

**SIERRA COUNTY**

**CODIFYING THE NEW MEXICO ENABLING ACT**

**ORDINANCE NO: 23-005**

**PASSED: 12/19/2023**

**EFFECTIVE DATE: 30 DAYS**

SIERRA COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ORDINANCE № 23-005

CODIFYING THE NEW MEXICO ENABLING ACT

**PREAMBLE:**

**WHEREAS**, the Sierra County Board of Commissioners met upon notice of a Business Meeting, duly published, at the Sierra County Administration Building, 1712 North Date Street, Truth or Consequences, NM 87901 on December 19, 2023, at 10:00 AM as required by law; and,

**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**, NMSA 1978, Section 4-37-1 *et seq.* (1975) 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.

**NOW, THEREFORE, BE IT ORDAINED** by the Sierra County Board of Commissioners that Sierra County will not recognize nor enforce any State Law, Mandate or Order that violates or is contrary to, the provisions of the Enabling Act for New Mexico. The ratification of the “Compact with the United States” and Proclamation Admitting New Mexico as a State into the Union on January 6, 1912, established the State of New Mexico is an inseparable part of the federal union and the Constitution of the United States as the supreme law of the land.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the Sierra County Board of Commissioners that any Law, Mandate or Order issued by the Government of the State of New Mexico or agent thereof that is contrary to the Constitution of the United States is void and not enforceable within the boundaries of this County.

**ADOPTED, APPROVED AND ORDAINED** on this 19<sup>th</sup> day of December, 2023.

Travis Day  
Travis Day, Chairman

James E Paxon  
James Paxon, Vice-Chairman

Hank Hopkins  
Hank Hopkins, Commissioner  
Attest:

Shelly K Trujillo  
Shelly K. Trujillo  
Sierra County Clerk

