



**TAOS COUNTY
ORDINANCE NO. 2022-3**

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE 1996-2 TAOS
COUNTY SIGN REGULATIONS**

WHEREAS, the Board of County Commissioners of the County of Taos ("Board") seeks to provide for the orderly development and use of property within the unincorporated area of Taos County ("County"); and

WHEREAS, the Board seeks to maintain the value of the County's scenic and natural resources, which are an integral part of the County's economic strength and quality of life through the regulation of land use that includes ordinances restricting signs; and

WHEREAS, the Board finds that improperly constructed, improperly located and poorly maintained signs may be safety hazards that constitute a public health risk; and

WHEREAS, the Board finds that proper signs can create a pleasing environment for community; and

WHEREAS, the Board finds that certain signs overwhelm the public, unduly distract and confuse motorists by diverting attention away from the roadway, and result in safety threats to vehicular and pedestrian traffic; and

WHEREAS, the Board finds that certain signs constitute aesthetic harm by cluttering the rural landscape and highway corridors and adversely affecting the naturally scenic views and native environment; and

WHEREAS, the Board finds it to be in the best interest of the public to regulate signs so as to promote roadway and pedestrian safety, encourage effective communication with the public, improve the appearance of the County, and uphold the principles of free speech; and

WHEREAS, the Board is authorized to regulate signs pursuant to NMSA 1978, Section 3-21-1 et seq.; and

WHEREAS, the Board previously enacted the Taos County Sign Ordinance, 1996-2; and

WHEREAS, the Board deems it in the best interest of the County to amend Ordinance 1996-2 in its entirety and for said Ordinance No. 1996-2, to be replaced in its entirety as follows:

County of Taos, New Mexico
Sign Ordinance

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ARTICLE 1 - GENERAL

Section 1-1 Short Title.

This ordinance shall be known and cited as the "Sign Ordinance".

Section 1-2 Definitions.

For the purpose of this ordinance, the following words, terms, and phrases shall have the meanings respectively ascribed to them by this section:

Assembly or Meeting Room. Shall mean a room or portion of a building used for the gathering together of one hundred (100) or more persons for such purpose as, but not limited to deliberation, education, instruction, worship, entertainment, or amusement.

Grade. Grade shall mean the average elevation of the finished ground level at the center of all facades of a building.

Graphic Design. Graphic Design shall mean any artistic design, or portrayal, or mural, painted directly on the exterior wall, fence, window or sculpture or other structure which is visible from any public right-of-way, and which has its purpose artistic effect and not the identification of the premises or the advertisement or promotion of the interests of any person. Such graphic design may be subject to a sign permit or building permit and review and approval by the Planning Director.

Height. Height, when used in this ordinance, shall be the measurement from the top portion of any sign to the grade level.

Luminance. Luminance, shall mean the brightness of an object expressed in foot-candles.

Marquee. Is a lettering changeable sign; not to exceed twenty-four (24) square feet in size, this type of sign may also be known as a reader board.

Person. Person, shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.

Planning Commission. The Taos County Planning Commission.

Planning Director. The person hired by the County Manager to manage the Planning Department. For the purposes of this ordinance, "Planning Director" includes his or her staff and designee(s).

Portal. Portal, shall mean a covered structure forming an entrance to a building outside and with a separate roof, or as a recess in the interior as a kind of vestibule.

Sign. The term sign means any display to public view of letters, words, numerals, figures, statues, devices, sculptures, murals, emblems, pictures, or any parts or combinations thereof designed to inform or advertise or promote merchandise, services, or activities, except for the following:

- (1) Non-illuminated names of buildings, dates of erection, monument citations, commemorative tablets and like when carved into stone, concrete, metal or any other permanent type of construction and made an integral part of a permitted structure or made flush to the ground.
- (2) Signs required by law or signs of a duly constituted governmental body.
- (3) Signs placed by a public utility for safety, welfare or convenience of the public such as signs identifying high voltage, public telephone or underground cables
- (4) Signs upon a vehicle; provided that, any such vehicle with a sign face of over two (2) square feet is not conspicuously parked so as to constitute a sign. Nothing in this ordinance prohibits such a vehicle from being used for bona fide delivery and other vehicular purposes without compliance with the provisions of this ordinance.

