

**City of Alamogordo**  
**Commercial Solicitor's License Application**  
**Animal Sales**

**Authority:** Alamogordo Code of Ordinances, Chapter 17 and Chapter 7-04 Animal Sales.

**Fees:** The fee for a license to sell a single litter of dogs or cats within a year shall be fifty dollars (\$50.00). The fee for a license to sell more than a single litter of dogs or cats within a year shall be one hundred fifty dollars (\$150.00). All licenses expire on the first day of January of each year. There will be no credits or refunds.

**Instructions:** All questions on this application must be answered completely. Write N/A if an item is not applicable to you or your business. This application must be signed, notarized, and sworn to under oath by the Applicant/Solicitor. Minors under the age of 18 are exempt from these licensing requirements except when they are acting as agents of adults covered by the requirements. Picture identification will be required to prove identity and residence address.

Name: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Address: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Driver's License #: \_\_\_\_\_ State Driver's License Issued: \_\_\_\_\_

Business Name: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

NM Tax Identification #: \_\_\_\_\_

**If Applicant/Solicitor is employed or acting on behalf of another, complete the following:**

Name of Employer: \_\_\_\_\_ Employer's Telephone #: \_\_\_\_\_

Employer Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Employer's NM Tax ID #: \_\_\_\_\_

Describe the proposed location from which the animals will be sold:

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**PLEASE ALLOW 2 WORKING DAYS FOR THIS APPLICATION TO BE PROCESSED.**

**7-04-020 Requirements Checklist**

Every licensee will comply with each of the following conditions:

- \_\_\_\_\_ (a) Every dog or cat offered for sale must be examined by a veterinarian and be certified free of congenital defects, distemper, worms, skin disease, skin and ear mites and other diseases or conditions which would be injurious to the animal or a potential owner.
- \_\_\_\_\_ (b) Every dog or cat offered for sale will have been vaccinated against distemper by a veterinarian. A certificate providing the name of the veterinarian and the date of treatment must be provided to the purchaser at the time of sale.
- \_\_\_\_\_ (c) No dog or cat will be transported by a licensee unless housed in a container designed for that purpose including provisions for adequate ventilation and food and water.
- \_\_\_\_\_ (d) No licensee will allow the whelping of more than one litter per female dog or cat during the license term. **Must provide information on each female.**

The undersigned, being first duly sworn upon oath states that:

1. I have received a copy of Chapter 17, Article 17-08 relating to Commercial Solicitors, and a copy of Ordinance 1328 Dealing with Animals, and I fully understand the same;
2. I will carry, appropriately display, and show to any requestor the License issued to me by the City Clerk while engaging in business.
3. I will wear the identification badge provided to me by the City Clerk while performing business in such a way that it is readily visible.
4. I will keep required documentation of vaccinations with me at all times during the sale.
5. I will keep currently informed of all persons and/or addresses on the No-Solicitors Roster and will refrain from contacting those persons upon penalty of the law.
6. I acknowledge that violation of Chapter 7, Animal Control, of the City Code, constitutes a misdemeanor under section 1-01-100 of the City Code.

**PLEASE READ AND SIGN THE STATEMENT BELOW:** (*Unsigned applications will be discarded and will not be approved; all applications must be signed by the applicant ONLY.*)

The facts set forth in my application are true and complete to the best of my knowledge. I understand that false statements on this application shall be considered sufficient cause for denial. I authorize the City of Alamogordo to obtain civil suit, criminal arrest, and driving record information about me from law enforcement agencies, courts of law, and motor vehicle departments, of any state which I reside, have resided, or in which records may exist.

\_\_\_\_\_  
Signature of Applicant/Solicitor

\_\_\_\_\_  
Date

COUNTY OF OTERO        }  
STATE OF NEW MEXICO }ss

Subscribed and sworn to before me by \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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APPROVED/DENIED

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City Manager \_\_\_\_\_

Date \_\_\_\_\_

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City Clerk's Office Use Only

Single Litter \$50.00 or More than a single litter in one year \$150.00 (circle one)

License #: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Date Fee Paid: \_\_\_\_\_

# ORDINANCE 1328

## AMENDING CHAPTER 7 OF THE *CODE OF ORDINANCES* DEALING WITH ANIMALS

**WHEREAS**, the governing body of the City of Alamogordo is charged with enacting ordinances for the benefit of the health, safety and welfare of the citizens of the city; and,

**WHEREAS**, the care and keeping of animals has a dramatic impact on the quality of life of the citizens of the city; and,

**WHEREAS**, the governing body finds it necessary to enact certain ordinances to provide for the welfare of animals and to regulate the sales and treatment of animals within the City of Alamogordo.

