



**PUEBLO OF JEMEZ TRIBAL COUNCIL RESOLUTION NO. 2026 - 13**

**AUTHORIZE THE REPEAL OF RESOLUTION NO. 2022-33 ADOPTING THE PUEBLO OF JEMEZ DOG AND CAT CONTROL ORDINANCE AND AUTHORIZE THE ADOPTION OF AN TITLE XIX - THE PUEBLO OF JEMEZ ANIMAL CODE**

At a duly called meeting of the Tribal Council of the Pueblo of Jemez on the 17th of April 2026, the following resolution was adopted:

**WHEREAS**, the Pueblo of Jemez is a federally recognized sovereign tribal government empowered through the Governors and Tribal Council to exercise all governmental powers including enacting tribal laws to govern tribal members and all resources within the boundaries of its Pueblo lands; and

**WHEREAS**, in exercise of its sovereign authority, the Pueblo of Jemez Tribal Council on October 31, 2022 pursuant to Resolution No. 2022-33 adopted the Pueblo of Jemez Dog and Cat Control Ordinance, thereby repealing the 1998 Dog and Cat Control Ordinance; and

**WHEREAS**, the Pueblo of Jemez Tribal Courts, Law Enforcement Department and Jemez Health and Human Services Injury Prevention Program all of whom are responsible for implementing and enforcing the 2022 Dog and Cat Control Ordinance have determined that to effectively enforce the Ordinance and improve the services provided through implementation of the Ordinance that the 2022 Ordinance needs to be repealed; and

**WHEREAS**, the aforementioned Tribal Departments and Programs, in collaboration with the Code Committee, have drafted, reviewed, and proposed revisions to the new Title XIX the "Pueblo of Jemez Animal Code" and collectively recommend adoption of the "Pueblo of Jemez Animal Code" and that it be incorporated into the Pueblo of Jemez Tribal Code, and

**WHEREAS**, the "Pueblo of Jemez Animal Code" has been presented and explained to the Tribal Council for consideration and approval and the Tribal Council deems it to be in the best interest of the Pueblo to adopt the Code.

**NOW THEREFORE BE IT RESOLVED THAT** the Pueblo of Jemez Tribal Council hereby **REPEALS** the Dog and Cat Control Ordinance of 2022 and adopts TITLE XIX, the "Pueblo of Jemez Animal Code", attached hereto as Exhibit A which shall become effective immediately.


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***Office of the Governor***

4471 Highway 4, Box 100 • Jemez Pueblo • New Mexico • 87024  
(575) 834-7359 • Fax (575) 834-7331

**CERTIFICATION**

I, THE UNDERSIGNED, as Governor of Pueblo of Jemez do hereby certify that the Jemez Tribal Council at a duly called meeting which was convened and held on the 17<sup>th</sup> day of April, 2026, at Pueblo of Jemez, New Mexico, approved the foregoing resolution that a quorum was present and that 9 voted for and 0 opposed and 0 abstained.

  
John Galvan, Governor

ATTEST:   
1<sup>st</sup> Lieutenant Governor

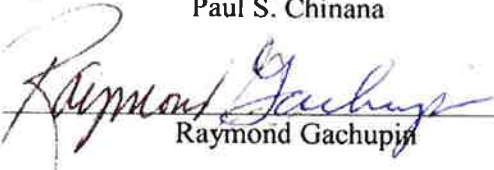
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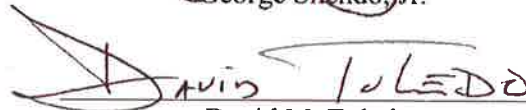
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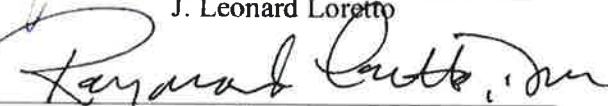
  
David M. Toledo


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Dominic Gachupin

  
Joseph A. Toya

  
J. Leonard Loretto

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Vincent A. Toya, Sr

  
Raymond Loretto, DVM

  
David R. Yepa

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James Roger Madalena

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## TITLE XIX

### PUEBLO OF JEMEZ ANIMAL CODE

#### CHAPTER 1. INTRODUCTORY PROVISIONS

##### Section 19-1-1 Title, Purpose and Jurisdiction

A. The Code enacted by the Pueblo of Jemez Tribal Council on October 31, 2022, entitled "Dog and Cat Code," is hereby amended and superseded. The title of this amended Code shall be the "Pueblo of Jemez Animal Code." This Code does not preclude Pueblo of Jemez Law Enforcement Department from enforcing Sections 30-2-49 through 30-2-55, of the Pueblo's Criminal Code. Any non-Indian violating this Section shall be subject to civil penalties as deemed appropriate by Tribal Court.

