



# **TOWN OF TAOS**

# **Candidate Handbook**

## **2020 Municipal Officer Election**

### **OFFICE OF THE TOWN CLERK**

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## Office of The Town Clerk

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Dear Candidate:

It is a pleasure to welcome you as a candidate for municipal office.

This handbook has been compiled to guide you through the process of running your campaign and declaring your candidacy.

Please take time to visit our website at [www.taosgov.com](http://www.taosgov.com). You will find many resources to assist you in learning more about Town of Taos government including the annual budget, Town Code, audit, economic impact reports and staff contact information.

I trust that this information will answer most of your questions; however, the Town Clerk's Office is available to provide any additional information you may need. Please do not hesitate to contact me at 751-2004 or Deputy Clerk Denise Romero at 751-2005 if we can be of assistance.

Best wishes on your campaign!

Sincerely,

A handwritten signature in black ink that reads "Francella Garcia". The signature is written in a cursive style with a large, sweeping flourish at the beginning.

Francella Garcia,  
Town Clerk

# Declaration of Candidacy Information

The Town of Taos Municipal Officer Election Day is March 3, 2020. As a potential candidate, there are things you need to know in regards to the election process, your responsibilities, and the responsibilities of the Town Clerk.

## General Eligibility Requirements for the Municipal Officer Election:

To become a candidate for the Municipal Officer Election, a person must be a registered voter and possess the qualifications specified by law. Pursuant to the Election Code 1-1-7.1, any *qualified elector for the purpose of determining the residence of a person desiring to be a candidate for the nomination or election to an office under the provision of the Election Code, permanent residence shall be resolved in favor of that place shown on the person's certificate of registration as his permanent residence, provided the person resides on the premises.*

**Felony Convictions:** A person who has been convicted of a felony shall not be permitted to hold an office of the public trust for the state, a county, a municipality, or a district, unless the person has presented the governor with a certificate verifying the completion of the sentence and was granted a pardon or a certificate by the governor restoring the person's full rights of citizenship. NMSA 1978, § 31-13-1(E).

## Determining Residency:

### Residence; rules for determining - Election Code 1-1-7.

For the purpose of determining residence for voting, the place of residence is governed by the following rules:

- A. the residence of a person is that place in which his habitation is fixed, and to which, whenever he is absent, he has the intention to return;
- B. the place where a person's family resides is presumed to be his place of residence, but a person who takes up or continues his abode with the intention of remaining at a place other than where his family resides is a resident where he abides;
- C. a change of residence is made only by the act of removal joined with the intent to remain in another place. There can be only one residence;
- D. a person does not gain or lose residence solely by reason of his presence or absence while employed in the service of the United States or of this state, or while a student at an institution of learning, or while kept in an institution at public expense, or while confined in a public prison or while residing upon an Indian or military reservation;
- E. no member of the armed forces of the United States, his spouse or his dependent is a resident of this state solely by reason of being stationed in this state;
- F. a person does not lose his residence if he leaves his home and goes to another country, state or place within this state for temporary purposes only and with the intention of returning;
- G. a person does not gain a residence in a place to which he comes for temporary purposes only;
- H. a person loses his residence in this state if he votes in another state in an election requiring residence in that state, and has not upon his return regained his residence in this state under the provisions of the constitution of New Mexico;
- I. "residence" is computed by not including the day on which the person's residence commences and by including the day of the election;
- J. a person does not acquire or lose residence by marriage only.

## Proclamation by the Secretary of State

### **Election Code 1-22-4B**

On December 4, 2019, the Secretary of State shall by resolution issue a public proclamation in Spanish and English calling for the 2020 Municipal Officer Election to be held on March 3, 2020.

## Filing for Candidacy

### **Election Code 1-22-3.1.E.(3)**

Individuals seeking candidacy shall file a declaration of candidacy on January 7, 2020, between the hours of 9:00 AM and 5:00 PM at the office of the Town Clerk.

## Filing for Candidacy as a Write-In Candidate

### **Election Code 1-22-3.1.E.(4)**

Write-in candidates for the municipal officer election shall file declaration of intent to be a write-in candidate between 9:00 AM and 5:00 PM on January 14, 2020.

*Note: The write-in candidate's shall be considered a candidate for all purposes and provisions relating to candidates, with the exception the write-in candidate's name shall not be pre-printed on the ballot, nor displayed or otherwise provided in any polling place by any election official or member of an election board. (Election Code 1-10-13.B.)*

**All candidates filing must complete and submit the following forms to the Town Clerk on the designated filing date:**

1. Declaration of Candidacy form (included at the end of this packet);
2. Written Authorization for Designation (only if someone is filling on behalf of the candidate)
3. Declaration of Intent to be a Write-in Candidate
4. A copy of the candidate's current voter registration on file with the County Clerk shows that the person is both a qualified elector of the state and was registered to vote in the area to be elected to represent on the date of the proclamation calling for the municipal officer election for all municipalities conducting the election of their officers. (December 4, 2019)
5. Affidavit of Withdrawal of Candidacy (if applicable)

The forms provided with this information packet must be used for filing. In addition, these forms are also available on the Secretary of State website. Please read through all the forms enclosed and understand the requirements of the information you need to provide. Your signature is required to be notarized. There will be a notary available to notarize your signature in the Town Clerk's Office. **(IMPORTANT: Please ensure that your name and resident address on the Declaration of Candidacy/Declaration of Intent to be a Write-in Candidate are IDENTICAL to your name and resident address as shown on your voter registration).** The voter registration must show the address as a street address, **not a post office box.**

If you are unable to personally appear to submit your Declaration of Candidacy, a Written Authorization for Designation (included in this packet) is also available. This allows the designation of an individual to act solely on your behalf for the purpose of filing your Declaration of Candidacy and any other documents required. (1-22-7.D.)

