

ORDINANCE 2025-002

AN ORDINANCE PROHIBITING OVERNIGHT PARKING OR CAMPING ON OR IN MUNICIPAL PROPERTY, PARKS, TRAILS, EASEMENTS, RIGHTS-OF-WAY, AND PARKING LOTS.

WHEREAS, the Village of Taos Ski Valley (the “Village”) is empowered by the State of New Mexico under New Mexico Statute, NMSA 1978 3-17-1 to institute ordinances to provide for the health, safety and welfare of the Village and its residents, and

WHEREAS, due to the distance from regional hospitals, doctors and other non-Village supportive public safety providers and limited access in and out of the Ski Valley and some more remote areas of the Village and surrounding lands, and

WHEREAS, multiple seasonal high risk environmental factors such wild fires, sudden evening temperature drops, extreme freezing temperatures, severe winds, heavy snow conditions, dangerous wildlife, high wildfire danger, low oxygen levels, etc. exist at this altitude and environment, and

WHEREAS, the area receives a significant year-round population of visitors to the Village unfamiliar with these conditions and the rapidity and severity with which these life threatening conditions can occur, and

WHEREAS, the rescuing of visitors that become lost, disabled or trapped places the lives of employees of the Village and resident volunteers at risk for their own lives, and

WHEREAS, it is important for public safety reasons to be able to identify from an unattended vehicle after dark if someone may be in need of rescue assistance, and

WHEREAS, the lack of evening accommodations and security for overnight camping or parking can result in issues with garbage, human excrement, unpermitted and uncontrolled fires, noise and behavioral issues, and unnecessary health and safety risks and inconveniences to residents, Village staff, businesses and other visitors the next day,

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY:

SECTION 1. PROHIBITED ACTIVITIES:

- a. Overnight parking on or in Village streets, parking lots, easements, parks, facilities and other properties after 10pm shall be prohibited for anyone not staying at a private residence or commercial residential establishment, doing business with a

business located in the Village, or attending an event within the Village. Those attending a business or other activity shall comply with this ordinance no later than one (1) hour after the end of the event or closing of the business.

- b. Open fires, camp stoves, heaters, fireworks, smoking and all other sources of potential fire risk are prohibited on all public property and in all public facilities, except by an approved Village Event Permit.
- c. Camping, sleeping, and sleeping or living in vehicles of any kind on Village property, including streets, parks, trails, parking lots, easements, and public works facilities is prohibited at all times, except by an approved Village Event Permit.
- d. Parking vehicles or equipment on Village property, except where designated and within the hours designated by the Village for approved recreational purposes, attending a Village approved/sponsored event, or conducting business with the Village, is strictly prohibited.

SECTION 2. ENFORCEMENT

This ordinance shall be enforced by the Village of Taos Ski Valley Police Department and the designated Village Code Officer.

SECTION 3. PENALTIES

- a. INITIAL OFFENSE: Any person who violates a provision of this Ordinance shall be subject to payment of a fine of not less than \$100.00 for the first offense. Violation of multiple sections of this ordinance may result in an additional \$100.00 fine for each separate violation.

- b. REPEAT OFFENSES

Repeat offenses under this Ordinance shall be subject to increased fines as provided below. As used herein, "repeat offense" means a second (or any subsequent) violation of this Ordinance committed on a specific parcel or property within any one (1) year period and for which the person admits responsibility or is determined to be responsible. The increased fine for repeat offenses shall be not more than \$500 or 90 days in jail, or both.

SECTION 4. REPEAL OF PRIOR ORDINANCES

This ordinance shall revoke and replace all prior ordinances and regulations of the Village relating to camping and overnight parking.

SECTION 5. SEVERABILITY

If any part of this Ordinance shall be found to be invalid or unconstitutional by any court of competent jurisdiction, such findings shall not affect the remaining portions hereof, which shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE

This ordinance shall become law upon adoption and but shall not become enforceable until 30 days after publication.

PASSED, ADOPTED AND APPROVED BY THE GOVERNING BODY OF TAOS SKI VALLEY, THIS
4th DAY OF MAY, 2004