

PUEBLO OF ACOMA LAWS 2003 (2017 Replacement)

TITLE 9 LIVESTOCK AND GRAZING CODE

This Replacement includes laws enacted since the Pueblo of Acoma Laws 2003 pursuant to Tribal Council Resolutions dated January 1, 2016 through December 31, 2016.

PUEBLO OF ACOMA LAWS 2003 (2017 Replacement)

**TITLE 9
LIVESTOCK AND GRAZING CODE**

These laws may be cited by Title, Chapter, Section and Year as Section or
§__-__-__ Pueblo of Acoma Laws 2003 (2017 Replacement)

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**TITLE 9
LIVESTOCK AND GRAZING CODE**

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PUEBLO OF ACOMA LAWS 2003 (2017 Replacement)

**TITLE 9
LIVESTOCK AND GRAZING**

Origins: Unless otherwise noted, the laws contained in this Title were adopted by the Pueblo of Acoma Tribal Council as part of the 1985 Law and Order Code. Pueblo of Acoma Laws 2003 supplied section headings in brackets.

Annotation 1: Tribal Council specifically authorized the Acoma Ranger Program to enforce this Title pursuant to Tribal Council Resolution No. TC-OCT-11-01-3. This Resolution did not remove enforcement powers from the Acoma Police Department. Therefore where the title refers to a "person allowed to enforce this Title," it means both the Acoma Ranger Program and Acoma Police Department. Where only Acoma Police Department is referenced in the Title Acoma Ranger Program is inserted to comply with the intent of Tribal Council Resolution No. TC-OCT-11-01-3.

Annotation 2: In 2014, pursuant to Tribal Council Resolution No. TC-MAY-08-14-VIb, the Pueblo of Acoma Tribal Council amended this Title to establish a Livestock and Grazing Board.

Annotation 3: In 2014, the Tribal Council delegated all of its functions it previously performed under Title 9. Cross-reference §9-1-4. Unless otherwise noted, the 2014 amendment replaced references to "Acoma Tribal Council" or "Council" with "Board".

Annotation 4: In 2016, the Tribal Council made global edits by replacing the term "Acoma Pueblo" with "Pueblo of Acoma" and "Board" with "Acoma Livestock & Grazing Board."

Chapter 1. PURPOSE

9-1-1 [Purpose]. The [laws] set forth within the Acoma Livestock and Grazing Title are prescribed to:

- A. Govern the branding, theft, disease, at large estray, inspection, transportation and related aspects of domestic livestock within the exterior boundaries of the Pueblo of Acoma.
- B. Preserve tribal resources, promote proper use of Acoma range lands, and afford equal utilization rights of all lands within the exterior boundaries of the Pueblo of Acoma.
- C. Preserving the public health, safety, welfare and land of the Pueblo of

Acoma people and their livestock.

- D. Prescribe punishment for violations of any section of the legislation.
- E. Fulfill the objectives set forth in 25 CFR, Section 166.

Annotation: The 2016 Amendment replaced "Preserve public health, safety, and welfare, " with "Preserving the public health, safety, welfare and land" in the beginning of Paragraph C. The 2016 Amendment made the term "violation" plural in Paragraph D.

Chapter 2. DEFINITIONS

Annotation: The 2016 Amendment added new definitions, and placed all of the defined terms in alphabetical order. To the extent existing definitions were re-alphabetized, the 2017 Replacement provides a reference to its prior citation.

9-2-1 [Definitions]. In this Title, unless the context otherwise requires:

- A. "Acoma Land & Cattle" means a division of Acoma Business Enterprises.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

- B. "Acoma Livestock and Grazing Board Boundary Line" means the area south of this boundary which is considered grazing areas.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

- C. "Brand" means any identification mark, tattoo, or certified registration of a permanent nature duly recorded with the Pueblo of Acoma and the State of New Mexico which denotes an animal's legal owner.

Annotation: Previously codified at §9-2-1(E), Pueblo of Acoma Laws 2003 (2015 Replacement).

- D. "Estray" means any livestock running at large upon Pueblo of Acoma lands, either fenced or unfenced, whose owner is unknown, or that is branded with a brand that is not on record in the office of the Acoma Livestock and Grazing Board.

Annotation: 2016 Amendment replaced entire definition. Former definition, previously codified at §9-2-1(G), Pueblo of Acoma Laws 2003 (2015 Replacement), read: "any livestock animal at large where there is no identifiable keeper at hand on any land within the exterior boundaries

of the Pueblo of Acoma with the exclusion of those areas of Acoma land designated as open range."

- E. "Fence" means any barricade material securely constructed and properly maintained so as to prohibit passage over any area of land on which it is situated.

Annotation: 2016 Amendment deleted the word "unrestricted" immediately before "passage." Previously codified at §9-2-1(I), Pueblo of Acoma Laws 2003 (2015 Replacement).

- F. "Grazing Permit" means a legally authorized document or authorization approved and issued by the Acoma Livestock and Grazing Board pursuant to this Title.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

- G. "ID Tag" means any ear, scrapie and/or Premise ID tag to provide identification to said animal.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

- H. "Keeper" means any person who owns, harbors, keeps or has control or custody of any livestock on the Pueblo of Acoma.

Annotation: Previously codified at §9-2-1(F), Pueblo of Acoma Laws 2003 (2015 Replacement).

- I. "Livestock" means any bovine, equine, sheep, goat, swine and/or any cloved hoof or feathered species.

Annotation: 2016 Amendment deleted "or" before "swine" and added "and/or any cloved hoof or feathered species" to the end of the definition. Previously codified at §9-2-1(A), Pueblo of Acoma Laws 2003 (2015 Replacement).

- J. "Livestock inspector" means an individual authorized to inspect and enforce the laws and regulations of this Title for the movement, sale, sanitary and health conditions of livestock.

Annotation: 2016 Amendment replaced entire definition. Former definition, previously codified at §9-2-1(K), Pueblo of Acoma Laws 2003 (2015 Replacement), read: "any person appointed or approved by the Board to enforce the provisions of this Title."

- K. "Maverick" means any livestock not branded and not positively

identifiable to the mother of said animal.

Annotation: 2016 Amendment deleted the phrase, "or which is weaned" immediately after "branded". Previously codified at §9-2-1(M), Pueblo of Acoma Laws 2003 (2015 Replacement).

- L. "Open range" shall be those unpopulated areas of the Pueblo of Acoma where the roads are not fenced off from grazing lands and livestock are allowed to roam. The villages and populated areas shall not be construed to be open range.

Annotation: Previously codified at §9-2-1(J), Pueblo of Acoma Laws 2003 (2015 Replacement).

- M. "Other authorized official" means any person or persons who, by virtue of their employment with the Pueblo of Acoma and their appointment to an official position of authority vested by commission from the Pueblo of Acoma, are duly authorized and empowered to enforce the provisions of this Title.

Annotation: Previously codified at §9-2-1(L), Pueblo of Acoma Laws 2003 (2015 Replacement).

- N. "Other grazing animal" means any animal as may be designated by the Acoma Livestock & Grazing Board to use the range lands of the Pueblo of Acoma under a duly authorized permit.

Annotation: 2016 Amendment replaced the term "Acoma Tribal Council" with "Acoma Livestock & Grazing Board".

- O. "Owner" means any person, firm, association, corporation or tribal enterprise owning, keeping, harboring, or controlling any livestock enumerated in this Title.

Annotation: Previously codified at §9-2-1(B), Pueblo of Acoma Laws 2003 (2015 Replacement).

- P. "Person" means a human being in the singular or plural to include any firm, association, corporation, tribal enterprise, keeper, or employee, owning, keeping, harboring or controlling any livestock.

Annotation: Previously codified at §9-2-1(C), Pueblo of Acoma Laws 2003 (2015 Replacement).

- Q. "Running at large" means any livestock which is off the premises and not under the direct control of its owner.

Annotation: 2016 Amendment replaced entire definition. Former definition, previously codified at §9-2-1(H), Pueblo

of Acoma Laws 2003 (2015 Replacement), read: "any livestock which is off the premises of its keeper and not under the direct control of a competent person with the exception of those areas designated as open range."

