

**GRANT COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION R-25-17**

**PUBLIC BUILDING ANIMAL PROHIBITION**

**WHEREAS**, the Board of County Commissioners of Grant County, met in a regular meeting on March 13, 2025, at 9:00 A.M. in the Grant County Administration Office, 1400 Highway 180 East, Silver City, NM; and,

**WHEREAS**, NMSA 1978, Section 4-37-1 (1995) provides that Counties have the power to, “provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants”; and

**WHEREAS**, NMSA, 1978, Section 4-38-18 (1976) provides that a Board of County Commissioner has the duty and authority “[t]o represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law; and,

**WHEREAS**, the County owns and maintains public buildings for the benefit of the public, and has an obligation to make certain that public facilities are safe and accessible to the public; and,

**WHEREAS**, Titles II and III of the ADA makes it clear that service animals are allowed in public facilities; and,

**WHEREAS**, New Mexico law requires that a person with a disability using a qualified service animal be admitted to any building open to the public and to all other public accommodations, provided that the qualified service animal is under control of an owner, a trainer, or a handler of the qualified service animal, except where the qualified service animal poses a direct threat of significant harm to the health or safety of others; and

**WHEREAS**, pursuant to NMSA 1978, Section 28-11-2 (2013), only a qualified service miniature horse and a qualified service dog who have been trained to provide assistance to an individual with a disability are defined as qualified service animals; and,

**WHEREAS**, the Service Animal Act expressly excludes emotional support animals, comfort animals, or therapy animals from the definition of qualified service animals.

**NOW THEREFORE, BE IT RESOLVED**, the Grant County Board of Commissioners hereby prohibits all animals, including but not limited to emotional support animals, comfort animals, and therapy animals, from County buildings and facilities, except for:

- A. Qualified Service Animals;

- B. Dogs used by persons in the employ of recognized local, State, or Federal law enforcement agencies; and
- C. Animals presented in animal exhibits.

**APPROVED, ADOPTED, AND RESOLVED** this 13<sup>th</sup> day of March, 2025.

**BOARD OF COUNTY COMMISSIONERS OF GRANT COUNTY**

[Signature page follows]

**Board of County Commissioners  
Grant County, New Mexico**



**Chris Ponce, District 1, Chairman**

Voted: Yes  No  Abstained



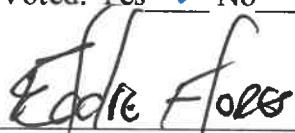
**Eloy Medina, District 2, Vice-Chair**

Voted: Yes  No  Abstained



**Nancy Stephens, District 3**

Voted: Yes  No  Abstained



**Eddie M. Flores, District 4**

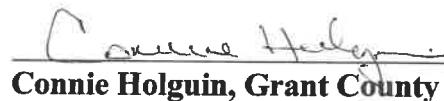
Voted: Yes  No  Abstained

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**Thomas L. Shelley, District 5**

Voted: Yes  No  Abstained

**ATTEST:**



**Connie Holguin, Grant County Clerk**