Sign, Billboard. A sign that directs attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, Canopy. Canopy sign, shall mean any sign which is mounted to and supported by a permanent canopy, arcade or portal, the ceiling of which is no more than sixteen (16) feet above grade.

Sign, Freestanding. Freestanding sign shall mean any sign with no more than two (2) faces structurally separated from a building being supported on itself or on a standard or legs.

Sign, Joint Identification. A joint identification sign is a sign whose area is shared by three (3) or more businesses and whose area and size are further defined in Sections 3-2(c) and 3-5 of this ordinance.

Sign, Off-Premises. See Sign, Billboards.

Sign, Projecting. Projecting sign shall mean any sign with no more than two (2) faces supported by a building wall and projecting therefrom.

Sign, Temporary. Signs, including but not limited to realtor, political, or garage sale signs that are up for a time frame not to exceed sixty (60) days.

Sign, Wall. Wall sign shall mean any sign painted on, incorporated in, or affixed to the building wall, or any sign consisting of cutout letters and devices affixed to the building wall with no background or border defined on the building wall.

Value. Value, shall mean replacement cost, including any amount owed on sign.

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Section 1-3 Prohibited, unsafe, obsolete, etc., signs; notice to remove; removal by county; assessment of costs etc.

- (a) The following signs, lights and other devices are prohibited in the County under this ordinance:
- (1) Any sign or part thereof erected, constructed and maintained wholly upon or over the roof on any building, except for canopy signs not prohibited by subsection (a)(19) below, and those signs exempt in paragraph (4) of Section 1-4 of this ordinance.
 - (2) Exterior exposed, gas filled (neon etc.) tubing which is visible to the public view and is used to graphically outline any sign, building, exterior walls, fence or other structure.
 - (3) Any sign or part thereof that flashes, blinks, rotates or any changes of degree of illumination.
 - (4) Any sign or part thereof that moves or has moving parts.
 - (5) Any sign or part thereof that contains any audible devices.
 - (6) Any sign or part thereof that is not located upon the premises for which the advertisement exists.
 - (7) Any sign or part thereof having a luminance greater than one hundred (100) footlamberts at night.
 - (8) Any sign or part thereof which obstructs the view of a driver on a public right-of-way, as determined by the Planning Director or County Sheriff.
 - (9) Any sign or part hereof which might be confused with any authorized traffic sign, signal or device or which makes use of the words "Stop", "Look", "Danger", or will other word phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.
 - (10) Any sign or part thereof that is partially or wholly illuminated by flood lights or spot lights, unless such lights are used for indirect lighting and the illumination is not directly visible from the public right-of-way.
 - (11) Any sign or part thereof that restricts free ingress or egress from any door, window or fire escape.
 - (12) Any sign or part thereof which is constructed, erected or maintained on street lines, or within five (5) feet thereof, from which nails, tacks, wires or other sharp objects protrude.
 - (13) Any wall sign or part thereof that projects more than twelve (12) inches from the building wall at a height lower than seven (7) feet.
 - (14) Any wall or projecting sign or part thereof which extends three (3) feet above the roof, eave or parapet line of the facade of the building to which it is attached or extends.

