



City of Rio Communities Council Workshop
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Monday, February 28, 2022 3:00 PM
Agenda

Please silence all electronic devices.

ATTENTION: In an abundance of caution, due to COVID issues the Council Workshop on Monday February 28, 2022 may be virtual and/or limited to in-person attendance by the City Council, Administrative Staff, City Attorney, and credentialed members of the press. you can participate in the Workshop from the comfort and safety of your own home by entering the following link: @ <https://www.facebook.com/riocommunities>

Call to Order

Attendees

Agenda Items

1. **Accounts payable report**
2. **Animal Survey from P&Z (Manager, P&Z Secretary)**
3. **Agenda items for the March 10, 2022 special workshop with P&Z – (Manager/Council)**
4. **Public Safety Task Force (Manager)**
 - a) **Taskforce meeting**
 - b) **Community Meeting**

Public Comment: The Council will take public comments in written form emailed to admin@riocommunities.net through 2:00 PM on Monday, February 28, 2022. These comments will be distributed to all Councilors for review. ***If you wish to speak during the public comment session***, please contact the clerk for a **virtual link**. The Council will allow each member of the public to three (3) minutes to address the Council. Both the public and Council will follow rules of decorum. Give your name and where you live. The public will direct comments to the City Council. Comment(s) will not be disruptive or derogatory.

Manager Report

5. **a) Hwy 47 streetlights update**
b) City Hall reopening schedule

Council General Discussion & Future Agenda Items

Adjourn

Thank you - Joshua Ramsell - Mayor of Rio Communities

Council may be attending the Economic Development Priorities Meeting held virtual in Rio Communities NM on March 2nd starting 6:00 pm and the Public Taskforce meeting held virtual in Rio Communities NM on March 8th and March 22nd starting 6:00 and possible quorum may be in attendance.

NOTE: THIS AGENDA IS SUBJECT TO REVISION UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT CITY HALL, 360 RIO COMMUNITIES BLVD, RIO COMMUNITIES, NM 87002. IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER OR ANY OTHER FORM OF AUXILIARY AND OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE MUNICIPAL CLERK AT 505-861-6803 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.



Table with columns: Vendor Name, Payable Number, Post Date, Description (Item), Account Number, Amount. Includes sub-sections for Fund: 11000 - General Operating Fund, Fund: 20100 - Corrections, and various departments like 1009 - Municipal Court, 2002 - General Administration, 2004 - Finance/Budget/Accounting, 2008 - Municipal Clerk, 5101 - Public Works, 5104 - Highways and Streets, and 0001 - No Department.