- R. "Small Ownership" shall include, but not limited to, pets, non-profit organizations such as 4-H and others as determined by the Board consistent with the objectives in this title.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

Chapter 3. ESTABLISHMENT OF LIVESTOCK & GRAZING BOARD

The Tribal Council, having determined that comprehensive tribal livestock and grazing planning and management is of benefit to all people of the Pueblo, that a Board charged with regular oversight, management and planning is necessary to carry out these functions and determines that it is in the best interest of the tribal government for the Pueblo to perform this function, hereby created the Livestock & Grazing Board ("Board" or "Livestock & Grazing Board").

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotation: 2016 Amendment added "or Livestock & Grazing Board" to the parenthetical. Previously codified at §9-1-2, Pueblo of Acoma Laws 2003 (2015 Replacement).

- 9-3-1 Mission Statement. The Board shall provide direction, guidance and oversight to ensure the economic growth, proper management to profit, enhance the quality of life and to compose different rules and/or establish laws as needed. To exercise general regulatory supervision over the livestock industry in order to protect the Pueblo of Acoma from theft and diseases, as well as, protecting the public's health, welfare and natural resources, all while encouraging and preserving traditional and cultural practices.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: 2016 Amendment replaced the entire section. Former section, previously codified at §9-1-3, Pueblo of Acoma Laws 2003 (2015 Replacement), read: "The Board shall provide direction, guidance and oversight to ensure the economic growth, proper management, profit, and enhance the quality of life for the People of Acoma."

- 9-3-2 Organization and Authority. The Board shall assume all functions in Title 9 conducted by the Pueblo of Acoma Tribal Council, including [Sections] 9-4-1

through 9-4-20; 9-6-1 and 9-6-2.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: 2016 Amendment deleted "previously" immediately before "conducted" and updated the internal section references. Previously codified at §9-1-4, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-3-3 Board Composition.

A. Number.

1. Board will be composed of five (5) voting members.
2. There shall be two (2) additional Board members who shall serve ex-officio capacity, with one of the ex-officio members appointed by Tribal Administration and the other appointed by the Tribal Council from the general public. The ex-officio Board members shall not vote, but can fully participate in every other way, including establishing a quorum.
3. Within sixty (60) days after passage of this Amendment, Tribal Council shall select the seven (7) voting members of the Board.
4. Prior to any Board member appointment, Tribal Council will consult with the Governor regarding all nominations and Board selections.
5. Prior to any Board member appointment, Tribal Council shall ask for nominations from the cattle associations.
6. Prior to any Board appointment, Tribal Council may provide notice to the public so that any member of the public may provide a Board nomination to the Tribal Secretary for forwarding to the Tribal Council.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-5(A), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment adds the last clause to subsection (2), increase the voting members from 5 to 7 in subsection (3), and deletes a former subsection (4): Former subsection (4) read: "Within 60 days after passage of this Amendment, Tribal Council and Tribal Administration shall select the two (2) ex-officio non-voting members of the Board."

- B. Terms. Each member of the Board shall be appointed to serve for a three (3) year term, and/or until their replacement has been approved, which must be no more than three (3) months after the completion of a three (3) year term. Any voting Board member may be reappointed by Tribal Council after their term has expired.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-5(B), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deletes the last sentence in this Section. Former last sentence read, "Any ex-officio non-voting Board member may be reappointed after their term has expired by the entity that originally appointed them."

- C. Vacancies. Board vacancies shall be filled by the Tribal Council for the unexpired portion of the term of service.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-5(C), Pueblo of Acoma Laws 2003 (2015 Replacement).

- D. Removal. Any member of the Board may be removed by the Tribal Council for neglect of duty or other good cause. The Tribal Council shall provide notice, including the basis for any removal with opportunity to appear and respond to any allegations of neglect of duty or other good cause prior to any Tribal Council action for removal.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-5(D), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendments added the final sentence.

- E. Responsibilities of Executive Director to the Board. The Director of the Acoma Department of Natural Resources and/or his designee shall act as the Executive Director for the Board, providing any information the Board requires. The Executive Director shall make recommendations (including stating the basis of the recommendations) concerning all issues over which the Board has authority and must consider.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-5(E), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendments deleted the phrase, "as well as set the agenda for Board consideration of any issues" at the end of the first sentence.

9-3-4

Powers & Duties of the Board.

- A. Officers. The Board shall elect by majority vote for the positions of Chair, Vice Chair and Secretary. Such elections shall be conducted annually at the first regular meeting at the beginning of the New Year.
1. Chair – The Chair shall preside over all meetings, negotiate and act on matters presented to the Board, coordinate activities, review and sign official documents as authorized. The Chair shall serve as the liaison to the Tribal Administration and Tribal Council.
 2. Vice-Chair – The Vice-Chair shall assist the Chair and assume the duties of the Chair in the event of the Chair's absence or liability to complete a term.
 3. Secretary – The Secretary will record minutes of all Board meetings, prepare all documents requiring the signature of the Chair and maintain all files associated with the Board.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-6(A), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment moved the final sentence at Paragraph (A) to the final sentence of sub-paragraph (A)(1). 2016 Amendment adds sub-paragraphs (A)(1), (2), and (3).

- B. Reporting. In addition to the duties set forth in [Section] 9-3-2 above, as well as in [Sections] 9-4-1 through 9-4-20; 9-6-1 and 9-6-2, the Board shall report to the Tribal Council at least once every six (6) months regarding its responsibilities, as well as, making such recommendations as are necessary. However, Tribal Council may call for a report from the Board on any issue at any time it so desires. Further, Tribal Council may by majority vote of a duly constituted quorum, overturn any policy decision made by the Board. If a particular matter or issue is already in Tribal Court that matter may be appealed to the Tribal Council under the Tribal Code's rule for appealing Court decisions.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-6(B), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment adds "as well as in [Sections] 9-4-1 through 9-4-20; 9-6-1 and 9-6-2" to the first sentence, and decreases the frequency of meetings from once every 3 months to once every 6 months. In the third sentence, 2016 Amendment adds "of a duly constituted quorum" immediately after "majority vote."

- C. Meetings. The Board shall meet at least once a month in order to carry out its duties as set forth in [Section] 9-3-42

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-6(C), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment updates the referenced section.

- D. Conducting Business. The Board shall establish its own rules of procedures for considering issues that may come before it.

1. Those rules must be approved by the Tribal Council and in consultation with Tribal Administration.
2. The rules propagated by the Board shall ensure due process for interested parties.
 - a. In adjudicative matters, the Board shall provide all parties with:
 - i. Notice including, the reason for the adjudication, potential penalties/consequences, such as loss of grazing permit;
 - ii. A hearing that includes an opportunity for a party to provide evidence and be represented by counsel;
 - iii. A written basis for a Board decision that is supported by at least three (3) voting members.
 - b. In all rulemaking, the Board shall ensure that general notice of a potential rule is provided to the public, as well as, specific notice to any interested party, or cattle associations, so that it may have an opportunity to appear before the Board if a hearing on the matter is held or submit written data or arguments for the Board's

consideration.

- c. The Board shall look to the Federal Administration Procedures Act for persuasive authority, with regard to rule making, adjudication and ensuring due process.
3. All Board decisions must be in writing and must state the basis upon which the decision was made.
4. All Board meetings shall be public, unless the Board votes to go into executive session. If the Board does go into executive session, it shall state the reason for such Action. Any final decision by the Board must be public, including stating the basis of that decision.
5. The Board will use as general guidance the range inventory principles or range management practices that were developed by the Bureau of Indian Affairs and later amended and used by the Acoma Department of Natural Resources .

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-6(D), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "be constructed" immediately before "in consultation" in sub-paragraph (D)(1). 2016 Amendment adds the entirety of sub-paragraph (D)(2). 2016 Amendment adds new second sentence to sub-paragraph (D)(4), and removes "However" from the start of the third sentence to sub-paragraph (D)(4).

9-3-5 Payment. Board members shall be reimbursed for travel and other necessary business expenses incurred in carrying out official duties at rates commensurate with those set by other Boards. Moreover, the Board may be paid stipends at rates approved by the Tribal Council.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-7, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaces "the Acoma Business Enterprise" with "other Boards" towards the end of the first sentence.