- (15) Any projecting sign or part thereof which extends more than four (4) feet from the building to which it is attached at a height lower than seven (7) feet except that no projecting sign may extend beyond the curb line.
 - (16) Any part of a sign over or partially over a public walkway, street, alley, line or other public place, if the distance from the walk surface to the sign is less than eight (8) feet, except where the ceiling of the portal prevents this minimum clearance, in which case the sign must be no less than seven (7) feet from the surface of the walk.
 - (17) Any sign over or partially over a public walk way under a portal that exceeds six (6) square feet.
 - (18) Any sign that is in poor repair as determined by the Planning Director.
 - (19) Any canopy sign or part thereof which extends more than three (3) feet above the roof, eave or parapet line of the facade of the building to which it is attached.
 - (20) Any sign other than the signs described in this ordinance which are made of cardboard, or cloth or less permanent material.
 - (21) Any sign attached to trees, fences, utility poles or street furniture, which is in the public right-of-way.
 - (22) Sandwich Board Signs, except those smaller than twelve (12) square feet and being displayed during business hours.
 - (23) Any temporary signs placed on public property, such as but not limited to community centers and the County Complex, without prior permission of the property owner.
 - (24) Any temporary signs placed on private property without the expressed permission of the property owner.
- (b) If the Planning Director finds that any sign is unsafe or insecure or is a menace to the public, or has been erected or is being maintained in violation of this ordinance, he/she shall give written notice to the permittee or owner of the property on which the sign is erected. If the permittee or owner fails to remove or alter the sign so as to comply with this ordinance within ten (10) days after mailing of said notice, such sign may be removed by the County, and the permittee or owner shall bear the expense of such removal. No person refusing to pay the costs so assigned shall be issued a sign permit. If a sign is an immediate peril to persons or property, the Planning Director may cause such to be removed summarily and without notice.
- (c) Any sign which no longer advertises a bona fide, ongoing business conducted, or a product sold, or whose owner or permittee does not have a current occupational license or which fails in a category set forth in subsection (b) above, shall be removed within ten (10) days after mailing of a notice thereof by the Planning Director. If the owner or permittee fails to remove the said sign, the County may cause such sign to be

removed and assess the costs of removal to the owner of the building or land upon which said sign is located.

Section 1-4 Exemptions.

The provisions of this ordinance shall not apply to the following signs; provided, however, that said signs shall be subject to the provisions of subsections (b) and (c) of Section 1-3 of this ordinance:

- (1) **Bulletin Boards.** Bulletin boards, not over eight (8) square feet and five (5) feet in height and shall be located on the premises of the owner of said sign.
- (2) **Residential name and street address signs.** Residential name and street address signs, so long as said signs are no more than one (1) square foot.
- (3) **Street banners, banners, signs, pennants, pennant flags and streamers.** Used as attention getters shall only be permitted within the county when erected within the confines of the private property building line and are used as promotion signs only. Such signs shall only be permitted for a thirty (30) day period during the promotional activity and there shall be at least a ninety (90) day period between the last day of the first permitted use of such signs on any one property for any promotion and the first day of the next period issued for any use of such said sign on the same property or for any promotional activity. Street banners advertising a public entertainment or civic event, if approved by the Planning Director may be displayed beginning fourteen (14) days prior to and shall be removed within three (3) days after the public entertainment or civic event.
- (4) **Flags.** Official national, state or town flags, for any period of time.
- (5) **Temporary signs,** including portable signs, are permitted on private property with the property owner's permission and shall meet the following requirements:
 - a. Signs shall be allowed for a timeframe not to exceed sixty (60) days and shall not exceed six (6) square feet per sign face.
 - b. Signs shall not exceed three (3) feet in height.
 - c. Signs shall not be erected or located in a public right-of-way, utility poles, and equipment, traffic control signs, street signs, and on other property of the foregoing nature.
 - d. Signs on or as part of moving vehicles are also bound by this sixty (60) day time line.
 - e. Signs shall be removed within five (5) days after sale/event.
- (6) **Indoor Signs.** Signs located inside a building or structure, provided the sign is not so located as to be conspicuously visible and readable without intentional effort, from outside the building or structure.
- (7) **Event Sign.** One such sign, providing such sign shall not exceed sixteen (16) square feet and eight (8) feet in height and is located upon the site of said event. Such signs may be erected no earlier than fourteen (14) days prior to the event and shall be removed within three (3) days after the event.