Accounts Payable Approval Report

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 20600 - Emergency Medical Services					
Department: 3003 - Emergency Services/Ambulance					
Boundtree Medical	84417417	02/24/2022	new AEDs for fire units	20600-3003-56070	341.91
Department 3003 - Emergency Services/Ambulance Total:					341.91
Fund 20600 - Emergency Medical Services Total:					341.91
Fund: 20900 - Fire Protection					
Department: 3002 - Fire Protection					
Ortega and Son's Propane Servi...	036510	02/22/2022	Propane - FD Substation	20900-3002-57172	413.00
Artesia Fire Equipment Inc.	77147	02/22/2022	Nomex Hoods (25)	20900-3002-56030	1,206.25
Sharp Electronics Corporation	9003682472	02/22/2022	Copies for Fire Department	20900-3002-57090	3.41
Century Link	INV0003026	02/22/2022	Fire Substation Phone Charges	20900-3002-57160	252.65
Comcast Business	INV0003033	02/22/2022	Telecommunications	20900-3002-57160	259.80
Woodlands Hardware	007863-1	02/24/2022	Cutoff Wheel	20900-3002-54060	6.30
Woodlands Hardware	007865-1	02/24/2022	Ice Melt	20900-3002-54060	63.96
Woodlands Hardware	007968-1	02/24/2022	Screws	20900-3002-54060	9.24
Able & Willies One Stop Shop, L...	1126	02/24/2022	shirts and uniforms	20900-3002-56110	3,307.00
Peralta Power LLC	46100	02/24/2022	small engine repairs for ISO	20900-3002-54050	369.25
Card Service Center	INV0003042	02/24/2022	Fuel	20900-3002-56120	15.56
Department 3002 - Fire Protection Total:					5,906.42
Fund 20900 - Fire Protection Total:					5,906.42
Fund: 21100 - Law Enforcement Protection					
Department: 0001 - No Department					
Administrative Office of the Cou... December2021		02/24/2022	December 2021 AOC Fees	21100-0001-21040	6.00
Department 0001 - No Department Total:					6.00
Fund 21100 - Law Enforcement Protection Total:					6.00
Fund: 29700 - County EMS GRT					
Department: 2002 - General Administration					
M&M Respiratory Services	183	02/24/2022	Oxygen Tanks	29700-2002-56070	490.00
Card Service Center	INV0003042	02/24/2022	EMS Field Forms	29700-2002-56020	66.50
Department 2002 - General Administration Total:					556.50
Fund 29700 - County EMS GRT Total:					556.50
Fund: 30300 - State Legislative Appropriation Project					
Department: 2002 - General Administration					
Newegg Business, Inc	1303737560	02/22/2022	Items for Maker Space	30300-2002-56040	3,746.01
Newegg Business, Inc	1303737648	02/22/2022	Items for Maker Space	30300-2002-56040	140.31
Newegg Business, Inc	1303737649	02/22/2022	Items for Maker Space	30300-2002-56040	179.96
Newegg Business, Inc	1303737780	02/22/2022	Items for Maker Space	30300-2002-56040	72.97
Newegg Business, Inc	1303737796	02/22/2022	Items for Maker Space	30300-2002-56040	17.78
Newegg Business, Inc	1303737869	02/22/2022	Items for Maker Space	30300-2002-56040	2,777.10
Newegg Business, Inc	1303738407	02/22/2022	Items for Maker Space	30300-2002-56040	269.83
Newegg Business, Inc	1303738471	02/22/2022	Items for Maker Space	30300-2002-56040	51.24
Newegg Business, Inc	1303738531	02/22/2022	Items for Maker Space	30300-2002-56040	124.56
Newegg Business, Inc	1303738543	02/22/2022	Items for Maker Space	30300-2002-56040	139.80
Newegg Business, Inc	1303738548	02/22/2022	Items for Maker Space	30300-2002-56040	187.96
Newegg Business, Inc	1303738580	02/22/2022	Items for Maker Space	30300-2002-56040	91.69
Newegg Business, Inc	1303738633	02/22/2022	Items for Maker Space	30300-2002-56040	749.69
Newegg Business, Inc	1303738672	02/22/2022	Items for Maker Space	30300-2002-56040	242.80
Newegg Business, Inc	1303739093	02/22/2022	Items for Maker Space	30300-2002-56040	1,133.29
Newegg Business, Inc	1303739208	02/22/2022	Items for Maker Space	30300-2002-56040	101.44
Newegg Business, Inc	1303739209	02/22/2022	Items for Maker Space	30300-2002-56040	38.84
Newegg Business, Inc	1303739923	02/22/2022	Items for Maker Space	30300-2002-56040	453.31
Newegg Business, Inc	1303739942	02/22/2022	Items for Maker Space	30300-2002-56040	83.09
Newegg Business, Inc	1303739965	02/22/2022	Items for Maker Space	30300-2002-56040	164.95
Newegg Business, Inc	1303739966	02/22/2022	Items for Maker Space	30300-2002-56040	131.88
Newegg Business, Inc	1303739968	02/22/2022	Items for Maker Space	30300-2002-56040	65.98
Newegg Business, Inc	1303740003	02/22/2022	Items for Maker Space	30300-2002-56040	32.42
Newegg Business, Inc	1303740072	02/22/2022	Items for Maker Space	30300-2002-56040	460.46
Newegg Business, Inc	1303740077	02/22/2022	Items for Maker Space	30300-2002-56040	236.17