9-3-6 Conflict of Interest. Board members shall neither engage in any activity, nor have any interest or acquire any interest, direct or indirect, which would conflict with any manner or degree with the performance of duties required by their position on the Board. A conflict of interest occurs when circumstances create a possibility that a Board member's duty of undivided loyalty to the

Board may be compromised. Should a possible conflict of interest develop for a Board member, he or she shall determine whether the conflict of interest exists, prepare a written statement about the potential conflict of interest for filing with the Board records and shall abstain from voting on any matter that may benefit such member.

Origins: Enacted by Tribal Council Resolution No. TC-MAY-08-14-VIb, dated May 8, 2014.

Annotations: Previously codified at §9-1-8, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "or deliberating with other Board members about" immediately before "any matter" in the last sentence.

9-3-7

Adjudication.

- A. Any Board decision may be appealed to Tribal Court. However, Tribal Court may not overturn any Board decision unless it is arbitrary and capricious when examining evidence on the record as a whole. Further, the party challenging the Board decision must have clear and convincing evidence that its position is supported.

Annotations: Previously codified at §9-1-9(A), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaces "based upon" with "when examining" in the second sentence.

- B. Any individual or cattle association may challenge any Board decision prior to its implementation. Moreover, the Board has original jurisdiction over Chapter 4 and Chapter 6, Sections 1 and 2 of this title.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

- C. Tribal Court can refer any matter before it to Tribal Administration or Tribal Council using [Section] 1-1-8 for their determination.

- D. Any civil matter, for which fine or property forfeiture may be imposed, including the seizing of livestock, shall be referred to Tribal Court for resolution and will not be decided by the Board. Any criminal matter for which a criminal penalty may be imposed, including imposing a fine and/or imprisonment, will be referred to Tribal Court for resolution and will not be decided by the Board. The Tribal Court's decision on the matter is appealable through [Section] 1-5-5, appeal process set for the Pueblo of Acoma Law and Order Code.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

- E. The Board may, at its request, be joined as a party to any matter referred to Tribal Court that is considered under Title 9, of the Pueblo of Acoma Law and Order Code. The Board may also make any written or oral submission it wishes on any matter arising under Title 9, of the Pueblo of Acoma Law and Order Code and such submission shall be part of the record of the case. The Pueblo of Acoma Tribal Prosecutor is directed to work with the Board or its representative on any criminal matter that arises under Title 9, of the Pueblo of Acoma Law and Order Code.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

Chapter 4. AUTHORITY

- 9-4-1 Determination of Maximum Number and Kind of Livestock. Pursuant to [Section] 9-4-3 contained within, the Acoma Livestock & Grazing Board shall prescribe the maximum number and kind or type of livestock which may be grazed upon any Acoma lands in whole or in part without unduly damaging the vegetation or related resources on each range unit.

Annotations: Previously codified at §9-3-1, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "Pursuant to [Section] 9-4-3 contained within, the Acoma Livestock &" to the beginning of the sentence. 2016 Amendment added "or type" immediately after "and kind".

- 9-4-2 Determination of Grazing Capacity, Size and Boundaries. Pursuant to 9-4-3 contained within, the Acoma Livestock & Grazing Board shall determine the grazing capacity, the size and the boundaries of all grazing units on Acoma land, as well as, the kind and quantity of livestock that may be grazed on prescribed range units individually or collectively. The Acoma Livestock & Grazing Board may adjust these boundaries from time to time as conditions warrant. Such boundary adjustments shall be effective at the beginning of the next permit period.

Annotations: Previously codified at §9-3-2, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "Pursuant to [Section] 9-4-3 contained within, the Acoma Livestock &" to the beginning of the first sentence. 2016 Amendment added "Acoma Livestock & Grazing" immediately before "Board" in the second sentence.

- 9-4-3 Determination of Grazing Units and Seasons of Use. Grazing capacities shall be determined by objective set forth in the 25 CFR, Section 166.300, and grazing permits shall be issued by the Tribal Council in accordance with 25 CFR, Section 166. Based upon its Range Management Plan, the Pueblo

of Acoma Livestock and Grazing Board shall once every 5 years submit the plan for grazing permits prescribing grazing units and seasons of use on each range unit within the exterior boundaries of the Pueblo of Acoma Tribal Council shall have 60 days to approve, disapprove, or amend the grazing permit plan or it becomes effective until acted upon by Tribal Council.

Annotation: Pueblo of Acoma Laws 2003 updates the reference to grazing capacities to 25 CFR 166.300 (2001).

Annotations: Previously codified at §9-3-3, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced the entirety of this section. Former section read: "The Board shall prescribe grazing units and seasons of use on each range unit within the exterior boundaries of the Acoma Pueblo to achieve the objectives of the Pueblo's land management and recovery program. Grazing capacities shall be determined by objectives set forth in 25 CFR, Section 166.300, and grazing permits shall be issued by the Board in accordance with 25 CFR, Section 166.

9-4-4 Assignment of Grazing Privileges. Implementation of the plan pursuant to 9-4-3, the Acoma Livestock & Grazing Board shall establish authorized grazing units and season(s), assign specified grazing privileges to each association/organization of the Pueblo of Acoma in good standing or to Acoma Land & Cattle, who desire same.

Annotations: Previously codified at §9-3-4, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced the entire introductory paragraph. Former introductory paragraph read: "After establishing authorized grazing units and season(s), the Board shall assign specified grazing privileges to each member or group of members of the Acoma Pueblo in good standing or to tribal enterprises, who desire same."

A. Each livestock owner shall become a member of a stock association subject to the requirements set forth in the association's articles of incorporation or other organizational documents of the association, as approved by the Acoma Livestock & Grazing Board. Any livestock owner may apply to the Board to be classified as a "small livestock owner" if their ownership of livestock is not for sale or commercial purposes or is for nonprofit or educational purposes. Such small livestock owners shall be exempt from all requirements except those that pertain to the selling of livestock, or any requirements that pertain to health and/or safety. The Board shall promulgate rules regarding which requirements specifically pertain to small livestock owners.

Annotations: Previously codified at §9-3-4(A), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire Paragraph (A). Former Paragraph (A) read: "Each tribal member shall be eligible for membership in a

stock association subject to the requirements set forth in the association's articles of incorporation or other organizational documents of the association, as approved by the Board."

- B. Authority to create additional stock associations to utilize Acoma lands shall be vested with the Acoma Livestock & Grazing Board who shall act upon any formal written request seeking such permission.

Annotations: Previously codified at §9-3-4(B), Pueblo of Acoma Laws 2003 (2015 Replacement).

- C. Application to join or participate in more than one established stock association at the same time shall be subject to approval of the Acoma Livestock & Grazing Board.

Annotations: Previously codified at §9-3-4(C), Pueblo of Acoma Laws 2003 (2015 Replacement).

- D. Grazing permits shall be issued only upon the approval of the Acoma Livestock and Grazing Board to those tribal associations/organizations and/or Acoma Land & Cattle who possess brands duly registered with the Pueblo of Acoma and the State of New Mexico.

Annotations: Previously codified at §9-3-4(D), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "tribal members, associations, or persons" with "tribal associations/organizations and/or Acoma Land & Cattle."

- E. The various livestock associations shall determine, subject to appeal to the Acoma Acoma Livestock and Grazing, the number of livestock each permittee of said association may graze under the terms of the permit issued and shall adjust these allotments from time to time as conditions and fairness may warrant.

Annotations: Previously codified at §9-3-4(E), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendments replaced "member" with "permittee" and deleted "to the association" following "permit issued"

- F. All livestock associations/organizations, including Acoma Land & Cattle operating within the exterior boundaries of the Pueblo of Acoma or upon any land owned/possessed by the Pueblo of Acoma by virtue of grant, deed, title, fee simple, or appropriate lease shall prepare for the Acoma Livestock and Grazing Board approval of a livestock and range management plan(s) thirty (30) days prior to their expiration date of their permit following the enactment of this Title. The following provisions shall apply to such plans:

Annotations: Previously codified at §9-3-4(F), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "The board of directors of all" with "All" at the beginning of the first sentence. 2016 Amendments added "/organizations, including Acoma Land & Cattle" in the first sentence as well. 2016 Amendments replaced "prior to December 1 of each calendar year following the enactment of this Title" with "thirty (30) days prior to their expiration date of their permit following the enactment of this Title."

