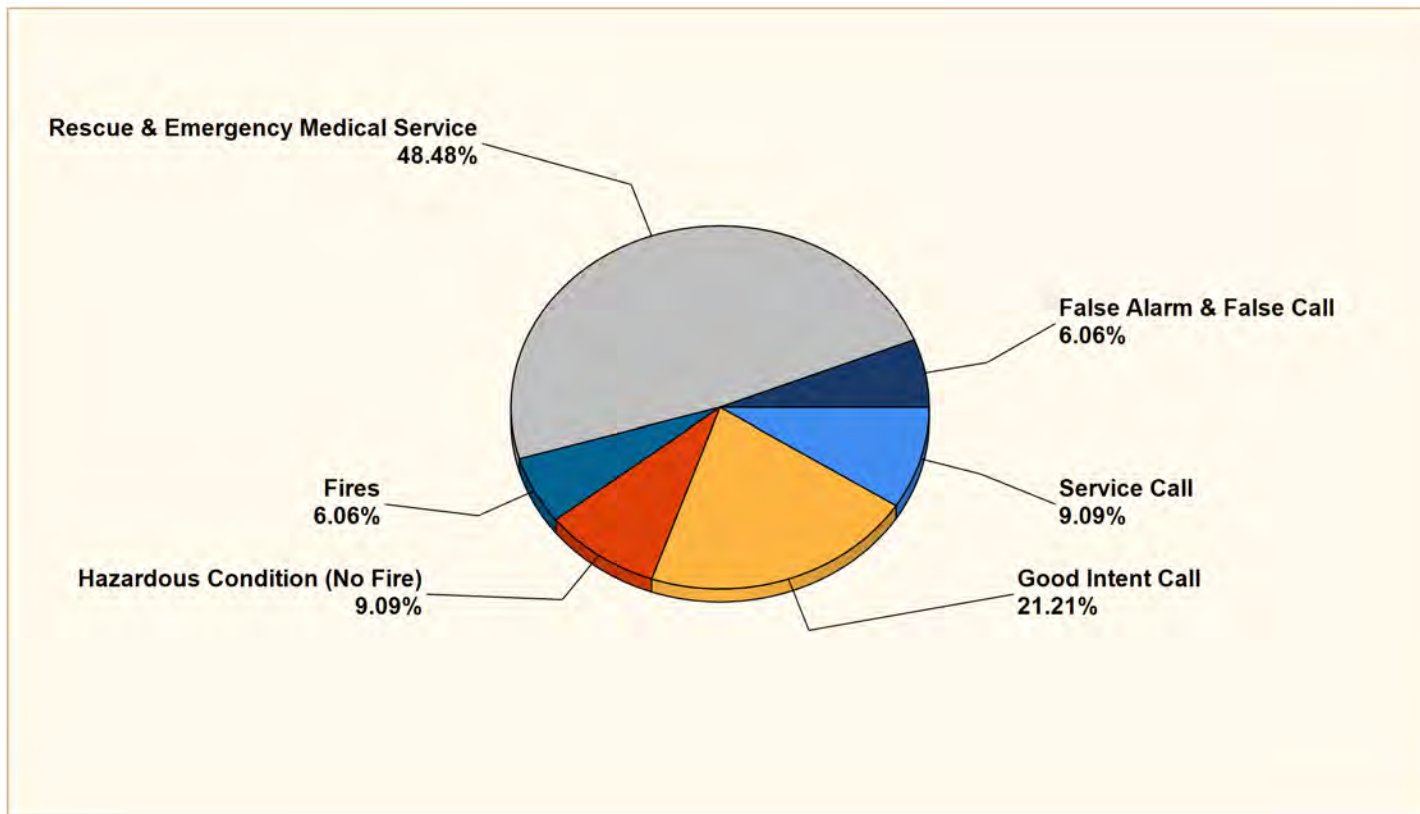
Mesilla, NM

This report was generated on 3/1/2019 10:26:40 AM



Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 02/01/2019 | End Date: 02/28/2019



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	2	6.06%
Rescue & Emergency Medical Service	16	48.48%
Hazardous Condition (No Fire)	3	9.09%
Service Call	3	9.09%
Good Intent Call	7	21.21%
False Alarm & False Call	2	6.06%
TOTAL	33	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
113 - Cooking fire, confined to container	1	3.03%
143 - Grass fire	1	3.03%
311 - Medical assist, assist EMS crew	1	3.03%
321 - EMS call, excluding vehicle accident with injury	10	30.30%
322 - Motor vehicle accident with injuries	1	3.03%
324 - Motor vehicle accident with no injuries.	1	3.03%
381 - Rescue or EMS standby	3	9.09%
412 - Gas leak (natural gas or LPG)	3	9.09%
550 - Public service assistance, other	1	3.03%
561 - Unauthorized burning	2	6.06%
611 - Dispatched & cancelled en route	3	9.09%
631 - Authorized controlled burning	3	9.09%
671 - HazMat release investigation w/no HazMat	1	3.03%
736 - CO detector activation due to malfunction	1	3.03%
744 - Detector activation, no fire - unintentional	1	3.03%
TOTAL INCIDENTS:	33	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

