



LOS ALAMOS COUNTY  
**CHAPTER 18 NUISANCE CODE UPDATE**  
Council Presentation 11.29.2022



ATTACHMENT E 1



# Agenda

- Chapter 18 History
- Goals
- Scope of the Update
- Code Update Overview
  - Code Structure
  - Key Updates
  - Public Input Received
- Discussion

# Chapter 18 Article 11 Nuisances History

- Portions of a Nuisance Code go back to 1985, with incremental changes in 1995, 2004 and 2014
- NMSA 1978 Section 3-18-17 gives municipalities the authority to define a nuisance, abate a nuisance and impose penalties upon a person who creates or allows a nuisance to exist.

# Project Goals

- Create a modern code that was easier to understand
- Rely on guidance from the International Property Maintenance Code (IPMC)
- Minimal changes to content being regulated
- Clarify administration and enforcement procedures
- Provide more description definitions

# Project Scope

- Update includes the content of Chapter 18 Article II Nuisances
- Chapter 18 Article III Noise and Article IV Smoking and Chapter 6 Animals are not included in the scope of this update

# Project Process

## Project Milestones

- July 2021 Project Kick-off
- November 2021 Preliminary Technical Code Review Released
- November 2021 Public Survey Released with POLCO
- February 2022 Survey Results Released
- February 20222 Final Technical Code Review Released
- July 202222 Draft Chapter 18 Update Released
- October 2022 Final Draft Chapter 18 Released

## 7 Public Hearings / Meetings

### 2 Council Hearings

- July 2021 County Council Project Team Introduction and Process Overview
- August 2022 County Council Presentation of Draft Chapter 18 Update

### 5 CDAB Meetings

- July 2021 CDAB Project Team Introduction and Process Overview
- August 2021 CDAB Draft Survey Presentation
- November 2021 CDAB Presentation of Preliminary Findings of Technical Code Review
- April 2022 CDAB Technical Code Review Presentation
- August 2022 CDAB Presentation of Draft Chapter 18 Update

# Code Content

- The majority of the draft content is contained in the existing code
- New sections:
  - Sidewalks/ driveways
  - Temporary structures
  - Clarification of procedures
  - Expanded definitions
- Eliminated content:
  - Outdoor furniture, per CDAB guidance
  - Refrigerators
  - Premise identification
  - Building security