1. Upon approval of such plan(s) by the Acoma Livestock and Grazing Board, they shall become a part of the grazing permit.

Annotations: Previously codified at §9-3-4(C)(1), Pueblo of Acoma Laws 2003 (2015 Replacement).

2. Once approved by the Acoma Livestock and Grazing Board, it shall be the responsibility of the association/organization, including Acoma Land & Cattle to implement and carry out such plan(s).

Annotations: Previously codified at §9-3-4(C)(2), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "/organization, including Acoma Land & Cattle".

3. All livestock associations/organizations, including Acoma Land & Cattle with the assistance of the Acoma Department of Natural Resources shall work together and develop a range management plan to be presented to the Acoma Livestock and Grazing Board for approval.

Annotations: Previously codified at §9-3-4(C)(3), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced the entirety of this section. Former section read, "The board of directors of these livestock associations with the assistance of the Southern Pueblos Agency shall develop a range management plan and present same to the Board for approval."

4. With Acoma Livestock and Grazing Board approval, all livestock associations/organizations, including Acoma Land & Cattle may enter into an agreement with the appropriate agencies such as the government, tribal, state, private and non-private entities to fulfill the intent of approved livestock and rangeland management plans.

Annotations: Previously codified at §9-3-4(C)(4), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced the entirety of this section. Former section read, "With Board approval, the association may enter into an agreement with the appropriate agency of the

United States government to fulfill the intent of approved livestock and rangeland management plans."

- G. All livestock association/organizations, including Acoma Land & Cattle shall furnish the Acoma Livestock and Grazing Board a written list denoting the identity of each member, the number, class, sex and brand of all livestock owned and grazed no later than December 1st of each calendar year.

Annotations: Previously codified at §9-3-4(C)(3), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "/organizations, including Acoma Land & Cattle," deleted "of its association" immediately after "each member, deleted "pursuant to the association's Tribal permit" immediately after "owned and grazed," and deleted "following the enactment of this Tribe.

- 9-4-5 Grazing Privileges. Pursuant to [Section] 9-4-3, grazing privileges to Acoma Land & Cattle will be permitted upon authorization of the Acoma Livestock and Grazing Board and permits may be issued in the name of the Pueblo of Acoma to cover such prescribed areas and limits of use.

Annotations: Previously codified at §9-3-5, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "Pursuant to [Section] 9-4-3" to the beginning of this section and replaced "tribal enterprises" with the first reference to "Acoma Land & Cattle".

- 9-4-6 Annual Adjustment of Stocking Rate and Grazing Fee. The stocking rate and grazing fee upon which the land use/grazing permits are issued shall be reviewed by the Acoma Livestock and Grazing Board annually and adjusted in an ascending or descending order as is deemed appropriate under existing conditions by a majority vote of the Acoma Livestock and Grazing Board.

Annotations: Previously codified at §9-3-6, Pueblo of Acoma Laws 2003 (2015 Replacement).

- 9-4-7 Grazing Permits. Grazing use of range units within the exterior boundaries of the Pueblo of Acoma is authorized only by the issuance of an approved grazing permit. Each grazing permit is a five (5) year lease and if the Acoma Livestock and Grazing Board has not acted by the expiration date on the permit application, all existing permits shall be deemed renewed until action is taken by the Acoma Livestock and Grazing Board.

Annotations: Previously codified at §9-3-7, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire section. Former section read: "Grazing use of range units within the exterior boundaries of the Pueblo is authorized only by the issuance of an approved tribal permit on an annual basis. All grazing permits shall be issued on or before the fifteenth day of each calendar year.

If the Board has not acted by that date on permit applications, all existing permits shall be deemed renewed until action is taken by the Board."

9-4-8 Payment of Grazing Fees. All annual grazing fees as established by the Acoma Livestock and Grazing Board shall be paid in full and in advance to the Acoma Department of Natural Resources by January 1st of each year.

Annotations: Previously codified at §9-3-8, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "Board treasurer before any permit is issued" with "Acoma Department of Natural Resources by January 1st of each year."

A. Fees associated with the provisions of this Title shall apply and be administered equally to all persons making use of Acoma land.

Annotations: Previously codified at §9-3-8(A), Pueblo of Acoma Laws 2003 (2015 Replacement).

B. The Acoma Livestock and Grazing Board shall establish all grazing permit fees for the upcoming year at a regularly scheduled meeting during the month of December of each calendar year. The fees will be sent out January 1st with the current fee for said year as follows:

Per Head Fee:
Cow/Calf (one unit)
Cow
Bulls
Sheep/Lamb (one unit)
Sheep
Ram

Failure to abide by the above fees will result in a civil or criminal action and/or removal of livestock from approved grazing permit.

Annotations: Previously codified at §9-3-8(B), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire section. Former section read: "The Board shall establish all grazing permit fees for the upcoming year at a regularly scheduled meeting during the month of December of each calendar year."

9-4-9 Grazing Permits are Non-Transferable. Grazing permits shall not be assigned, sub-permitted, or transferred without the consent of the Acoma Livestock and Grazing Board.

Annotations: Previously codified at §9-3-9, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-4-10

Revocation, Suspension, Withdrawal of Grazing Permits. The Acoma Livestock and Grazing Board may revoke, suspend, or withdraw all or any part of any issued grazing permit by cancellation or modification upon thirty (30) days written notice to the permittee for violation of the permit or special conditions affecting the land or the safety of the livestock thereon. Permitted action by the Acoma Livestock and Grazing Board shall include, but not be limited to, the following:

Annotations: Previously codified at §9-3-10, Pueblo of Acoma Laws 2003 (2015 Replacement).

- A. Grazing units which studies show to be deteriorating to an unacceptable degree may be closed for such time as it is deemed necessary by the Acoma Livestock and Grazing Board to allow the recovery of forage.

Annotations: Previously codified at §9-3-10(A), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "utilization" immediately before "studies".

- B. Failure to pay grazing fees will result in revocation of grazing permits.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

- C. If such action becomes necessary, steps may be taken to remove all livestock from a closed grazing area or unit at the livestock owner's expense.

Annotations: Previously codified at §9-3-10(B), Pueblo of Acoma Laws 2003 (2015 Replacement).

- D. Suspension, revocation, or withdrawal of all or any part of a grazing permit shall be an appealable decision to the Acoma Livestock and Grazing Board. Any decision by the Board is appealable to the Acoma Tribal Court and subject to the appeals process of Section 1-5-5.

Annotations: Previously codified at §9-3-10(C), Pueblo of Acoma Laws 2003 (2015 Replacement).

Annotations: Cross-reference §9-3-7 Pueblo of Acoma Laws (2003). 2014 amendment replaced "Acoma Tribal Council" at Subsection C with "Acoma Tribal Court." 2016 Amendment replaced "Acoma Tribal Court" with "Acoma Livestock and Grazing Board" in the first sentence. 2016 Amendment added a new second sentence.

9-4-11

Conduct of Grazing Operations. Grazing operations shall be conducted in accordance with recognized principles of good grazing management. In the

event that special conditions are required to fulfill the intended purpose of tribally approved conservation management plans, such provisions will be made a part of the grazing permit at time of issuance.

Annotations: Previously codified at §9-3-11, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "range" with "grazing" immediately before "management" in the first sentence.

9-4-12 Lien on Permitted Livestock. Because the lands covered by grazing permits are the property of the Acoma Pueblo as a whole, all permittees' obligations on the permit and the obligations of their sureties are to the Pueblo of Acoma and thus constitute a first lien on permitted livestock in favor of the Pueblo of Acoma.

Annotations: Previously codified at §9-3-12, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-4-13 Unlawful Use of Grazing Area. Upon accepting a grazing permit, the permittee agrees that he or she will not cause or allow any part of the permitted area to be used for any unlawful purpose contrary to the laws of the Pueblo of Acoma or those of the United States of America.

Annotations: Previously codified at §9-3-13, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-4-14 Right of Entry. Other duly authorized officers under Acoma law to enforce the provisions of this Title shall have the right to enter upon private property without process or warrant based upon probable cause to cite and/or to apprehend any person in violation or abate any other violation of the provisions of this Title when such is done in good faith in the performance of his or her official duties.