Accounts Payable Approval Report

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Newegg Business, Inc	1303740128	02/22/2022	Items for Maker Space	30300-2002-56040	1,902.67
Newegg Business, Inc	1303740129	02/22/2022	Items for Maker Space	30300-2002-56040	2,292.50
Newegg Business, Inc	1303740766	02/22/2022	Items for Maker Space	30300-2002-56040	203.29
Newegg Business, Inc	1303740767	02/22/2022	Items for Maker Space	30300-2002-56040	119.96
Newegg Business, Inc	1303740776	02/22/2022	Items for Maker Space	30300-2002-56040	85.83
Newegg Business, Inc	1303740777	02/22/2022	Items for Maker Space	30300-2002-56040	224.28
Newegg Business, Inc	1303740778	02/22/2022	Items for Maker Space	30300-2002-56040	149.22
Newegg Business, Inc	1303741087	02/22/2022	Items for Maker Space	30300-2002-56040	72.26
Newegg Business, Inc	1303741590	02/22/2022	Items for Maker Space	30300-2002-56040	53.95
Newegg Business, Inc	1303741630	02/22/2022	Items for Maker Space	30300-2002-56040	210.46
Newegg Business, Inc	1303741638	02/22/2022	Items for Maker Space	30300-2002-56040	525.65
Newegg Business, Inc	1303743627	02/22/2022	Items for Maker Space	30300-2002-56040	809.49
Amazon Business	1JYW-Y76Y-4NHR	02/22/2022	Items for Maker Space	30300-2002-56040	6,866.86
HDR Engineering, Inc.	1200409192	02/24/2022	Task 1 - Project Administration ...	30300-2002-55030	891.40
HDR Engineering, Inc.	1200409192	02/24/2022	Task 2 - Existing Conditions Inv...	30300-2002-55030	1,837.20
HDR Engineering, Inc.	1200409192	02/24/2022	Task 3 - Lighting Evaluation & Pr...	30300-2002-55030	1,615.90
Newegg Business, Inc	1303746884	02/24/2022	Items for Maker Space	30300-2002-56040	48.16
Newegg Business, Inc	1303746908	02/24/2022	Items for Maker Space	30300-2002-56040	544.30
Quill	23119415	02/24/2022	Items for Maker Space	30300-2002-56040	2,399.74
Home Depot	669076895	02/24/2022	Items for Maker Space	30300-2002-56040	959.87
Home Depot	669077158	02/24/2022	Items for Maker Space	30300-2002-56040	299.00
Home Depot	669375024	02/24/2022	Items for Maker Space	30300-2002-56040	1,953.99
Oriental Trading Company	715044303-01	02/24/2022	Items for Maker Space	30300-2002-56040	1,084.96
Oriental Trading Company	715044303-02	02/24/2022	Items for Maker Space	30300-2002-56040	26.50
Oriental Trading Company	715044303-03	02/24/2022	Items for Maker Space	30300-2002-56040	534.32
Oriental Trading Company	715044303-05	02/24/2022	Items for Maker Space	30300-2002-56040	190.84

Department 2002 - General Administration Total: 37,596.13

Fund 30300 - State Legislative Appropriation Project Total: 37,596.13

Fund: 39900 - Other Capital Projects

Department: 2002 - General Administration

HDR Engineering, Inc.	1200409192	02/24/2022	NM GRT	39900-2002-55030	342.13
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	Mouse Pad/Wrist Rest	39900-2002-56020	17.99
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	Desk Organizer	39900-2002-56020	18.97
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	Laptop Riser	39900-2002-56020	21.99
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	Desk Organizer	39900-2002-56020	24.97
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	Scissors	39900-2002-56020	8.49
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	Business Card Holder	39900-2002-56020	6.99
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	Stapler & Tape Dispenser	39900-2002-56020	22.99
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	Keyboard/Mouse Combo	39900-2002-56040	32.99
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	ASUS 27" Monitors	39900-2002-56040	418.00
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	HP Docking Station	39900-2002-56040	476.25
Amazon Business	17RT-QCGK-YMRJ	02/24/2022	HP Laptop	39900-2002-56040	999.00
Home Depot	669079584	02/24/2022	First Phase - City Hall Remodel	39900-2002-58010	94.80
Green Light Depot	G1199519	02/24/2022	LED Ceiling Lights 1st Phase	39900-2002-58010	4,799.40

Department 2002 - General Administration Total: 7,284.96

Fund 39900 - Other Capital Projects Total: 7,284.96

Grand Total: 73,120.80

Report Summary

Fund Summary

Fund	Expense Amount
11000 - General Operating Fund	21,416.88
20100 - Corrections	12.00
20600 - Emergency Medical Services	341.91
20900 - Fire Protection	5,906.42
21100 - Law Enforcement Protection	6.00
29700 - County EMS GRT	556.50
30300 - State Legislative Appropriation Project	37,596.13
39900 - Other Capital Projects	7,284.96
Grand Total:	73,120.80