| LAC Chapter 18 Article II Nuisance Update Crosswalk Table |  |
|---|--|
| Existing Code Section                                     | Corresponding Revised Code Section   |
| Division 1 - Generally                                    | Division 1 Purpose & Scope and Division 4 Administration & Enforcement                       |
| Sec. 18-32 – Scope.                                       | Sec. 18-2 Scope  |
| Sec. 18-33 – Responsibility                               | Sec 18-70 Responsibility for property maintenance and Sec 18-30 Sidewalks and Driveways      |
| Sec. 18-34 – Definitions                                  | Division 5 Definitions   |
| Sec. 18-35 – Prohibited Generally                         | Sec 18-71 Violations   |
| Sec. 18-36 - Notice                                       | Sec 18-76 Notice   |
| Sec. 18-37 - Complaint                                    | Sec 18-73 Administration and enforcement procedures  |
| Sec. 18-38 – Injunctions                                  | Sec 18-75 Abatement and Lien   |
| Division 2 – Regulation of Exterior Properties            | Division 2 Exterior Property Areas   |
| Sec. 18-41 - Sanitation                                   | Sec 18-2 Scope and Sec. 18-35 Outdoor Storage  |
| Sec. 18-42 – Weeds, brush piles, refuse and rubbish       | Sec. 18-32 Accumulations of litter, garbage and refuse and Sec. 18-31 Obstructive vegetation |
| Sec. 18-43 – Outdoor furniture restriction                | Eliminated   |
| Sec. 18-44 – Outdoor storage of materials                 | Sec 18-35 Outdoor Storage  |
| Sec. 18-45 – Rodent harborage                             | Sec 18-34 Rodent harborage   |
| Sec. 18-46 – Exhaust vents                                | Sec 18-36 Exhaust vents  |
| Sec. 18-47 – Accessory structures                         | Sec 18-37 Accessory structures   |
| Sec. 18-48 – Swimming pools, spas, hot tubs               | Sec 18-39 Swimming pools, spas, hot tubs   |
| Sec. 18-49 – Refrigerators                                | Eliminated   |
| Division 3 – Regulation of Exterior Structure             | Division 3 Regulation of Exterior Structure  |
| Sec. 18-50 – General                                      | Sec 18-50 General  |
| Sec. 18-51 - Unsafe conditions                            | Sec 18-52 Unsafe conditions  |
| Sec. 18-52 – Protective treatment                         | Sec 18-51 Exterior surfaces protective treatment   |
| Sec. 18-53 - Premises identification                      | Eliminated – requirement exists within the Building Code                                     |
| Sec. 18-54 - Structural members                           | Sec 18-52 Unsafe conditions  |
| Sec. 18-55 - Foundation walls                             | Sec 18-52 Unsafe conditions  |
| Sec. 18-56 - Exterior walls                               | Sec 18-52 Unsafe conditions  |
| Sec. 18-57 - Roofs and drainage                           | Sec 18-52 Unsafe conditions  |
| Sec. 18-58 - Decorative features                          | Sec 18-52 Unsafe conditions  |
| Sec. 18-59 - Overhang extensions                          | Sec 18-52 Unsafe conditions  |
| Sec. 18-60 - Stairways, decks, porches and balconies      | Sec 18-52 Unsafe conditions  |
| Sec. 18-61 - Chimneys and towers                          | Sec 18-52 Unsafe conditions  |
| Sec. 18-62 - Handrails and guards                         | Sec 18-52 Unsafe conditions  |
| Sec. 18-63 - Window, skylight and door frames             | Sec 18-52 Unsafe conditions  |
| Sec. 18-64 - Doors  | Sec 18-52 Unsafe conditions  |
| Sec. 18-65 – Building Security                            | Eliminated   |
| Sec. 18-66 - Enforcement                                  | Sec 18-72 Responsibility of enforcement  |

# Code Content

- Structure has been re-organized into 5 Divisions for clarity:

- Purpose / scope
- Exterior property
- Exterior structure
- Administration & enforcement
- Definitions

## Table of Contents

New

|   |    |
|---|----|
| Chapter 18 ENVIRONMENT.....                               | 4  |
| ARTICLE I. NUISANCES.....                                 | 4  |
| DIVISION 1. PURPOSE & SCOPE .....                         | 4  |
| Sec 18-1 Purpose .....                                    | 4  |
| Sec 18-2 Scope .....                                      | 4  |
| Sec 18-3 —18-29 Reserved .....                            | 4  |
| DIVISION 2. EXTERIOR PROPERTY AREAS.....                  | 4  |
| Sec 18-30 Sidewalks and driveways.....                    | 4  |
| Sec 18-31 Obstructive vegetation.....                     | 4  |
| Sec 18-32 Accumulation of litter, garbage and refuse..... | 5  |
| Sec 18-33 Movable or temporary storage structures.....    | 5  |
| Sec 18-34 Rodent harborage .....                          | 5  |
| Sec 18-35 Outdoor storage .....                           | 5  |
| Sec 18-36 Exhaust vents .....                             | 6  |
| Sec 18-37 Accessory structures .....                      | 6  |
| Sec 18-38 Inoperable or abandoned vehicles.....           | 6  |
| Sec 18-39 Swimming pools, spas, hot tubs.....             | 7  |
| Sec 18-40 —18-49. Reserved. ....                          | 7  |
| DIVISION 3. REGULATION OF EXTERIOR STRUCTURE .....        | 7  |
| Sec 18-50 General .....                                   | 7  |
| Sec 18-51 Exterior surfaces protective treatment.....     | 7  |
| Sec 18-52 Unsafe conditions.....                          | 8  |
| DIVISION 4. ADMINISTRATION AND ENFORCEMENT .....          | 9  |
| Sec 18-70 Responsibility for property maintenance.....    | 9  |
| Sec 18-71 Violations.....                                 | 9  |
| Sec 18-72 Responsibility of enforcement .....             | 9  |
| Sec 18-73 Administration and enforcement procedures.....  | 10 |
| Sec 18-74 Authority to Enter .....                        | 11 |
| Sec 18-75 Abatement and Lien .....                        | 11 |
| Sec 18-76 Notice .....                                    | 11 |
| Sec 18-77 Penalties for violation of division .....       | 12 |
| Sec 18-78 —18-89. Reserved. ....                          | 12 |
| DIVISION 5. DEFINITIONS.....                              | 12 |