B. The purpose of the Pueblo of Jemez Animal Code is to protect animals from neglect and abuse, protect Jemez Pueblo residents and visitors from injury and annoyance by animals, promote health, safety and welfare of the Jemez Pueblo residents and animals, assist in providing control of animals, establishing fees, rules and regulations for matters under this Code and set penalties for violation of this Code.

C. The Pueblo of Jemez shall have jurisdiction over all animals as defined by this Code which are located within the lands of the Pueblo of Jemez. The Pueblo of Jemez Animal Control Officer shall have the primary responsibility for enforcing this Code, however, nothing in this Code is intended to limit the enforcement authority of the Pueblo of Jemez Law Enforcement Department and Tribal Officials from also enforcing any provisions in this Code.

D. Any person in possession of an animal within the bounds of the Pueblo of Jemez shall consent to follow all rules of the Pueblo of Jemez Animal Code.

**Section 19-1-2            Definitions. For purposes of this Code**

A. "Animal" - means a dog, cat, or any other mammal, but does not include man, or animals that are wild by nature and livestock, or any type of poultry.

B. "Animal Control Officer" - means a Pueblo of Jemez Animal Control Officer or any other duly authorized officer or employee responsible for enforcement of this Code.

C. "Animal Shelter" - means a facility that provides security, care and quarantine to animals subjected to impoundment by Animal Control Officers.

D. "Backyard Breeders/Hobby Breeders" - means any person(s) involved in animal activities such as but not limited to showing or controlled breeding of dogs/cats.

E. "Dangerous Animal" means animal which, when unprovoked, engages in behavior that requires a defensive action by a person to prevent bodily injury to a person or another animal which is off the property of the owner of the animal in question. Also, means an animal which, when unprovoked, injures a person in a manner which does not result in muscle tears or disfiguring lacerations or require extensive corrective or cosmetic surgery.

F. "Poultry" means domesticated fowl collectively, especially those valued for their meat and eggs, as chickens, turkeys, ducks, geese, and guinea fowl.

G. "Dogfighting/Bloodsport" - means any person(s) who arrange or engage in any

activity, where an organized fight is arranged between dogs for entertainment and betting.

H. "Household" – A human social or family unit comprised of persons living, residing and domiciled in the same residence, whether related or not.

I. "Livestock" - means all animals of the genera: equine ("Horses"), bovine ("Cattle"), ovine ("sheep"), caprine ("goats") and porcine ("pigs").

J. "Owner" - means a person eighteen (18) years of age or older, or the parent or guardian of a person under eighteen (18) years of age, or a responsible person who owns, keeps, cares for, or knowingly allows an animal to remain in, on or about his or her household, residence or premises.

K. "Running at Large" – An animal beyond the boundaries of the owner's premises and free from the owner's control is running at large. Free from owners control means those animals that are not contained by the owner within the owner's home or premises.

L. "Secure enclosure" – An area to which casual access is impeded by some means, such as a door, gate, lock, or latch, usually with a surrounding fence.

M. "Service Animal"- An animal that is individually trained to do work or perform tasks for someone living with a disability. A service animal is not a pet. A person with a disability is someone who has mental or physical impairment that substantially limits at least one major life activity. A service animal does not require its owner to use a professional trainer. Animals who solely provide emotional support or comfort are not service animals.

N. "Trained Guard Dogs" - A trained guard dog is a working canine trained to patrol and protect specific property, acting autonomously to alert, intimidate, or attack intruders.

O. "Unprovoked injury" – Is an injury to a person or domestic animal caused by the conduct of an animal that poses a threat to the public safety. The threat to the public by the animal may be a result of chasing, menacing a person or domestic animal in an aggressive manner and without provocation, or acting in a highly aggressive manner within a public place.

P. "Vicious Animal" means an animal which kills or severely injures (to result in muscle tears or disfiguring lacerations, require multiple sutures or extensive corrective or cosmetic surgery) a person or domesticated animal. Vicious animal does not include an animal which bites, attacks or injures a person or animal that is unlawfully upon its owner's premises or an animal that has been provoked by a person in a manner that entices the animal's behavior and actions.

Q. "Working Animal" – For the purpose of this Code, a working animal is any dog or animal that has been specifically trained to work livestock, irrespective of its breeding. Working animals do not include service dogs.