Annotations: Previously codified at §9-3-14, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "Officers authorized" with "Other duly authorized officers under Acoma law" in the beginning of the first sentence.

9-4-15 Livestock Subject to Impoundment or Seizure. Any livestock falling within any of the following enumerated categories shall be subject to impoundment or seizure:

- A. Any livestock that poses a threat to the safety, health, and welfare of the general public due to it being infected with a contagious disease upon diagnosis of a licensed veterinarian;
- B. Any livestock that is found to be trespassing upon the fenced property of another, where such trespass results in any damages to the person

or property of the assigned permittee;

- C. Any livestock found running at large in populated village or residential areas; or
- D. Any livestock found running at large on any public road or highway so as to create a potential hazard to public safety with the exclusion of any area designated as open range.
- E. All livestock not cared for according to the recognized and accepted livestock management practices in such a manner as to create a public nuisance or to constitute cruel or inhumane treatment of the animal.

Annotations: Previously codified at §9-3-15, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "land owner" with "assigned permittee" at the end of Subsection (B) and added a new Subsection E.

9-4-16 Livestock Subject to Immediate Destruction. Any livestock shall be subject to immediate destruction without subsequent liabilities by any official duly authorized to enforce the provisions of this Title for any of the following reasons:

- A. Infection with contagious disease upon diagnosis of a licensed veterinarian; or
- B. The animal has been so seriously injured that the likelihood of its recovering is extremely remote or that the animal is in such severe pain that to allow it to continue to suffer would be inhumane.

Annotations: Previously codified at §9-3-16, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "rabies, bubonic plague, scabies, or other" before "contagious" in Subsection (A).

9-4-17 Authority to Stop and Search Vehicles Transporting Livestock. For the proper administration of this Title, Acoma Police Department, Acoma Ranger Program personnel or other Personnel as authorized by the Acoma Livestock & Grazing Board may from time to time establish checking stations or road blocks or randomly stop persons transporting livestock on Acoma land for the purpose of detecting and apprehending persons in violation of this Title.

Annotations: Previously codified at §9-3-17, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire section. Former section read: "Acoma Police Department, or Acoma Ranger Program personnel may from time to time, as is needed for the proper administration of this Title, establish checking stations or

road blocks or randomly stop persons transporting livestock on Acoma land for the purpose of detecting and apprehending persons in violation of this Title."

9-4-18 Authority to Seize or Impound Livestock. Other authorized Officials who are empowered to enforce the provisions of this Title may seize or impound any livestock in the possession of any person found to be in violation of any provision of this Title, pending investigation of an alleged offense or official action of the Acoma Tribal Court.

Annotations: Previously codified at §9-3-18, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "Those persons authorized" with "Other authorized Officials who are empowered" at the beginning of the first sentence.

9-4-19 Authority to Kill Vicious Animal - Livestock Owner. It shall be the right of any livestock owner to kill any vicious animal when it is caught in the imminent act of chasing, injuring, killing livestock and/or endangering the public South of the Acoma Livestock & Grazing Boundary line, provided such can be accomplished without endangering the livestock.

Annotations: Previously codified at §9-3-12, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced the entire section. Former section read: "It shall be the right of any livestock owner to kill any vicious animal when it is caught in the act of chasing, injuring, or killing livestock, provided such can be accomplished without endangering the life and/or property of another. The provisions of this section shall not apply to incidents occurring in inhabited villages, communities, or commercial or residential areas."

9-4-20 Authority to Kill Vicious Animal - Officer. Any official empowered to enforce the provisions of this Title may kill any vicious animal found in the act of pursuing, injuring, killing any livestock and/or endangering the public and there shall be no liability on the part of the officer, the department that employs him or her, or the Pueblo when such officer acts reasonably and in good faith in the performance of his or her duties.

Annotations: Previously codified at §9-3-20, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "or killing any livestock" with "killing any livestock and/or endangering the public".

Chapter 5. DISEASE CONTROL

9-5-1 Livestock Subject to Testing and Quarantine. All livestock on Pueblo of Acoma lands shall be subject to testing and quarantine requirements that include:

- A. Any livestock brought onto Acoma lands shall be confined in quarantine until such time that a licensed veterinarian issues a health certificate attesting that such animal has been examined and found to be free of any contagious diseases or other maladies which might endanger the health, safety or welfare of other livestock maintained on Acoma land.
- B. It shall be a requirement that all breeding livestock on Pueblo of Acoma lands shall be tested and certified by a licensed veterinarian.
- C. The Board on an annual basis will consult with a licensed veterinarian to determine if any changes need to be made to the vaccination program.
- D. Any changes in regulations shall be made in writing to all livestock owners along with any implementation dates.
- E. All livestock transferred and introduced to the Pueblo of Acoma Reservation must be quarantined for fifteen (15) days and provide a health certificate. If a health certificate is provided, the fifteen (15) day quarantine will be waived.

Annotations: Previously codified at §9-4-1, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire section. Former section read: "[Livestock subject to Quarantine]. Any livestock brought onto Acoma lands shall be confined in quarantine until such time that a licensed veterinarian issues a certification attesting that such animal has been examined and found to be free of any contagious diseases or other maladies which might endanger the health, safety, or welfare of other livestock maintained on Acoma land."

9-5-2 Failure to Treat Diseased Livestock. It shall be unlawful for any person to fail to vaccinate or otherwise treat any diseased livestock under his or her control and/or ownership on Acoma lands for recognized contagious disease.

Annotations: Previously codified at §9-4-2, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire section. Former section read: "It shall be unlawful for any person to fail to dip, spray, inoculate, or otherwise treat any diseased livestock under his or her ownership or control on Acoma lands for recognized contagious disease, to include, but not limited to, the following: (A) Black leg, (B) Edema, (C) Maligmia, (D) Scabies, (E) Brucellosis, and (F) Conjunctivitis."

9-5-3 Failure to Dispose Injured or Infected Livestock. It shall be unlawful for anyone willfully to refuse to dispose of or remove any sick, injured, or infected livestock under his or her control and/or ownership when instructed

to do so by any person duly authorized by the Pueblo of Acoma to enforce the provision of this Title. The arrest, conviction, or sentencing of any person under the provision of this Title shall not preclude the impoundment, seizure, destruction or other authorized action against any sick, injured, or infected livestock by persons duly authorized to enforce the provisions of this Title, at the expense of the livestock owner.

Annotations: Previously codified at §9-4-3, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "ownership or control" with "control and/or ownership" in the first sentence.

9-5-4 Responsibility to Control Livestock. The keeper of any livestock in populated areas on Acoma lands shall keep all pens, enclosures, buildings, and fences used to maintain such animals in a condition so as to prevent or acceptably control offensive conditions which adversely affect public health, welfare, and safety.

Annotations: Previously codified at §9-4-4, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-5-5 Disposition of Animal Suspected with Rabies Biting Another. Any animal bitten by another animal believed to be infected with rabies should be destroyed immediately; however, if the owner of such animal objects, the animal shall be vaccinated with a rabies vaccine approved for use in that particular species of animal. Thereafter, such animal shall be confined in isolation in a manner approved by a licensed veterinarian for a period of not less than six (6) months. Any expense incurred as a result of trying to save an animal pursuant to this section shall be the sole responsibility of the animal's owner, unless otherwise ordered by official action of Acoma Tribal Court.

Annotations: Previously codified at §9-4-5, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-5-6 Report of Diseases. It shall be unlawful not to report all diseases to the Acoma Livestock & Grazing Board for the purposes of proper mitigation.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

Chapter 6. RANGE TRESPASS

9-6-1 Grazing Permit Required. Anyone wishing to graze any livestock upon lands owned, rented, leased or controlled by the Pueblo of Acoma shall obtain an approved grazing permit from the Acoma Livestock & Grazing Board:

Annotations: Previously codified at §9-5-1, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment

added "approved" before "grazing permit"

- A. It shall be unlawful for any person found to be grazing livestock under his or her control and/or ownership on Acoma lands without properly issued grazing permit for such area shall be guilty of range trespass.

Annotations: Previously codified at §9-5-1(A), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "It shall be unlawful for" to the beginning of the sentence and replaced "ownership or control" with "control and/or ownership".

