

**NOTICE OF INTENT TO ADOPT AN ORDINANCE AMENDING CHAPTER 6
(ANIMALS), ARTICLE I, SECTION 6-1 (DEFINITIONS) AND A NEW SECTION 6-15
(KEEPING OF BEES PROHIBITED) OF THE CODE OF ORDINANCES OF THE
TOWN OF SILVER CITY**

The Council of the Town of Silver City, Grant County, New Mexico hereby gives notice of its intention to adopt a proposed amendment to the Town of Silver City Code of Ordinances. This notice is given the title as follows:

ORDINANCE NO. 1272

**AN ORDINANCE AMENDING CHAPTER 6 (ANIMALS), ARTICLE I, SECTION 6-1
(DEFINITIONS) AND A NEW SECTION 6-15 (KEEPING OF BEES PROHIBITED) OF
THE CODE OF ORDINANCES OF THE TOWN OF SILVER CITY**

Sponsored by Councilor Lynda D. Aiman-Smith.

WHEREAS, the Town Council has authority under its Territorial Charter and its Municipal Code to pass ordinances designed to protect public safety within the Town; and

WHEREAS, the Town Council has undertaken the regulation of animals within the Town to protect and regulate certain animals, but primarily to enhance public safety; and

WHEREAS, the Town Council has been made aware of the increasing frequency of swarming bees attacking its inhabitants and presenting a danger to both persons and animals; and

WHEREAS, an examination of the Town's Municipal Code discloses that there exists general prohibition against maintaining a "public nuisance" in Chapter 32, Article I, Section 32-1, the Town Council believes that specific and unambiguous regulation of bees as described herein this ordinance is necessary for the health, safety, and welfare of the Town and its inhabitants;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Silver City, Grant County, New Mexico, that:

Chapter 6, Article I, Section 6-1 is amended by expanding the definition of animal as follows:

Sec. 6-1. Definitions.

Animal means any vertebrate, excluding human, and any stinging or biting insect.

Chapter 6, Article I, Section 6-15 shall be added as a new section and shall read:

Sec. 6-15. Keeping of bees prohibited.

The keeping of bees within the Town is declared to be a public nuisance. No person shall keep bees whether in natural or constructed hives within the Town. The word “keep” shall include permitting the existence of a natural hive upon one’s property. A violation of this provision shall be subject to the penalty described in Section 6-54 of this Chapter.

PASSED AND APPROVED this ____ day of _____, 2018.

(Seal)

Ken Ladner, Mayor

Attest:

Ann L. Mackie, Town Clerk

Consideration of the final adoption of such proposed ordinance will not take place until at least two (2) weeks subsequent to the date of this notice and only at a public meeting called and held in accordance with Section 3-17-3, N.M.S.A. 1978. Consideration of adoption of said ordinance is currently scheduled for and will not take place prior to Sept. 25, 2018.

/s/_____
Ann L. Mackie, Town Clerk

Aug. 15, 2018
Date