## **CHAPTER 2 Animal Owner's Duties and Responsibilities.**

### **Section 19-2-1 Limit on Number of Animals**

1. Within the Pueblo Boundaries, only 2 animals (dog/cat) per household are allowed to keep and ensure the tranquility of the Pueblo area, with exception of service animals.
2. Backyard Breeding/Hobby Breeders and breeding of dogs/cats whether planned or unplanned is prohibited.

3. No person or any one household shall own, harbor, maintain or keep more than a combined total of two (2) animals (dog and/or cat). A pregnant dog or cat is temporarily exempted from this rule. Excess animals shall be placed in suitable homes by the owner within 2 months of birth, provided that upon such placement the new owner shall be responsible for full compliance with this title.

4. Service and working dogs may be exempt from this limitation upon evaluation and approval from the Injury Prevention Personnel. The owner of a service dog and working dog must abide by the responsibilities outlined in this Code.

#### **Section 19-2-2 Exceeding Limit**

An owner who exceeds the limit for animals will be issued a warning for the first violation by the Animal Control Officer requiring removal within 30 days. A second violation will result in a fine of \$5.00 per day for each animal over the limit until the owner complies with the Code limit.

Continued failure to comply with the animal limits may also result in the excess animals being removed from the custody of the owner and taken to the Animal Shelter. Inspections will be conducted to verify compliance. Violation of this section will result in a five (5) year restriction on animal ownership.

#### **Section 19-2-3 Proper Identification**

All dogs and cats must have their most current rabies tag and registration tag always attached to their collar. All dogs and cats must also have proper identification tags attached to their collars or embedded with a microchip. The tag shall include the owner's name, physical address, phone number, and the animal's name. All dogs and cats must be registered at the Public Health Environmental Health Program. If an untagged animal is picked up by Animal Control, it will be considered a stray and transported to the Animal Shelter. Failure to comply with this subsection

will result in a fine in an amount set by the court not to exceed \$500.00. Two violations will result in a calendar restart, any violations after will result in a lifetime ban.

**Section 19-2-4          Vaccines Required**

1. It is the duty of the owner to have all animals vaccinated against rabies and other vaccinations recommended by a veterinarian. All animals must have their current rabies tag always attached to their collar.
2. All dogs and cats over the age of six (6) weeks, owned, kept or maintained within the boundaries of the Pueblo of Jemez, shall be registered and licensed by the owner with the assistance of the Animal Control Officer and/or designated official. The Animal Control Officer and Injury Prevention Program will maintain registration records at a centralized location.
3. Presentation of a certificate, attesting to vaccination against rabies, together with vaccination tag shall be considered as registration.
4. Upon registration of s dog or cat, the vaccination tag will be considered the license tag for such animal.
5. The owner is solely responsible for ensuring that all vaccinations are current and shall provide proof, upon demand, of such vaccinations. Failure to keep the required vaccinations current or failure to provide proof of vaccinations will result in a \$25.00 fine. Failure to comply in a timely manner will result in additional criminal charges under Section 19-5-4 of this Animal Code.

**Section 19-2-5          Proper Care and Maintenance**

It is the responsibility of the owner to provide adequate shelter, fresh food and water for their animals at all times and a clean-living environment. Clean water must always be available and accessible. Owners are also responsible for providing adequate veterinary care for an injured or sick animal. Depending on severity or condition of an animal, it could lead to criminal charges under Section 19-5-4 of this Animal Code being filed for Animal Neglect and or Cruelty under this Animal Code.

**Section 19-2-6          Running at Large**

No animal is allowed to run at large, roam or create a nuisance on another person's property or public areas of the Pueblo to include residential areas, on state highway right -of -ways and in areas designated as the farmlands. All animals must be within the control of their owner, confined or physically restrained in a manner that it cannot escape. First offense for an animal running at large will result in a \$25.00 fine. Second offense will result in a \$50.00 fine. The third offense will result in a \$100.00 fine. Four or more offenses will result in having the animal removed from its owner.

**Section 19-2-7          Animals Must be on Leash**

All animals accompanying/following their owner off their property must remain on a leash at all times. The leash must be affixed to the animal by a properly fitted collar or body harness. It must be in control of their owner at all times. The first violation will result in a warning. A fine of \$50.00 will be assessed for the second violation. A \$100.00 fine will be assessed for third violation. Subsequent violations will result in criminal charges under Section 19-5-4 of this Animal Code. Exemptions for having animals on a leash will be made for individuals exercising outside the Pueblo of Jemez residential area.