|  |  |
|--|--|
| ARTICLE II. NUISANCES.....                               |  |
| DIVISION 1. GENERALLY .....                              |  |
| Sec. 18-31. Reserved.....                                |  |
| Sec. 18-32. Scope.....                                   |  |
| Sec. 18-33. Responsibility.....                          |  |
| Sec. 18-34. Definitions.....                             |  |
| Sec. 18-36. Notice.....                                  |  |
| Secs. 18-39—18-40. Reserved.....                         |  |
| DIVISION 2. REGULATION OF EXTERIOR PROPERTIES .....      |  |
| Sec. 18-41. Sanitation.....                              |  |
| Sec. 18-42. Weeds, brush piles, refuse and rubbish.....  |  |
| Sec. 18-43. Outdoor furniture restriction.....           |  |
| Sec. 18-44. Outdoor storage of materials.....            |  |
| Sec. 18-45. Rodent harborage.....                        |  |
| Sec. 18-46. Exhaust vents.....                           |  |
| Sec. 18-47. Accessory structures.....                    |  |
| Sec. 18-48. Swimming pools, spas, hot tubs.....          |  |
| Sec. 18-49. Refrigerators.....                           |  |
| DIVISION 3. REGULATION OF EXTERIOR STRUCTURE.....        |  |
| Sec. 18-50. General.....                                 |  |
| Sec. 18-51. Unsafe conditions.....                       |  |
| Sec. 18-52. Protective treatment.....                    |  |
| Sec. 18-53. Premises identification.....                 |  |
| Sec. 18-54. Structural members.....                      |  |
| Sec. 18-55. Foundation walls.....                        |  |
| Sec. 18-56. Exterior walls.....                          |  |
| Sec. 18-57. Roofs and drainage.....                      |  |
| Sec. 18-58. Decorative features.....                     |  |
| Sec. 18-59. Overhang extensions.....                     |  |
| Sec. 18-60. Stairways, decks, porches and balconies..... |  |
| Sec. 18-61. Chimneys and towers.....                     |  |
| Sec. 18-62. Handrails and guards.....                    |  |
| Sec. 18-63. Window, skylight and door frames.....        |  |
| Sec. 18-64. Doors.....                                   |  |
| Sec. 18-65. Building security.....                       |  |
| Sec. 18-66. Enforcement.....                             |  |
| Secs. 18-67—18-70. Reserved.....                         |  |

# Public Comments

Public comment matrix posted on project website at  
<https://www.lacchp18update.org/>



Los Alamos County Chapter 18 Update

Home

About the Update

Documents

News

Contact

## Documents

## Documents

Drafts of the Los Alamos County Chapter 18 Update and relevant documents are listed below.  
Please comment below each draft.