Mesilla Fire Department

Mesilla, NM

This report was generated on 3/1/2019 10:36:59 AM



Incident Detail for Aid Given and Received for Incident Type Range for Date Range

Incident Type Range: 100 - 911 | StartDate: 02/01/2019 | EndDate: 02/28/2019

INCIDENT DATE	INCIDENT #	ADDRESS	INCIDENT TYPE	SHIFT
AID TYPE: Mutual aid given				
02/04/2019	2019-00033	N ARIES AVE	143 - Grass fire	31 - Mesilla Fire Main Station 31
02/17/2019	2019-00050	425 E THORPE RD	611 - Dispatched & cancelled en route	31 - Mesilla Fire Main Station 31
02/23/2019	2019-00058	N HIGHWAY 28	322 - Motor vehicle accident with injuries	31 - Mesilla Fire Main Station 31

Percentage of Total Incidents:

9.09%

Displays all incidents with aid given or received, and excludes incidents with neither. Percentages calculated from total number of incidents for parameters provided. Only REVIEWED incidents included.

Mesilla Fire Department

Mesilla, NM

This report was generated on 3/1/2019 10:32:05 AM



Response Activity Report

Start Date: 02/01/2019 | End Date: 02/28/2019

INCIDENT #	DATE	ALARM TIME	ARRIVE TIME	RESPONSE TIME	ADDRESS
113 - Cooking fire, confined to container					
2019-0000056	2019/02/23	08:33:53	08:42:43	00:08:50	1300 W UNIVERSITY AVE
Subtotal Count: 1		Average Response Time for Incident Type: 00:08:50			
143 - Grass fire					
2019-0000033	2019/02/04	10:44:44	11:00:40	00:15:56	N ARIES AVE
Subtotal Count: 1		Average Response Time for Incident Type: 00:15:56			
311 - Medical assist, assist EMS crew					
2019-0000052	2019/02/18	12:07:34	12:24:16	00:16:42	1455 HICKORY DR
Subtotal Count: 1		Average Response Time for Incident Type: 00:16:42			
321 - EMS call, excluding vehicle accident with injury					
2019-0000035	2019/02/06	09:48:01	09:53:33	00:05:32	2551 CALLE DE PRINCIPAL
2019-0000039	2019/02/08	09:40:04	09:47:05	00:07:01	2544 SNOW RD
2019-0000042	2019/02/09	21:14:48	21:35:19	00:20:31	2780 SNOW RD
2019-0000043	2019/02/11	19:49:08	20:12:49	00:23:41	2320 CALLE DE SANTA ANA
2019-0000045	2019/02/13	18:30:42	18:43:12	00:12:30	2170 CALLE DE ARROYO
2019-0000047	2019/02/15	17:57:43	18:00:54	00:03:11	2122 CALLE DE ARROYO
2019-0000049	2019/02/16	16:38:35	16:43:29	00:04:54	2070 CALLE DE SANTIAGO
2019-0000055	2019/02/21	21:39:25	21:48:43	00:09:18	305 CAPRI ARC
2019-0000057	2019/02/23	09:10:02	09:16:03	00:06:01	2569 CALLE DEL OESTE
2019-0000063	2019/02/27	15:51:28	15:59:44	00:08:16	1817 SHALEM COLONY TRL
Subtotal Count: 10		Average Response Time for Incident Type: 00:09:55			
322 - Motor vehicle accident with injuries					
2019-0000058	2019/02/23	13:44:50	13:54:41	00:09:51	N HIGHWAY 28
Subtotal Count: 1		Average Response Time for Incident Type: 00:09:51			
324 - Motor vehicle accident with no injuries.					
2019-0000034	2019/02/04	17:47:33	17:55:19	00:07:46	CALLE DEL NORTE
Subtotal Count: 1		Average Response Time for Incident Type: 00:07:46			
381 - Rescue or EMS standby					
2019-0000032	2019/02/02	08:41:57	08:41:57	00:00:00	2170 CALLE DE PRINCIPAL
2019-0000041	2019/02/09	08:06:22	08:08:00	00:01:38	2170 CALLE DE PARIAN
2019-0000048	2019/02/16	13:00:00	14:00:00	01:00:00	2171 CALLE DE PARIAN
Subtotal Count: 3		Average Response Time for Incident Type: 00:17:36			
412 - Gas leak (natural gas or LPG)					
2019-0000053	2019/02/20	12:55:05	13:02:54	00:07:49	675 RITTER DR
2019-0000059	2019/02/23	17:00:35	17:08:34	00:07:59	2196 CALLE DEL NORTE
2019-0000061	2019/02/26	19:44:28	19:53:25	00:08:57	2716 CALLE DE GUADALUPE
Subtotal Count: 3		Average Response Time for Incident Type: 00:08:18			

Calls by Incident Type. Does not include calls where there was no response.

