

TORRANCE COUNTY
ORDINANCE # 96-1

Divisions of land within certain areas of Torrance County; defining the division of land controlled hereby; providing a penalty, severability and effective date and declaring an emergency.

WHEREAS: the Torrance County Board of Commissioners finds that the rapid population growth in Torrance County poses severe problems for the continuation and extension of County services to all inhabitants of the County, and

WHEREAS: the proliferation of sub-divisions of real property in the County into smaller parcels is a major contributing factor in the problems now facing the County; and

WHEREAS: there are limited water resources available throughout the County; and

WHEREAS: there is currently in progress a comprehensive water plan for the County; and

WHEREAS: the Torrance County Planning and Zoning Commission is currently preparing a comprehensive revision of the Zoning Ordinance as amended and revised which revision will be completed within the next twelve month period; and

WHEREAS: the continued allowance of sub-division of land within the area set forth below poses an immediate danger to the public health, safety and welfare of the inhabitants of the County.

NOW THEREFORE BE IT ORDAINED by the Torrance County Board of Commissioners as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be referred to as the CP Zone Moratorium Ordinance of the County of Torrance, New Mexico.

SECTION 2. DEFINITION

For the purposes of this Ordinance, the following terms, phrases, words and their derivatives shall have the meanings given below: "sub-division" shall mean any division of land into two or more parcels.

SECTION 3. AFFECTED AREA

All land currently designated as "CP" zone on the Torrance County Zoning Map, excluding all active land grants.

SECTION 4. ACTIVITY PROHIBITED

Any subdivision of land as herein defined is prohibited for the time proscribed in Section 5 hereof.

SECTION 5. TIME LIMIT

This Ordinance shall be effective for a period of one year from the date of passage.

SECTION 6. CONFLICT

Definitions of sub-division herein shall control and prevail over any different definition contained in the Subdivision Regulations of Torrance County.

SECTION 7. PENALTIES

Persons violating this Ordinance shall, upon conviction, be subject to the penalties of a petty misdemeanor as the same are set forth in Section 4-37-3 NMSA 1978 as it now exists or may hereafter be amended. Each day that any prohibited sub-division exists shall be considered a separate violation of this Ordinance.

SECTION 8. SEVERABILITY

If any article, section, subsection, paragraph, sentence, clause, phrase, provision or portion of this Ordinance is, for any reason, held to be unconstitutional, invalid or void, the remaining portions shall not be affected since it is the express intention of the Torrance County Board of Commissioners to pass such article, section, subsection, paragraph, sentence, clause, phrase or provision and every part thereof separately and independently from every other part.

SECTION 9. RECORDING

This Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the County Clerk.

SECTION 10. EFFECTIVE DATE

The Ordinance shall become effective immediately upon its passage by virtue of the declaration of emergency contained herein.

BOARD OF COUNTY COMMISSIONERS
OF TORRANCE COUNTY

Bill Williams
Bill Williams, Chairman

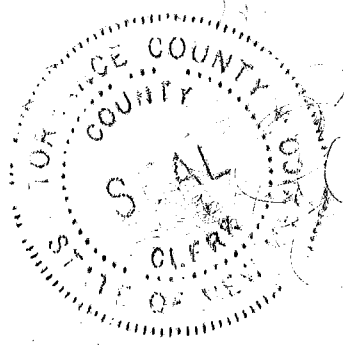
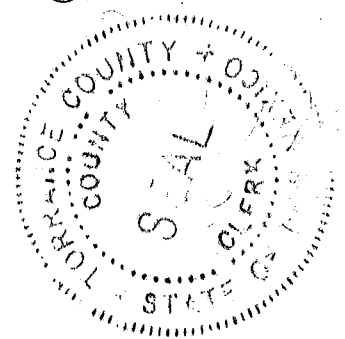
Roy Spencer
Roy Spencer, Member

Rodger Rayner
Rodger Rayner, Member

ATTEST:

Carla Clayton
Carla Clayton, County Clerk

Paula Rodriguez
Deputy County Clerk



STATE OF NEW MEXICO
County of Torrance

I hereby certify that this instrument was
filed for record on the 15 day
February A.D. 19 96
at 9:02 o'clock A M and duly
recorded in book 273 at page 1619-1621

Witness my hand and Seal of office
Carla Clayton
County Clerk, Torrance Co., N.M.
Paula Rodriguez Deputy