- B. It shall be unlawful for any association/organization and/or Acoma Land & Cattle found to be grazing more livestock under his or her ownership or control than is allowed according to his or her tribally issued grazing permit shall be guilty of a range trespass.

Annotations: Previously codified at §9-5-1(B), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "Any person" with "It shall be unlawful for any association/organization and/or Acoma Land & Cattle" to the beginning of the first sentence.

- C. It shall be unlawful to willfully refuse to report the number of livestock under his or her control and/or ownership in a given area within the exterior boundaries of the Pueblo of Acoma when requested to do so by anyone duly authorized to enforce the provisions of this Title.

Annotations: Previously codified at §9-5-1(C), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "one's ownership or control" with "his or her control and/or ownership".

- 9-6-2 Trespass. It shall be unlawful for any person to negligently, knowingly or intentionally let his or her livestock enter, graze, remain on, or otherwise trespass upon any lands owned, rented, or leased by the Pueblo of Acoma without first obtaining an approved grazing permit from the Acoma Livestock & Grazing Board.

Annotations: Previously codified at §9-5-2, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "allow" with "negligently, knowingly or intentionally let" before "his or her livestock". 2016 Amendment also replaced "permission to do so from the Board" with "an approved grazing permit from the Acoma Livestock & Grazing Board" to the end of the sentence.

- 9-6-3 Traps. It shall be unlawful for any person(s) to install livestock traps without authorization from the Acoma Livestock & Grazing Board and Acoma Department of Natural Resources. If a trap is installed without authorization from the Board and Acoma Department of Natural Resources Office, the trap

will be removed immediately by the Acoma Department of Natural Resources Office, Acoma Ranger Department, Law Enforcement Department or other Personnel as authorized by the Acoma Livestock & Grazing Board.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

9-6-4 Introduction of Livestock without Permit. It shall be unlawful for a person to introduce or cause to introduce any livestock onto any lands within the exterior boundaries of the Pueblo of Acoma for which such person does not possess a valid permit.

Annotations: Previously codified at §9-5-3, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-6-5 Grazing on Another's Land. It shall be unlawful to permit any livestock under his or her control and/or ownership to occupy or graze upon land allotted, assigned to, or allocated to another or upon land reserved by the Pueblo for demonstration, administration or agricultural purposes within the exterior boundary of the Pueblo of Acoma.

Annotations: Previously codified at §9-5-4, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "for anyone" immediately after "unlawful", and replaced "ownership or control" with "control and/or ownership".

9-6-6 Fencing Without Permission. It shall be unlawful to fence any land within the exterior boundaries without permission from the Acoma Department of Natural Resources.

Annotations: Previously codified at §9-5-5, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "of the Acoma Pueblo" immediately after "boundaries" and replaced "legal owner, assignee, allottee, or allottee" with "Acoma Department of Natural Resources".

9-6-7 Compliance with Posted Signs. It shall be unlawful for a person to violate any restrictions published on posted property within the exterior boundaries of the Pueblo of Acoma, when such property is legally posted in compliance with Section [7-6-2 and 7-6-3], of the Acoma Law and Order Code.

Annotation: Pueblo of Acoma Laws 2003 updates the cross-references using proper citation format for the referenced section supplied in brackets.

Annotations: Previously codified at §9-5-6, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-6-8 Removal or Destruction of Posted Signs. It shall be unlawful for a person to

damage, remove, or destroy any public notice or regulatory sign posted on Pueblo of Acoma land.

Annotations: Previously codified at §9-5-7, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-6-9 Roaming of Horses without Permit. It shall be unlawful for any person to allow any horse, mare, colt, pony, mule or burro to roam Pueblo of Acoma land for which he or she does not possess a valid grazing permit, except those areas designated by the Acoma Livestock & Grazing Board.

Annotations: Previously codified at §9-5-8, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "grazing" before "permit" and deleted "as a community horse pasture" from the end of the sentence.

9-6-10 Disposition of Feral, Excess, Useless or Unauthorized Horses. All feral, wild, excess, useless, and/or unauthorized horses, mares, colts, ponies, mules or burros shall be managed and eliminated from all Pueblo of Acoma range land by the Acoma Department of Natural Resources.

Annotations: Previously codified at §9-5-9, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "Wild" with "Feral" throughout, added "wild" after "feral", added "managed and" before "eliminated" and replaced "with the exception of designated community horse pastures" with "by the Acoma Department of Natural Resources."

A. The owner of any stock collected by the Pueblo of Acoma pursuant to this chapter shall have three (3) days in which to claim his or her animal(s) and pay any impoundment fee of \$50.00 per day as approved by the Acoma Livestock & Grazing Board or may forfeit said animal.

Annotations: Previously codified at §9-5-9(A), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "seven (7)" with "three (3)" and added "or her" after "his" and replaced "as may be prescribed by the Board" with "of \$50.00 per day as approved by the Acoma Livestock & Grazing Board or may forfeit said animal."

B. All animals claimed or unclaimed or for which the impoundment fee has not been paid within three (3) days following their collection by the Pueblo of Acoma shall be sold at public auction.

Annotations: Previously codified at §9-5-9(B), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "remaining" with "claimed or" in the first line, and replaced "seven (7)" with "three (3)" and deleted the concluding phrase, "or otherwise disposed of pursuant to

an order of the Acoma Tribal Court."

- C. All monies received from the sale of forfeited, claimed or unclaimed animal shall be deposited into a specific account set-up by the Acoma Central Accounting Department for the Acoma Livestock & Grazing Board.

Annotations: Previously codified at §9-5-9(C), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced this entire subsection. Former Subsection read: "All monies received from the sale of branded or identifiable animals for whom the owner can be determined, less any impoundment charges or valid liens, shall be provided to the owner of the animal(s)

- D. Any animal impounded pursuant to the provision of this section which is deemed to be worthless or a danger to public health and safety shall be destroyed upon an order from the Acoma Livestock & Grazing Board and/or Acoma Ranger/Law Enforcement Department.

Annotations: Previously codified at §9-5-(9)(F), Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "of the Acoma Tribal Court" with "from the Acoma Livestock & Grazing Board and/or Acoma Ranger/Law Enforcement Department".

Annotations: 2016 Amendment deleted former Subsection D and E from the laws. Former Subsection D and E read:

D. All monies received from the sale of unbranded or unidentifiable animals for whom the owner cannot be determined shall be deposited in a specified account with the tribal treasurer, from which all impoundment expenses shall be paid.

E. All monies received from livestock owners by virtue of impoundment fees shall be deposited in a specified account with the tribal treasurer from which the costs relative to impoundment shall be paid.

Chapter 7. OPEN RANGE

9-7-1 Duty of Persons Traveling in Open Range. In those areas properly posted as open range, it shall be the duty of all persons traveling the roads and highways in such areas to operate their vehicles so as not to place in danger the life or safety of any livestock properly pastured on such open range.

- A. A person striking any livestock with a motor vehicle on a highway or road in a designated open range area shall report such accident to the Acoma Police Department or Acoma Ranger Program without unnecessary delay.

- B. Any person striking any livestock with a motor vehicle on a highway or road in a designated open range area which results in injury or death to such animal may be cited for careless driving as set forth in the Acoma Traffic Code of the Pueblo of Acoma Law and Order Code.

Annotation: Pueblo of Acoma Laws 2003 updates reference to Title 10 as the Traffic Code, instead of "Motor Vehicle Title" used in previous compilations.

Annotations: Previously codified at §9-6-1, Pueblo of Acoma Laws 2003 (2015 Replacement).

Chapter 8. RESTRICTED LAND USAGE FOR LIVESTOCK

- 9-8-1 Restriction in Residential Areas. Non-Domestic livestock shall not be kept or maintained within residential areas.

Annotations: Previously codified at §9-7-1, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced heading from "Restriction in Heavily Populated Areas". 2016 Amendment added "Non-" to "Domestic", deleted "heavily populated" before "residential" and deleted "or subdivision" after "residential."

- 9-8-2 Maintenance in Ranch and Farm Areas. A person may maintain domestic livestock in ranch and farm areas, so long as such does not interfere with the rights, privileges, privacy or health of surrounding neighbors.