Account Summary

Account Number	Account Name	Expense Amount
11000-1009-54010	Maintenance & Repairs - ...	252.28
11000-1009-54040	Maintenance & Repairs - ...	17.85
11000-2002-54010	Maintenance & Repairs - ...	28.87
11000-2002-55020	Contract - Attorney Fees	12,878.13
11000-2002-56010	Software	224.51
11000-2002-56999	Supplies - Other	80.32
11000-2002-57090	Printing/Publishing/Advert..	199.27
11000-2002-57130	Rent of Equipment/Machi...	2,636.15
11000-2004-57050	Employee Training	600.00
11000-2004-57150	Subscriptions & Dues	110.00
11000-2008-56020	Supplies - General Office	89.49
11000-5101-54010	Maintenance & Repairs - ...	29.96
11000-5101-55999	Contract - Other Services	1,410.00
11000-5101-56030	Supplies - Field Supplies	53.18
11000-5101-56040	Supplies-Furniture/Fixture...	718.99
11000-5104-56030	Supplies - Field Supplies	2,087.88
20100-0001-21040	Admin Office of Courts Pa...	6.00
20100-0001-21045	Judicial Education Payable	6.00
20600-3003-56070	Supplies - Medical	341.91
20900-3002-54050	Maintenance & Repair - F...	369.25
20900-3002-54060	Maintenance Supplies	79.50
20900-3002-56030	Supplies - Field Supplies	1,206.25
20900-3002-56110	Supplies - Uniforms/Linen	3,307.00
20900-3002-56120	Supplies - Vehicle Fuel	15.56
20900-3002-57090	Printing/Publishing/Advert..	3.41
20900-3002-57160	Telecommunications	512.45
20900-3002-57172	Utilities - Propane/Butane	413.00
21100-0001-21040	Admin Office of Courts Pa...	6.00
29700-2002-56020	Supplies - General Office	66.50
29700-2002-56070	Supplies - Medical	490.00
30300-2002-55030	Contract - Professional Se...	4,344.50
30300-2002-56040	Supplies-Furniture/Fixture...	33,251.63
39900-2002-55030	Contract - Professional Se...	342.13
39900-2002-56020	Supplies - General Office	122.39
39900-2002-56040	Supplies-Furniture/Fixture...	1,926.24
39900-2002-58010	Buildings & Structures	4,894.20
Grand Total:		73,120.80

Project Account Summary

Project Account Key	Expense Amount
None	73,120.80
Grand Total:	73,120.80

Authorization Signatures

MAYOR & COUNCILORS

JOSHUA RAMSELL, MAYOR

MARGARET "PEGGY" GUTJAHR, MAYOR PRO-TEM

LAWRENCE GORDON, COUNCILOR

ARTHUR APODACA, COUNCILOR

JIM WINTERS, COUNCILOR

ATTEST:

ELIZABETH "LISA" ADAIR, MUNICIPAL CLERK

11/22/2021

City of Rio Communities Pet Survey:

Should the City Regulate Pets Other
than Dogs and Cats?

Prepared by:
PLANNING AND ZONING COMMISSION

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Executive Summary

Rio Communities, a predominately suburban residential community, has seen an influx of non-traditional pet ownership that includes chickens, goats, sheep and horses— animals not typically seen as “pets,” but more suited to rural or farming communities. However, the city’s current animal control and welfare ordinance provides guidance largely on the ownership of dogs and does not reflect this growing trend.

To address this omission, the city’s Planning and Zoning Commission was tasked with developing a survey designed to illicit constructive feedback from city residents. To this end, a 16 question survey was mailed to 2,200 homeowner, of which the city received 200 responses, a 9% response rate.

Of the respondents, more than 80% live in single family homes with more than half (54%) living on lots that are less than or equal to one-quarter acre, while 39% have larger lots, ranging in size from one-half acre to over one acre. Just less than half own at least one dog, and a quarter own a cat. Interestingly, more than 85% of respondents do not own “other” pets, though most respondents (93.5%) think that the humane treatment of animals is “very important.”

Over 63% of respondents disapprove of their neighbors’ owning animals other than dogs and cats, while an equal number think that lot size is the determining factor to owning other presumed larger animals. Consistent with this attitude toward larger lot sizes, 75% think other pets should be restricted to neighborhoods with large lots, and 62% think the size and weight of the animal should be a controlling factor as well. Almost 10% think there should be no restrictions to owning *any* pet or animal.

As far as grandfathering-in existing “other” pets (exempt from future ordinance if such pets are prohibited), the respondents were equally split with 48% saying they should, and 47% saying they should not be grandfathered. As to charging an additional fee for owning other pets, 64% think a fee should be the charged.

