

Workshop–January 22, 2008

The Board of Trustees of the Village of Tularosa met in a Workshop setting on Tuesday, January 22, 2008 at 7:00 P.M. in the Court/Conference Room of the Public Safety Facility located at 609 St. Francis Drive, Tularosa, New Mexico.

The purpose for the Workshop was to review the Sign and Dangerous Dog Ordinance.

Present: Mayor Ray S. Cordova, Trustee Patrick Garcia, Trustee Margaret Trujillo, Trustee Thomas McKean and Village Clerk Dianna Brusuelas.

Absent: Trustee Gloria Sainz.

Mayor Ray S. Cordova announced that the workshop was to review the Sign Ordinance, the Dangerous Dog Ordinance and requested that all present stand and recite the Pledge of Allegiance.

Item 1. Consideration of Agenda

Trustee Margaret Trujillo moved to consider the agenda and was seconded by Trustee Patrick Garcia.

Roll Call Vote: Trustee Garcia, aye. Trustee McKean, aye. Trustee Trujillo, aye. Motion carried with all Members of the Board voting aye.

Item 2. Discussion of Sign Ordinance

Trustee Thomas McKean wondered whether the word “amending” was the proper word since the Village was redoing the whole new ordinance. Also discussed was the omission of the words “stating purpose” on the bolded area of the Notice of Proposed Ordinance. As the Board of Trustees went through the Sign Ordinance these were the changes they proposed.

Discussion on the variance procedure for signs ensued. Village Clerk Dianna Brusuelas suggested that if the Board did not want the variance fee for signs to put that the variance procedure does not apply to signs. Trustee Thomas McKean was against that.

On the actual ordinance:

1.

Again asking the attorney if the word “amending should be “replacing” on the bolded part of the ordinance.

2.

Adding the words “stating purpose” on the bolded part of the ordinance.

3.

Adding the letter 'p' to roviding.

4.

Delete 153.03(A)(2).

5.

Renumber 153.03(A)(3) to 153.03(A)(2)

6.

On 153.03(C) add the words “chairman of” and delete the word “and” after the words 'reviewed by the'.

7.

153.05(B)(2) (sp) linear feet.

8.

Delete the sentence on 153.08(D)(2) and replace with “Banners, tent placards or signs of a temporary nature must be clear of sidewalk access.”

Next the Board of Trustees reviewed the Dangerous Dog Ordinance and decided on the following:

1.

95.44 A The spelling of the words 'to the' and change the word district to Municipal Court”.

2.

95.44 B Change the word district to “municipal”.

3.

95.44 D(2) Change the word district to “municipal”.

4.

95.44 Add “H” to 95.44 and the words “Upon a 2nd conviction the court may

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order that the dog be humanely destroyed or removed from the Village of Tularosa limits.”

4.

95.45 A Change the word established to “establishes”.

5.

95.45 A(7) Delete “;and”.

6.

95.45 A(8) Delete the whole sentence.
7.

95.45 B Change Section 95.41 to "Section 95.42".
8.

95.46 B Change the word Magistrate to "Municipal."

Change the word State to "Village of Tularosa."

Put a period (.) after the words Dog Act.

Delete "and upon conviction shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978, and the State Dangerous Dog Act."

Add new section:

95.

47 Dangerous Dog Additional Enforcement

A. No homeowner shall be allowed to own three (3) dogs that have been deemed dangerous or potentially dangerous in accordance with Village of Tularosa ordinance.

1.

Once a dog is deemed dangerous or potentially dangerous by the courts in accordance with Village of Tularosa ordinance, owners will be required to carry a \$100,000 liability insurance or be able to secure the dog with a bond.

2.

The courts may impose a fine of up to \$500.00, a jail term of up to ninety (90) days; and/or require spaying or neutering of any dog deemed dangerous or potentially dangerous.

3.

The court may impose a fine of up to \$500.00; and/or a jail term of up to ninety (90) days if any dog is deemed dangerous or potentially dangerous that is at large without a muzzle or a leash.

4.

Change the 2007 to "2008".

5.

Add the signature line for Attorney

6.

Add: First Publication, Final Publication, Effective date

At 9:15 P. M. Trustee Thomas McKean moved to adjourn and was seconded by Trustee Patrick Garcia with all present voting in the affirmative.

The written minutes are the official minutes of the meeting. The recorded tapes are part of the minutes only for interpreting any ambiguity in the written minutes. When the minutes are approved and signed the written minutes are the official minutes of the meeting.

Ray S. Cordova, Mayor

ATTEST:

Dianna R. Brusuelas, Village Clerk

Minutes approved by the Board of Trustees at the Regular Meeting
of February 19, 2008.