Annotations: Previously codified at §9-7-2, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "of the various villages" after "farm areas" and deleted "unduly" before "interfere with the rights".

- 9-8-3 Space Restrictions for Equine or Bovine. No one shall keep any equine or bovine of any age on any premises which is inhumane for each animal retained thereon. The restrictions set forth in this chapter shall not apply when animals are being retained due to exigent circumstances constituting good cause.

Annotations: Previously codified at §9-7-3, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "over six (6) months of" with "of any" before "age", replaced "less than one-third (1/3) of an acre in area" with "inhumane" and deleted "for less than ten (10) days" after "being retained."

- 9-8-4 Obligation to Care for Domestic Livestock. All domestic livestock shall be cared for according to recognized and accepted livestock management practices and in such a manner as to not create a public nuisance or to constitute cruel or inhumane treatment of the animal.

Annotations: Previously codified at §9-7-4, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "for" in the heading.

9-8-5 Maintenance in Residential Areas. All domestic livestock maintained in residential areas shall be kept in secure pens or enclosures which shall not be less than one hundred (100) feet from any inhabited dwelling or currently used church, school or public building.

Annotations: Previously codified at §9-7-5, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "populated" with "residential" throughout.

9-8-6 Prohibition on Maintaining Livestock in Heavily Populated Areas. Domestic livestock shall not be kept or maintained within heavily populated subdivision areas.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

9-8-7 Restriction to Roaming. It shall be unlawful for a person to allow his or her livestock to roam unattended or be estray upon public roadways and residential areas within the exterior boundaries of the Pueblo of Acoma, except in those areas designated as open range.

Annotations: See for example Title 8 – Animal Control Code of the Pueblo of Acoma Laws 2003.

Annotations: Previously codified at §9-7-6, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "highways or" before "roadways" and added "and residential areas" after "roadways". 2016 Amendment added above annotation to "Animal Control Code".

Chapter 9. BRANDING, IDENTIFYING MARKS AND REGISTERING OF LIVESTOCK

Origin: 1971 Law and Order Code, Chapter 5, Section 9 "Misbranding" and Section 36 "Refusing to Brand". Amended in 2016 by Tribal Council Resolution No. TC-APR-22-16-VIb.

Annotations: Previously codified at chapter 8, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "Identifying Marks and Registering" to the heading.

9-9-1 Registered Brand from New Mexico Livestock Board. It shall be unlawful for a person to utilize an expired brand. All livestock with expired brands will be forfeited to the Pueblo of Acoma until he or she provides proof of an updated brand from the New Mexico Livestock Board. Upon seizure of livestock, he or she has thirty (30) days to renew their brand.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

9-9-2 Branding, Identifying Marks and Registering Requirements. All livestock over the age of four (4) months maintained within the exterior boundaries of the Pueblo of Acoma shall be permanently branded with identifiable marks and registered so as to identify the owner of such animal. The following are MANDATORY requirements for each species:

- a. Bovine – Registered brand and Premise I.D. Tag, however, ear marks or personal tags are not recognized or valid.
- b. Equine – One of the following are required: registered brand and/or photograph. The photograph must be taken and registered by the Acoma Department of Natural Resources Office for identification purposes.
- c. Sheep – Registered brand and earmark.
- d. Pigs – Earmark
- e. All other cloved hoofed or feathered species – personal photographs.
- f. Any other mandatory requirements by the Board.

Annotations: Previously codified at §9-8-1, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire section. Former section read:

"[Branding Required]. All livestock over the age of three (3) months maintained within the exterior boundaries of the Acoma Pueblo shall be permanently branded so as to denote the owner of such animal."

9-9-3 Failure to Brand. It shall be unlawful for a person to willfully refuse to brand, mark or otherwise register (Premise I.D.) any livestock under his or her ownership or control.

Annotations: Previously codified at §9-8-2, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-9-4 Misbranding or Altering Brand. It shall be unlawful to misbrand, alter, or obliterate any brand or mark on any livestock, with intent to convert such animal to his or her or some other person's use without the consent of the owner.

Annotations: Previously codified at §9-8-3, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-9-5 Use of Another's Brand. It shall be unlawful to brand or mark any livestock with a brand or mark other than the recorded brand or mark of the owner of such animal without the owner's written consent.

Annotations: Previously codified at §9-8-4, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-9-6 Branding Permitted Upon Proof of Ownership. Branding of livestock shall be allowed pursuant to a written bill of sale, or other document prescribing ownership, following an inspection by those duly authorized by the Pueblo of Acoma to enforce the provisions of this title.

Annotations: Previously codified at §9-8-5, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "an Acoma Tribal Livestock inspector" with "those duly authorized by the Pueblo of Acoma to enforce the provisions of this title."

9-9-7 Maverick Livestock - Permittee. All maverick livestock rounded up, herded, gathered or found on designated range units shall be branded to the permittee holding the grazing permit for the district in which it was located.

Annotations: Previously codified at §9-8-6, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment removed "or Allottee" from end of heading, and replaced "person or association" with "permittee" in the first sentence.

9-9-8 Maverick Livestock - Absent Permittee. All maverick livestock rounded up, herded, gathered or found on Acoma land for which there is no permittee shall be branded to the Pueblo of Acoma.

Annotations: Previously codified at §9-8-7, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment removed "or Allottee" from the heading and after "permittee" in the first sentence.

Chapter 10. ILLEGAL CONTACT WITH LIVESTOCK

9-10-1 Interference with Livestock Roundup. It shall be unlawful for anyone willfully to interfere, harass, or obstruct an authorized roundup and/or seizure of livestock.

Annotations: Previously codified at §9-9-1, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment deleted "livestock" before "roundup" and added "and/or seizure of livestock" after "roundup."

9-10-2 Use of Immobilization Devices. It shall be unlawful for any person to use any type of chemicals, artificial lights or other devices such as tranquilizers on

any livestock.

Annotation: Enacted by Tribal Council Resolution No. TC-APR-22-16-VIb.

9-10-3 Transportation of Illegally Obtained or Possessed Livestock. It shall be unlawful for any person to transport any illegally obtained or possessed livestock within the exterior and/or interior boundaries of the Pueblo of Acoma.

Annotations: Previously codified at §9-9-2, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "and/or interior" before "boundaries".

9-10-4 Transportation Requirements. It shall be unlawful for any person to transport any livestock within the exterior and/or interior boundaries of the Pueblo of Acoma without first obtaining an inspection from those duly authorized appointed or approved by the Acoma Livestock & Grazing Board, or other officer empowered to enforce the provisions of this Title.

Annotations: Previously codified at §9-9-3, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire section. Former section read:

"It shall be unlawful for any person to transport any livestock off the Acoma Pueblo without first obtaining an inspection and receipt from a Livestock inspector, duly appointed or approved by the Board, or other officer empowered to enforce the provisions of this Title."

9-10-5 Unlawful Use of Aircraft manned or un-manned in the Air. It shall be illegal for any person airborne in an aircraft to menace any livestock not his or her own or cause such livestock to move from its chosen place of rest or to change its direction of travel.

Annotations: Previously codified at §9-9-4, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "manned or un-manned" to the heading.

9-10-6 Unlawful Use of Aircraft from the Ground. It shall be unlawful for any person to participate from ground level with any airborne individual violating the provision of Section 9-9-4 of this Title.

Annotations: Previously codified at §9-9-5, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-7 Unlawful Use of Motor Driven Vehicle. A person shall not drive, pursue, harass, herry, or rally any livestock which are not his or her own for which he or she has the consent of the owner thereof by use of any motor driven vehicle or otherwise.

Annotations: Previously codified at §9-9-6, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-8 Possession of Livestock Branded by Another. It shall be unlawful for a person to have in his or her possession or control any livestock branded with the identification of another unless he or she also possesses a valid bill of sale or written authorization from the owner of the animal in his or her possession. This section is subject, however, to the provisions of Chapter 12 pertaining to private impoundment of trespassing animals.

Annotations: Previously codified at §9-9-7, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-9 Poisoning of Livestock. It shall be unlawful to poison any livestock or to distribute poison or toxicants in any area or manner which could reasonably be believed or expected to result in the poisoning of livestock.

