



Quay County Government

300 South Third Street, Tucumcari, NM 88401

Post Office Box 1246

Phone: (575)461-2112 Fax: (575) 461-6208

ORDINANCE NO. 61

AN ORDINANCE PROHIBITING THE IMPORTATION AND RELOCATION OF PRAIRIE DOGS AND OTHER DANGEROUS OR NUISANCE ANIMALS INTO OR WITHIN QUAY COUNTY, NEW MEXICO.

WHEREAS, the Board of County Commissioners of Quay County, New Mexico has been presented with complaints and concerns by various County residents regarding concerns of injury and damage to real property and environment and significant risk to public health posed by the importation or relocation of various animals that are not confined or kept as pets or for farming, ranching or other legitimate business needs; and,

WHEREAS, the Quay County Commission has a duty to provide for the safety and preserve the health, order, comfort, and convenience of the residents of the County, and,

WHEREAS, the Quay County Commission declares that prairie dogs and other dangerous or nuisance pests that are imported into or relocated within Quay County, are not controlled, contained or otherwise confined, and are allowed to migrate onto or enter adjoining properties present a safety issue to the public and to the property and land of adjoining or neighboring property owners; and,

WHEREAS, Section 4-37-1 NMSA 1978 provides that the County may adopt ordinances to discharge the powers necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of the County and its inhabitants.

NOW, THEREFORE, the Quay County Commission on the 8TH day of December 2025 adopts the following Ordinance of Quay County, New Mexico

1. It shall be unlawful for any person, firm or entity, or any agent, employee or representative thereof, to import or bring into Quay County or relocate within Quay County any animal that has been designated by Quay County, the State of New Mexico, or the United States Government as harmful, injurious, and detrimental to the citizens of Quay County, presents a serious risk of injury and damage to real property, presents a significant risk to public health, or constitutes a public nuisance, as that term is defined by state law (hereinafter referred to as "dangerous or nuisance animals"), except as provided herein
- 2 For purposes of this Ordinance, the Quay County Commission hereby designates prairie dogs as "dangerous or nuisance animals".

The Quay County Commission may make changes to the list of dangerous or nuisance animals covered by this Ordinance by adopting an amendment to the Ordinance in accordance with applicable law.

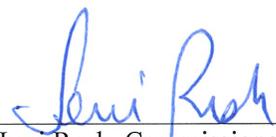
3. Violations of this Ordinance are punishable by a fine of not less than, nor more than **\$1000** for each and every separate offense

In addition to the above penalty, any landowner, person or entity that violates this Ordinance shall be responsible for any and all damages costs or expenses of eradication or removal of any dangerous or nuisance animals and of repair or rehabilitation of property damaged by any dangerous or nuisance animals.

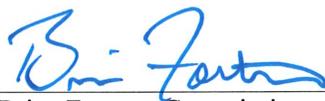
4. Any property owner, person or entity who willingly knowingly or voluntarily imports, brings or places dangerous or nuisance animals onto their property in Quay County, or allows, permits or consents to any other person or entity importing, bringing, or placing any dangerous or nuisance animals onto their property in Quay County shall be completely and absolutely responsible for maintaining said dangerous or nuisance animals and managing their property to ensure that said animals do not migrate onto or enter any neighboring or adjoining properties.

IT IS HEREBY DECLARED to be the intention of the Quay County Commission that the sections, paragraphs, sentences clauses and phrases of this Ordinance shall be deemed severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or otherwise invalid by a final judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases clauses, sentences, paragraphs, or sections hereof.

PASSES APPROVED AND ADOPTED on this 8th day of December 2025.

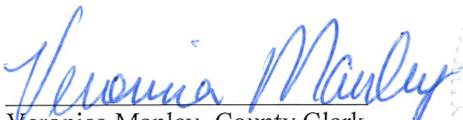


Jerri Rush, Commissioner

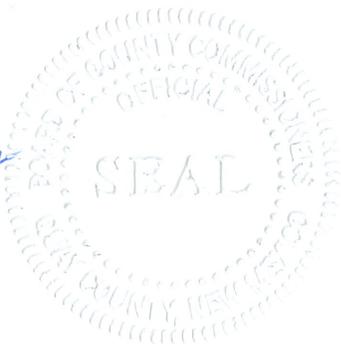


Brian Fortner, Commissioner

ATTEST:



Veronica Manley, County Clerk





Dallas Dowell, Commissioner