When the Declaration of Candidacy is filed in the office of the Town Clerk, it becomes a public record.

## How does the Town Clerk certify my candidacy?

From the information provided on the Declaration of Candidacy/*Declaration of Intent to be a Write-in Candidate* form, the Town Clerk determines if the individual is a qualified elector and if the individual is registered to vote in the town limits.

By 5:00 PM on January 10, 2020, the Town Clerk must notify candidates in writing that they are qualified to be a candidate (1-22-3.1E3).

At 5:01 PM, January 15, 2020, at the Town Hall Executive Conference Room, the Town Clerk will conduct a drawing by lot for positions on the ballot in the presence of the certified candidates or their representatives. Either you or your representative should be present to draw for your ballot position. If no one is present to draw for your ballot position, a member of the Town Clerk's staff will draw for the position on behalf of the candidate.

Town Clerk shall notify candidates in writing that they are qualified to be declared a write-in candidate by 5:00 PM on January 17, 2020. (1-22-3.1E4)

### **Certified Candidate Information**

1. The Town Clerk will order ballots no later than January 21, 2020. **The candidate's name will appear on the ballot exactly as shown on the voter's registration and in the order determined by the drawing for positions. (1-22-3.1E6 and 1-22-10C-D)**
2. The Taos Town Council will appoint the election board members at their regularly scheduled council meeting on January 14, 2020. (1-2-6A) The list of election workers will be posted. *No relatives of any candidate can serve on the election board. (1-2-7C)*
4. ON ELECTION DAY there is no campaigning within 100 feet of the building where the polling is located (Town Hall). In addition, there will be no campaign literature allowed within 100 feet of the building. (1-20-16A)

### **Forms and Requirements**

Included at the end of this packet are forms to file for candidacy.

### **Additional Information**

Listed below are additional resources that may help you. Please click on the links below:

- [Town of Taos Official Website](#)
- [Election Handbook of the State of New Mexico](#)
- [Resolution 16-17 Council Code of Ethics](#)
- [Resolution 17-27 Council Rules of Conduct](#)
- [New Mexico Secretary of State Website](#)

You may access several Town public records such as minutes, resolutions, ordinances, deeds and easements at <https://publicrecords.taosgov.com/WebLink/Browse.aspx?cr=1>, The Town Code, budgets, audits, and many other resources are available on the Town's website under Town Clerk

If records are not accessible on the Town's website, you may submit a records request from the Town's website under Town Clerk and submit your request through the Public Records Request Portal or submit your request in person to the Town Clerk's Office.

Please feel free to contact me at [fgarcia@taosgov.com](mailto:fgarcia@taosgov.com) or (575)751-2004 or Deputy Town Clerk Denise Romero, at [dromero@taosgov.com](mailto:dromero@taosgov.com) or (575) 751-2005 if we can be of any assistance.

# IMPORTANT DATES TO REMEMBER

October 22, 2019		Adoption of 2020 Municipal Officer Election Resolution 19-49 calling for Election
December 4, 2019		Secretary of State will issue a proclamation to call the election.
December 4, 2019		Candidate packets will be available
Beginning January 1, 2020		Ballot <b>applications</b> can be issued; however, ballots will only be mailed out from Tuesday, February 4, 2020, through Friday, February 28, 2020.
<b>January 7, 2020</b>	<b>9:00 AM - 5:00 PM</b>	<b>FILING DAY: Appear in Town Clerk's office to file Declaration of Candidacy.</b>
No later than January 10, 2020		Town Clerk certifies declarations of candidacy. The Town Clerk will notify in writing that the filer is a qualified candidate.
January 14, 2020	by 5:00 PM	Deadline for candidate to withdraw candidacy.
January 14, 2020	9:00 AM – 5:00 PM	Write-In Candidate Filing Day.
January 15, 2020	5:01 PM	Drawing by lot for Ballot Position (Executive Conference Room) Town Hall
January 17, 2020	by 5:00 PM	Town Clerk certifies write-in candidates and shall deliver the notice to the person no later than 5:00 p.m.
January 21, 2020	by 5:00 PM	Deadline for Write-In Candidates to withdraw candidacy.
February 4, 2020		First day absentee ballots can be issued/mailed to voter
February 4, 2020		Early Voting begins at Town Hall – Room 109.
February 28, 2020 (Friday)		Last day to mail absentee ballot.
February 29, 2020 (Saturday)		Last day for early voting. Hours are from 10:00 a.m. – 6:00 p.m.
<b>MARCH 3, 2020</b>	<b>7:00 AM - 7:00 PM</b>	<b>ELECTION DAY Town Hall Training Room</b>
Between March 9, 2020 – March 13, 2020		Town Clerk and County Commission meets to certify the canvass and declares the results.
Between March 27, 2020 – March 31, 2020		Certificate of Election will be issued to the successful candidates from the Secretary of State.
Between March 28, 2020 – April 1, 2020		Candidate presents Certificate of Election to the Town Clerk and takes Oath of Office.
April 1, 2020		Term of office begins.

