

VILLAGE OF CORRALES STATE OF NEW MEXICO

ORDINANCE NO. 07-06

An Ordinance to restore to Section 18-30 of the Land Use Regulations, Code of Ordinances, Village of Corrales, language requiring distribution, prior to property transfers, of the Zoning Ordinance and disclosure of permissive uses in each zone for the purpose, among others, of advising purchasers of the right to maintain livestock and to farm.

Whereas, prior to the enactment of Chapter 18, Article II, Zoning, by Ordinance 06-02, adopted May 23, 2006, as amended by Ordinance 06-017, adopted November 28, 2006, the text of Section 18-30, General regulations, contained a subsection entitled "Disclosure of Permissible Uses in Each Zone" which subsection stated that prior to property transfers, owners or their agents, are to provide a copy of the Corrales Zoning Ordinance, such subsection itself having been enacted as Ordinance No. 303, enacted July 22, 1997; and

Whereas, the purpose of the distribution of the Zoning Ordinance to potential purchasers was to advise them of the permissive uses in each zone, in particular, the permission in Zones A-1, A-2, H and C to raise crops, livestock and fowl, and to sell crops and livestock raised on the premises; and

Whereas, Ord. No. 303, 7-22-97, appears as a source reference in the parentheses at the conclusion of Section 18-30 despite the absence of the subsection referred to; and

Whereas, the language appearing in Section 18-27(b)(11) on the Zoning Ordinance as enacted by Ordinance 06-02, amended by Ordinance 06-016, recites as a purpose of the Article the following: "Assure the right to maintain livestock and the Right to Farm as provided in Chapter 47-Article 9 NMSA 1978, and Section 18-30 of the Village Code"; and

Whereas, informing purchasers of property in Corrales of the Zoning regulations will assist in their understanding of what it means to be a citizen of the Village of Corrales;

NOW THEREFORE BE IT ORDAINED that the Governing Body of the Village of Corrales amends Section 18-30 of Chapter 18, Article II, Zoning of the Land Use Regulations, Code of Ordinances, of the Village of Corrales by adding at the end thereof the following new subsection:

(l) Disclosure of permissible Uses in Each Zone

(i) Prior to the transfer of property by any legally allowable means, the owner of the property or his/her agent will provide, at the time of receipt of an offer to purchase or at the time of transfer, a copy of a Right to Farm attachment consisting of the following portions of the Corrales Zoning Ordinance (Chapter 18, Article II): Sec. 18-27, Sec. 18-33 (1) and (2), Sec. 18-34 (1) and (2), Sec. 18-35 (1) and (2), Sec. 18-36 (1) and (2), Sec. 18-37 (1), (2) and (3), Sec. 18-38 (1) and (2), and the text of Chapter 47-Article 9 NMSA, the Right to Farm Act.

(ii) The person accepting the transfer or taking ownership should provide written verification of receipt of the Corrales Zoning Ordinance Right to Farm attachment to the transferor or seller.

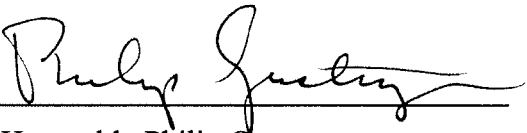
(iii) The purpose is to advise the potential transferees or buyers of the permissive uses in each district, which includes the right to maintain livestock and the right to farm.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

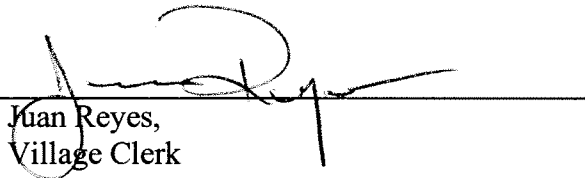
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 12th day of June, 2007.

APPROVED:



The Honorable Philip Gasteyer
Mayor, Village of Corrales

ATTEST:



Juan Reyes,
Village Clerk