

City of Aztec
Ordinance 2024-553
An Ordinance Amending Sec. 1-12. Mandatory Penalty and Fees of Chapter 1

WHEREAS, the animal references within the Chapter 26 Land Use regulations are being removed; and

WHEREAS, those animal references are being incorporated into Chapter 5 Animals; and

WHEREAS, fines for said animal code needs to be updated within Chapter 1, Section 12 Mandatory Penalty and Fees.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico, that the Intent to Adopt Ordinance 2024-553, be adopted as attached.

PASSED, APPROVED AND SIGNED this ____ day of _____, 2024 and to become effective July 1st, 2024.

Michael A. Padilla, Sr., Mayor

ATTEST:

Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption: _____

Effective Date of Ordinance: _____

Chapter 1

Sec. 1-12. Mandatory Penalty and Fees; Disposition and Use of Fees.

1. Mandatory Penalty. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, the maximum penalty for violation of any municipal ordinance shall be as follows:

- (1) Except for those violations of ordinances described in subsections 1-2 and 1-3 of this section, a fine of not more than five hundred dollars (\$ 500.⁰⁰) or imprisonment for not more than ninety (90) days or both;
- (2) For violations of an ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor or drugs, a fine of not more than nine hundred and ninety-nine dollars (\$ 999.⁰⁰) or imprisonment for not more than one hundred seventy-nine (179) days or both; and
- (3) For violations of a industrial user waste-water pretreatment ordinance as required by the United States Environmental Protection Agency, a fine of not more than nine hundred and ninety-nine dollars (\$ 999.00) a day for each violation.

(Code 2007, 1-12-1)

2. Specific Penalty Schedule. A fine schedule for specific penalties.

(3) *Animals*. In reference to [Chapter 5](#).

Citing	Title	Appearance Required	Fine Amount
5-223	Unauthorized Removal of Animals	No	\$ 100
5-235	Failure to Return Adopted Animal for Spay/Neuter Surgery	No	\$ 200
5-301	Liability of Damages Caused by Animal	Yes	Set at Hearing
5-302	Restraint Devices	No	\$ 150
5-303	Identification Required	No	\$ 65
5-401	Interference with Animal Control Officer	Yes	Set at Hearing
5-402	Service Animals Trained to Assist	No	\$ 300
5-403	Fraudulent Use of Rabies and License Tags	No	\$ 100
5-421	Inhumane Treatment of Animals	Yes	Set at Hearing
5-422	Foot hold Traps Prohibited	Yes	Set at Hearing
5-431	Animals At Large		
	1 st Offense	No	\$ 100
	2 nd Offense	No	\$ 150
	3 rd Offense	No	\$ 200

Citing	Title	Appearance Required	Fine Amount
	4 th Offense	No	Set Hearing
5-432	Animals Disturbing the Peace		
	1 st Offense	No	\$ 100
	2 nd Offense	No	\$ 150
	3 rd Offense	No	\$ 200
	4 th Offense	No	Set at Hearing
5-433	Animal Defecation: Clean-Up	No	\$ 100
5-441	Sale Or Gift of Animals	No	\$ 200
5-442	Animals On Unenclosed Premises		
	1 st Offense	No	\$ 100
	2 nd Offense	No	\$ 150
	3 rd Offense	No	\$ 200
	4 th Offense	No	Set at Hearing
5-443	Unlawful Retention Of Strays	No	\$ 75
5-444	Poultry		
	1 st Offense	No	\$ 100
	2 nd Offense	No	\$ 150
	3 rd Offense	No	\$ 200
	4 th Offense	No	Set at Hearing
5-445	Limit Number of Animals	No	\$ 100
5-501	Rabies Vaccination Required	No	\$ 75
5-601	Dangerous Animal	Yes	Set at Hearing
5-721	Intact Animal Permit Required	No	\$ 250
5-731	Limit on the Number of Dogs and Cats (Multiple Animal Permit Required)	No	\$ 250
5-741	Breeder Permit Required	No	\$ 250
5-742	Enclosure for Breeding Animals	No	\$ 50
5-801	Mandatory Spaying and Neutering	No	\$ 250

(Ord. 2024-545, eff. 2024-July-1; Ord. 2023-529, eff. 2023-May-31; Ord. 2018--485, eff. 2019-Jan-13; Ord. 2018-472, eff. 2018-May-01; Ord. 2014-438, eff. 2014-Mar-18)