550 - Public service assistance, other					
2019-0000060	2019/02/24	10:27:00	10:49:00	00:22:00	130 INTERSTATE 10
Subtotal Count: 1		Average Response Time for Incident Type: 00:22:00			
561 - Unauthorized burning					
2019-0000037	2019/02/07	08:27:49	08:27:49	00:00:00	2231 AVENIDA DE MESILLA
2019-0000051	2019/02/18	08:48:18	08:52:58	00:04:40	2290 CAMINO BODEGAS
Subtotal Count: 2		Average Response Time for Incident Type: 00:03:06			
631 - Authorized controlled burning					
2019-0000036	2019/02/06	19:28:28	19:40:39	00:12:11	2472 CALLE DE CURA
2019-0000040	2019/02/07	10:29:40	10:29:40	00:00:00	2617 GLASS RD
2019-0000044	2019/02/12	14:05:50	14:05:50	00:00:00	VALLE GRANDE
Subtotal Count: 3		Average Response Time for Incident Type: 00:04:03			
671 - HazMat release investigation w/no HazMat					
2019-0000064	2019/02/28	04:59:52	05:08:28	00:08:36	2555 CALLE TERCERA
Subtotal Count: 1		Average Response Time for Incident Type: 00:08:36			
736 - CO detector activation due to malfunction					
2019-0000054	2019/02/20	17:10:18	17:18:22	00:08:04	205 CAPRI RD
Subtotal Count: 1		Average Response Time for Incident Type: 00:08:04			
744 - Detector activation, no fire - unintentional					
2019-0000038	2019/02/07	21:46:30	21:57:54	00:11:24	2410 CALLE DE SAN ALBINO
Subtotal Count: 1		Average Response Time for Incident Type: 00:11:24			
Grand Total: 30		Average Response Time for All Incident Types: 00:10:29			

Calls by Incident Type. Does not include calls where there was no response.

Mesilla Fire Department

Mesilla, NM

This report was generated on 3/5/2019 10:33:54 AM



Events per Event Type for Date Range (Landscape)

Start Date: 02/01/2019 | End Date: 02/28/2019

EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS
Administration Shift						
	02/01/2019	Admin Shift	Shifts	Mesilla Fire Station 31	7.5	Chad Zecha
	02/07/2019	Admin Shift	Shifts	Mesilla Fire Station 31	4.5	Chad Zecha
	02/19/2019	Admin Shift	Shifts	Mesilla Fire Station 31	4	Chad Zecha
	02/20/2019	Admin Shift	Shifts	Mesilla Fire Station 31	12	Chad Zecha
	02/25/2019	Admin Shift	Shifts	Mesilla Fire Station 31	10	Chad Zecha

Total Hours for Administration Shift: 38

12 Hour Night Shift						
	02/01/2019	A Shift	Shifts	Station 31	12	John Chavez, Humberto Manriquez, Anthony Martinez Jr. , Thomas Montoya, Dylan Thunhorst
	02/04/2019	A Shift	Shifts	Mesilla Station	19	Humberto Manriquez, Anthony Martinez Jr. , Thomas Montoya, Dylan Thunhorst, Diana Villagrana
	02/05/2019	B-Shift	Shifts	Station 31	16	Phillip Guzman, Lorraine Lucero, Cavin Roberson

Only LOCKED events included.

EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS
	02/06/2019	C shift	Shifts	House 31	13	Ariel Caro, Humberto Manriquez, Alex Shay
	02/07/2019	A Shift	Shifts	Mesilla Station 31	12	Humberto Manriquez, Anthony Martinez Jr. , Thomas Montoya, Dylan Thunhorst, Lillian Villazon
	02/08/2019	B-Shift	Shifts	Station 31	12	Phillip Guzman, Cavin Roberson, Joseph Torres
	02/09/2019	C shift	Shifts	Station 31	24	Mateo Martinez, Alex Shay, Dylan Thunhorst, Joseph Torres
	02/12/2019	C-shift	Shifts	Station 31	12	Humberto Manriquez, Mateo Martinez, Austin Oblack, Alex Shay, Joseph Torres
	02/14/2019	B-Shift	Shifts	Station 31	16	Sonny Gomez, Phillip Guzman, Cavin Roberson
	02/15/2019	C shift	Shifts	House 31	12	Ariel Caro, Mateo Martinez, Alex Shay, Morgan Smith, Joseph Torres
	02/18/2019	C shift	Shifts	House 31	17	Ariel Caro, Mateo Martinez

Total Hours for 12 Hour Night Shift: 165

Special Assignment						
	02/02/2019	5k	Shifts	Plaza of Mesilla	2.5	Ariel Caro, John Chavez, Humberto Manriquez, Eric Palma, Dylan Thunhorst, Lillian Villazon

Total Hours for Special Assignment: 2.5

12 Hour Day Shift						
	02/02/2019	Day Shift	Shifts	House 31 & Residence	7	Ariel Caro
	02/07/2019	C shift	Shifts	House 31	10	Ariel Caro, Alex Shay

Total Hours for 12 Hour Day Shift: 17

Only LOCKED events included.

EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS
Prevention Division Shift						
	02/07/2019	Inspections	Prevention Event	Mesilla town	5	Ariel Caro, Alex Shay, Gregory Whited
	02/24/2019	NMIAAI annual training conference	Prevention Event	Farmington. NM	68	Gregory Whited

Total Hours for Prevention Division Shift: 73

Explorer Division Shift						
	02/07/2019	Expplorer Thur HSFA	Shifts	FMO	3	Caleb Bricker, Jacob Bricker, Andy Embury, Tabitha Rossman, Xavier Sanchez, Dylan Thunhorst

Total Hours for Explorer Division Shift: 3

24 Hour Shift						
	02/10/2019	A Shift	Shifts	Station 31	24	Humberto Manriquez, Anthony Martinez Jr. , Thomas Montoya, Dylan Thunhorst
	02/13/2019	A Shift	Shifts	Station 31	22	Humberto Manriquez, Mateo Martinez, Anthony Martinez Jr. , Thomas Montoya, Austin Oblack, Alex Shay, Dylan Thunhorst, Joseph Torres, Lillian Villazon
	02/16/2019	A Shift	Shifts	Mesilla Fire Dept	24	Humberto Manriquez, Anthony Martinez Jr. , Thomas Montoya, Tabitha Rossman, Morgan Smith, Joseph Torres

Total Hours for 24 Hour Shift: 70

School Safety Demo						
	02/11/2019	After School Fire Prevention	Shifts	Mesilla Elementary	2	Ariel Caro, Humberto Manriquez, Mateo Martinez, Tabitha Rossman, Dylan Thunhorst

Total Hours for School Safety Demo: 2

Only LOCKED events included.

EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS
Training Division Shift						
	02/14/2019	B-Shift	Training	Mesilla Elementry	1	Sonny Gomez, Phillip Guzman, Nicolas Navarro, Cavin Roberson

Total Hours for Training Division Shift: 1

Recruitment Event						
	02/17/2019	New hire testing and interviews	New Employee Testing	Mesilla station 31	5	Ariel Caro, John Chavez, Crystal Davis-Whited, Sonny Gomez, Phillip Guzman, Humberto Manriquez, Anthony Martinez Jr. , Thomas Montoya, Nicolas Navarro, Joseph Torres, Lillian Villazon, Gregory Whited

Total Hours for Recruitment Event: 5

Evening Operations Shift						
	02/19/2019	A Shift	Shifts	Mesilla Fire Station 31	17	Humberto Manriquez, Anthony Martinez Jr. , Thomas Montoya, Dylan Thunhorst, Lillian Villazon
	02/20/2019	B-Shift	Shifts	Fire House 31	18	Ariel Caro, Sonny Gomez, Phillip Guzman, Mateo Martinez, Cavin Roberson
	02/21/2019	C-shift	Shifts	Station 31	16	Humberto Manriquez, Mateo Martinez, Dylan Thunhorst, Joseph Torres
	02/22/2019	A Shift	Shifts	Mesilla Fire Station 31	18	Humberto Manriquez, Anthony Martinez Jr. , Thomas Montoya, Dylan Thunhorst
	02/25/2019	A Shift	Shifts	Station 31	14	Anthony Martinez Jr. , Thomas Montoya, Dylan Thunhorst, Lillian Villazon

Only LOCKED events included.

EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS
	02/26/2019	B-Shift	Shifts	Fire house 31	11	Sonny Gomez

Total Hours for Evening Operations Shift: 94

On Call Duty Officer						
	02/19/2019	On Call Duty Officer	Shifts	Mesilla District 31	13.5	Chad Zecha
	02/20/2019	On Call Duty Officer	Shifts	Mesilla Fire District 31	13	Chad Zecha
	02/25/2019	On Call Duty Officer	Shifts	Mesilla Fire District 31	15.5	Chad Zecha
	02/26/2019	On Call Duty Officer	Shifts	Mesilla Fire District 31	21	Chad Zecha

Total Hours for On Call Duty Officer: 63

Daily Operations Shift						
	02/24/2019	C shift	Shifts	House 31	12	Ariel Caro, Mateo Martinez, Alex Shay
	02/27/2019	C-shift	Shifts	House 31	20	Ariel Caro, Mateo Martinez, Joseph Torres
	02/28/2019	A Shift	Shifts	Mesilla Fire Station 31	17	Anthony Martinez Jr. , Thomas Montoya, Dylan Thunhorst

Total Hours for Daily Operations Shift: 49

Only LOCKED events included.

