

VILLAGE OF CORRALES

ORDINANCE NO. 08-010

AN ORDINANCE AMENDING SECTIONS 2-56, 2-57 AND 2-59 OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, BEING PARTS OF ORDINANCE NO. 1, ADOPTED ON SEPTEMBER 17, 1971, AS AMENDED BY ORDINANCE NO. 07-018, ADOPTED DECEMBER 11, 2007 AND APPROVED BY THE VOTERS AT ELECTION ON MARCH 4, 2008, TO RECOGNIZE AND RATIFY THE ELECTION OF VILLAGE COUNCILORS FROM SINGLE-MEMBER DISTRICTS, AS APPROVED BY RESOLUTION NO. 08-031 OF THE VILLAGE COUNCIL ADOPTED JUNE 10, 2008, AND TO MAKE NECESSARY CHANGES REFLECTING THE ELECTION OR APPOINTMENT OF VILLAGE COUNCILORS FROM SINGLE-MEMBER DISTRICTS.

WHEREAS, pursuant to the laws of the State of New Mexico a municipality with fewer than ten thousand (10,000) residents may, but is not required to, adopt a districting plan for the election of members of the governing body, one member being selected from each district; and

WHEREAS, the Village Council, the governing body (“Governing Body”) of the Village of Corrales (the “Village”) has determined that representation of the citizens in matters coming before the Village Council will be enhanced by the election of Village Council members from single-member districts; and

WHEREAS, on June 10, 2008, the Governing Body by Resolution No. 08-031 provided that members of the Governing Body should be elected from single-member districts; and

WHEREAS, the Governing Body finds that those provisions of the Code of Ordinances of the Village which are inconsistent with Resolution No. 08-031 should be amended to reflect the election of members of the Governing Body from single-member districts.

NOW, THEREFORE, BE IT ORDAINED by the Village Council, the governing body of the Village, that:

1. Section 2-56 of the Code of Ordinances, being a part of Ordinance No. 1, adopted September 17, 1971, as amended by Ordinance No. 07-018, adopted December 11, 2007 and approved by the voters at election on March 4, 2008, shall be and hereby is amended to read as follows:

Section 2-56. Election; terms.

The legislative branch of the village shall consist of a Governing

Body of six (6) councilors to be elected ~~at large~~ from single-member districts for staggered terms of four years, with terms of one-half of the councilors expiring at the end of one two-year period and the terms of the other councilors expiring at the end of the following two-year period.

2. Section 2-57 of the Code of Ordinances, being a part of Ordinance No. 1, adopted September 17, 1971, shall be and hereby is amended to read as follows:

Section 2-57. Qualifications; vacating office.

Each member of the Governing Body shall be a qualified elector residing in the council district from which he or she is elected or appointed as a councilor. If any councilor moves from or becomes a nonresident of the district from which he or she was elected or appointed during his or her term of office, he or she shall be deemed to have vacated his or her office upon the adoption by the Governing Body of a resolution declaring such vacancy to exist.

3. Section 2-59 of the Code of Ordinances, being a part of Ordinance No. 1, adopted September 17, 1971, shall be and hereby is amended to read as follows:

Section 2-59. Filling of vacancies.

(a) Except as provided in subsection (b) of this section, any vacancy on the Governing Body shall be filled by appointment of a qualified elector residing in the council district for which the vacancy exists by the Mayor, with the advice and consent of the Governing Body. Any qualified elector appointed to fill a vacancy on the Governing Body shall serve until the next regular municipal election, or any special election called in accordance with subsection (b) of this section, at which time a qualified elector shall be elected to fill the remaining unexpired term, if any

(b) A special election, for the purpose of filling a vacancy on the Governing Body, may be called by the Mayor, with the consent of the Governing Body or by the Governing Body. Except for the fact that the election need not be held on the date specified in the Municipal Election Code (NMSA 1978, § 3-8-1 et seq.) for the regular municipal election, the special election to fill a vacancy shall be conducted in the manner set forth in the Municipal Election Code for regular municipal elections.

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,

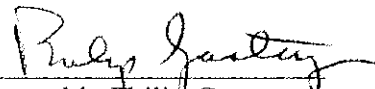
subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: The amendments to the Code of Ordinances of the Village of Corrales that are adopted herein shall be compiled in and be made a part of the Code of Ordinances as herein provided.

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.

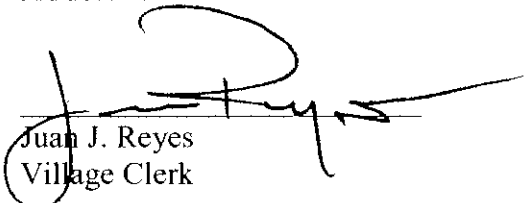
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 12th day of August, 2008.

APPROVED:



The Honorable Philip Gasteyer
Mayor

ATTEST:



Juan J. Reyes
Village Clerk