# CAMPAIGN MATERIAL

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## **ADVERTISING**

### **Chapter 12.28**

#### **12.28.010: GENERALLY:**

It is unlawful in the town for any person to distribute, place or post in or upon public property any showcard, poster, brochure, circular, handbill or other advertising device, or to distribute, place or post in or upon private property, including utility poles, any such matter without the express consent of the owner. (Prior code § 3-1)

#### **12.28.020: SIGNS OR BANNERS ACROSS STREETS OR SIDEWALKS:**

No person shall erect or place any sign or banner of wood, cloth, metal or other material across any street or sidewalk in the town without the permission of the town manager. (Editorially amended during 1998 codification: prior code § 3-2)

#### **12.28.030: DESTROYING LAWFUL POSTERS:**

It is unlawful for any person to wrongfully and maliciously tear down, deface or cover up any posted advertisement or bill within the town of any other person during the time such sign or advertisement is lawfully posted and is of value. (Prior code § 3-3)

#### **12.28.040: MARKING ON STREETS OR SIDEWALKS PROHIBITED; EXCEPTION:**

It is unlawful for any person to advertise, or attempt to advertise, by marking or painting on any of the streets or sidewalks within the town, without permission of the town manager. (Editorially amended during 1998 codification: prior code § 3-4)

#### **12.28.050: SOUND VEHICLES RESTRICTED:**

It is unlawful within the town for any person to advertise anything by the use of any public address system or amplifying equipment located on or transported by any vehicle without first having obtained any other required town license and a permit therefor from the town police department. (Prior code § 3-5)

#### **12.28.060: STICKERS ON VEHICLES:**

It is unlawful for any person to attach any gummed sticker to any vehicle within the town without the consent of the owner of such vehicle. (Prior code § 3-6)

#### **12.28.070: GENERAL PENALTY FOR VIOLATIONS OF CHAPTER; CONTINUING VIOLATIONS:**

- A. Whenever in this chapter an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this chapter the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision or the failure to perform any such act shall be punishable by a fine of not exceeding three hundred dollars (\$300.00) or by imprisonment not to exceed ninety (90) days or by both such fine and imprisonment in the discretion of the court.

- B. Each day any such violation or failure to perform such act shall continue shall constitute a separate offense and a separate violation of an ordinance of this town, unless otherwise specifically provided. (Prior code § 3-7)

## **HANDBILLS**

### **Chapter 12.32**

#### **12.32.010: DEFINITIONS:**

For the purposes of this chapter, the following words, terms and phrases shall have the meanings respectively ascribed to them:

**HANDBILL:** Any printed or written matter, sample, device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature.

**NEWSPAPER:** Any newspaper of general circulation as defined by general laws, any newspaper duly entered with the postal service of the United States in accordance with federal statutes or regulations, and any newspaper filed and recorded with any recording officer as provided by general law. In addition thereto, the term "newspaper" shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year and sold to the public, and the term shall mean and include any other copyrighted material.

**VEHICLE:** Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks. (Prior code § 3-19)

#### **12.32.020: PROHIBITED ACTIVITIES IN OR UPON INHABITED PRIVATE PREMISES:**

No person shall throw, deposit or distribute within the town any handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, that in case of inhabited private premises which are not posted as provided in section [12.32.030](#) of this chapter, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such premises if such handbill is so placed or deposited as to secure or prevent the same from being blown or drifted about such premises or sidewalks, streets or other public places; and provided further, that mailboxes may not be so used when so prohibited by federal postal law or regulation. (Prior code § 3-21)

#### **12.32.030: PROHIBITED ACTIVITIES WHEN SO NOTIFIED OR WHERE PROPERLY POSTED:**

No person shall throw, deposit or distribute within the town any handbill upon any private premises if requested by anyone thereon not to do so or if there is placed on such premises a sign bearing the words: "No Trespassing", "No Peddlers or Agents", or any similar notice indicating in any manner that the occupants of such premises do not wish to have their right of privacy disturbed or to have any handbills left upon such premises. (Prior code § 3-22)

#### **12.32.040: DEPOSITING ON UNINHABITED OR VACANT PREMISES:**

It is unlawful for any person to throw or deposit any handbill in or upon any private premises within the town which are uninhabited or vacant. (Prior code § 3-23)

#### **12.32.050: PLACING ON VEHICLES:**

It is unlawful within the town for any person to throw or deposit any handbill in or upon any vehicle. (Prior code § 3-24)

**12.32.060: RESTRICTED IN PUBLIC PLACES:**

It is unlawful within the town for any person to hand out, distribute or sell any handbill in any public place; except that, a handbill may be personally delivered to any person willing to accept the same. (Prior code § 3-25)

**12.32.070: DEPOSITING ON PUBLIC PREMISES:**

It is unlawful within the town for any person to throw or deposit any handbill in or upon any public premises which are inhabited, uninhabited or vacant. (Prior code § 3-26)

**12.32.080: EXEMPTIONS FOR MAIL AND NEWSPAPERS:**

The provisions of this chapter shall not apply to the distribution of mail by the United States postal service or of newspapers of general circulation within the town; except that, newspapers shall be placed on private property for delivery thereto in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon other private property. (Prior code § 3-20)

## SIGNS

**16.20.010.5.14: CONDITIONALLY EXEMPT SIGNS:**

The following types of signs are conditionally exempt from these sign regulations and do not require a sign permit provided they comply with the design criteria defined in this section. Any exempt sign which does not meet the design criteria will be deemed in noncompliance with these sign regulations.

- A. Bulletin Boards: A single on-premises exterior bulletin board is permitted, so long as the bulletin board does not exceed eight (8) square feet in sign area nor exceed seven feet (7') in overall height.
- B. Construction Signs: No more than two (2) construction signs shall be permitted per project location so long as each construction sign is no larger than twenty four (24) square feet in sign area and no greater than six feet (6') in height.
- C. Commercial Sign Walker: One (1) commercial sign walker shall be allowed per each place of business provided that sign area does not exceed three (3) square feet in sign area. Commercial sign walkers shall be prohibited within the Historic Overlay Zone (HOZ).
- D. Directional Signs: No more than two (2) directional signs shall be allowed per premises, provided they do not exceed six (6) square feet nor three feet (3') in height.
- E. Drive-Through Menu Signs: Drive-through menu signs are exempt from these sign regulations provided they do not exceed two (2) in number per premises. Drive-through menu signs shall not be located in the street frontage facade of the building.
- F. Election Campaign Signs: An election campaign sign is exempt from the provisions of these sign regulations provided there are no more than five (5) such signs per site location, nor exceed six (6) square feet in sign area, and so long as the sign is posted with the consent of the property owner. All such signs shall not be placed earlier than sixty (60) days prior to the election, and shall be removed within three (3) days after the election. These signs shall not be posted on any public right-of-way or on Town of Taos property.