Mesilla Fire Department

Mesilla, NM

This report was generated on 3/5/2019 10:19:48 AM



Count of Classes by Personnel by Class Category

Passed/Failed: Both Passed and Failed | Personnel: All Personnel | Start Date: 02/01/2019 | End Date: 02/28/2019

Caro, Ariel M

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Company Training	1	3:00
I.S.O. Fire Prevention	1	5:00
Total for Caro, Ariel M	3	11:00

Davis-Whited, Crystal

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	3:00
Total for Davis-Whited, Crystal	1	3:00

Embury, Andy G.

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	3:00
Total for Embury, Andy G.	1	3:00

Gomez, Sonny

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Company Training	1	2:00
I.S.O. New Driver and Operator Training	1	1:00
Total for Gomez, Sonny	3	6:00

Guzman, Phillip

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	3:00
I.S.O. New Driver and Operator Training	1	1:00
Total for Guzman, Phillip	2	4:00

Hoban, Kevin M

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. New Driver and Operator Training	1	1:00
Total for Hoban, Kevin M	2	4:00

Lucero, Lorraine

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
Total for Lucero, Lorraine	1	3:00

Manriquez, Humberto

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Company Training	4	5:00

This report lists a count of Classes completed by each Person, for each Class Category. Optionally filtered by Personnel and Passage or Failure. Time shown in Hours and Minutes

If "All Personnel" is selected, this report also includes non-agency Personnel.

I.S.O. New Driver and Operator Training	3	3:00
Total for Manriquez, Humberto	8	11:00

Martinez Jr. , Anthony R

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Company Training	4	7:00
I.S.O. New Driver and Operator Training	2	2:00
Total for Martinez Jr. , Anthony R	7	12:00

Martinez, Mateo

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Company Training	1	2:00
I.S.O. New Driver and Operator Training	1	1:00
Total for Martinez, Mateo	3	6:00

McBurney, Samuel

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
Total for McBurney, Samuel	1	3:00

Montoya, Thomas M

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Company Training	4	7:00
I.S.O. New Driver and Operator Training	2	2:00
Total for Montoya, Thomas M	7	12:00

Navarro, Nicolas A

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Company Training	2	5:00
I.S.O. New Driver and Operator Training	1	1:00
Total for Navarro, Nicolas A	4	9:00

Oblack, Austin E

Class Category	Class Count	Total Class Hours
I.S.O. New Driver and Operator Training	1	1:00
Total for Oblack, Austin E	1	1:00

Roberson, Cavin C

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	2:00
I.S.O. New Driver and Operator Training	1	1:00
Total for Roberson, Cavin C	2	3:00

Rossman, Tabitha A

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	2	4:00
Total for Rossman, Tabitha A	2	4:00

This report lists a count of Classes completed by each Person, for each Class Category. Optionally filtered by Personnel and Passage or Failure. Time shown in Hours and Minutes

If "All Personnel" is selected, this report also includes non-agency Personnel.

Shay, Alex C

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Fire Prevention	1	5:00
I.S.O. New Driver and Operator Training	1	1:00
Total for Shay, Alex C	3	9:00

Smith, Morgan Samantha

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	1:00
Total for Smith, Morgan Samantha	1	1:00

Thunhorst, Dylan P

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	4	7:00
I.S.O. New Driver and Operator Training	2	2:00
Total for Thunhorst, Dylan P	6	9:00

Torres, Joseph J

Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	1:00
Total for Torres, Joseph J	1	1:00

Villazon, Lillian M

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Company Training	2	5:00
I.S.O. New Driver and Operator Training	1	1:00
Total for Villazon, Lillian M	4	9:00

Whited, Gregory E

Class Category	Class Count	Total Class Hours
EMS Training	1	3:00
I.S.O. Fire Prevention	1	5:00
Total for Whited, Gregory E	2	8:00

This report lists a count of Classes completed by each Person, for each Class Category. Optionally filtered by Personnel and Passage or Failure. Time shown in Hours and Minutes

If "All Personnel" is selected, this report also includes non-agency Personnel.