Given the availability of larger lots (half acre or more), the range of acceptable “other” pets is quite varied. Number one on the list of acceptable pets is chickens (hens) at 26%. Rabbits, goats, various bird species and sheep are a collective second at 15%, 12%, 12% and 10% respectively. Remarkably, much smaller pets such as fish, turtles and assorted rodents (e.g., hamsters, ferrets, and guinea pigs)—pets one would think are less offensive and therefore more acceptable— less than 3% of respondents think such pets are acceptable, regardless of lot size. Additionally, 60% of respondents are equally concerned with smell, noise and potential property damage.

Finally, for a more comprehensive assessment of respondent’s individual concerns, see *Summary of Resident’s Comments* and *Discussion* section of this report.

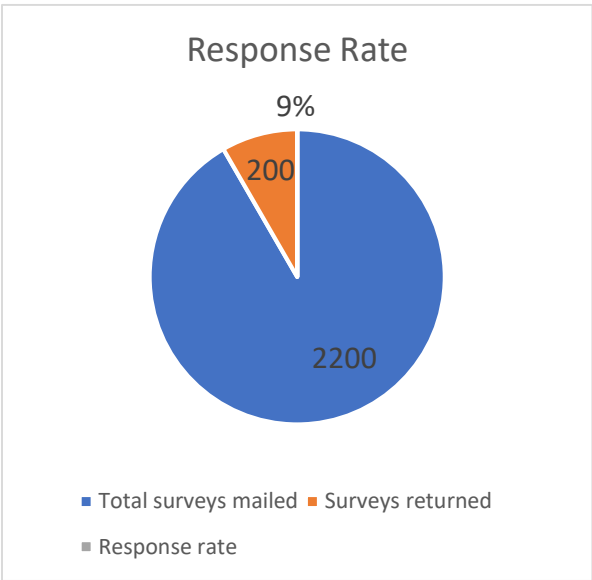
Introduction

In recent years, the city of Rio Communities has grappled with the question of whether to regulate—or how to regulate— animals and pets other than dogs and cats within in a suburban residential setting. This growing trend away from traditional household pets such as dogs and cats, to more unconventional animals such as chickens, goats, sheep, and horses has become a vexing concern to both residents and city officials that is not easily resolved. As anecdotal information suggests, the city has regularly received approximately 150-175 calls over the past couple of years from residents voicing their complaints and displeasure with foul odors, excessive noise, property damage, and the proliferation of flies from their neighbors who own “other” animals.

The Issue: *Are these uncommon yard pets seen mostly as farm animals or livestock, and more appropriately relegated to larger rural settings and not within the confines of a suburban environment?*

Survey Method and Response

Accordingly, the City Council tasked the Planning and Zoning Commission with developing recommendations that could reasonably and equitably address this issue. To this end, the Commission developed a simple 16 question survey designed to “test the waters” of public reaction allowing “other” animals/pets within the city. 2,200 surveys were mailed to residents and 200 were returned—a mere 9% response rate.



With such a low response rate— 200 households among a sample size of 2,200,— any conclusions drawn are immediately suspect, statistically.

However, this is not to say that general trends and reactions cannot be collected as significant indicators or representations of the public’s attitudes on the subject of allowing other animals and pets. Certainly, given the unmediated personalized comments, valuable information is available upon which the city can make informed and equitable policy.

Population and Sample Size

<http://www.city-data.com/city/Rio-Communities-New-Mexico.html#b>

Occupied Housing Units	1,904
Owner Occupied	1,447
Renter Occupied	457

- 2,200— surveys mailed (sample size)
- 200— surveys returned
- 103— no comments
- 97— with comments
- 9.09%— response rate

Questions/Responses & Raw Data**1. Homeowner Status**

190- own (95%)

5- rent (2.5%)

2. Home type

165- single-family (82.5%)

21- townhome (10.5%)

7- patio (3.5%)

0- apartment

7- other (3.5%)

3. Lot size109 $\leq 1/4$ acre (54.5%)39 $\leq 1/2$ acre (19.5%)10 $\leq 3/4$ acre (5%)29 ≥ 1 acre (14.5%)**4. Own dogs**

92- yes (46%)

98- no (49%)

More than one

46- yes (23%)

44- no (22%)

5. Own cats

51- yes (25.5%)

149- no (74.5%)

More than one

22- yes (11%)

25- no (12.5%)

6. Own other pets

24- yes (12%)

171- no (85.5%)

7. Treatment of animals

187- important (very) (93.5%)

4- not important (2%)

4- don't care (2%)