- G. Garage Sale And Yard Sale Signs: One (1) on-premises sign announcing a garage or yard sale event shall be wholly exempt from the provisions of these sign regulations provided it is located on the premises where the sale is to be held. No more than three (3) off-site signs announcing a garage or yard sale event shall likewise be wholly exempt from the provisions of these sign regulations provided they are posted with the consent of the owner of the premises on which they are placed. Such sign shall not be displayed for a period of more than two (2) consecutive days prior to the event and must be removed by the entity or individual who posted them within one (1) day of the conclusion of the event.
- H. Gasoline Station Price Signs: One (1) on-premises single or double faced gasoline price sign is exempt from the provisions of these sign regulations provided the sign does not exceed twelve (12) square feet per each sign area and does not bear any advertising or logo other than a gasoline brand name and price. No more than one (1) double faced price sign is permissible at any one (1) location.
- I. Government Sponsored Special Event Signs: A temporary sign erected or authorized by the Town of Taos which advertises a community event is exempt from these sign regulations.
- J. Menu Signs: Menu signs shall be no greater than six (6) square feet and are exempt from these sign regulations so long as such sign is mounted on the facade near the entrance of the restaurant or eatery.
- K. Memorial Signs: On-premises memorial signs are exempt from the provisions of these sign regulations so long as the sign is permanently attached to the building or structure to which they refer and do not exceed three (3) square feet in sign area.
- L. Noncommercial Signs: Permanent, civic, church, service club, political, or other noncommercial signs or emblems, whether for a charitable purpose, a religion, a cause, an idea, an ideology, or any other noncommercial purpose, are exempt from these sign regulations.
- M. Real Estate (Residential) Signs: Real estate (residential) sales or leasing signs are exempt from these sign regulations, but are limited to one (1) such sign per street frontage, which may be double faced, and the sign shall not exceed six (6) square feet in sign area, nor exceed five feet (5') in height above the average grade below. Such sign shall be removed within three (3) days of the rental, leasing or sale closing of the property.
- N. Real Estate (Commercial, Industrial, Agricultural) Signs: Real estate (commercial, industrial, agricultural) signs are exempt from these sign regulations, but are limited to one (1) such sign per street frontage, and which may be double faced, and which may not exceed twelve (12) square feet in sign area, nor exceed eight feet (8') in height above the average grade below. Such sign shall be removed within three (3) days of the rental, leasing or sale closing of the property.
- O. Street Address Signs: Street address signs shall not exceed three (3) square feet per each sign area and are exempt from these sign regulations. Whenever possible and practical, the street address of the property shall be clearly visible to the public.
- P. Subdivision Signs: Subdivision signs are exempt from these sign regulations, but shall not exceed twelve (12) square feet in sign area and shall not exceed six feet (6') in height.

Subdivision signs shall be located at the main intersection or intersections entering into the subdivision.

- Q. Time And Temperature Signs: Time and temperature sign (prohibited in the Historic Overlay Zone) is exempt from these sign regulations, but shall not exceed twelve (12) square feet per each sign area, nor exceed an overall height of six feet (6'). Time and temperature signs are not permitted, or allowed by any variance process, within the Historic Overlay Zone.
- R. Window Signs: Window signs are exempt from these sign regulations, but the total area of all window signs shall not exceed twenty percent (20%) of all of the window area visible to the public.
- S. Illuminated Window Signs: Except in the Historic Overlay Zone, interior static neon, LED, or otherwise internally illuminated window signs displaying messages such as "open" or other advertisements are permitted, provided they do not exceed, cumulatively, three (3) square feet in total sign area.
- T. Vehicle And Equipment Signs: Signs on trucks, buses, boats, trailers or other motorized vehicle and equipment are permitted so long as the signs adhere to the following standards:
  - 1. The primary purpose of the vehicle or equipment is not the display of signs;
  - 2. The vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which signs relate;
  - 3. The vehicles and equipment are not used primarily as static displays, advertising a product or service, nor utilized as storage or shelter; and
  - 4. During periods of inactivity, the vehicles and equipment shall be stored in a designated parking space, said vehicle shall not be parked in drive aisles, landscaped areas, public right-of-way, or any other areas not specifically designated for parking. (Ord. 17-03, 2017)

# Powers, Duties and Compensation of Elected Officials

## MAYOR

### Chapter 3.32

The Mayor is the Chief Executive Officer of the Town, and shall:

- A. Cause the ordinances and regulations of the Town to be enacted and obeyed;
- B. Exercise, within the Town, those powers conferred upon Sheriffs of counties, to suppress disorders and keep the peace;
- C. Perform such other duties compatible with the office and which the Town Council may require;
- D. Supervise the operation and management of the Town, through the Town Manager;
- E. Appoint the Town Manager, subject to the advice and consent approval of the majority of the members of the Town Council, as authorized by this Code;
- F. Sign all commissions, licenses and permits granted by the Town Council and other acts that the law or ordinances may require. (Ord. 18-01, 2018)

