

Public Comment for Upcoming Commission Meeting

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Comments:

I am against the draft Ordinance Banning the Feeding of Wildlife for the reasons given below.

1. Property Rights

The draft Ordinance to ban feeding of certain wildlife in Sandoval County states, in Section 14-42, that it shall be unlawful to feed wildlife within 500 feet of any dwelling or county road. In my case, and many cases as well, this essentially cedes control of my personal property and real estate to Sandoval County. As proposed, the government would control my use and enjoyment of my lawfully owned property, without my consent. As proposed, this would be an egregious example of governmental overreach, and an invitation to lawsuits.

2. Environmental Impact

For those worried about the environmental impact that the free-roaming horses pose, look at the new home construction in Placitas which does much more harm as the lots are scrapped several feet, tearing out native vegetation which usually takes about 10 years to renew. We already suffer from a paucity of water in Placitas; I can only imagine that the water consumption of a typical large house in Placitas, especially those with swimming pools, is vastly more than what these free-roaming horses consume.

3. Public Safety

Speeding and driver distraction are the main causes in the majority of accidents involving the free-roaming horses. If there were a concerted effort to crack down on speeding and reckless driving in Placitas, on Route 165 for example, these "accidents caused by horses" would most likely drop dramatically.

Feeding wildlife along Route 165 should be restricted. There is no reason for the 500 foot rule regarding banning the feeding of wildlife along a county road as there is already a law which prohibits feeding wildlife from the side of roads. These actions are dangerous for both the wildlife, in this case in Placitas, the free-roaming horses, and the people doing the feeding.

4. Wildlife Feeding Permits

The draft Ordinance states in Section 14-43

a. "The Sandoval County Planning and Zoning Director may issue permits to allow feeding of wildlife for a period not to exceed thirty days.

It says "may" not "shall".

Ø How will this decision be made?

Ø What is the time frame for the decision to be made?

Ø How will the applicant be notified of the decision regarding the permit application?

If the permit is denied,

Ø Will the applicant be given the reason for the denial?

Ø Will the applicant be able to appeal the decision?

Ø What is the time-frame for Sandoval County Planning and Zoning Department to return the permit fee to the applicant?

b. Applications for a wildlife feeding permit must be on a form prescribed by the Sandoval County Planning and Zoning Director.

Ø At this time there is no such form available.

c. e in the Ordinance

The fee for an initial or renewal application shall be \$10.00.

Ø Where does this fee go?

5. Proposed Penalties

The draft ordinance proposes penalties of "up to ninety days imprisonment, a fine of up to \$300.00, or both". These penalties far exceed the crime of feeding wildlife and likely would not hold up to court scrutiny.