

E. Information and Records. The Zoning Director shall maintain an office to supply the public with information concerning this Ordinance, and shall maintain copies of this Ordinance and the County Zoning Map in an updated form. A "Zoning Action File" shall be maintained and shall contain records of the following:
[REV: Ord. No. 2008-003, 4/23/08]

1. Conditional Use Permits;
2. Variances Allowed Under this Ordinance;
3. Zone District Changes;
4. Special Use Permits;
5. Requests for Use Interpretation;
6. Applications for Amendments to this Ordinance;
7. Certificates of Nonconformance;
8. Zoning Appeals;
9. Zoning Violations and Complaints;
10. Development Review Permits; and
11. Building Permit Applications.

[REV: Ord. No. 97-5, 6/27/97; Ord. No. 2008-003, 4/23/08]

F. Development Review Permit. For purposes of this Ordinance, with respect to any premises within the jurisdiction of Torrance County:
[REV: Ord. No. 2001-2, 3/14/01]

1. No accessory structure or building meeting current New Mexico Regulation & Licensing Construction Industries Division size requirement for a building permit nor mobile home shall be placed, constructed, or installed, nor;
[REV: Ord. No. 2008-003, 4/23/08]
 - a. Shall electric service be connected to any accessory structure, building or mobile home if such building or mobile home has not already had electric service previously connected or has not already been issued a Development Review Permit in connection with such electric service, nor;
 - b. Shall any building or mobile home be used as a residence if the building has not previously been used as a residence or has not previously been issued a Development Review Permit in connection with such use as a

residence, without first being reviewed by the Planning and Zoning Director, and issued a Development Review Permit. In addition to these requirements, an applicant for a Development Review Permit shall:
[REV: Ord. No. 2008-003, 4/23/08]

- 1) Submit a recorded deed or real estate contract that the applicant is the owner in fee simple or equitable title owner of the property or, proof that owner has authorized the application, through lease or other written authority.
- 2) Submit a suitable Building Permit or appropriate documentation establishing the applicant's right to construct a building or residence.
- 3) Submit the appropriate septic permit by the State Environment Department.
- 4) Submit the appropriate well permit issued by the State Engineer's Office or letter of intent from a centralized water system which states the proper legal description for the subject property and confirms there is a sufficient amount of water to provide for potable, sanitary, and fire suppression service to the dwelling or accessory structure.
Applications which rely upon water harvesting or hauling water from a source off-premise must have on-premise storage capacity sufficient to provide the services listed above designed by a New Mexico licensed engineer or architect.
- 5) Submit a copy of the (1) New Mexico Registration and Title, or (2) Manufacture Certificate of Origin for a mobile or modular home.
- 6) Submit a statement from the Solid Waste Authority that you will be receiving their services for developments of human occupation.
- 7) Submit a statement from the Torrance County Treasurer showing taxes are paid to date.
- 8) Submit the applicable permit fee to the Planning and Zoning Director.
- 9) Where the property to be developed lies within a special flood hazard area, submit additional information and documentation as provided in the Flood Damage Prevention Ordinance, 92-4, or the Federal Emergency Management Agency (FEMA) National Flood Insurance Program.

[REV: Ord. No. 2008-003, 4/23/08]

Upon the review and approval of the Planning and Zoning Director, a Development Review Permit will be issued, a property address can be assigned, and a site inspection will be performed.

[REV: Ord. No. 2008-003, 4/23/08]

G. Violations and Enforcement. Whenever a violation of this Ordinance is discovered or is alleged to have occurred, the Zoning Director shall investigate and inspect the site of the violation or alleged violation and take action as follows:

[REV: Ord. No. 2008-003, 4/23/08]

1. Any person aggrieved by an apparent violation of this Ordinance may file a written complaint with the Zoning Director. Such complaint shall describe the location and circumstances of the apparent violation with specific references to the provisions of this Ordinance which are alleged to have been violated.

[REV: Ord. No. 2008-003, 4/23/08]

2. Whenever the Zoning Director finds probable cause to believe a violation of this Ordinance exists, whether acting on independent initiative or in response to a written complaint, the Zoning Director shall notify the person responsible for the alleged violation. Such notification shall be made in writing to the owner or tenant of the property, indicating the nature of the violation and ordering the action necessary to correct the violation. Corrective action may require discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall require the taking of any other action authorized by this Ordinance to ensure compliance with or to prevent violations of the provisions of this Ordinance. Absence of personal service of the notice of violation shall not constitute a defense when the Zoning Director has made a diligent effort to locate the owner or tenants.

[REV: Ord. No. 2008-003, 4/23/08]

3. Action to correct a violation of this Ordinance shall be completed within 60 days following the date of notification by the Zoning Director. If a violator fails to take corrective action within 60 days, the County shall seek imposition of the penalties set forth in this Ordinance.

[REV: Ord. No. 97-2, 3/26/97; Ord. No. 2008-003, 4/23/08]

SECTION 20. NONCONFORMITIES.

A. Definition. Within the zone districts established by this Ordinance, there exist: lots, structures, or uses of land or structures which were lawful before this Ordinance was passed or amended, but would be prohibited or restricted under the terms of