

ORDINANCE NO. 1320

AN ORDINANCE AMENDING PARAGRAPH (a) (4) OF SECTION 32-2, ILLUSTRATIVE ENUMERATION OF NUISANCES, ARTICLE 1, IN GENERAL, CHAPTER 32, NUISANCES, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.

WHEREAS, the Municipal Code of the Town of Silver City provides for the regulation and abatement of nuisances in Chapter 32 of the Town Code; and

WHEREAS, Code Enforcement face increasing challenges in dealing with dilapidated and dangerous structures, structures damaged or destroyed by fire, and structures that lack adequate water and/or sewer services; and

WHEREAS, the Town Council finds that the Town’s nuisance ordinances would benefit from specification and clarification of what constitutes a nuisance structure or building to specify that a nuisance includes those structures or buildings damage or destroyed by fire or that lack adequate water or sewer services, and amendment of the ordinance is appropriate for the Town and its inhabitants’ health, safety, welfare, and, therefore, that the Nuisance Ordinance should be amended to reflect that finding.

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

1. Paragraph (a) (4) of Section 32-2 (Illustrative Enumeration of Nuisances), Article I (In General), Chapter 32 (Nuisances), is hereby amended by including a structure or building destroyed or damaged by fire or that lacks adequate sewer or water services as an illustrative enumeration of a nuisance, and that Paragraph (a) (4) of Section 32-2 shall now read as follows:

- (4) Any building, structure or any accumulation of any material or item or items used as such, that is in a dilapidated condition, or has been destroyed or damaged by fire, or that lacks adequate sewer or water services, such that it is unfit for human habitation if used as a residence or place of abode, or is kept in such an unsanitary, dilapidated or dangerous condition that it is a menace to the health of people residing therein or residing in the vicinity where it is located, or presents a fire hazard in the vicinity where it is located;

2. All of the rest and remainder of Section 32-2, Illustrative Enumeration of Nuisances, and Chapter 32, Nuisances, is hereby reaffirmed as written and shall remain in full force and effect, except as amended by this ordinance.

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this ____ day of _____, 2023.

TOWN OF SILVER CITY

(Seal)

Ken Ladner, Mayor

Attest:

Alfred Sedillo, Town Clerk