



## ORDINANCE 23-08

**AN ORDINANCE OF THE TOWN OF TAOS, NEW MEXICO, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE AMENDMENT OF SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TAOS, NEW MEXICO:

Section 1. That the Code of Ordinances of the Town of Taos, New Mexico, consisting of Titles 1 through 16, each inclusive, and Appendices, is hereby adopted and enacted which shall supersede all other general and permanent ordinances of the Town passed on or before November 8, 2022.

Section 2. All ordinances of a general and permanent nature enacted on or before November 8, 2022, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The codification consists of all ordinances as codified therein and as may be revised pursuant to the ordinance codification process.

Section 4. The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 5. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by the imposition of:

- (1) Except for those violations of ordinances described in Paragraphs (2) and (3) of this section, a fine of not more than five hundred dollars (\$500) or imprisonment for not more than ninety days or both;
- (2) For a violation of an ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor or drugs, a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than three hundred sixty-four days or both; and
- (3) For violations of an industrial user wastewater pretreatment ordinance as required by the United States environmental protection agency, a fine of not more than one thousand dollars (\$1,000) a day for each violation.

Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 6. Additions or amendments to the Code when passed in such form as to indicate the intention of the Town Council to make same a part of the Code shall be deemed to be incorporated into the Code, so that reference to the Code includes the additions and amendments.

Section 7. Ordinances adopted after November 8, 2022, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 8. This ordinance and the Code adopted hereby shall become effective upon final passage of this ordinance.

**PASSED, ADOPTED, AND APPROVED** this 11<sup>th</sup> day of April 2023 by the following vote:

Mayor Pro Tem Darien Fernandez \_\_\_\_\_  
Councilmember Nathaniel Evans \_\_\_\_\_  
Councilmember Corilia Ortega \_\_\_\_\_  
Councilmember Marietta Fambro \_\_\_\_\_

**TOWN OF TAOS**

\_\_\_\_\_  
**Pascualito Maestas, Mayor**

**ATTEST:**

**APPROVED AS TO FORM**

\_\_\_\_\_  
**Francella Garcia, Town Clerk**

\_\_\_\_\_  
**Christopher Stachura, Town Attorney**