- (8) **Construction signs.** One construction sign on the construction site as long as said does not exceed ten (10) square feet in area. Such signs shall be removed upon completion of the project.
- (9) **Memorial Signs or Tablets.** One memorial sign or tablet not exceeding three (3) square feet and permanently attached to the building or structure.
- (10) **Gasoline price signs.** Service stations shall be permitted one double-faced, on-site sign not to exceed twelve (12) square feet per face and five (5) feet in height advertising the price of gasoline. Such signs may be mounted upon a freestanding sign, so long as all of the criteria for a freestanding sign is met. Such signs shall not contain any advertisement other than brand name.
- (11) **Time and temperature signs.** Time and temperature signs may be allowed with permission of the planning commission, based upon a determination of public need and usefulness.
- (12) **Directional and informational signs.** Directional and informational signs displaying such legends including, but not limited to the following: "Self Service", "Parking", "Open", "Closed", "Exit", "Entrance", "Lounge", "Coffee Shop", "Office", "Men's and Women's Rest Rooms", "inflammable, including arrows, menus, etc.", shall be allowed providing each such sign does not exceed three (3) square feet. It shall be permissible for the name of the entity/business to appear on directional signs.
- (13) **Signs required by law.** Signs required by federal, state or local law.
- (14) **Window signs.** Signs displayed in windows so long as the signs are clearly temporary in nature and are not up for more than sixty (60) days.
- (15) **Existing off-premise billboard signs.** Existing off-premise billboard signs shall be allowed to remain in service if the sign is maintained in good repair and does not adversely impact the general health, safety, welfare, and aesthetic quality of the community. Said sign shall comply with the following:
 - a. The maximum size of said signs shall be limited to ninety-six (96) square feet.
 - b. Existing single sided off-premise billboard signs shall not be made double-sided by adding a new face to the back side of the existing sign.
 - c. The sign shall remain in the exact location noted as of the effective date of this ordinance, except where the sign must be moved only to comply with Section 1-4 (15) d. below.
 - d. Each off-premise billboard sign shall maintain a safety and maintenance area that extends twenty (20) feet out from both sides and twelve (12) feet out from both ends of the sign.
 - e. The sign owner, business owner, or property owner shall remove or shall cause to be removed such off-premise billboard sign, within thirty (30) days of the effective date of this ordinance, that do not comply with the provisions listed herein.

Section 1-5 Right of Inspection.

The Planning Director shall have the right to inspect all signs in the County for the purpose of ascertaining whether they are safe, secure in need of repair or conforming to this ordinance.

ARTICLE II - PERMITS

Section 2-1 Required.

It shall be unlawful for any person to erect, alter or relocate within the County any sign without first obtaining a permit from the Planning Director and making payment of the fees required by Section 2-4 of this ordinance. This section is not meant to require a permit for routine maintenance and repairs as long as the basic parts of the sign remain the same.

Section 2-2 Applications.

Applications for permits under this ordinance shall be made on forms supplied by Taos County Planning Department and contain or have attached thereto the following:

- (1) Name, address and phone number of the applicant.
- (2) Location of the building, structure or lot to which or upon which the sign is to be attached or erected.
- (3) Position of the sign in relation to nearby buildings or structures.
- (4) One drawing of the plans and specifications and method of construction and attachment to the building or ground.
- (5) Name of person erecting or attaching the sign.
- (6) Written consent of the owner of the building, structure or land to which or on which the sign is to be erected.
- (7) Such other information the Planning Director shall require to show full compliance with this ordinance and all other applicable Taos County Ordinances.

Section 2-3 Issuance.

It shall be the duty of the Planning Director upon the filing of an application for a permit under this ordinance, to examine such plans and specifications, other data and the premises upon which it is proposed to erect the sign, and it shall appear that the sign is in compliance with all requirements of this ordinance, is structurally sound and safe, and in compliance with all other ordinances of the County, he/she shall then issue the permit. If work authorized has not been completed within three (3) months of issuance of the permit, the permit shall become null and void.

Section 2-4 Fees.

Every applicant, before being granted a permit under this ordinance, shall pay one dollar (\$1.00) per square foot of the total sign area to be maintained on the premises.

Section 2-5 Privileges granted under this ordinance subject to revocation, etc.; Permits issued subject to revocation for violation of this ordinance.

