

ORDINANCE NO. 1104

**AMENDING ARTICLE VIII, SECTION 8.2.1 (PERSONS LIABLE),
OF THE LAND USE CODE OF THE TOWN OF SILVER CITY,
GRANT COUNTY, NEW MEXICO**

WHEREAS, on January 12, 1999, the Town Council approved Ordinance 1017, adopting the Land Use Code; and

WHEREAS, the Land Use Code was adopted with the understanding that amendments would be necessary and forthcoming as the Code was implemented; and

WHEREAS, the Town wishes to correct deficiencies in the Land Use Code and clarify certain issues; and

WHEREAS, in the time, form and manner provided by law, notice of public hearing by the Council was sent; and

WHEREAS, at its regularly scheduled public meeting on December 7, 2004, the Planning and Zoning Commission voted to recommend approval of amending Article VIII, Section 8.2.1.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO THAT:

The following Section of the Land Use Code is amended as follows:

Section 8.2.1, "Persons Liable"

Add a sentence to the end of the section that shall read:

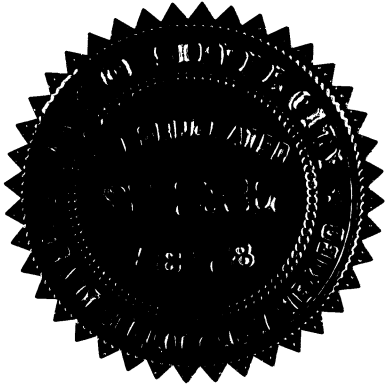
Any person, corporation, or other entity which shall knowingly aid and abet any violation of this Land Use Code shall be liable to the same extent as the principal and shall be subject to the same penalties and remedies provided therefore.

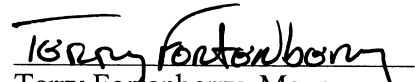
The aforementioned amendment to the Land Use Code, designated as Supplement 13, shall be inserted into the Land Use Code according to the appropriate format and are adopted based on the following findings as required by Section 6.3.2 (D) of the Land Use Code:

- 1) The proposed amendments are in substantial compliance with the Town's Comprehensive Plan and will not adversely affect the implementation of the goals and policies of the Comprehensive Plan.
- 2) The proposed amendments provide additional flexibility in meeting the objectives of the Land Use Code without lowering the standards of the Land Use Code.

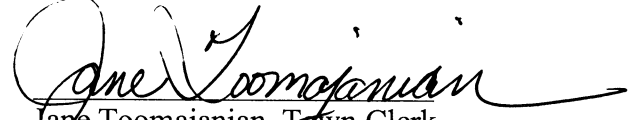
- 3) The proposed amendments address recurring problems documented by staff and clarify policies and procedures.
- 4) The Town encouraged and requested public participation in the revision process through the Town Council public hearing process.

PASSED, ADOPTED, AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 22nd day of February 2005.




Terry Fortenberry, Mayor

Attest:


Jane Toomajian, Town Clerk