Mesilla Fire Department

Mesilla, NM

This report was generated on 3/5/2019 10:58:39 AM



Total Volunteer Hours by Personnel for Date Range for Pay Grade

Pay Grades: All Pay Grades | Start Date: 02/01/2019 | End Date: 02/28/2019

PERSONNEL	INCIDENT TIME	TRAINING TIME	EVENT TIME	TOTAL TIME
Alberg, Kevin C	7:17	0:00	0:00	7:17
Bricker, Caleb M	0:00	0:00	3:00	3:00
Bricker, Jacob A	0:00	0:00	3:00	3:00
Caro, Ariel M	13:00	11:00	106:30	130:30
Chavez, John Eric	12:13	0:00	22:30	34:43
Davis-Whited, Crystal	0:00	3:00	5:00	8:00
Embury, Andy G.	1:28	3:00	3:00	7:28
Gomez, Sonny	0:17	6:00	40:00	46:17
Guzman, Phillip	0:37	4:00	68:00	72:37
Hoban, Kevin M	17:18	4:00	0:00	21:18
Lucero, Lorraine	0:00	3:00	16:00	19:00
Manriquez, Humberto	22:27	11:00	191:30	224:57
Martinez Jr. , Anthony R	0:11	12:00	121:00	133:11
Martinez, Mateo	7:25	6:00	111:00	124:25
McBurney, Samuel	1:45	3:00	0:00	4:45
Montoya, Thomas M	0:11	12:00	123:00	135:11
Navarro, Nicolas A	3:22	9:00	6:00	18:22
Oblack, Austin E	0:00	1:00	15:00	16:00
Palma, Eric G	12:13	0:00	2:30	14:43
Rivera, Matthew M	0:49	0:00	0:00	0:49
Roberson, Cavin C	0:17	3:00	51:00	54:17
Rossmann, Tabitha A	16:32	4:00	9:00	29:32
Sanchez, Xavier	0:00	0:00	3:00	3:00
Shay, Alex C	0:53	9:00	87:00	96:53
Sinclair, Jennifer M	0:50	0:00	0:00	0:50
Smith, Morgan Samantha	2:47	1:00	18:00	21:47
Thunhorst, Dylan P	20:51	9:00	210:30	240:21
Torres, Joseph J	5:55	1:00	95:00	101:55
Villagrana, Diana C	0:00	0:00	9:00	9:00
Villazon, Lillian M	13:11	9:00	49:30	71:41
Whited, Gregory E	0:00	8:00	78:00	86:00
Zecha, Chad	1:25	0:00	101:00	102:25
TOTAL				1835:11:00