8. OK if neighbor owns other pets

63- yes (31.5%)

127- no (63.5%)

9. Lot size determines owning other pets

127- yes (63.5)
66- no (33%)

10. Other pets restricted by neighborhood

150- yes (75%)
37- no (18.5%)

11. Other pets restricted by:

21- size (10.5%)
3- weight (1.5%)
124- both size and weight (62%)
1- smell (.5%)
19- prohibition off all other pets (9.5%)
10- no restrictions (5%)
1- restricted by number (.5%)

12. Existing other pets be grandfathered

96- yes (48%)
94- no (47%)

13. Charge a fee

128- yes (64%)
53- no (26.5%)

14. Allowable other pets based on *your* neighborhood's lot sizes:

71- none (35.5%)
53- hens (26.5)
31- rabbits (15.5%)
24- goats (12%)
24- birds (12%)
21- hamsters, gerbils, guinea pigs, and ferrets (10.5%)
19- sheep (9.5%)
12- ducks (6%)
7- turtles (3.5%)
6- horses (3%)
6- fish (3%)
4- pigs (2%)
3- reptiles (1.5%)
2- peacocks (1%)
1- rooster (.5%)
1- pony (.5%)
1- emu (.5%)
1- turkey (.5%)
1- lama (.5%)

- 4- any animal, no restrictions (2%)
- 1- any animal to supplement food (.5%)

15. Biggest concern with allowing other animals

- 28- humane treatment (14%)
- 28- smell (14%)
- 19- noise (9.5%)
- 121- all of the above (60.5%)
- 7- flies (3.5%)
- 5- public health (2.5%)
- 3- impact property values (1.5%)
- 1- free run (.5%)
- 1- proper shelter (.5%)
- 1- cleanliness (.5%)

Key Take-aways

- First, the vast majority of respondents live in single-family dwellings upon lots of one-quarter acre or less, with about half owning a dog and a quarter owning a cat.
- Of possible significance, 39% of respondents live on lots larger than one-quarter acre;
- Dog ownership is the most prevalent at 46%;
- A vast majority of respondents do not own “other” pets;
- Overwhelmingly (93.5%) of people are concerned that all pets/animals are treated “very” humanely;
- A significant majority (63.5%) think lot size is the primary determinant in owning other pets or animals;
- Three-quarters (75%) of respondents think other pets should be restricted by neighborhood (presumably areas with larger lots)
- A clear majority (62%) think other animals should be restricted based on their size and weight;
- Opinions are split at 48%/47% for and against grandfathering in existing other pets/animals;
- 64% think a fee should be charged, though none is specified;
- A little over one-third (35.5%)¹ think no other pets other than dogs and cats should be allowed, regardless of lot size. This infers a sizable population of respondents support other pets or animals;
- Finally, 60.5% of respondents are collectively concerned with humane treatment, smell, noise, and damage to their property.

¹ This figure does not include 41 respondents who stated in the comments section their disapproval of all farm animals, and the 17 respondents who did not want any farms, ranches or rural zoning.

Summary of Resident's Comments

Of the 200 surveys returned, 97 of the respondents included their personal responses in the comment section (question 16). In many instances, the responses were detailed and extensive. And, while a majority of the respondents offered clearly valuable comments, suggestions, and insights, a small number used this forum to address other concerns that were immediately and personally pressing to them. For council's consideration, these concerns are noted in this report as well.

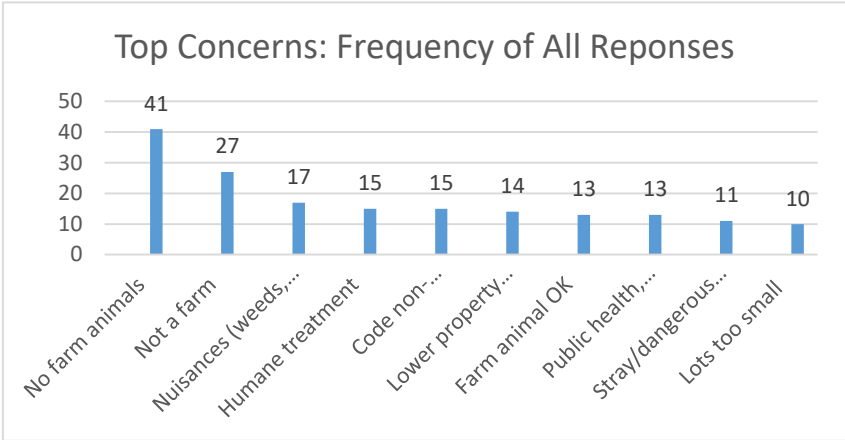
As many of the comments were each a full handwritten page, with a few even longer, to make the myriad comments more digestible, we identified major repetitive key points and gave numerical values to each instant the phrase or word(s) or their similarities were referenced (their frequency of use).