**BE IT THEREFORE ORDAINED** by the City Commission of the City of Alamogordo, New Mexico that the *Code of Ordinances* is amended to read as follows:

### **SECTION ONE**

There is hereby enacted a new section of the *Code of Ordinances* as follows:

#### **7-01-067 Injured animals**

Every operator of a motor or self-propelled vehicle upon the streets and ways of the city shall, upon injuring, striking, maiming or running down any animal provide immediate notification to animal control, furnishing sufficient facts relative to the incident or shall immediately transport the animal to a facility where it can receive treatment for its injuries. Such animal shall be deemed an uncared for animal within the meaning of this chapter. Emergency vehicles engaged in an emergency response are excluded from this provision.

### **SECTION TWO**

#### **7-02-010. Rabies**

Owners or persons responsible for animals within the city are required to have those animals vaccinated for rabies as required by regulations of the New Mexico Environment Department.

(Ord. No. 682, § 2, 814-84)

### **SECTION THREE**

#### **7-03-025. Sterilization.**

Every dog and cat adopted from the city animal control center shall be spayed or neutered by a licensed veterinarian at the expense of the adopting party. In

addition to any other lawful fees due, any person reclaiming, adopting, or buying a dog or cat from the city shall pay a sterilization fee equivalent to the city's actual cost for sterilization plus a five-percent administrative fee for the sterilization service. An owner reclaiming their own animal is relieved from the obligations of this section upon execution of a sworn statement from the owner establishing the owner as a hobby breeder.  
(Ord. No. 933, §9, 12-12-94; Ord. No. 1180, § 9, 12-9-03)

## **SECTION FOUR**

### **7-03-050. Fees.**

The commission will adopt a resolution setting appropriate fees for services provided by the animal control division as appropriate.

(Ord. No. 682, § 2, 8-14-84; Ord. No. 933, § 10, 12-12-94; Ord. No. 967, 12-21-95; Ord. No. 1180, § 11, 12-9-03)

## **SECTION FIVE**

### **Article 7-04 Animal Sales**

#### **7-04-010 Licensing**

(a) It shall be unlawful for any person, firm or corporation to offer dogs or cats for sale for profit or as a hobby within the city unless such person, firm or corporation shall have first obtained from the city clerk a license therefore as provided in this article.

(b) The fee for a license to sell a single litter of dogs or cats within a year shall be fifty dollars. The fee for a license to sell more than a single litter of dogs or cats within a year shall be one hundred fifty dollars.

(c) All licenses expire on the first day of January of each year.

(d) The license application shall contain the following information at a minimum:

1. Name of applicant
2. Address of applicant
3. Telephone number of applicant
4. The proposed location from which the animals will be sold
5. The clerk may require such other information as is deemed necessary in order to determine whether to approve or deny a license under this article.

## **SECTION SIX**

### **7-04-020 Requirements**

Every licensee will comply with each of the following conditions:

- (a) Every dog or cat offered for sale must be examined by a veterinarian and be certified free of congenital defects, distemper, worms, skin disease, skin and ear mites and other diseases or conditions which would be injurious to the animal or a potential owner.
- (b) Every dog or cat offered for sale will have been vaccinated against distemper by a veterinarian. A certificate providing the name of the veterinarian and the date of treatment must be provided to the purchaser at the time of sale.
- (c) No dog or cat will be transported by a licensee unless housed in a container designed for that purpose including provisions for adequate ventilation and food and water.
- (d) No licensee will allow the whelping of more than one litter per female dog or cat during the license term.

**SECTION SEVEN**

**7-04-030 Exemptions**

Organizations with a valid 501 (c) (3) tax-exempt status are exempt from the licensing provisions of this article.

**DONE** this 13<sup>th</sup> day of May, 2008.

CITY OF ALAMOGORDO, NEW MEXICO  
a New Mexico municipal corporation

*/s/ Steve Brockett, Mayor*

By: \_\_\_\_\_  
Steve Brockett, Mayor

ATTEST:

*/s/ Reneé L. Cantin, City Clerk*

\_\_\_\_\_  
Reneé L. Cantin, City Clerk

APPROVED AS TO FORM:

*/s/ Stephen P. Thies, City Attorney*

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Stephen P. Thies, City Attorney

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