

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-25-104 ENACTMENT NO. _____

SPONSORED BY: Tammy Fiebelkorn, by request

1 **ORDINANCE**

2 **AMENDING ROA 1994, SECTION 9-2-2-4(B) OF THE HUMANE AND ETHICAL**
3 **ANIMAL RULES AND TREATMENT RELATED TO HOUSING AND RESTRAINT**
4 **STANDARDS.**

5 **WHEREAS, the current City Ordinance governing the housing restriction**
6 **does not allow licensed Veterinarians to assess and recommend appropriate**
7 **housing for companion animals, considering their health requirements and**
8 **overall well-being; and**

9 **WHEREAS, the amendments to this Ordinance will allow licensed**
10 **veterinarians to be in compliance with the City Ordinance based on their**
11 **professional health assessment.**

12 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
13 **ALBUQUERQUE:**

14 **SECTION 1. § 9-2-2-4(B) of the Humane and Ethical Animal Rules and**
15 **Treatment related to housing and restraint standards is hereby amended as**
16 **follows:**

17 **§ 9-2-2-4 HOUSING AND RESTRAINT STANDARDS FOR MAMMALS AND BIRDS**
18 **KEPT AT BOARDING KENNELS, GUARD DOG SITES, ANIMAL SHELTERS**
19 **INCLUDING THE ALBUQUERQUE ANIMAL CARE CENTER (AACC) AND PET**
20 **STORES (NON-RESIDENTIAL SITES).**

21 **(B) Indoor - Secure Facility.**

22 **(1) Minimum floor space and other requirements for cats.**

23 **(a) Cats shall have a minimum of four-square feet of flat floor space**
24 **and twenty-two inches of vertical space****[, unless otherwise indicated by a**
25 **licensed veterinarian. The guidance of a veterinarian is crucial in determining**

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1 the suitable housing for companion animals, considering their unique health
2 requirements and overall well-being].

3 (b) Cats shall always have access to litter. The size of a litter box shall
4 be subtracted when measuring the minimum space required for a cat.

5 (c) When there is more than one cat in an enclosure, additional floor
6 and vertical space and resting perches are required. This does not include a cat
7 with kittens.

8 (2) Minimum floor space requirements for dogs.

9 (a) Dogs weighing less than 30 pounds shall have eight square feet of
10 flat floor space and two feet of vertical space per dog[, unless otherwise
11 indicated by a licensed veterinarian. The guidance of a veterinarian is crucial in
12 determining the suitable housing for companion animals, considering their
13 unique health requirements and overall well-being].

14 (b) Dogs weighing between 30 and 65 pounds shall have 12 square
15 feet of flat floor space and three feet of vertical space per dog[, unless otherwise
16 indicated by a licensed veterinarian. The guidance of a veterinarian is crucial in
17 determining the suitable housing for companion animals, considering their
18 unique health requirements and overall well-being].

19 (c) Dogs that weigh more than 65 pounds shall have 24 square feet of
20 flat floor space and three feet of vertical space per dog[, unless otherwise
21 indicated by a licensed veterinarian. The guidance of a veterinarian is crucial in
22 determining the suitable housing for companion animals, considering their
23 unique health requirements and overall well-being].

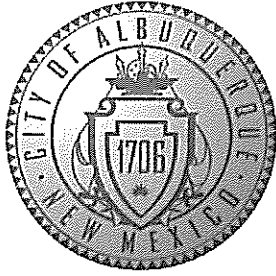
24 SECTION 2. SEVERABILITY. If any section, paragraph, sentence, clause or
25 phrase of this Ordinance is for any reason held to be invalid or unenforceable
26 by any court of competent jurisdiction, such decision shall not affect the
27 validity of the remaining provisions of this Ordinance. The Council hereby
28 declares that it would have passed this Ordinance and each section,
29 paragraph, sentence, clause, word or phrase thereof irrespective of any
30 provision being declared unconstitutional or otherwise invalid.

31 SECTION 3. COMPILATION. SECTION 1 of this Ordinance amends, is
32 incorporated in, and is to be compiled as part of the Revised Ordinances of
33 Albuquerque, New Mexico 1994.

1 **SECTION 4. EFFECTIVE DATE.** This Ordinance takes effect five days after
2 publication by title and general summary.