All rights and privileges granted by the issuance of a permit under this ordinance or any amendment thereto, are mere licenses revocable for violation of this ordinance at any time by the county. All permits issued under this ordinance shall be deemed to contain this provision.

Section 2-6 Taos County Board of Adjustment or Planning Commission shall have authority.

The Taos County Board of Adjustment, or where applicable the Planning Commission, in addition to other duties set forth in this ordinance, shall have the power to grant variances of this ordinance as long as the general purpose and intent of this ordinance is complied with. Variance procedures outlined within this ordinance and within the most recently applicable sections of the Taos County Land Use Regulations shall be complied with.

Section 2-7 Written notice to adjacent and other property owners of a hearing on request for a variance.

In all cases where requests for variances are to be considered by the Taos County Board of Adjustment or where applicable the Planning Commission, notices by mail will be sent to adjacent property owners, as well as owners of property located directly across the street from the location of the requested variance.

Section 2-8 Standard to be considered for granting variances.

The standards to be considered by the Taos County Board of Adjustment or where applicable the Planning Commission, in the granting of a variance under this ordinance are as follows:

- (1) That a literal application of the provisions of this Sign Ordinance would cause undue financial hardship to the applicant because of conditions that are unique to the building, structure, premises, or lot, upon which the proposed signage is to be situated;
- (2) That the granting of an applicant's request for a variance from the provisions of this Sign Ordinance would not be materially detrimental to the public, or to property owners, or existing businesses, in the immediate vicinity of the proposed signage;
- (3) That the granting of an applicant's request for a variance from the provisions of this Sign Ordinance would not be contradictory to the intent, general purposes and objectives of this Sign Ordinance, any other sections of the Taos County Land Use Regulations, or any other applicable Ordinance of Taos County;
- (4) That in the case of joint identification signs, the requested variance nevertheless substantially meets the goals of the Taos County Comprehensive Plan;
- (5) That in the case of joint identification signs, the requested variance assures that signage visible from public rights-of-way do not exceed the

design and dimension requirements set forth elsewhere in this Sign Ordinance;

- (6) No variance from the provisions of this Sign Ordinance may allow more than twenty percent (20%) increase in the size, sign area, height, or other sign dimension set forth in this Sign Ordinance.

Section 2-9 The Taos County Board of Adjustment or Planning Commission shall grant or deny requested variance

The Taos County Board of Adjustment or Planning Commission, shall either grant or deny the variance. The Planning Director or his/her designee must file the decision with the Taos County Clerk within thirty (30) calendar days of the conclusion of the public hearing on the variance request.

Section 2-10 Appeal of Decision of the Board of Adjustment or Planning Commission.

Any party aggrieved by the decision of the Taos County Board of Adjustment or Planning Commission may appeal their decision by following the appeal procedures that are outlined in the most recently adopted Taos County Land Use Regulations.

ARTICLE III - STANDARDS

Section 3-1 Area and Height

- (a) The maximum area and height for any wall, projecting, canopy, joint identification or freestanding sign in the County shall be:
 - (1) For each premise having not more than seventy-five (75) feet of street frontage, the maximum height of the sign shall be eighteen (18) feet.
 - (2) For each premise having at least seventy-six (76) feet and not more than one hundred fifty (150) feet of street frontage, the maximum height of the sign shall be twenty (20) feet.
 - (3) For each premise having at least one hundred fifty-one (151) feet of street frontage, the maximum height of the sign shall be twenty (20) feet.
 - (4) In no event will a freestanding, wall, canopy or projecting sign exceed seven (7) percent of the area of the face of the building it advertises, shall not exceed sixty (60) square feet in size and must have a minimum width of two (2) feet.
 - (5) The area of the face of the building shall be measured by multiplying the average height times the total length, including any canopy that may extend beyond the sides of the building; provided that, the canopy length shall be treated as not exceeding twice the length of the building.
 - (6) Any person, regardless of the length of frontage or size of building, is entitled to a minimum sign area of twelve (12) square feet.

