

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-25-104 ENACTMENT NO. 0.2026.004

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**
18 **BIRDS KEPT AT BOARDING KENNELS, GUARD DOG SITES, ANIMAL**
19 **SHELTERS INCLUDING THE ALBUQUERQUE ANIMAL CARE CENTER (AACC)**
20 **AND PET 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
4 shall 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
7 cat with kittens.

8 (2) Minimum floor space requirements for dogs.

9 (a) Dogs weighing less than 30 pounds shall have eight square feet
10 of 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
12 in 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
16 otherwise indicated by a licensed veterinarian. The guidance of a veterinarian
17 is crucial in determining the suitable housing for companion animals,
18 considering their unique health requirements and overall well-being.

19 (c) Dogs that weigh more than 65 pounds shall have 24 square feet
20 of 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
22 in 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.

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

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1 PASSED AND ADOPTED THIS 2nd DAY OF February, 2026
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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8 Klarissa J. Reha, President
9 City Council

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12 APPROVED THIS 6 DAY OF February, 2026

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16 Bill No. O-25-104

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20 Timothy M. Keller, Mayor
21 City of Albuquerque

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24 ATTEST

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27 Ethan Watson, City Clerk