In descending sequence are the more common. At the bottom of this list, some plainly one-of-kind, memorable comments.

- No farm animals- smell, noise, dirty, unkempt, lack of shelter, inhumane treatment (chickens are many times number 1 nuisance)- 41
- No farm, rural, ranch, farm animals- 17
- Nuisance: trash, junk (and **junk cars!**), and weeds (burning too)- 17
- Inhumane/humane treatment of animals- 15
- Dog nuisance (poop, barking)- 15
- Non-enforcement (animal control and general codes)- 15
- Lower property values due to non-traditional animals- 14
- Live and let live, but be responsible, ensure humane treatment, shelter, use common sense, have large enough land (east side)- 13
- Public health, disease, safety, flies, contamination- 13
- Stray, free running dogs (dangerous)- 11
- This is residential- not farm- 10
- Lot sizes too small- 10
- Two pet limit (or reasonable limit)- 7
- Pet owner responsibilities- 6
- Hens OK, but keep them clean, healthy, well housed- 4
- Fix roads- 4
- Animals (generally) destroying property- 4
- Stray cats, nuisance defecating in neighbors' yards- 4
- Livestock used- 4
- RC is an embarrassment (run-down properties, abandoned homes, RVs)- 3
- Hens and goats OK for self-sufficiency- 3
- Poor support and response from animal control- 3
- Fireworks ban- 3
- Spay, neuter and vaccinate pets- 3

- Allow horses, goats and sheep on land large enough to support (1-acre minimum) with strict guide lines- 3
 - This is a suburb or a city- 3
 - Neighbors-inhumane treatment of dogs and cats-enforcement- 2
 - Theft and crime and speeding cars- 2
 - Monthly check health welfare of larger animals- 2
 - Public parks- 2
 - Small in-door other pets (rabbits, guinea pigs etc. OK)- 2
 - We pay plenty of taxes, don't need to be in our business- 2
 - Support having animals of any size, as long as they are well provided and clean, best thing about moving to this areas and for our children- 2
 - Dog Park- 2
 - NO Roosters-2
 - ATVs-2
 - Can't enforce junk cars, trash, and weeds- how can you enforce farm animals, and poor roads- 2
 - Allow livestock in commercial zone
 - Copy Belen's Animal Control Ordinance
 - Equestrian Park
 - Exception- live on mesa, room enough for other animals (pay taxes, no fee)
 - New business (grocery store) as promised
 - Tierra Grande instead (allow)
 - Yardwork program to help seniors
 - Return to AC Disposal
 - Neighbor's pet cruelty to natural wildlife (frogs, birds)
 - Neighbor's yard smells like a dairy farm
 - What's next...Over-reach is about power
 - Room to roam
 - No deadly animals
 - This is the county, not the suburbs, county rules.
-

All top concerns referenced in the comments section ten times or more



Clearly, a majority of respondents are concerned over the question of whether to allow, as they say, “farm animals” at all; and a significant number are concerned with creating a farming/rural community as a subsection within the city. Consistently, respondents gave near equal weight to a long spectrum of concerns: humane treatment, consistent code enforcement, impact on property values, public health, stray and dangerous dogs, and the lack of properly sized lots. However, it should be noted that 13 respondents (3 times less than those who disfavor farm animals) were in favor of allowing “farm animals,” with restrictions.

Discussion

This whole endeavor of a survey was started and developed arguably around this question: *Should, what are essentially farm animals be allowed, and can they be fairly regulated within a suburban environment?*

A cursory review of the survey data might first suggest that a majority of respondents support a restriction on non-traditional/other animals. However, only 35.5% of respondents think no other pets should be allowed. But, from the comments section, 68 out of 97 respondents (70%) adamantly oppose allowing any “farm animals.” Conversely, a deeper dive into the data might well suggest otherwise.

Though supported by only 13 respondents from the comments section, the idea of restricting, what are essentially farm animals, to much larger east-side lots (≥ 1 acre), provided the animal is properly sheltered and cared for, the lot fully maintained, and does not create a nuisance to surrounding property owners, is significantly supported by the collective raw data.