- (b) The maximum area for any joint identification sign in the County shall be seventy (70) square feet.
- (c) In calculating the area of signs, the following shall apply:
 - (1) All faces of a multi-faced designed to be visible simultaneously shall be included.
 - (2) The area shall be that of the smallest rectangle that will wholly contain the sign. Said rectangle's sides shall be vertical to the ground. Except that, the area of a wall sign of CUTOUT-LETTERING, with no borders or background defined on the building wall. will be considered to be one-half of the area of the smallest rectangle that will wholly contain the letters
- (d) Internal lit signs shall be no larger than thirty-two (32) square feet and shall not be lit during off business hours.

Section 3-2 Number

- (a) Each person issued a permit under this ordinance shall be allowed a maximum of two (2) signs in any of the following combinations.
 - (1) One (1) freestanding sign, and
 - a. One (1) wall sign, or
 - b. One (1) projecting sign, or
 - c. Two (2) single-faced canopy signs, or
 - d. One (1) double-faced canopy sign, or
 - e. One (1) graphic, or
 - (2) Two (2) wall signs, or
 - (3) One (1) wall sign and
 - a. One (1) projecting sign, or
 - b. One (1) graphic design, or
 - c. Two (2) single-faced canopy signs, or
 - d. One (1) double-faced canopy sign, or
 - (4) One joint identification sign, or
 - a. One (1) wall sign, or
 - b. One (1) projecting sign, or
 - c. Two (2) single-faced canopy signs, or
 - d. One (1) double-faced canopy sign, or
 - e. One (1) graphic design.
- (b) In addition to the combination of signs set forth in subsection (a) above, every motel with an assembly or a meeting room, or a motion picture theater shall be allowed a marquee which shall not be counted in the sign area as measured in Section 3-1(b), of this ordinance but in no event shall the marquee exceed twenty-four (24) square feet in area.

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- (c) Whenever three (3) or more businesses share the same site or location, unless the land is separately owned by each business, said area may have either one (1) freestanding sign advertising the major business or one (1) joint identification sign, at the discretion of the owner of said area. It is the intention that under the above circumstances not more than one (1) freestanding sign be located upon the premises. Each of said businesses may have one (1) of the following: A wall sign, projecting sign, two (2) single-faced or one (1) double-faced canopy sign or one (1) graphic design.

Section 3-3 Design; Trim; Color; Lettering; etc.

All signs erected or maintained in the County shall meet the following design standards:

- (1) No sign or part thereof shall contain any shining metal.
- (2) All freestanding signs shall have a base', i.e., planter box, wall, banco, trees, bushes or other landscaping material, so long as it is not so large to create a hazard, which shall be compatible in color with the building it advertises. Said base shall be equal in area to at least the length of the sign and may not be less than two (2) feet wide and must extend at least sixteen (16) inches in height. This provision shall not apply to any sign less than twelve (12) feet in height, but such treatment is encouraged.
- (3) All new signs erected shall contain a decorative trim of Wrought iron wood or simulated wood, which trim shall not be counted in measuring the area of the sign. Said trim shall not exceed the following dimensions:

Area of Sign	Width of Trim
Sixty (60) square feet	Six (6) inch width
Forty (40) square feet	Five (5) inch width
Twenty (20) square feet	Four (4) inch width
- (4) All new internally-lit signs erected shall have their faces recessed within the decorative trim a minimum of two (2) inches.
- (5) No sign or part thereof shall contain any of the following colors:
 - a. Blaze Orange
 - b. Hot Pink
 - c. Fluorescent Colors
 - d. Chartreuse
 - e. Metal Flake Paints

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Section 3-4 Construction of signs.

All signs in the County, except those exempted in Section 1-4 of this ordinance, shall be designed and constructed to withstand the wind loads, snow loads and dead loads as set forth in the most recently adopted building codes and shall also conform to the most recently adopted electrical codes.

Section 3-5 Joint identification signs.