### Chapter 18 Nuisance Code Update Clean Final Draft

[Click here to view final draft of the Chapter 18 Nuisance Code update, released October 2022.](#)



### Chapter 18 Nuisance Code Update Redline Final Draft

[Click here to view the redline version of the Chapter 18 Nuisance Code update that tracks changes, released October 2022.](#)



### Public Comments on Chapter 18

[Click here to view the public comments received on the Chapter 18 Draft released in July 2022 and the project team's responses to the comments.](#)

Here

| LAC Chapter 18 Nuisance Code Update: Public Comment Matrix           |  |  |   |   |
|--|--|--|---|---|
| Topic  | Applicable Section                         | Comment  | Revision  | Response  |
| Inoperable vehicles - Alternative for Personal Auto and Hobby Repair | Sec 18-38 Inoperable or abandoned vehicles | Would either of you mind explaining how automotive maintenance falls under the tenets of the nuisance code? Requiring all work to be completed in a fenced area or a garage is a safety hazard for many residences in the county and regardless of that - this work does not fall under the premises outlined by the code itself. Is there a reason this new code section was added? Why does the county believe it has the authority to regulate what hobbies or maintenance are performed in a safe manner in driveways throughout the county? | <p>2 potential revisions are outlined below:</p> <p><b>Option 1:</b><br/>Remove the content under the heading of Alternative for Personal Auto and Hobby Repair on page 5.</p> <p><b>Option 2:</b><br/>Revise language as follows:<br/>"This section shall not apply in an area where an activity is within the contemplated purposes of a duly licensed business with the appropriate zoning or permitted as part of a Special Use and complies with all use requirements of the district and any conditions imposed by the approving bodies, <del>as</del> where any number of inoperable vehicles are kept in an enclosed structure, the routine or minor vehicle maintenance and repairs, such as oil changes, brake replacement, etc. or when vehicles are actively being restored, as defined by this Article, by the owner or tenant of the premises. Any dismantled or inoperative vehicles, or parts thereof, actively being restored are permitted to be stored on the property for a period not to exceed six months, provided the motor vehicle is registered in the resident's name and fully covered with an opaque cover designed to fit the motor vehicle if stored in a front yard."</p> <p><del>Alternative for Personal Auto and Hobby Repair</del><b>15- Repair, maintenance or hobby activities performed on personal vehicles owned by the owner(s) or occupant of the property will be done in a manner which minimizes the impact to the neighborhood and, shall be performed within the garage or behind fenced areas which are not readily visible from public rights-of-way.</b></p> <p>Add definition of actively restored to Division 5 to read:<br/>"Actively Restored means the owner has spent at least ten hours of labor in repairing, rebuilding or reconstruction of the motor vehicle within the last 30 days. The burden shall be on the owner of the vehicle to prove that it is being actively restored which may include receipts for the purchase of parts and supplies during the last 6 months which have been installed on the vehicle."</p> | This is an issue that was brought up related to inoperable vehicles being stored in public view for extended time periods for the sake of personal hobby repair. It was an issue that the project team was asked to consider during one of the CDAB presentations. This language was only intended to apply to the repair of inoperable vehicles. |

# Public Comments

Major concerns related mostly pertained to Division 2: Exterior Property Areas, particularly:

- Sec 18-30 Maintenance responsibilities of sidewalks
- Sec 18-31 Obstructive Vegetation, specifically if weeds should be regulated aside from hazardous vegetative obstructions
- Sec 18-33/34 Outdoor Storage / Furniture creating too onerous outdoor storage requirements
- Sec 18-38 Storage of Inoperable Vehicles and alternative language regarding hobby maintenance being too onerous

# Purpose

The purpose of this Article is to promote the public's health, safety, and welfare by establishing minimum standards governing the conditions and maintenance of property and structures to prevent the creation and continuation of public nuisances, as defined by this Article, and to provide a means for abatement.