If we accept the proposal for allowing farm animal as stated above, one of the qualifiers is ensuring their humane treatment. Overwhelmingly 93.5% of respondents think the humane treatment of all animals is “very important.”

Another qualifier is large lots (≥ 1 acre) as exclusively found on the east side of Highway 47. A significant majority (63.5%) think lot size is the primary determinant in owning other pets or animals. Additionally, 75% think other pets should be restricted by neighborhood presumedly areas with larger lots, and 62% think other animals should be restricted based on their size and weight. Taken as a whole, there is almost a grudging acceptance that if other animals are allowed, residents think we should do so objectively and responsibly that satisfies the animal owner and their neighbors.

Legal Considerations: What is a pet?

Throughout this report the word pet is used but is never clearly defined. Understandably, most of us have a similar understanding of what a pet is and is not. But what does New Mexico law say about pets? New Mexico statues offer little on this subject other than to declare that dogs are personal property. NMSA, 1978 77-1-1 However, the N.M. Supreme Court defined pet, in part, quoting from the Oxford English Dictionary, "... as a domestic or tamed animal kept for companionship or pleasure." Adding, "[t]he definitions do not state that pets cannot also have utility... [and] also kept as a source of companionship or pleasure can be a pet." *Eldorado Cmty. Improvement Ass'n, Inc. v. Billings*, 374 P.3d 737 (N.M. App., 2016). Or more simply: a pet can not only offer companionship or pleasure, they can also be kept to provide useful services (utility) that benefit the owner. This opens up a can of worms (pun intended).

This two-fold definition of a pet is sweeping if you define the following terms: "domestic or tamed animal" and "utility."

- A domestic animal is any animal that has undergone a change at the genetic level due to selective breeding to better suit a human interest. <https://pethelpful.com/exotic-pets/wild-domesticated-animals>
- Whereas, a tame animal has been behaviorally modified to interact with humans and still be controlled by humans. But these animals are still wild. <https://virily.com/animals/the-difference-between-domesticated-tamed-and-wild-animals/>
- Lastly, a pet can have "utility" in that it can be "useful, profitable, or beneficial... especially through being able to perform several functions... functional." <https://www.google.com/search?q=unity+definition>

Taken as a whole, the combined definition of a pet could easily be:

Any domesticated (the list is long) or tame animal that provides comfort or pleasure or helps its owner. It's noteworthy that most of the animals listed in question 14 are domesticated.

Considerations

- Whatever the Council's decision on this issue, it will no doubt be contentious. At the very least, a decision must be:
Fully supported in law;
Beneficial to the most while burdening the least; and
Enforceable.

- Concerning smaller animals such as rabbits, ferrets and the like, possibly even small “harmless” reptiles... reasonably, the type of pet or animal a homeowner chooses to own within the privacy and confines of their physical abode or dwelling is beyond the legal authority of a municipality so long as such ownership does not infringe upon the right of others.
- A cursory review of the legal literature suggests that livestock are not pets (you don’t eat your pets), and in most municipalities, ownership of livestock is well regulated. In Rio Rancho “[y]ou cannot own domestic livestock, unless your property is zoned for it. This includes farm animals (horses, pigs, goats, sheep, cows), fowl (ducks, chickens, geese, peacocks).”
- If you consider lot size as a qualifier in owning farm animals, the measurable qualifying “lot size” should be the actual enclosure or corral for the animal(s) and not the legal property description/size.
- So much of this issue centers on whether Rio Communities should be considered a rural or suburban residential community, and lot size is integral to this discussion.
- Each of us should have free and unfettered enjoyment of our property, so long as our actions do not infringe upon others, and the rights we expect from others we should likewise return to them.
- According to a 2015 Gallup poll, 80% of Americans believe the welfare of farm animals is important, and 50% believe that farm animals deserve the same considerations as pets.
<https://www.faunalytics.org>

Finally, one comment to a letter we received attached to a survey. It is particular and remarkable in its scope and detail. Hopefully, without offending the author, his main point is:

All reasonable “common sense” animals are allowed so long as they are treated humanely (100%), and strict sanitary conditions are maintained (100%). Here the term humanely is meant to encompass a range of objectifiers: adequate and proper room (lot size), exercise, shelter, protection, and the animal’s health and wellbeing. This is a high bar, and enforcement is an unknown variable in whatever direction the council takes. As another resident remarked... “all animals should be allowed until they become a nuisance.”