Joint identification signs (directory signs) may be freestanding signs, which shall have two (2) faces. No joint identification sign in the County shall exceed the height as set forth in Section 3-1 of this ordinance. Of the seventy (70) square feet allowed a joint identification sign, no more than ten (10) square feet may be allowed to the title of said sign, and each of the business sharing such a sign shall each not utilize more than four (4) square feet.

Section 3-6 Freestanding signs.

Freestanding signs shall be allowed in the County as long as they have two (2) faces and they meet the following:

- (1) They are on the site of the person or business erecting, employing, or maintaining the same.
- (2) So long as they do not create a hazard and do not extend into the public right-of-way, as determined by the Planning Director or County Sheriff.
- (3) The bottom of the signs may not be higher than fourteen (14) feet above grade level.

Section 3-7 Severability.

The provisions of this ordinance are severable, and if any provision, sentence, clause, section or part thereof, is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, the illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance or their applications to other persons or circumstances. It is hereby declared to be the intent of the Taos County Planning Commission that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provisions, sentences, clause, section or part had not been included therein, and if the person or circumstances to which the Ordinance or any part thereof had been specifically exempted therefrom.

Section 3-8 Interpretation and Conflict.

The provisions of this ordinance shall be held to be minimum requirements. Where the provisions of this ordinance impose greater restrictions than those of any other ordinance or resolution the provisions of this ordinance shall prevail. Where the provisions of any other ordinance, resolution, or covenant impose greater restrictions than those of this ordinance, the provisions of such other ordinance, resolution, or covenant shall prevail.

Section 3-9 Enforcement.

- (a) Prosecution in Court. Pursuant to Section 3-21-3, NMSA 1978, this Ordinance shall be enforced by prosecution in Magistrate Court and District Court of the County, initiated by the Taos County Planning Director. Before reporting such violations for prosecution, the Taos County Planning Director shall give thirty (30) days written notice to the owner of the property where the violation is located, and shall indicate the intent to prosecute unless the violation is righted within thirty (30) days.

- (b) Penalties. Any person violating any provisions of this ordinance shall be deemed guilty of a petty misdemeanor and upon conviction thereof, shall be fined not more than three hundred dollars (\$300.00) per day and/or imprisonment of not more than ninety (90) days. Each day such violation is committed, or permitted to continue shall constitute a separate offense and shall be punished as such hereunder.
- (c) Injunction, Abatement, and other Remedies. The Board of County Commissioners, or the County Manger may, in addition to other remedies provided by law, may institute injunction, abatement, or any other appropriate action, actions, proceeding, or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

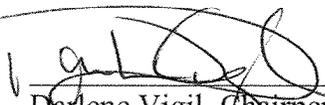
Section 3-10 Repeal and Replace.

Taos County Ordinance 1996-2 is hereby repealed and replaced in its entirety by Taos County Ordinance No. 2022-3.

PASSED, APPROVED AND ADOPTED, this 4th day of October 2022.

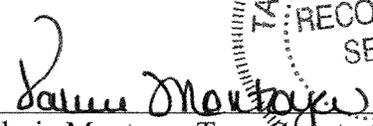
**BOARD OF COUNTY COMMISSIONERS
OF TAOS COUNTY, NEW MEXICO**

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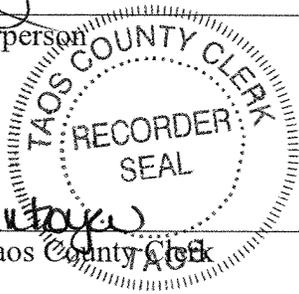


Darlene Vigil, Chairperson

Attest:



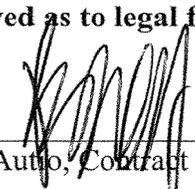
Valerie Montoya, Taos County Clerk



VOTE RECORD:

D. Vigil	<u>yes</u>	no	abstain	absent
A. Brush	<u>yes</u>	no	abstain	absent
C. O'Donnell	<u>yes</u>	no	abstain	absent
J. Fambro	<u>yes</u>	no	abstain	absent
M. Gallegos	<u>yes</u>	no	abstain	absent

Approved as to legal form:



Randy Auto, Contract County Attorney