# Exterior Property Areas

## No substantial changes to:

- Rodent harborage
- Inoperable vehicles
- Exhaust vents
- Swimming pools
- Accessory structures

## Notable changes to:

- New standards for sidewalks to ensure they are safe, passable, and unobstructed
- Changes in regulation from weeds to obstructive vegetation only
- New standards to address movable or temporary structures such as PODs.
- Clarified Accumulation of litter, garbage, and refuse to allow for compost piles

New

|   |   |
|---|---|
| DIVISION 2. EXTERIOR PROPERTY AREAS.....                  | 4 |
| Sec 18-30 Sidewalks and driveways.....                    | 4 |
| Sec 18-31 Obstructive vegetation.....                     | 4 |
| Sec 18-32 Accumulation of litter, garbage and refuse..... | 5 |
| Sec 18-33 Movable or temporary storage structures.....    | 5 |
| Sec 18-34 Rodent harborage .....                          | 5 |
| Sec 18-35 Outdoor storage .....                           | 5 |
| Sec 18-36 Exhaust vents .....                             | 6 |
| Sec 18-37 Accessory structures .....                      | 6 |
| Sec 18-38 Inoperable or abandoned vehicles.....           | 6 |
| Sec 18-39 Swimming pools, spas, hot tubs.....             | 7 |
| Sec 18-40 -18-49. Reserved. ....                          | 7 |

# Sec 18-30 Sidewalks and driveways

- New Content, based on comments regarding safety due to sidewalk obstructions
- Public concerns on previous drafts regarding private maintenance requirements of public facilities
- CDAB guidance to remove facility repair requirement
- Revised draft removed concrete repair obligations for property owners
- Revised content is similar to IMPC

## Previous Draft

### Sec 18-30 Sidewalks and driveways

Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained in a safe and passable condition, free from obstructions and hazardous conditions. The owners or occupant of property where these features are located shall be responsible to maintain these areas and to repair defects and hazards located thereon. The obligation of maintenance shall include but not be limited to maintenance of a constant grade, repair of substantial holes, cracks or spalling, and removal of rubbish, debris or vegetation impeding into a required clear path or sight triangle per Section 16-x of the Development Code.

## Recommended Revisions

### Sec 18-31 Sidewalks and driveways

Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained in a safe and passable condition, free from obstructions and hazardous conditions. ~~The owners or occupant of property where these features are located shall be responsible to maintain these areas and to repair defects and hazards located thereon. The obligation of maintenance shall include but not be limited to maintenance of a constant grade, repair of substantial holes, cracks or spalling, and removal of rubbish, debris or vegetation impeding into a required clear path or sight triangle per Section 16-x of the Development Code.~~ This includes any object that obstructs the free flow of pedestrian or vehicular traffic thereon, and obstructions impairing the line of sight, particularly within required sight triangle per Section 16-4-2(C)(IV) of the Development Code.

# Sec 18-31 Obstructive Vegetation

Previous Draft

Existing

## Existing Code (sec 18-42):

- Regulates weeds in excess of 18"

## Notable changes:

- Regulates vegetation only in relation to obstructions to sidewalks and streets
- Does not regulate weeds on private property

CDAB recommendation that "snow" not be explicitly called out in Section 18-31

## Sec. 18-42. Weeds, brush piles, refuse and rubbish.

- All weeds, brush piles, refuse and rubbish on a property within the county are hereby declared to be a nuisance and a menace to the health and safety of the inhabitants of the county. The accumulation of weeds, grasses, refuse and rubbish which constitutes or create a fire, health or safety hazard is unlawful and is hereby declared to be a nuisance. It is unlawful for the owner or occupants of any property to permit refuse, rubbish or brush piles to accumulate on any part of the property.
- All premises and exterior property shall be maintained free from weeds or plant growth in excess of 18 inches. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Allegations that weeds upon a property constitute a nuisance pursuant to this section shall set forth with particularity which plants are deemed weeds, why, and the abatement measures required, all of which shall be included in the notice issued pursuant to this chapter 18.
- The property owners ...
- No owner or occupant of any property shall allow any hedge, shrub, tree or other vegetation, or any part thereof, to overhang, extend or protrude into any street, sidewalk, or public right-of-way in a manner which obstructs or impedes the safe and orderly movement of persons or vehicles thereon.

