

THE VILLAGE OF TAOS SKI VALLEY ORDINANCE 22-15

**REVISION OF ORDINANCE 97-15, REVISING THE PLANNING AND ZONING COMMISSION MEMBERSHIP, SELECTION, APPOINTMENT, TERMS OF OFFICE AND REMOVAL FROM OFFICE; ESTABLISHING THE DUTIES AND POWERS OF THE COMMISSION**

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BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY, NEW MEXICO:

SECTION 1. CREATION.

There is hereby created a Planning and Zoning Commission {hereinafter "Commission"} of the Village of Taos Ski Valley (hereinafter "Village")

SECTION 2. MEMBERSHIP, APPOINTMENT, TERMS OF OFFICE AND REMOVAL FROM OFFICE.

- A. The Commission shall consist of seven (7) members who shall be appointed by the Mayor with the consent of the Village Council (hereinafter "Council"). Members shall be residents of the planning and platting jurisdiction of the Village, Administrative officials of the Village may be appointed ex-officio, non-voting members of the Commission.
- B. The Commission reconstituted in 2022 shall be composed of the existing members who will draw from a lottery to determine three (3) members afforded a four (4) year term and the remaining four members a six (6) year term. Each subsequent term of a member on the Commission shall be four (4) years or less in order to maintain the original staggering of terms of membership. A vacancy in the membership of the Commission shall be filled for the remainder of the unexpired term.

- C. When a vacancy occurs, the position will be advertised and a five {5} person Committee appointed by the Council will select the best qualified applicant and provide that name to the Mayor for appointment. The Mayor shall appoint the applicants with Council approval as set forth in NMSA Section 3-19-2. The Committee shall be composed of three {3} Commissioners, one {1} Councilor, and one (1) Village resident at large. The Council will determine the composition of this Committee after asking for volunteers from the respective bodies. The Mayor will appoint these Committee members for a four-year (4) term with approval of the Council.
- D. After a public hearing and for cause stated in writing and made part of the public record, the Mayor with the approval of the Village Council may remove a member of the Commission.

### SECTION 3. POWERS AND DUTIES.

The Commission shall have such powers and duties as are necessary to:

- A. Fulfill and perform its functions, promote municipal planning, and carry out the purposes of Section 3-19-1 through 3-19-12 NMSA 1978 as amended, which Sections are hereby incorporated by reference and made part of this ordinance; and,
- B. Promulgate and enforce regulations governing the subdivision of land within the planning and platting jurisdiction of the Village as provided by Section 3-19-6 and Section 3-20-1 through 3-20-16 NMSA 1978, as amended, which Sections are hereby incorporated by reference and made part of this ordinance; and,
- C. To promulgate and enforce regulations governing zoning within the platting and planning jurisdiction of the Village as provided in Sections 3-21-1 through 3-21-11 NMSA 1978, as amended, which Sections are hereby incorporated by reference and made part of this ordinance; and,

- D. To serve as the Board of Appeals as required by Section IV articles A through F of Village Ordinance 2022-10 pertaining to the New Mexico Residential Building Code ,Title 14.7.3 and the New Mexico Commercial Building Code, Title 14.7.2 ; and,
- E. Perform such other functions as the Village Council may from time-to-time grant to the Commission for the purpose of promoting health, safety, moral or general welfare of the Village.

SECTION 4. ORGANIZATION AND MEETINGS.

- A. OFFICERS: The Commission shall elect one (1) of its members as Chairman for a four(4) year term and create and fill any other offices as it may deem appropriate.
- B. CONDUCT OF BUSINESS: The Commission shall adopt and publish such rules and regulations for the conduct of business as it deems appropriate.
- C. MEETINGS: The Commission shall hold regularly scheduled meetings at least once a month or as required. All meetings shall be held in accordance with Village Resolution 2022-501 and as amended from time to time, pertaining to Open Meetings and Public Notice Act.
- D. QUORUM: A quorum of the Commission shall be a majority of its members.
- E. RECORDS: A public record shall be kept of all transactions, findings, resolutions, determinations and actions of the Commission. All public

records shall be open to inspection as provided by the Inspection of Public Records Act Sections 14-2-4 et. Seq. NMSA 1978

- F. REPORTS: The Commission shall submit to the Village Council at its regular monthly meeting a report on the conduct of its monthly meeting.
  
- G. CONFLICT OF INTEREST: A Commission member having any potential conflict of interest on any policy, decision, or determination before the Commission shall disclose to each of the other members the nature of his potential conflict as provided in the Government Conduct Act, NMSA 1978, Chapter 10, Article 16 as amended. A Commissioner with a conflict of interest shall abstain from voting. The Disclosure shall be recorded in the Commission's minutes.
  
- H. PENALTY: Failure to disclose a conflict of interest shall be punishable by a fine not to exceed \$500.00 {five hundred dollars) or by imprisonment not to exceed ninety (90) days or both a fine and imprisonment.

SECTION 5. SEVERABILITY.

Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 6. REPEAL.

All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. The repealed shall not

be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect July 29, 2022.

PASSED, APPROVED AND ADOPTED This 26<sup>th</sup> day of July, 2022.

Vote: For 4 Against 0



FOR Mayor NEAL KING  
MAYOR PRO-TEM THOMAS P. WITTMAN

ATTEST:

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Clerk Ann M. Wooldridge