

SANDOVAL COUNTY ORDINANCE No. XXX

ORDINANCE TO BAN FEEDING OF WILD HORSES

Whereas, Sandoval County is a political subdivision of the State of New Mexico;
and

Whereas, NMSA § 4-37-1 (1975) gives the Board of County Commissioners the power to “provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants” and to make ordinances to carry out that authority;

Whereas, the feeding of wild horses makes them dependent on humans and leads them to stay in populated areas instead of moving throughout their natural range;

Whereas, there is an overpopulation of wild horses in and around the community of Placitas which leads to traffic accidents and the overgrazing of land;

Whereas, there are residents of Placitas who feed the wild horses and aggravate these problems;

Whereas, the Sandoval County Sheriff’s Office has studied the problems with horses in Placitas for years and found that its approach of counseling those who feed the horses has not worked;

Whereas, the traffic safety issues in Placitas are driven largely by the presence of horses and that expanding patrols or ticketing for speeding and other criminal offenses has not been effective;

NOW, THEREFORE, BE IT ENACTED by the Board of County Commissioners of Sandoval County, New Mexico, as follows:

Section 1. There is enacted a new article in chapter 14 of the Sandoval County Code of Ordinances as follows:

Chapter 14, Environment.
Article III. Wildlife.

Section. 14-40. Short title.

This article may be cited as the “Wild Horse Feeding Ordinance.”

Section 14-41. Definitions.

- A. “Albuquerque Open Space” means that tract of land in Sandoval County conveyed by the United States of America to the City of Albuquerque by Patent Number 30-67-0106 dated December 27, 1966, recorded in the office of the Sandoval County Clerk on January 18, 1967, in Miscellaneous Volume 20, Folios 360–362, and being the South ½ of Section 24 and the North ½ of Township 13 North, Range 4 East, New Mexico Principal Meridian.
- B. “BLM Tract” means that tract of land in Sandoval County owned by the United States of America and managed by the U.S. Bureau of Land Management located in Sections 13, 14, 15, 22, 23 & 24 of Township 13 North, Range 4 East, New Mexico Principal Meridian, and Sections 17, 18, 20 & 29 of Township 13 North, Range 5 East, New Mexico Principal Meridian.
- C. “Buffer Zone” means that part of Placitas that is within one-thousand feet of the Albuquerque Open Space or the BLM Tract.
- D. “Horse” shall mean all animals in the taxonomic family *Equidae*;
- E. “Placitas” means that part of Sandoval County located in Township 13 North, Ranges 4, 5 & 6 East, New Mexico Principal Meridian.

Section 14-42. Unlawful Feeding of Horses.

It shall be a crime called “unlawful feeding of horses” to provide food, hay, salt, or other nutrients to a horse within Placitas except within the Buffer Zone without a horse feeding permit. This provision shall not apply to the feeding of a horse that is owned by the person doing the feeding or is done with the permission of the horse’s owner. This provision shall not apply to acts done on land owned by the United States of America, the State of New Mexico, or any Indian tribe.

Section 14-43. Horse Feeding Permits.

Sandoval County may issue horse feeding permits pursuant to a resolution adopted by the Board of County Commissioners.

Section 14-44. Penalty.

The penalty for unlawful feeding of horses shall be up to ninety days imprisonment, a fine of up to \$300, or both.

Section 2. This ordinance shall be effective May 1, 2023.

DONE this twenty-second day of March, at Bernalillo, Sandoval County, New Mexico.

BOARD OF COUNTY COMMISSIONERS
OF SANDOVAL COUNTY, NEW MEXICO

David J. Heil, Chairman

Michael Meek, Vice-Chairman

ATTEST:

Jay C. Block, Member

Katherine A. Bruch, Member

Anne Brady-Romero
County Clerk

Joshua A. Jones, Member

APPROVED AS TO FORM:

Michael Eshleman,
County Attorney