#### **3.32.020: VACATED MAYOR'S OFFICE; APPOINTMENT BY TOWN COUNCIL:**

In the event of the death, disability, resignation, or change of residence from the Town of the Mayor, the Town Council shall appoint, by majority vote, a qualified elector of the Town of Taos to fill the vacancy for the unexpired term of office. (Ord. 18-01, 2018)

#### **3.32.030: PRESIDING OFFICER OF THE TOWN COUNCIL:**

The Mayor shall be the presiding officer of the Town Council at all meetings of the Council. The Mayor shall vote only when there is a tie vote or as otherwise required by law. (Ord. 18-01, 2018)

#### **3.32.040: MAYOR PRO TEMPORE:**

The Town Councilors shall, at the organizational meeting after the regular Municipal election, elect from their own body a Mayor Pro Tempore to act in the absence of the Mayor, except as may otherwise be provided by law or ordinance. The Town Councilors may change the Mayor Pro Tem at their pleasure at any time. The Mayor shall have the power to break a tie vote on the election of the Mayor Pro Tempore. (Ord. 18-01, 2018)

## TOWN COUNCIL

### Chapter 3.28

#### **3.28.010: GOVERNING BODY; LEGISLATIVE BRANCH:**

- A. The Corporate Authority of the Town is vested in the Governing Body, the Town Council, which shall constitute the legislative branch of the Town, and shall not perform any executive functions, except those assigned to it by law.
- B. A majority of the Governing Body is a quorum for the purpose of transacting business.
- C. Unless otherwise provided by law, a question before the Governing Body shall be decided by a majority vote of the members of the quorum present.
- D. The Governing Body of the Town is the Town Council, whose members are the Mayor and the four (4) Councilors. The election of the Mayor and Councilors shall be on an at large basis.
- E. Whenever there is a requirement that a certain fraction or percentage of the members of the entire Town Council, or all the members of the Town Council, or of the entire membership of the Governing Body, or other similar language, other than the requirement of a simple majority, in order for a measure to pass, the Mayor shall have no vote except in the case of a tie, and the Mayor shall not be counted in determining the actual number of votes needed. (Ord. 18-01, 2018)

### **3.28.020: POWERS AND DUTIES:**

The Town Council shall:

- A. Elect one of its members to act as Mayor Pro Tem as provided in section [3.32.040](#) of this title;
- B. Possess all powers granted by law, and such other Municipal powers not conferred by law or ordinance on another officer of the Town;
- C. Manage and control the finances and all property, real and personal, belonging to the Town;
- D. Determine the time and place of holding its meetings, which shall be in accordance with the New Mexico Open Meetings Act;
- E. Determine the rules and/or procedures of Council proceedings;
- F. Keep minutes of its proceedings;
- G. Adopt rules and regulations necessary to effect the powers granted to municipalities;
- H. Prescribe the compensation, including but not limited to benefits and fees, to be paid to Town officers and employees;
- I. Prescribe the powers and duties of those officers whose terms of office or powers and duties are not defined by law, and impose additional powers and duties upon those officers whose powers and duties are prescribed by law;
- J. Discharge any appointed official, Department Director, classified or other employee by a majority vote of the entire Council subject to the provisions of this title, any Collective Bargaining Agreement (CBA), the merit employment system described in this title, and this Personnel Policy, as applicable. (Ord. 18-01, 2018)

**3.28.030: FISCAL RESPONSIBILITIES:**

The Town Council shall:

- A. Control the finances and property of the Town;
- B. Appropriate money for Municipal purposes only;
- C. Adopt the annual operating budget of the Town;
- D. Prescribe policies and procedures for fiscal control;
- E. Provide for payment of debts and expenses of the Town; and
- F. Meet at least annually as the Board of Finance. (Ord. 18-01, 2018)

**3.28.040: PUBLIC MEETINGS OF THE TOWN COUNCIL:**

- A. The Town Council shall determine at least annually in a public meeting, and provide public notice of the dates, times, locations and notice requirements of all public meetings.
- B. The Town Council may compel the attendance of absent members, in such manner and under such penalties, as it deems desirable.
- C. The Town Clerk shall be responsible for the preparation of the agenda and for providing notice to all members of the Town Council and to the public which shall be made available to the public pursuant to the provision of the Open Meetings Act, New Mexico Statutes Annotated 1978 section 10-15-1 et seq., as amended. (Ord. 18-01, 2018)

**3.28.050: EMERGENCY MEETINGS:**

- A. Meetings of an emergency nature may be called by the Mayor to consider any matter that needs emergency action because of a clear and present danger to the health, safety, and welfare of the citizens of the Town.
- B. The only subjects for discussion at an emergency meeting shall be the matters designated by the Mayor in his emergency call.
- C. Notice of such an emergency to the members of the Council shall be by telephone, direct home delivery, or by the Town police.
- D. Notice to the public of such meeting shall be by whatever notice is practical under the circumstances. (Ord. 18-01, 2018)

**3.28.060: VACANCIES:**

- A. Any vacancy on the Town Council shall be filled by appointment of a qualified elector, by the Mayor, with the advice and consent of the Town Council.

