

**UNION COUNTY  
STATE OF NEW MEXICO  
ORDINANCE NO. #2018-5**

**AN ORDINANCE REPEALING ORDINANCE #5; REGULATING THE OWNING, KEEPING, IMPOUNDING AND DISPOSITION OF DOGS IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE COUNTY OF UNION AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NEW MEXICO:**

**Section 1. REPEAL Ordinance #5 is hereby repealed.**

**Section 2. LIMITATION ON NUMBER OF DOGS TO BE KEPT BY A FAMILY OR RESIDENTIAL UNIT**

A. It shall be unlawful for any family or residential unit to maintain at their place of resident within the County of Union for a period of time longer that seven days, more than fifteen (15) adult dogs.

**Section 3. VICIOUS DOGS**

A. It shall be unlawful for any person to keep any dog known to be vicious and liable to attack or injure human beings unless such dog is securely kept to prevent injury to any person.

B. It shall be unlawful to keep any unvaccinated dog with any symptoms of rabies.

C. It shall be unlawful to fail or refuse to destroy vicious dogs or unvaccinated dogs with symptoms of rabies as prescribed by regulation of the health and environment department for the protection of public health and safety.

D. Any person found to be in violation of this section may be fined up to \$300.00 or imprisoned up to 90 days or both.

**Section 4. DOGS WHICH ATTACK LIVESTOCK, PERSONS, ETC.; DOG PACKS; NO LIABILITY FOR KILLING SUCH DOGS**

A. If any dog shall harass, injure or kill any livestock, the owner or keeper of such dog shall be liable for all damages that may be sustained thereby, to be recovered by the party so injured before any court having competent jurisdiction.

B. It shall be the right of any owner of livestock so killed or injured by the actions of any dog to kill the dog while it is upon property controlled by the owner of the livestock.

C. It is unlawful to keep any dog after it is known that the dog is liable to kill or injure livestock and it shall be the duty of the owner or keeper to kill or have killed such dog. Anyone, including the Sheriff or his deputies of the County shall summarily kill any dog, if such dog is caught in the act of pursuing or wounding livestock, wounding or killing poultry, or attacking human beings.

D. Dogs running together at large are hereby declared to be a dog pack and a nuisance, dangerous to the health, safety, and welfare of the residents of the County. "At large" is defined as a dog who is off the owner's property and unaccompanied or not on a leash. It shall be the right of all individuals encountering a dog pack to disperse such immediately and if appropriate, kill the dogs comprising the dog pack.

E. There shall be no liability of any person, including the Sheriff or his deputies of the County, in damages or otherwise for killing of a dog as specified in this section.

**Section 5. VACCINATION OF DOGS REQUIRED**

Any person who owns or keeps a dog over the age of three (3) months in the County of Union shall have the dog vaccinated against rabies. All anti rabies vaccine shall be administered by or under the supervision of a licensed veterinarian, who shall issue a serially numbered certificate and tag for each such administration.

**Section 6. VACCINATION OF DOGS BROUGHT INTO COUNTY**

Any dog brought in the County of Union shall be securely confined by the owner or keeper until vaccinated against rabies which vaccination shall be administered within one (1) week after entry in the County unless the owner or keeper has a certificate of vaccination issued by a veterinarian in another, city, county, state, or foreign country, and such vaccination conforms to the requirements of the County and State. Any dog brought into this County which is under the age of three (3) months shall be securely confined by the owner or keeper until it reaches the age of three (3) months and is properly vaccinated.

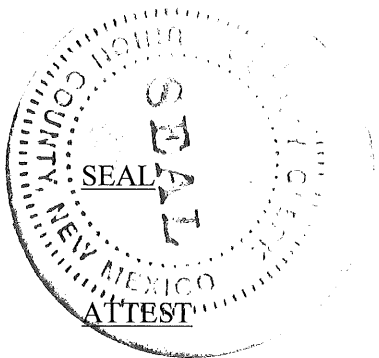
**SECTION 7. HUNTING DOGS**

Every owner of a bona fide hunting dog shall have such dog vaccinated against rabies. Sections 4 and Section 5 of this ordinance shall not apply to bona fide hunting dogs where the same are kept properly restrained or confined upon the owner's premises or while the same are lawfully used in connection with any lawful hunting activities carried on in the county.

**SECTION 8. PENALTY**

It is hereby declared to be a petty misdemeanor for any person who is the owner or keeper of a dog to fail to have the dog(s) vaccinated as herein provided; and upon conviction thereof, said person shall be fined the sum of Fifty Dollars (\$50.00), and each day's failure to comply shall constitute a separate offense.

**BOARD OF UNION COUNTY COMMISSIONERS**



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