Annotations: Previously codified at §9-9-8, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-10 Abuse of Livestock. It shall be unlawful for any person to maliciously kill, maim, injure, torture, mutilate, burn, beat, starve, or cruelly drive or work any livestock.

Annotations: Previously codified at §9-9-9, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-11 Failure to Provide Food and Water to Livestock in Confinement. It shall be unlawful for any keeper of any livestock to fail to provide such animals with proper food and water when said animals are retained in confinement.

Annotations: Previously codified at §9-9-10, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-12 Transfer of Livestock in Cruel or Inhumane Manner. It shall be unlawful for any keeper of livestock to transport, carry, or retain such animal upon any vehicle in a cruel or inhumane manner.

Annotations: Previously codified at §9-9-11, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-13 Possession of Livestock without Proof of Ownership. It shall be unlawful for a person to take or accept or retain possession of any livestock for which ownership cannot be proven.

Annotations: Previously codified at §9-9-12, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-14 Possession of Livestock of Another. It shall be unlawful for a person to take or possess any livestock which belongs to another within the exterior

boundaries of the Pueblo of Acoma with the intent to deprive the owner hereof.

Annotations: Previously codified at §9-9-13, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-10-15 Disposition of Livestock. No person shall possess, transport, buy, sell, barter, trade, donate, slaughter, or otherwise dispose of any livestock or until adjudicated within the Pueblo of Acoma, except under the conditions provided by this Title or other applicable sections of the Acoma Law and Order Code.

Annotations: Previously codified at §9-9-14, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "or until adjudicated" after "dispose of any livestock".

Chapter 11. INSPECTION REQUIREMENTS

9-11-1 Duty to Obtain Inspection of Livestock. Any person desiring to transport livestock onto or off the Pueblo of Acoma, transfer ownership of, or slaughter any livestock on Acoma land shall obtain an inspection of such livestock by a duly authorized Acoma livestock inspector or other Acoma official empowered to enforce the provisions of this Title.

Annotations: Previously codified at §9-10-1, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-11-2 Retention of Hide with Identifying Brand. Any person slaughtering or possessing slaughtered livestock shall retain that portion of the hide, from such carcass, which bears the identifying brand of the animal and shall request an inspection be made of same by any person duly authorized to enforce the provisions of this title.

Annotations: Previously codified at §9-10-2, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "an Acoma livestock inspector" with "any person duly authorized to enforce the provisions of this title" to the end for the sentence. 2016 Amendment deleted Subsections A, B, and C. Former Subsections A, B, and C read:

"A. At the time of inspection as provided above, the Acoma livestock inspector shall place a validation brand on the hide in close proximity to the brand of ownership already on such hide.

B. If no violation of this Title exists, the livestock inspector shall at that time issue a certificate of inspection to the person requesting the inspection.

C. Hides of the slaughtered animals shall be retained

by the person slaughtering for not less than six (6) months."

- 9-11-3 Disposition of Hide with Identifying Brand. It shall be unlawful to possess or dispose of any hide from the carcass of any livestock on Acoma land unless such has been properly inspected by any person duly authorized to enforce the provisions of this title.

Annotations: Previously codified at §9-10-3, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "and marked by an Acoma livestock inspector" with "by any person duly authorized to enforce the provisions of this title."

- 9-11-4 Transport or Slaughter without Inspection. It shall be unlawful to transport or slaughter any livestock within the exterior boundaries of the Pueblo of Acoma without proper certification of inspection from a duly authorized inspector.

Annotations: Previously codified at §9-10-4, Pueblo of Acoma Laws 2003 (2015 Replacement).

- 9-11-5 Sale of Meat from Slaughtered Livestock. It shall be unlawful for any person to sell or offer for sale any meat from slaughtered livestock unless such individual operates a licensed commercial meat market which meets USDA requirements.

Annotations: Previously codified at §9-10-6, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced "required health and sanitary" with "USDA". 2016 Amendment deleted an entire section formerly codified at §9-10-5. Former §9-10-5 read:

"9-10-5 [Use of Validation Branding Iron]. It shall be unlawful for any person, not duly empowered to enforce the provisions of this Title, to possess a validation branding iron used or intended for use with the marking of inspected livestock hides."

Chapter 12. OWNER'S LIABILITY

- 9-12-1 Liability of Owner of Livestock for Damages. The owner of any livestock shall be liable in damages for any injury to person or property caused by said livestock. This Section shall not apply to any occurrences on open range.

Annotations: Previously codified at §9-11-1, Pueblo of Acoma Laws 2003 (2015 Replacement).

- 9-12-2 Liability of Owner of Livestock Impounded or Seized. The owner of any livestock impounded or seized as a result of a violation of the regulations and provisions contained within this Title shall be held liable for any fines, fees and/or restitution:

- A. Any criminal and civil sanctions as may be imposed by the Acoma Tribal Court;
- B. Any reasonable impoundment, storage, care and feeding charges that may be incurred as a result of such seizure or impoundment.

Annotations: Previously codified at §9-11-2, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added "any fines, fees and/or restitution" to the end of the introductory paragraph.

Chapter 13. PRIVATE IMPOUNDMENT OF TRESPASSING ANIMALS

9-13-1 Duty to Seize Trespassing Animals. Where an animal is found at large or stray trespassing upon the private property of another, the owner of such property shall have the right to seize such animal and hold it in confinement. It shall be a defense of mitigation that the property of the complainant was not fenced or that, if fenced, it was in such a state of disrepair that it presented little or no deterrent.

Annotations: Previously codified at §9-12-1, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-13-2 [Duty to Notify Owner and Pueblo of Seizure of Animal]. Any property owner taking an animal into custody for a trespass shall without unnecessary delay notify the owner of such animal and the Acoma Police Department or Acoma Ranger Program of said actions.

Annotations: Previously codified at §9-12-2, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-13-3 Duty to Care for Seized Animal. Any person taking an animal into custody pursuant to the provisions of this Chapter shall have a duty to care for the animal in a humane manner until such time that the owner of said animal makes reasonable restitution for damages resulting from the actions of his or her animal and any reasonable storage fee resulting from the animal's seizure, in coordination with Section 9-13-2.

Annotations: Previously codified at §9-12-3, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment added ", in coordination with Section 9-13-2" to the end of the paragraph.

9-13-4 Cause of Action Arising From Trespass. Any person who has seized an animal pursuant to this Section shall file a civil or criminal action with the Acoma Tribal Court within seven (7) days of seizing any animal, if a settlement of the trespass and damages has not been agreed upon with the owner of the animal.

Annotations: Previously codified at §9-12-4, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-13-5 Right to Recover Seized Animal. It shall be unlawful for any person to enter the property of another to recover or release any animal seized for a trespass without the permission of the land owner where the animal is stored, except under legal order issued by the Acoma Tribal Court.

Annotations: Previously codified at §9-12-5, Pueblo of Acoma Laws 2003 (2015 Replacement).

9-13-6 Notice to Recover Seized Animal. The owner of any animal who desires to recover an animal seized by another person's alleged trespass shall contact the person seizing such animal and the Acoma Police Department or Acoma Ranger Program or initiate a recovery action with the Acoma Tribal Courts.

Annotations: Previously codified at §9-12-6, Pueblo of Acoma Laws 2003 (2015 Replacement).

Chapter 14. CLASSIFICATION/PUNISHMENT

9-14-1 Consequences for Violations of this Title. Any person who violates any provision(s) of this Title shall be guilty of an offense and upon conviction of each violation shall be sentenced to imprisonment for a period of not more than one hundred eighty (180) days and/or a fine of not more than fifteen hundred (\$1,500) dollars, or both such fine and imprisonment, restitution for both civil and criminal, as may be deemed appropriate by the Acoma Tribal Courts.

Annotations: Previously codified at §9-13-1, Pueblo of Acoma Laws 2003 (2015 Replacement). 2016 Amendment replaced entire section. Former section read:

" Any person who violates any provision(s) of this Title shall be guilty of an offense and upon conviction shall be sentenced to imprisonment for a period not to exceed one hundred eighty (180) days or a fine not to exceed five hundred (\$500) dollars, or both such fine and imprisonment, as may be deemed appropriate by the Acoma Tribal Courts."

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