- B. Any qualified elector, appointed to fill a vacancy on the Town Council, shall serve to fill the remaining unexpired term, if any, until the next regular Municipal election; or any special election called for such purpose, at which time a qualified elector shall be elected.
- C. A special election, for the purpose of filling a vacancy on the Town Council, may be called by the Mayor with the consent of the Town Council, or by the Town Council. (Ord. 18-01, 2018)

**3.20.040: COMPENSATION OF MAYOR AND TOWN COUNCIL ELECTED TO OFFICE AT NEXT ELECTION:**

Compensation for the Mayor, Mayor Pro Tem, and Council members is authorized by section 3-10-3, New Mexico Statutes Annotated, 1978, as amended. The Mayor and members of the Town Council who shall be elected to office at the regular Municipal election for office to be held on March 3, 1998, and those elected or appointed thereafter, shall be compensated for their services to the Municipality as follows:

- A. The annual compensation of the Mayor shall be one hundred sixty percent (160%) of the authorized annual salary of an elected County Commissioner of a Class B county as provided in section 4-44-4.1 New Mexico Statutes Annotated, as amended.
- B. The annual compensation of each member of the Town Council shall be eighty percent (80%) of the authorized annual salary of an elected County Commissioner of a Class B county as provided in section 4-44-4.1 New Mexico Statutes Annotated, as amended.
- C. In addition to the above enumerated salaries, compensation for the Mayor and Council members shall include those benefits, including travel allowances under the Per Diem and Mileage Act, as are afforded other Town employees and as may be provided by law, ordinance, or Town policy. Compensation shall be prorated and paid on a biweekly basis. (Ord. 18-01, 2018)

**MUNICIPAL JUDGE**

**Chapter 3.68**

**3.68.020: QUALIFICATIONS:**

Any qualified elector, being a resident of the Town, shall be eligible to occupy the Office of Municipal Judge of the Town. (Ord. 18-01, 2018)

**3.68.030: ELECTION:**

The Municipal Judge shall be elected for the term of four (4) years at the regular Municipal election and shall serve until his/her successor is duly elected and qualified. (Ord. 18-01, 2018)

**3.68.040: VACANCIES:**

Vacancies in the Office of Municipal Judge shall be filled by appointment of the Mayor with the approval of the Town Council, at either a regular or special meeting called for that purpose. The Municipal Judge, so appointed, shall serve until the next regular Municipal election. (Ord. 18-01, 2018)

**3.68.050: OATH OF OFFICE:**

The Municipal Judge shall be qualified to act, in such capacity, upon the issuance of a certificate of election, taking an oath of office as prescribed by law, and filing the required bond. (Ord. 18-01, 2018)

**3.68.060: COMPENSATION:**

The compensation of the Municipal Judge shall include those benefits, including travel allowances under the Per Diem and Mileage Act, and other fringe benefits as are provided all regular employees of the Municipality, and as may be provided by law, ordinance, or Town policy. Compensation shall be prorated and paid on a biweekly basis. (Ord. 18-01, 2018)

**3.68.070: COMPENSATION OF JUDGE ELECTED TO OFFICE AT NEXT MUNICIPAL ELECTION:**

The Municipal Judge who shall be elected to office at the regular Municipal election for office to be held on March 3, 1998, and those elected or appointed thereafter, shall be compensated for their services to the Municipality as follows:

- A. Any new Municipal Judge shall be compensated at the rate of forty four thousand dollars (\$44,000.00) annually; any existing Municipal Judge shall be compensated at their existing rate, and thereafter as that rate may be increased from time to time, in the same fixed amount or percentage increase and at the same time, that the majority of the other Municipal employees receive an increase in compensation.
- B. Any increase granted subsequent to this chapter shall be incremental and shall apply to each subsequent Municipal Judge. (Ord. 18-01, 2018)

**3.68.080: POWERS AND DUTIES:**

- A. The Municipal Judge will maintain regular office hours of at least a forty (40) hour work week, and shall be available for emergency reasons at all reasonable times.
- B. The Municipal Judge shall preside over all Municipal Court hearings, at every stage of any proceedings, concerning violation of any provision of this Code, or ordinance of the Town.
- C. The Municipal Judge shall issue warrants for tickets and fines which have not been paid to the Town.
- D. The Municipal Judge shall exercise all powers conferred upon a Municipal Judge by law. (Ord. 18-01, 2018)

**3.68.090: TEMPORARY INCAPACITY; ACTING MUNICIPAL JUDGE:**

During the temporary incapacity, or absence, of the duly elected or appointed Municipal Judge, under circumstances not tantamount to, or constituting, a vacancy in office, including, but not limited to, vacations, temporary absences, unavailability, determination of conflict in hearing a case, or incapacity, the Mayor shall appoint any registered voter, who resides within the Town, to serve as Acting Municipal Judge. Such Acting Judge shall exercise all powers of the Municipal Judge until the return of the duly elected or appointed Municipal Judge. (Ord. 18-01, 2018)

**3.68.100: COMPENSATION FOR ACTING MUNICIPAL JUDGE:**

The duly appointed Acting Municipal Judge shall be paid at a rate of one hundred twenty five dollars (\$125.00) per day, provided, however, that if the temporary incapacity or absence of the duly elected or appointed Municipal Judge extends more than five (5) days beyond absences for incapacities, or other authorized absences by the Town for regular employees, then the compensation to be paid to the Acting Municipal Judge shall be deducted from the regular authorized salary of the duly elected or appointed Municipal Judge. (Ord. 18-01, 2018)

**3.68.110: REPORTS AND REMITTANCES:**

The Municipal Judge shall furnish monthly written reports, to the Finance Director, of all monies collected by the Municipal Court, not later than the tenth day of each month. The Municipal Judge shall deposit all monies received, by the Municipal Court, within twenty-four (24) hours after receipt, to the Finance Director. All reports shall include an itemized statement showing the different amounts collected, the purpose of collection, the name of the person paying and the date of payment. All receipts shall be numbered sequentially in a manner prescribed by the Finance Director. (Ord. 18-01, 2018)



## RESOLUTION 19-36

### A RESOLUTION DESIGNATING THE LOCATION OF AN ELECTION POLLING PLACE FOR THE MUNICIPAL OFFICER ELECTION DAY TO BE CONDUCTED IN 2020

