

RESOLUTION No. 2004-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EDGEWOOD OF SANTA FE COUNTY, NEW MEXICO, DECLARING CONDITIONS ON SECTION 36 T 10 N R 7 E, OFF OF HIGHWAY 66 TO CONSTITUTE A PUBLIC NUISANCE, ORDERING THE CORRECTION OF SAID NUISANCE AND ASSESSING THE COST OF ABATEMENT.

WHEREAS, the property owner, Mr. Matt Miller has failed to comply with the 2001-1 Grading & Drainage Ordinance; the 2000-25 Landscape Ordinance; the 2003-12 Litter & Anti-Blight Ordinance and the 2003-4 Zoning Ordinance; and

WHEREAS, such property and its condition is hazardous, unsafe, unsightly, unsanitary and constitutes a public nuisance detrimental to the public health, safety and welfare and the property of others; and

WHEREAS, the site is open and accessible to the public including minor children and constitutes an attractive nuisance.

WHEREAS, section 31 of the Town of Edgewood Municipal Code provides for a process for the Town Council to declare a nuisance, the abatement of which is appropriate under the powers and authority of the Town of Edgewood; and

WHEREAS, the property owner has failed to bring the property into compliance.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND RESOLVED by the Town Council of the Town of Edgewood, that said property conditions are hazardous, unsafe, unsanitary and detrimental to the property of others and the public at large.

IT IS FURTHER RESOLVED AND DIRECTED that the owner of said real property shall correct the above conditions within 10 days of posting and publication of this resolution.

IT IS FURTHER RESOLVED AND DIRECTED that the cost of such correction shall be borne by the owner of the subject real property. In the event that the directed correction is not accomplished by the owner or his agents, then the Town of Edgewood may cause such corrections to be completed and the full costs thereof, including administrative costs, shall constitute a special assessment against the property; in alternative, the Town may pursue any and all other legal remedies.

PASSED AND ADOPTED by the Town Council of the Town of Edgewood at a regular meeting held on the 17th day of November, 2004.


Robert R. Stearley, Mayor

Attest:


Karen Alarid, Town Clerk-Treasurer

