



From:
The Office Of The
Picuris Pueblo Governor

Picuris Pueblo
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Penasco, New Mexico
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(505) 587-2519
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RESOLUTION #11/00

ANIMAL CONTROL AND PROTECTION ORDINANCE

WHEREAS, the Tribal Council of the Pueblo of Picuris' duties is to protect all people living within the trust lands,

WHEREAS, the Tribal Council recognize a need to protect the rights the public and of owners of companion animals such as, but not limited to aquatic life form and birds and the treatment of animals,

WHEREAS, the Tribal Council desires to formulate these matters in an orderly manner,

NOW THEREFORE BE IT ORDAINED AS FOLLOWS,

CONTAINMENT AND LIABILITY

1. All animals that cause injury and/or attacks a person(s) and/or another animal, by lawful command, shall be reported to the Tribal Police and Community Health Representatives (CHR). CHR's will handle injured victims and refer the patient to the proper medical provider/facility. Tribal Police will handle an investigation, enforce a mandatory ten (10) day tie up, and/or make a referral to Tribal Courts.
2. Each tribal house is limited to two (2) dogs and (2) cats, maintained and within the confines of their property. Any household that currently has more than 2 dogs and/or cats will need to get rid/give away the exceeding number of animals.
3. It is unlawful for the owner of any animal to allow the animal to commit any nuisances upon the property of any person other than the owner's premises.
4. If any dog is identified as "mean or vicious" that dog will be kept in a fenced area or kennel or leased at a safe distance from any visitors to the house.
5. The owner of a dog(s) who commits injury or attacks a person or another animal will be required to appear in Tribal Courts and be subject of the Tribal Courts and could face fines up to \$500 and/or ninety (90) days in jail.
6. There will be a limit of three (3) "attack/bite" offenses per animal. Any serious attack/bite that leads to injures such as, loss of limb or other physical disability condition including but not limited to permanent scarring, at which time the

animal will be confiscated and destroyed by a person designated by the Tribal Council. Tribal Police will monitor the number of attacks/bites of dogs.

7. Any dog or cat that attacks and/or otherwise inflicted bodily injury to any person(s) shall be leased or confined at once by the owner, for a mandatory ten (10) days, and proper authorities will be notified immediately. An animal that has rabies or shows signs of rabies will be destroyed.
8. Any dog found attacking livestock within the boundaries of Picuris Pueblo will be destroyed by an individual designated by the Tribal Council. The dog owner will be liable for any damages incurred by the dog(s).
9. Any person whose dog(s)/cat(s) has died will be responsible for burying the animal immediately. Failure to do so could result in a fine of up to \$300 or ninety days in jail.
10. Any sick or injured animal will be destroyed at the discretion of the owner and/or tribal official and/or designee of the governor with no liability for the animal.
11. Authorized tribal official(s) and/or designee of the Governor will have the authority to impound and/or destroy animals that are a nuisance and threat to the safety and well being of the public, such as stray animals, and will remove any dead strays from the highway and roads.
12. Owner's shall take proper care of their animals and shall not inflict upon these animals any form of abuse, cruelty or neglect.
13. Any person who is caught dumping dogs or cats within the boundaries of Picuris Pueblo could result in a fine up to \$500 and/or ninety days in jail.
14. This Animal Control and Protect Ordinance will be posted at the Pueblo entrances.
15. This resolution is subject to amendments at anytime, with prior discussion.

VACCINATION, SPAY/NEUTER AND REGISTRATION OF ANIMALS

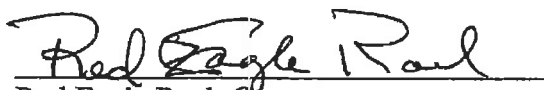
1. It is the duty of all persons owning or maintaining a dog or cat over the age of three (3) months to annually have their animal(s) vaccinated against rabies and other canine /feline diseases, and to be able upon request to provide proof of vaccinations. Failure to vaccinate animals will be subject to Court Action.
2. The vaccination tag shall serve as evidence of registration and shall be worn by the animal at all times on a collar, any dog or cat found within the boundaries of Picuris Pueblo not wearing a current rabies tag will be subject to a fine.
3. It is the duty of all persons owning or maintaining a dog or cat over the age of six (6) months to have their animal(s) spayed or neutered. Individuals using animals for breeding purposes

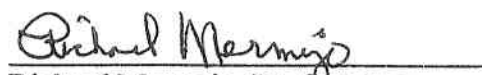
DEFINITIONS: For the purpose of animal control the following words shall have the following meanings, unless otherwise required.

1. Animal – any vertebrate member of the animal kingdom, excluding man.
2. Abuse – to torture, mutilate, torment, deprive of food, water and shelter, beat, kill or overdrive an animal. Abuse of an animal or cruelty to an animal.
3. Bite – an actual puncture or tear of the skin inflicted by the teeth of an animal
4. Damages – injury due to an attack both to person(s) and other animals. Owners are subject to monetary liability and civil fines.
5. Nuisance – defecation, urination, disturbing the peace, trailing persons, turning over trash receptacles, destruction of a person's property, or other endangering the health or well being of the inhabitant of Picuris Pueblo.
6. Owner – a person who owns, harbors or keeps, or knowingly causes or permits an animal to be harbored and is responsible for the animal's existence.
7. Person – an individual, household, firm, partnership, corporation, company, society, association and every other office, agent or employee thereof.
8. Premises – An immediate and marked parcel of land where a house is located.
9. Stray – any animal that has no owner or proper identification tags, and wanders from home to home.
10. Vaccination – Shots administered annually to protect against infectious diseases.
11. Vicious Animals - Any animal, which shall bite or in any manner attack any person.
12. Non-Vicious Animal – Any animals that attacks or attempts to attack any person that is unlawfully trespassing on the owner's premises, or an animal which is provoked to attack.

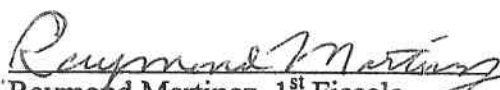
CERTIFICATION

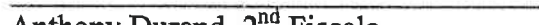
I hereby certify that the foregoing Resolution was considered and adopted at a duly called Tribal Council Meeting held on this 15th day of May, 2000 at which time a quorum was present and the same was approved by a vote of 8 in favor, 0 opposed and 2 absent.



Red Eagle Rael, Governor

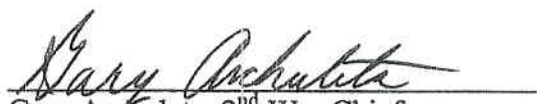

Richard Mermejo, Lt. Governor


Carl A. Tsosie, Tribal Sheriff


Raymond Martinez, 1st Fiscale

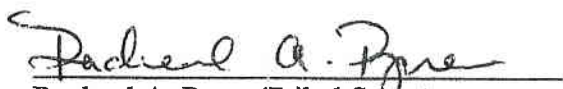

Anthony Durand, 2nd Fiscale


Manuel Archuleta, 1st War Chief


Gary Archuleta, 2nd War Chief


Emmett Archuleta, 3rd War Chief

Attest:


Racheal A. Pyne, Tribal Secretary