**WHEREAS**, as signed into law on April 3, 2019, House Bill 407 Section 143 amended Section 1-22-3.1 to read Municipal Officer Election Day - - Procedures -- Exceptions; and

**WHEREAS**, as enacted by House Bill 407 Section 143 the Municipal Officer Election Day - - Procedures - - Exceptions the governing body of a municipality may act in relation to the duties of the board of county commissions and consolidating precincts for the Municipal Officer Election as set forth in New Mexico Statutes Annotated 1978, Section 1-3-2; and

**WHEREAS**, pursuant New Mexico Statutes Annotated 1978, Section 1-3-2 in June or July of each odd-numbered year, the governing body of a municipality shall by resolution designate the polling place of each precinct that shall provide individuals with physical mobility limitations an unobstructed access to at least one voting machine; and

**WHEREAS**, the Governing Body of the Town of Taos concurs consolidating precincts will make voting more convenient and accessible to voters of the consolidated precinct and will not result in delays for voters in the voting process, that the consolidated precinct voting location will be centrally located within the consolidated precinct and the consolidation of precincts in the Town of Taos meets the requirements of New Mexico Statutes Annotated 1978, Section 1-3-4, Subsection B and C.

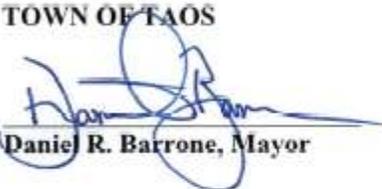
#### **NOW, THEREFORE, BE IT RESOLVED THAT:**

1. All precincts and portions of precincts that are within the municipal boundaries of the Town of Taos shall be combined into one consolidated precinct.
2. The Governing Body of the Town of Taos designates the Election Day polling place (voting convenience center) for the Municipal Officer Election Day to be conducted on March 3, 2020 at Town Hall located at 400 Camino de la Placita, Taos, New Mexico.
3. Early Voting will be conducted at Town Hall located at 400 Camino de la Placita, Taos, New Mexico.
4. Town Hall is accessible and compliant with the requirements of the federal Americans with Disabilities Act of 1990 and meets the requirements of state statute.

**PASSED, APPROVED, and ADOPTED** this 9th day of July 2019, at the Regular Meeting of the Town Council by the following vote:

Mayor Pro Tem Nathaniel Evans	<u>Yes</u>
Councilmember Darien Fernandez	<u>Yes</u>
Councilmember George "Fritz" Hahn	<u>Yes</u>
Councilmember Pascualito Maestas	<u>Yes</u>

**TOWN OF TAOS**

  
Daniel R. Barrone, Mayor



  
Francella Garcia, Town Clerk

**APPROVED AS TO FORM**

  
Stephen C. Ross, Town Attorney



**RESOLUTION 19-49**

**MUNICIPAL OFFICER ELECTION RESOLUTION**

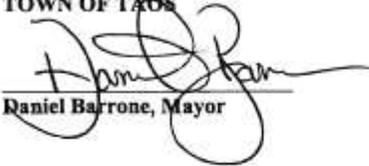
Be it resolved by the governing body of the Town of Taos, New Mexico, that:

- A. The Municipal Officer Election shall be held on March 3, 2020. Polls will open at 7:00 A.M. and close at 7:00 P.M.
- B. At the Municipal Officer Election, persons shall be elected to fill the following elective offices:
  - 1. One Councilmember, for a four-year term commencing April 1, 2020.
  - One Councilmember, for a four-year term commencing April 1, 2020.
- C. Declaration of Candidacy shall be filed with the Municipal Clerk on January 7, 2020 between the hours of 9:00 a.m. and 5:00 p.m.
- D. Write-in candidates shall file declaration of candidacy between the hours of 9:00 a.m. and 5:00 p.m. on January 14, 2020.

**PASSED, APPROVED and ADOPTED**, this 22<sup>nd</sup> day of October, 2019, at the Regular Meeting of the Town Council by the following vote:

Mayor Pro Tem Nathaniel Evans	<u>Yes</u>
Councilmember George A. Fritz Hahn	<u>Yes</u>
Councilmember Pascualito Maestas	<u>Yes</u>
Councilmember Darien D. Fernandez	<u>Yes</u>

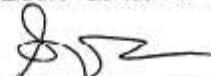
**TOWN OF TAOS**

  
 Daniel Barrone, Mayor

**ATTEST:**

  
 Francisca Garcia, Town Clerk

**APPROVED AS TO FORM:**

  
 Stephen C. Ross, Town Attorney

## TOWN OF TAOS MANAGEMENT TEAM

### **Town Manager**

Richard Bellis  
Office (575) 751-2002  
[rbellis@taosgov.com](mailto:rbellis@taosgov.com)

### **Town Clerk**

Francella R. Garcia  
Office (575) 751-2004  
[fgarcia@taosgov.com](mailto:fgarcia@taosgov.com)

### **Town Attorney**

Stephen C. Ross  
Office (575) 751-2010  
[srosslaw@cybermesa.com](mailto:srosslaw@cybermesa.com)

### **Finance Director**

Marietta Fambro  
Office (575) 751-2024  
[mfambro@taosgov.com](mailto:mfambro@taosgov.com)

### **Human Resources Director**

Tamara Chavez  
Office (575) 751-2011  
[tchavez@taosgov.com](mailto:tchavez@taosgov.com)

### **Planning, Community & Economic Development Director**

Nathan Sanchez  
Office (575) 751-2035  
[nsanchez@taosgov.com](mailto:nsanchez@taosgov.com)

### **Chief of Police**

David Trujillo  
Office (575) 758-2618  
[dweaver@taosgov.com](mailto:dweaver@taosgov.com)