**Section 19-2-8      Proper Restraint**

It is unlawful for an owner to tie up an animal in a cruel or inhumane manner. Any restraint line (chain, rope, or cable) must be a minimum of eight (8) feet in length and affixed to the animal by use of a comfortable fitted collar or harness. All dogs shall be penned up or tied up during religious activities. The first offenses will result in a warning or a fine depending on the circumstances. A second offenses will result in a fine along with the animal being removed from the owner and taken to the Animal Shelter with a seventy-two (72) hour hold placed on the animal before it can be returned to the owner. A third offenses will result in loss of the animal along with a fine, and possible incarceration for up to 90 days for any owner within the criminal jurisdiction of the Tribal Court. Additional fines and/or criminal charges will be determined by the severity of the violation. All fines and criminal charges under Section 19-5-4 of this Animal Code will be applied to this section.

**Section 19-2-9      Nuisance Animals**

Any owner shall not allow an animal to bark, howl or make noise continuously or for an extended period of time in a manner that annoys the neighbors and/or disturbs the peace and tranquility of the neighborhood. The first violation will result in a warning. A fine of \$50.00 will be assessed for the second violation. A \$100.00 fine will be assessed for third violation. Four or more violations will result in a petition being filed in court to have the animal removed from its owner.

**Section 19-2-10      Animal Neglect or Cruelty**

No owner shall willfully or through negligence injure or mistreat an animal by physical abuse; failure to provide food, water or veterinary care; failure to provide adequate shelter; or by other

acts of cruel and inhumane treatment. Except as provided for in Section 19-4-3 no person shall willfully or maliciously kill or injure any animal by shooting, striking, poisoning or any other means. A violation of this subsection will result in a fine up to \$5000.00, loss of the animal and possible incarceration for up to six (6) months for any owner or person within the criminal jurisdiction of the Tribal Court. Fines and/or criminal penalties will be determined by the severity of the violation. Violation of this section will result in a five (5) year restriction on animal ownership.

**Section 19-2-11      Abandonment of Animal**

1. No person shall abandon or dump any animal within the boundaries of the Pueblo of Jemez. A violation of this subsection will result in a fine up to \$5000.00, loss of the animal and possible incarceration for up to six (6) months for any owner or person within the criminal jurisdiction of the Tribal Court. Fines and/or criminal penalties will be determined by the severity of the violation. Nothing in this section shall be construed to prohibit the release of an animal by its owner to a public or private animal shelter or other releasing agency.

**Section 19-2-12      Responsible for Restitution of Damages**

In the event that any animal damages public or private property or causes injury to any person or animal and such injury or damage is the result or element of a violation of this Code, the owner of such animal may be required by the Tribal Court to make restitution to the victim of such damage or injury. If an individual cause injury to an animal, the owner of the animal can seek restitution for such injuries.

**Section 19-2-13      No Retaliation**

An owner who has been reported for a violation of the Code is prohibited from taking retaliatory action against the individual who reports a violation of this Code. Fines and criminal charges under Section 19-5-4 of this Animal Code will be applied to this section.

**CHAPTER 3            Stray Animals, Animals Taken to the Animal Shelter**

**Section 19-3-1            Stray Animals**

All Stray animals picked up by Animal Control Officers will be taken for proper disposition for the requisite 72-hour period to the Animal Shelter. Disposition of the animal, once taken to an Animal Shelter that is located outside Jemez Indian Reservation, shall be done according to said Animal Shelter's policies and procedures.

**Section 19-3-2            Animals Taken to the Animal Shelter**

Owners seeking return of any animal that is picked up and taken to the Animal Shelter must first obtain a release form from a Pueblo of Jemez Animal Control Officer. All costs incurred in sheltering the animal must be paid to through the Pueblo's Finance Office, before a release form is issued.

**Section 19-3-3            Animal at Shelter to be Checked for Spay or Neuter**

Any animal picked up and taken to the Animal Shelter will be checked for spay or neuter. If the animal is still intact, an additional fine of \$15.00 per animal will be assessed at the time of obtaining a release form. The owner must sign an agreement to spay or neuter the animal within six (6) months of the date of release from the Animal Shelter and provide proof of spaying or neutering. Failure to comply with the animal spayed or neutered within the time period is a violation of this Code and subject to a fine of \$100.00 per month until the procedure is

completed and proof is provided by the owner. In the event that an animal becomes pregnant during the six (6) month period, the litter will be forfeited.

## **CHAPTER 4            Dangerous Animals, Animal Bites, and Killing of Vicious Animal(s)**

### **Section 19-4-1            Dangerous/Vicious Animals**

A dangerous animal is an animal that constitutes a public menace and may be removed from the custody of the owner and impounded. An Animal Control Officer can deem an animal dangerous and/or vicious depending on the circumstances. If an animal is deemed vicious, it will be impounded and euthanized. In addition, the owner may be fined up to \$500.00.

