

CITY OF BLOOMFIELD

ORDINANCE #462

WHEREAS, the City of Bloomfield has numerous public events and/or festivals throughout any given year; and

WHEREAS, the City of Bloomfield wants said public events and/or festivals to be a safe place for all citizens young and old to enjoy the festivities; and

WHEREAS, in recent history the City of Bloomfield has had incidents involving large pets, up to an including dog bites that interfered with the peaceful enjoyment of said festivities; and

WHEREAS, the City of Bloomfield strives to protect its citizen's safety and to ensure no citizen is at risk of pet bite(s) in the future.

The Council hereby amends the Code of Ordinances of the City of Bloomfield, New Mexico, by adding a new section to Chapter 4 – Animals and Fowl, Article II – Pets, Division 1- Generally to read as follows:

Leashing; pets prohibited in certain places; exceptions.

A. Any person owning, harboring, or possessing a pet shall restrain such pet by a leash not to exceed eight feet in length while such pet is off its owner's or keeper's premises.

B. Pets are prohibited in any restaurant, grocery, or other store where perishable goods are sold without the express permission of the owner of said restaurant, grocery or other store.

C. Pets are prohibited at special events; exceptions

(1) It shall be unlawful for the owner of any pet to permit or allow such pet to be present at any special event in the City or to be upon City-owned property. For purposes of Subsection C, a special event shall include, but not be limited to the following activities upon City owned property: Bloomfield Days, San Juan River Balloon Rally, Easter Egg Hunt, Miscellaneous Patriotic Holiday celebrations and Christmas; Celebration of Lights and Santa in the Park. A special event shall also include any other specifically approved event conducted, at least in part, upon City-owned property and which will or may involve significant public assembly or public gathering.

(2) The posting of signage by the host of a special event, to the effect that pets are not permitted at the special event, shall be presumptive evidence that said

event will or may involve significant public assembly or public gathering and will be conducted, at least in part, on City property.

(3) The prohibition herein shall not apply to an owner whose pet is confined within an automobile, crate, cage or similar structure that prevents a pet from causing personal injury or damage to personal property.

(4) The prohibition of this ordinance may be waived by special approval of the City Manager or his or her designee.

(5) There shall be excluded from this Subsection C any owner of a pet which is defined under §28-11-1.1 *et seq* Chapter 28, Article 11 NMSA 1978, Assistance Animal Act, as the same may be amended from time to time, as a guide pet, hearing pet, service pet, working search pet, therapy pet, detection pet, war pet, or any other pet which may be utilized by law enforcement agencies within the jurisdiction of the City, or which are professionally trained service animals utilized by persons with disabilities.

This Ordinance shall be effective five days after notice of its adoption has been published as provided by law.

PASSED, APPROVED AND ADOPTED THIS 22nd DAY OF JULY, 2013.

ATTEST:


Jamie L. Turrentine, City Clerk


Scott Eckstein, Mayor