### **Marketing and Tourism Director**

A. Karina Armijo  
Office (575) 737-5849  
[aarmijo@taosgov.com](mailto:aarmijo@taosgov.com)

### **Administrative Fire Chief**

Edward Abeyta  
Office (575) 758-3386  
[eabeyta@taosgov.com](mailto:eabeyta@taosgov.com)

### **Youth & Family Center Director**

Tony Struck  
Office (575) 758-4160  
[tstruck@taosgov.com](mailto:tstruck@taosgov.com)

### **Facilities and Events Director**

Mitch Miller  
Office (575) 737-2628  
[mmiller@taosgov.com](mailto:mmiller@taosgov.com)

### **Library Director**

Kate Alderete  
Office (575) 737-2594  
[kalderete@taosgov.com](mailto:kalderete@taosgov.com)

### **Information Technology Director**

Conrad Cordova  
Office (575) 751-2007  
[ccordova@taosgov.com](mailto:ccordova@taosgov.com)

### **Public Works Director**

Francisco Espinoza  
Office (575) 751-2047  
[fespinoza@taosgov.com](mailto:fespinoza@taosgov.com)

### **Grants and Revenue Dev. Director**

Lynda Perry  
Office (575) 737-2632  
[lperry@taosgov.com](mailto:lperry@taosgov.com)

### **Municipal Court Judge**

Richard Chavez  
Office (575) 737-2603  
[rchavez@taosgov.com](mailto:rchavez@taosgov.com)

# FORMS FOR FILING



STATE OF NEW MEXICO  
MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE

2020 MUNICIPAL OFFICER ELECTION

DECLARATION OF CANDIDACY - STATEMENT OF INTENT

I, \_\_\_\_\_, being first duly  
(Candidate's name on certificate of registration)  
sworn, say that I am a voter of the county of \_\_\_\_\_, State of New Mexico.

I reside at \_\_\_\_\_, and was registered to vote at that place on the date of the proclamation calling this election;

I reside within and am registered to vote in the area to be represented;

I desire to become a candidate for the office of \_\_\_\_\_ at the municipal election to be held on the date set by law;

I will be eligible and legally qualified to hold this office at the beginning of its term; and

I make the foregoing affidavit under oath, knowing that any false statement herein constitutes a felony punishable under the criminal laws of New Mexico.

\_\_\_\_\_  
(Signature of Declarant)

\_\_\_\_\_  
(Mailing Address)

\_\_\_\_\_  
(Residence Address)

Subscribed and sworn to before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My commission expires: \_\_\_\_\_



STATE OF NEW MEXICO  
**MAGGIE TOULOUSE OLIVER**  
SECRETARY OF STATE

**2020 MUNICIPAL OFFICER ELECTION**  
**WRITTEN AUTHORIZATION FOR DESIGNATION**

I desire to become a candidate for the office of \_\_\_\_\_ in the  
Municipal Officer Election to be held on **Tuesday, March 3, 2020.**

I certify that I am not able to personally deliver my Declaration of Candidacy and all other  
associated documents to my Municipal Clerk's office, as applicable, for filing purposes.

Pursuant to NMSA 1978, § 1-22-7(D), I designate the following individual to act solely on my  
behalf for the purpose of filing my Declaration of Candidacy and any other documents required:

\_\_\_\_\_  
Name of Designee (printed)

\_\_\_\_\_  
Address of Designee

Signed and authorized by:

\_\_\_\_\_  
Candidate Signature

\_\_\_\_\_  
Candidate Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Residence Address

REV. 2019 NMSA 1978, § 1-22-7(D)



STATE OF NEW MEXICO  
MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE

2020 MUNICIPAL OFFICER ELECTION

DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE

I, \_\_\_\_\_, being first duly  
(Candidate's name on certificate of registration)  
sworn, say that I am a voter of the county of \_\_\_\_\_, State of New Mexico.

I reside at \_\_\_\_\_, and was registered to  
vote at that place on the date of the proclamation calling this election;

I reside within and am registered to vote in the area to be represented;

I desire to become a candidate for the office of \_\_\_\_\_ at the  
municipal election to be held on the date set by law;

I will be eligible and legally qualified to hold this office at the beginning of its term; and

I make the foregoing affidavit under oath, knowing that any false statement herein constitutes a  
felony punishable under the criminal laws of New Mexico.

\_\_\_\_\_  
(Signature of Declarant)  
\_\_\_\_\_  
(Mailing Address)  
\_\_\_\_\_  
(Residence Address)

Subscribed and sworn to before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My commission expires: \_\_\_\_\_



STATE OF NEW MEXICO  
MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE

2020 MUNICIPAL OFFICER ELECTION  
AFFIDAVIT OF WITHDRAWAL OF CANDIDACY

State of New Mexico

County of \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn upon my oath do hereby state for my affidavit that:

I withdraw as a candidate for the office of \_\_\_\_\_ in the election scheduled for **March 3, 2020**; and that I hereby irrevocably revoke my Declaration of Candidacy filed with the Municipal Clerk on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Candidate

Subscribed and sworn to me this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

Received in the office of the Municipal Clerk at \_\_\_\_\_ A.M./P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Municipal Clerk

# PRECINCT MAP

# Town of Taos Voter Precincts

0 750 1,500 3,000 Feet

Precinct 13

Town Limits Map Scale: 1:18,000



Precinct 18



Disclaimer: The Town of Taos is providing this map as a public service. The Town is not responsible for any error, omission, or liability associated with the use of this map. The Town is continually updating the information included in the GIS database.

Author: Tim Corne, GIS Analyst, Town of Taos  
Date: 10/21/2019  
Document: Town of Taos Voter Precincts

