

Title X – Natural Resources and Animals

Chapter 3 – Animal Control

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Section 10-3-7. - Impoundment of animals.

A. *Animals running at large/strays.*

1. Any domestic animal may be captured by an Animal Control Officer and checked for a tag or other identifying marks.
2. Any livestock may be checked for identifying brands, tags, ~~and~~ or marks by an Animal Control Officer, Law Enforcement Officer, or ENRD Staff.
3. If no identifying tags or markings are found, the animal shall be impounded in the holding facility that has been designated for that purpose. The animal will be confined in a humane manner.
4. If identifying tags are found, and records indicate current vaccinations and registration, the animal may be released or returned to its owner without impoundment.
5. If identifying tags are found, but records indicate that vaccinations, spay/neuter, or registration are not current, or are not in compliance with this chapter, the animal may be impounded with disposition in accordance with section 7.B or the owner will be notified of non-compliance and actions appropriate to this code taken to remedy non-compliance.

B. *Disposition of impounded animals.* The Animal Control Officer will determine the disposition of an impounded animal based upon the ownership, registration, vaccination, licensing, and behavioral status of the animal as follows:

1. Where an owner is identified, the animal is registered and wearing license tag, and the animal's vaccinations are current:
 - a. The Animal Control Officer will contact the owner within twenty-four (24) hours and such owner will be required to claim their animal within three (3) days after notification.
 - b. An animal which has not been claimed by its owner before the expiration of the three (3) day period, shall become the property of the Pueblo, and may be adopted in accordance with Section 7.F, released to an outside holding agency, or euthanized.
 - c. If the animal's owner cannot be contacted within three (3) days, the animal shall become the property of the Pueblo, and may be adopted in accordance with Section 7.F, released to an outside holding agency, or euthanized.
2. Where an animal not registered or licensed, and no owner is known: The Animal Control Officer will hold the animal for a period of not less than one (1) day, after which it may be adopted by any adult pursuant to Section 7.B.4 or in the absence of such claim will be released to an outside holding agency or euthanized in the discretion of Animal Control Division. The Animal Control Officer shall post a description and information regarding the animal's impoundment and disposition in a conspicuous place for a period of at least one day (24 hours).
3. If the Animal Control Officer determines that an animal may be vicious, a nuisance, disturbing the peace, or suspected of having rabies or other communicable disease, the Animal Control Officer may hold the animal and/or release the animal to an outside holding agency to be held until legal or health issues have been resolved. Animal Control will implement the disposition of the Pueblo Court regarding legal determinations of an animal and will implement veterinarian recommendation related to health issues of an animal.
4. Any adult wishing to ~~adopt~~ claim an impounded free-ranging ~~canine animal~~ in the control of the Animal Control Officer will be allowed to ~~adopt~~ claim the animal in accordance with Section 7.F;

~~but must return to the Animal Control Division within seven (7) calendar days and show proof to the Animal Control Officer that the animal is registered, vaccinated, and spay/neutered.~~

5. If any impounded animals ~~are~~ not claimed or fees paid within the indicated timeframes, or the animal has been released to an outside holding agency, the Animal Control Officer will not return the animal to the owner.
- C. *Right to redeem.* Where an animal is under the control of the Pueblo of Laguna Animal Control Officer, the owner of any animal impounded under this Code shall have the right to redeem the animal upon the payment of impounding fees, care and feeding charges, veterinary fees, if any, and such other reasonable costs as may be set by the Pueblo of Laguna, under its regulation and rulemaking authority. However, alleged vicious animals being held pending disposition or animals that the Pueblo of Laguna Court has determined should be destroyed may not be redeemed or released.
- D. *Animals with complaints filed.* If a complaint has been filed in the Laguna Pueblo Court against the owner of an impounded animal for violation of this chapter, the animal shall not be released or any further action taken, until the matter has been come before determined by the Court, and a release order issued. The owner may be directed to pay penalties for violation of this Code in addition to all impound fees, care and feeding charges, and veterinary fees, if any. The cost for holding a cat or dog on the Pueblo shall be dismissed in the event the Court determines that circumstances dictate that the animal was not the cause of injury or damage.
- E. *Impoundment fees.* Impounded animals may be reclaimed upon payment by the owner of any charges and/or fees which may consist of the following:
 1. *Impoundment fee.* The Public Safety Department determines and imposes the initial fee for the collection of the animal.
 2. *Boarding charge.* A boarding charge per day of confinement will be imposed for the housing of any impounded animal. The fees and charges are set by the Public Safety Department.
- F. *Adoption of impounded animals.* The Public Safety Department may release to an adult for adoption any healthy, non-vicious animal that has been impounded, but not released to an outside entity. The cost of the adoption shall be the cost of any charges incurred or fees imposed by the Public Safety Department. The adopting adult must return to the Animal Control Division within seven (7) calendar days and show proof that the animal is vaccinated, and, if no exception applies, spay/neutered.

([Res. No. 86-18](#), 12-15-2018)



PUEBLO OF LAGUNA COUNCIL

Resolution No. 64-21

Re: Amending Section 10-3-7 of the Pueblo of Laguna Code related to Impoundment of Animals to authorize euthanization and to make other clarifications

At a duly called meeting of the Pueblo of Laguna Council held on the 19th day of November, 2021, the following Resolution was adopted:

WHEREAS, the Pueblo of Laguna (“Pueblo”) is a federally recognized Indian tribe with all the inherent sovereign governing powers; and

WHEREAS, the Pueblo of Laguna Council (Council) is the governing body of the Pueblo with the authority to establish and enforce ordinances providing for the maintenance of law and order under Article IV, Section 2(e), of the Pueblo of Laguna Constitution (2012); and

WHEREAS, the Council adopted the current version of Section 7 of the Animal Control Ordinance on December 15, 2018, by way of Resolution No. 86-18, which did not provide for euthanization of impounded animals; and

WHEREAS, the Council declared on July 23, 2021, that an update of the current Animal Control Ordinance was a priority and directed the Judicial and Public Safety Committee and the Legislative Policy Committee (Committees) to consider and recommend improvements to Section 10-3-7; and

WHEREAS, the Committees recommend that the Pueblo’s current Animal Control Ordinance be amended to provide the Pueblo’s Public Safety Department with the authorization to euthanize animals impounded for being at large without the necessity of finding the animal vicious and to make other clarifications.


NOW, THEREFORE BE IT RESOLVED, that the Council hereby approves and enacts the attached version of Section 10-3-7, entitled “Impoundment of Animals” to amend the version as adopted by Resolution No. 86-18 to authorize euthanization of impounded animals and to make other clarifications.

BE IT FURTHER RESOLVED, that the Council directs the Governor to execute this resolution enacting amendments to Section 10-3-7, to cause such amendments to be codified and

published in the Pueblo of Laguna Code, and to enforce the said law as amended effective **November 19, 2021.**


Governor


Council Member


Council Member

ATTEST:


Pueblo Secretary

Resolution No. _____

CERTIFICATION

The foregoing Resolution was enacted by the Pueblo of Laguna Council on the 19th day of November, 2021, by a vote of 17 in favor and 3 opposed, at a duly called meeting at which a quorum of Council was present.


Governor

ATTEST:


Pueblo Secretary