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Mayor Timothy M. Keller

CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

INTER-OFFICE MEMORANDUM

December 2, 2025

TO: Brook Bassan, President, City Council

FROM: Timothy M. Keller, Mayor



SUBJECT: AMENDING ROA 1994, SECTION 9-2-2-4(B) OF THE HUMANE AND ETHICAL ANIMAL RULES AND TREATMENT RELATED TO HOUSING AND RESTRAINT STANDARDS

The attached legislation revises Sections 9-2-2-4(B)(1)(a), 9-2-2-4(B)(2)(a), (b) and (c) to include the following statement: "...unless otherwise indicated by a licensed veterinarian. The guidance of a veterinarian is crucial in determining the suitable housing for companion animals, considering their unique health requirements and overall well-being."

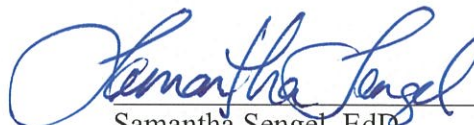
The revision to the ordinance will enable licensed veterinarians to assess and recommend appropriate housing for companion animals, considering their health requirements and overall well-being. Without this amendment, veterinarians could be in violation of the current ordinance if, in their professional judgment, animals should be housed in kennels smaller than the current minimum space requirements.

This proposed amendment is not associated with a financial impact.

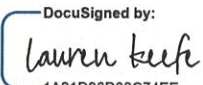
The attached legislation is submitted for consideration and action by the Council.

Legislation Title: AMENDING ROA 1994, SECTION 9-2-2-4(B) OF THE HUMANE AND ETHICAL ANIMAL RULES AND TREATMENT RELATED TO HOUSING AND RESTRAINT STANDARDS

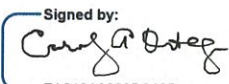
Approved:

 12/8/25
Samantha Sengel, EdD Date
Chief Administrative Officer

Approved as to Legal Form:

DocuSigned by:
 12/8/2025 | 11:10 AM MST
1A21B99D32674EE...
Lauren Keefe Date
City Attorney

Recommended:

Signed by:
 12/5/2025 | 1:36 PM MST
EA018A0208D8426...
Carolyn A. Ortega Date
Director, Animal Welfare Department

Cover Analysis

1. What is it?

Amendment to Ordinance section 9-2-2-4.

2. What will this piece of legislation do?

This legislation will amend Ordinance Section 9-2-2-4(B)(1)(a), 9-2-2-4(B)(2)(a), (b) and (c) to include the following statement to the end of the only sentence in each subsection to be amended: "...unless otherwise indicated by a licensed veterinarian. The guidance of a veterinarian is crucial in determining the suitable housing for companion animals, considering their unique health requirements and overall well-being."

3. Why is the project needed?

This project is essential to enable licensed veterinarians to assess and recommend appropriate housing for companion animals, considering their health requirements and overall well-being.

4. How much will it cost and what is the funding source?

N/A

5. Is there a revenue source associated with this contract? If so, what level of income is projected?

N/A

6. What will happen if the project is not approved?

Veterinarians will not be in compliance with the City Ordinance if they determine that a companion animal kept at a Boarding Kennel, Guard Dog Site, Animal Shelter including the Albuquerque Animal Care Center (AACC), or a Pet Store should be provided lesser minimum floor space than what is mandated in the current ordinance based on the individual health requirements and overall wellbeing of a specific companion animal.

7. Is this service already provided by another entity?

N/A

FISCAL IMPACT ANALYSIS

TITLE: HEART Amendment

R: O:

FUND: 1080000

DEPT: AWD

- ☒ No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- ☐ (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	2025	Fiscal Years 2026	2027	Total
Base Salary/Wages				-
Fringe Benefits at				-
Subtotal Personnel	-	-	-	-
Operating Expenses		-		-
Property		-	-	-
Indirect Costs	-	-	-	-
Total Expenses	\$ -	\$ -	\$ -	\$ -
☐ Estimated revenues not affected				
☐ Estimated revenue impact				
Revenue from program				0
Amount of Grant		-	-	
City Cash Match				
City Inkind Match				
City IDOH	-	-	-	-
Total Revenue	\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created

COMMENTS: There is not fiscal impact associated with this amendment. The amendment does not obligate the City to provide funding, staffing, or additional resources to Street Cat Hub or any other entity. No appropriation is required.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

Signed by: Rhonda Cordova 12/5/2025 | 1:07 PM MST
 FISCAL ANALYST

APPROVED:

Signed by: Carla A. Ostep 12/5/2025 | 1:36 PM MST
 DIRECTOR

REVIEWED BY:

Signed by: Malvina Diaz 12/8/2025 | 8:16 AM MST
 EXECUTIVE BUDGET ANALYST

DocuSigned by: Lawrence Davis 12/8/2025 | 10:07 AM MST
 BUDGET OFFICER

Signed by: Christine Bomer 12/8/2025 | 11:05 AM MST
 CITY ECONOMIST