

SIERRA COUNTY

REPEALING SIERRA COUNTY PLANNING ORDINANCE, NO 09-002

PASSED: September 20, 2022

EFFECTIVE: October 20, 2022

**SIERRA COUNTY
ORDINANCE 22-005**

**AN ORDINANCE REPEALING SIERRA COUNTY PLANNING ORDINANCE,
ORDINANCE 09-002**

WHEREAS, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), have the power to “protect generally the property of its municipality and its inhabitants” and to “preserve peace and order”; and,

WHEREAS, Section 4-37-1 et seq. NMSA 1978 provides that counties may adopt ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

WHEREAS, pursuant to NMSA 1978, Sections 4-57-1 to -3 (1967), the Board of County Commissioners adopted a Planning Ordinance, No. 09-002, on May 28, 2009; and,

WHEREAS, the Planning Ordinance created a County Planning Commission to consist of seven (7) members to make recommendations on subdivision applications and exemptions, and to take such other actions as identified by the Sierra County Subdivision Regulations, Ordinance No. 99-008 (1999); and,

WHEREAS, staffing the Planning Commission has proven difficult over the past thirteen (13) years, and utilizing the Planning Commission as an intermediary between the public and the Commission injects an additional level of delay, bureaucracy, and administrative burden to subdivision applicants and applicants for claims of exemption; and,

WHEREAS, the County Administration has sufficient resources to assume the responsibilities of the County Planning Commission, and is capable of rendering recommendations on subdivision applications and exemptions, and taking such other actions contemplated by the Planning Ordinance, Ordinance 09-002 and the County Subdivision Ordinance, 99-008; and,

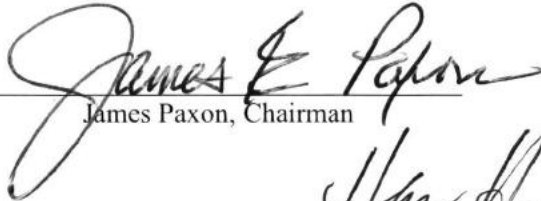
WHEREAS, County Administration has contemporaneously presented for consideration an amended Subdivision Ordinance, removing reference to the Sierra County Planning Commission and vesting those responsibilities in the County Administration.

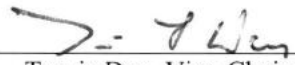
NOW, THEREFORE, BE IT ORDAINED by the Sierra County Board of Commissioners that the Sierra County Ordinance No. 09-002 is hereby repealed, that the County Planning Commission is hereby disbanded, and that the duties of the Planning Commission are hereby vested in the County Administration as provided by the amended subdivision ordinance adopted contemporaneously herewith.


NOW, THEREFORE, BE IT FURTHER ORDAINED by the Sierra County Board of Commissioners that this Ordinance be recorded and authenticated by the Sierra County Clerk following adoption by the Board of County commissioners. This Ordinance shall take effect thirty days after adoption by the Board.

APPROVED, ADOPTED, AND ORDAINED on this 20th day of September, 2022.


BOARD OF COUNTY COMMISSIONERS OF SIERRA COUNTY


James Paxon, Chairman


Travis Day, Vice-Chairman


Hank Hopkins, Commissioner

Attest:


Shelly K. Trujillo, County Clerk

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