### **Section 19-4-2            Animal Bites**

When a person is bitten by an animal, without notice or warning, it is the responsibility of the owner of the animal to provide proof of rabies vaccination. If an owner fails to show that the animal is current on the rabies vaccination, the animal must be tied up or caged by the owner for ten (10) days for a mandatory quarantine period. Any expenses incurred by the confinement of the animal for the quarantine is the responsibility of the owner. If after ten (10) days no rabies is found, the animal may be released to the owner after obtaining a release form from the Pueblo of Jemez Animal Control and payment of any fines or fees. In addition, the owner may be fined up to \$500.00.

### **Section 19-4-3            Killing of Vicious Animal(s)**

An owner of livestock shall have the right to kill and destroy any dog(s) that have killed or attacked their livestock while the dogs are still upon the property of the owner, regardless of

whether the dog is properly tagged showing ownership. The dog(s) exhibiting such behavior shall be deemed “vicious animals”. Also, any owner of a dog(s) that has killed or attacked livestock will be responsible for any damages to the livestock owner. A violation of this subsection will result in a fine up to \$1000.00, loss of the animal and possible incarceration for up to six (6) months for any owner or person within the criminal jurisdiction of the Tribal Court. Fines and/or criminal penalties will be determined by the severity of the violation.

**Section 19-4-4            Trained Guard Dogs**

Any person residing on Pueblo lands who wishes to own a Guard Dog, trained and registered with Animal Control, shall be responsible for maintaining such dog in an enclosed area or secured by means of chain or other suitable devices within the owner’s property. All such owners shall post at least two clear and visible warning sign. Which alerts the public to the presence of the Guard dog. Guard dogs are exempted if maintained properly and in the protection capacity, of bites or other types of attacks on an intruder or trespasser.

**Section 19-4-5            Dogfighting/Bloodsports and Dogfighting Paraphernalia/Equipment**

1. No owner shall engage their dogs in or train their dog in a manner that is associated with dog fighting. No person shall participate in any event where bets are placed, and money is traded in any such event that is organized in a manner that is promoting dogfighting/bloodsports. Dogfighting training methods are often cruel and inhumane. Any person(s) or group(s) found engaging their dogs in fighting for this sport will be cited under section 19-5-4 of this Code. In addition to being cited for Animal Cruelty, all animals will be seized.
2. Any person(s) caught with any dogfighting paraphernalia will be fined up to

\$500.00. Some equipment commonly used for this purpose are break sticks, tethers, treadmills, rape boxes, steroids and other hormonal supplements. In addition to being fined, all paraphernalia and equipment will be confiscated by Jemez Animal Control and destroyed.

3. Any person that has been cited and convicted under this section will have a petition filed in tribal court by Animal Control, prohibiting them from owning any more animals as long as they reside within the exterior boundaries of the Pueblo.

## **CHAPTER 5            Enforcement; Fines; Payment of Fines and Charges**

### **Section 19-5-1            Animal Control Officers Authority.**

The Animal Control Officers and any other duly authorized officers or employees are responsible for the enforcement of this Code. The Animal Control Officers are authorized to initiate investigations under this Code, issue citations for violations of this Code, impound animals as necessary, and take all actions necessary to implement and enforce the intent of this Code.

Animal Control Officers have the authority to remove an animal on anyone's property as part as an investigation.

### **Section 19-5-2            Complying with Animal Control Officers**

It is unlawful for Native or Indian to hinder, resist, or oppose an Animal Control Officer or other duly authorized officer or employee in the lawful performance of their duties. A violation of this section is subject to a fine of up to \$500.00 and possible incarceration for up to six (6) months for any owner within the criminal jurisdiction of the Tribal Court. Any Native or Indian who Refuses to obey a lawful order, assaults or batters, or attempts to bribe an Animal Control Officer

will be charged under sections 3-2-75 through 3-2-80 of the Tribal Criminal Code. When acting within this code the Animal Control Officer is a limited authority law enforcement officer without arrest authority. The Animal Control Officer may issue summons or obtain Jemez Law Enforcement to enact an arrest.

**Section 19-5-3            General and Specific Fines and Penalties**

Generally, any person who violates any of the sections of this Code shall be subject to a fine of up to \$500.00 for any one offense, and/or subject to possible incarceration for up to six (6) months for any owner within the criminal jurisdiction of the Tribal Court, or both except where sections carry a separate specific fine or penalty for the stated offense.

**Section 19-5-4            Additional Conditions**

In its discretion, the Tribal Court may impose additional conditions or requirements in addition to, or in lieu of, the fines and penalties described in section 19-5-3. above, for any violation of any section of this Code.