Mesilla Fire Department

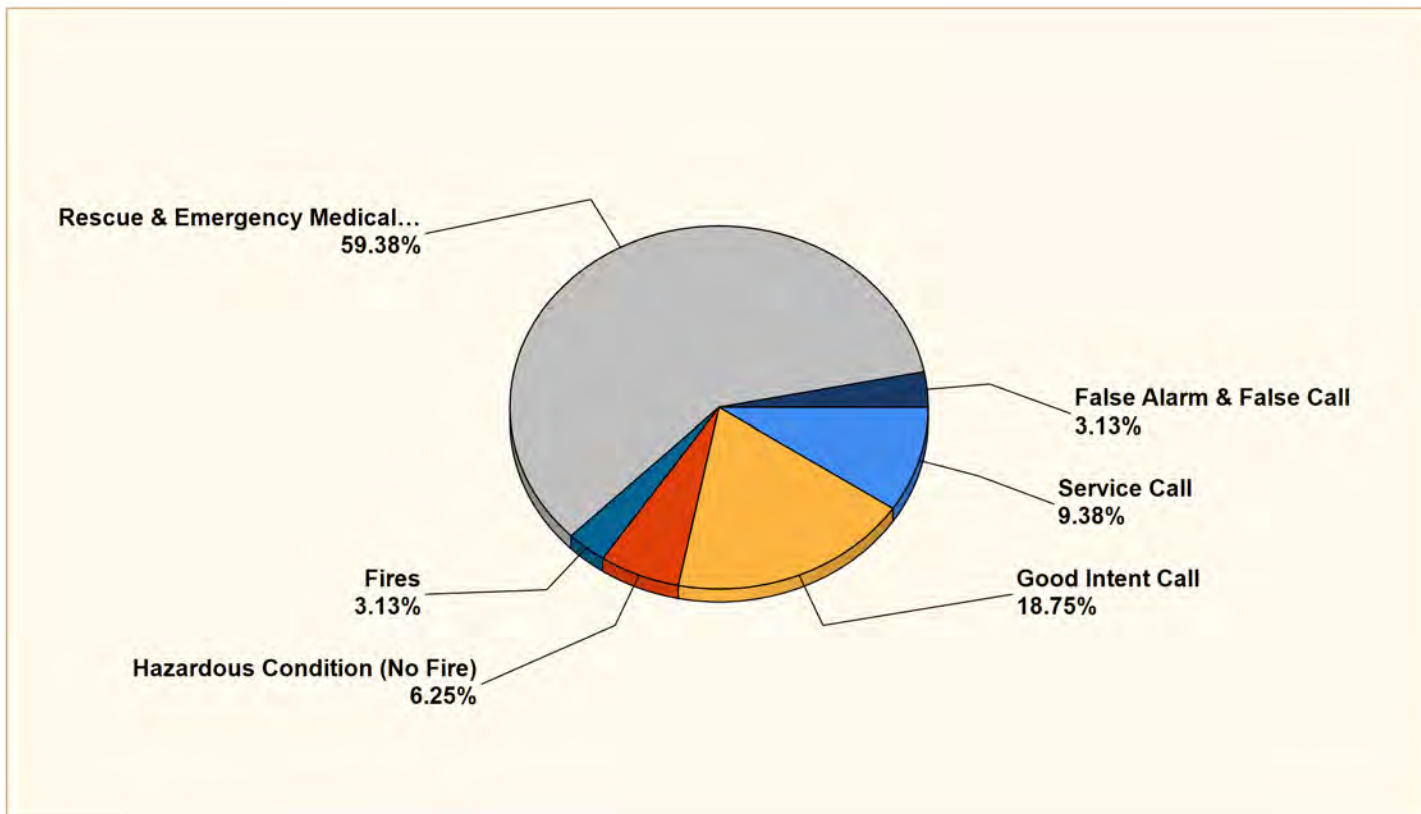
Mesilla, NM

This report was generated on 3/1/2019 10:33:50 AM



Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 01/01/2019 | End Date: 02/28/2019



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	2	3.13%
Rescue & Emergency Medical Service	38	59.38%
Hazardous Condition (No Fire)	4	6.25%
Service Call	6	9.38%
Good Intent Call	12	18.75%
False Alarm & False Call	2	3.13%
TOTAL	64	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
113 - Cooking fire, confined to container	1	1.56%
143 - Grass fire	1	1.56%
311 - Medical assist, assist EMS crew	3	4.69%
321 - EMS call, excluding vehicle accident with injury	27	42.19%
322 - Motor vehicle accident with injuries	2	3.13%
324 - Motor vehicle accident with no injuries.	3	4.69%
381 - Rescue or EMS standby	3	4.69%
412 - Gas leak (natural gas or LPG)	3	4.69%
461 - Building or structure weakened or collapsed	1	1.56%
511 - Lock-out	1	1.56%
550 - Public service assistance, other	1	1.56%
552 - Police matter	1	1.56%
554 - Assist invalid	1	1.56%
561 - Unauthorized burning	2	3.13%
611 - Dispatched & cancelled en route	7	10.94%
631 - Authorized controlled burning	4	6.25%
671 - HazMat release investigation w/no HazMat	1	1.56%
736 - CO detector activation due to malfunction	1	1.56%
744 - Detector activation, no fire - unintentional	1	1.56%
TOTAL INCIDENTS:	64	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.



MESILLA MARSHAL'S DEPARTMENT

P.O. BOX 10 MESILLA, NM 88046 PHONE 575-526-4138 FAX 575-652-3776

POLICE – ANIMAL CONTROL – EMERGENCY MANAGEMENT

MARSHAL K.C. ALBERG, CAS, FM, NMCEM

Date: March 5, 2019

To: Honorable Mayor and Mesilla Board of Trustees

This is the Monthly Report for February 2019 for the Mesilla Marshal's Department:

Citations – 116 Total; 73 Court Appearance, 25 Penalty Assessment; and, 12 Warnings:

Careless Driving – 1
Concealing Identification – 0
Current Registration – 3
Crash – 3
Driving on Shoulder – 0
DWI – 0
No Insurance – 20
No Parking – 0
No Passing – 3
One Way Streets – 1
Open Container – 0
Possess Driver's License – 1
Red Light – 0
Seat Belt – 0
Speeding – 73
Stop Sign – 2
Unlawful Use of Driver's License – 4
Dimming of Lights – 2
Two Headlamps Required – 3

Total Responses/Calls for Service/Reports –

Responses by sworn personnel:

911 Hang-up Calls – 2
Abandoned Vehicle – 1
Abdominal Pain – 0
Agency Assist – 2
Alarm, Burglary – 2
Alarm, Carbon Monoxide – 0
Alarm, Hold Up – 0

Responses by sworn personnel (continued):

Alarm, Panic – 0
Animal Bite/Animal Attacks – 0
Animal Care & Maintenance – 0
Animal Control Call – 0
Animal Cruelty – 0
Animal in Custody – 0
Animal, Dead – 0
Animal Livestock Complaint - 0
Animal Stray – 0
Animal Vicious – 0
Assault Report – 0
ATV Complaint – 0
Back Pain/Injury – 0
Behavioral Issues – 1
Be On the Lookout – 0
Bleeding – 0
Breathing Problems – 0
Building Check – 0
Burglary, Auto – 0
Burglary in Progress – 0
Burglary – 1
Case Follow Up – 0
Chest Pain – 0
Child Abuse – 0
Choking – 0
Civil Dispute/Standby – 1
Civil Process – 0
Codes Enforcement – 1
Codes Parking – 0
Computer Crimes – 0
Detention Center Release – 0
Disturbance Disorderly – 1
Disturbance Domestic – 1
Disturbance Domestic in Progress – 0
Disturbance Fight – 2
Disturbance Noise/Music – 0
Disturbance Unknown – 0
Disturbance Verbal – 0
Drunk/Intoxicated Subj – 0
DWI – 0
Fall Victim/Back Injury – 0
Fever – 0
Fire Alarm – 0
Fire Brush/Wildland – 0

Responses by sworn personnel (continued):

Fire Structure Commerical – 0
Fire Structure Residential – 0
Fire Vehicle – 0
Foot Patrol – 0
Forgery/Fraud/Emb/Report – 0
Frequent Patrol – 0
Gas Odor Natural – 0
Gun – Shots Fired – 1
Gun – Subject with a gun – 0
Gunshot Victim – 0
Harassment – 0
Injured Person – 0
Illegal Burn – 0
Illegal Dumping – 0
Information Report – 1
Illegally Parked Vehicle – 0
Kidnapping/Unlawful Custody – 0
Lift Assist – 0
Loud Party – 0
Medical Alarm – 0
Minor in Possession of Alc. – 1
Missing Adult – 0
Missing Child – 0
Missing Person – 0
Motor Vehicle Accident Hit & Run – 2
Motor Vehicle Accident non Injury – 0
Motor Vehicle Accident with Injury – 0
Motor Vehicle Accident with Injury Extra Response – 0
Motor Vehicle Accident Private Property – 0
Narcotics/Drugs – 0
Obstruction – 0
Overdose – 0
Panic Alarm – 0
Phone Call – 4
Poisoning/Ingestion – 0
Prisoner Transport – 0
Property Found – 0
Property Lost – 0
Property Recovered – 0
Prowler – 0
Public Assist – 0
Rape – 0
Reckless Driver – 0
Repossession/Private Property Impound – 0

Responses by sworn personnel (continued):

Restraining Order Violation – 2
Runaway – 0
Seizures/Convulsions – 0
Sick/Ill Person – 0
Shoplifting – 0
Stroke/CVA – 0
Subject Contact/Busy – 0
Suicide Attempt – 0
Suicidal Subject – 0
Supplement/Follow up – 1
Suspicious Activity – 1
Suspicious Persons – 0
Suspicious Vehicles – 0
Theft Report – 0
Threats – 0
Traumatic Injuries – 0
Trespassing – 0
Traffic Stop – 11
Traffic Complaint – 0
Traffic Control – 0
Traffic Escort – 1
Unspecified Call Type – 0
Unconscious Person – 0
Vagrancy – 0
Vandalism/Graffiti – 0
Warrant – 0
Welfare Check – 0
Wires Down – 0

Special Events/Notes:

Sgt. SHEPAN rode in the “Bike to School” Event for Mesilla Elementary

Operation Stone Garden was **DISCONTINUED** as to overtime; however, its objectives remain supported and the equipment in use.



TOWN OF MESILLA

Public Works Department

P.O. Box 10, Mesilla, New Mexico 88046

Office: (575) 524-3262

Fax: (575) 541-6327

MEMORANDUM

Date: March 5, 2019

TO: Mayor Barraza, Board of Trustees and Cynthia Stoechner-Hernandez

FROM: Rodney J. McGillivray, Public Works Director 

RE: **Public Works Division Activity Report – February 2019**

On-going maintenance, custodial and operations:

Utility location services are being provided
Monthly water sampling and reporting is up-to-date
Monitoring of water tank, wells and pumps
Monitoring of lift stations and review of reporting
Meter reading continues
New water services and water shut-offs continue (ownership change/nonpayment)
Custodial responsibilities on-going
Grounds maintenance on-going
Event set-up and tear down on-going
On-call/standby needs for emergency repairs or assistance

Miscellaneous items/work orders/accomplishments:

Street and sidewalk cleaning
Repairs underway to PRV (pressure reducing valve) at Raasaf Hills (delayed)
Weed eradication and park maintenance underway
Filling potholes (street repairs)
Removed old stump and minor tree trimming at Community Center Park
Painted Town Hall copy room
Manhole replacement at intersection of Calle Principal and Calle Parian
Repairs to Raasaf Hills booster pump
General clean up at wells and water system buildings
Landscaping at public restrooms
Painted public restroom partitions (women's)
Emergency tree removal from wind storm on Snow Road

Installed no parking signage and painted curbing
Community Center roof repairs underway
Planted flowers at Veterans Park and Plaza
Reinstalled landscape rock at Veterans Park
Sprinkler repairs at Veterans Park and Plaza

Project update:

McDowell wastewater project – Contract awarded to J29. Project start dated delayed 2-3 weeks due to procurement of materials – Scheduled to begin end of March.

Bowman pavement upgrade – Project design 60% complete

Calle de Parian replacement – Design complete – scheduled for bid advertisement on March 10th..

Trail – Design has been submitted to NMDOT for 60% review. Certifications underway

Picacho drainage engineering project – RFP closed – Engineer selection underway

NMED Violation – Draft of Emergency response plan and O & M manual is in the process of being reviewed. Bids for tank inspection and cleaning underway.

2019/2020 LGRF application submitted March 1, 2019