Update



# Sec 18-31 Obstructive Vegetation

- Public concerns that 6' clearance requirement may not accommodate the subset of the population that is taller
- Revised draft increased clearance height to 7'
- Public comments received had conflicting desires to regulate weeds or not

## Previous Draft

### Sec 18-32 Obstructive vegetation

The owner or occupant of any property shall destroy, remove or trim all trees, plants, shrubs or vegetation, or any parts thereof, which overhang or extrude into any abutting sidewalk, public right-of-way, planting strip, clear sight triangle per Section 16-4-2(C)(IV) or adjacent property in such manner as to obstruct or impair the free and full use of the sidewalk or street, including the interruption or interference with the clear vision of pedestrians, bicycles, or persons operating vehicles thereon, and including interference with traffic signs, poles, wires, pipes, fixtures or any other part of any public utility situated in the street or public rights of way. Vegetation shall be removed or trimmed to maintain a minimum clearance of 6 feet overhanging sidewalk height and 14 feet overhanging street height.

## Recommended Revisions

### Sec 18-1 Obstructive vegetation

The owner or occupant of any property shall destroy, remove or trim all trees, plants, shrubs or vegetation, or any parts thereof, which overhang or extrude into any abutting sidewalk, public right-of-way, planting strip, clear sight triangle per Section 16-4-2(C)(IV) ~~or adjacent property~~ in such manner as to obstruct or impair the free and full use of the sidewalk or street, including the interruption or interference with the clear vision of pedestrians, bicycles, or persons operating vehicles thereon, and including interference with traffic signs, poles, wires, pipes, fixtures or any other part of any public utility situated in the street or public rights of way. Vegetation shall be removed or trimmed to maintain a minimum clearance of 67 feet overhanging sidewalk height and 14 feet overhanging street height.

# Sec 18-33 Movable or temporary storage structures

- 1 CDAB board members expressed concerns that this section would prohibit temporary outdoor carports which might be desired by many residents
- Code enforcement safety concerns about structural integrity of temporary tents / canopies during snow events, high winds etc..
- Recommendation is to retain language as written due to safety concerns
- An Alternative would be to explicitly state that temporary tent like carport structures are exempt from this required.

## Sec 18-33 content

Tents or canopies used for storage or metal storage or moving containers shall not be permitted in areas visible from the public rights-of-way unless specifically approved and permitted through a Temporary Use Permit and in compliance with all standards of Section 16-3-2(E)(X) Temporary Storage of the Development Code.

# Sec 18-35 Outdoor Storage

## **Existing Code (sec 18-42):**

- Prohibited the accumulation of weeds, grasses, refuse and rubbish which constitutes or create a fire, health or safety hazard is unlawful and is hereby declared to be a nuisance

## **Notable changes:**

- Adds requirements to dispose of dispose of all litter, garbage, refuse, or vegetative debris in a clean and sanitary manner
- Add requirements orderly storage of receptacles and screening of large receptacles per Chp 16 Development Code
- Adds requirement to cover / contain compost piles

# Sec 18-35 Outdoor Storage

- Public concerns on previous drafts that outdoor furniture storage requirements were too onerous
- CDAB guidance to completely remove outdoor furniture section
- CDAB recommend striking Section 18-34, Outdoor Storage and rely on the provisions of Section 18-32, Accumulation of Litter, Garbage, and Refuse

| Current Draft  | Recommended Revisions  |
|--|--|
| <p>Sec 18-1 Outdoor storage</p> <p>Outdoor storage or accumulation of items in residential zoning districts consisting of but not limited to junk, building or construction materials not in use for construction on the property, heavy equipment, household appliances, salvage materials, tires or vehicle parts, or similar items that are not manufactured or intended for storage or use on any residentially zoned property shall be prohibited unless otherwise allowed by this Code, within any yard, unenclosed porch, carport, other partially enclosed structure, deck or balcony that are visible from any public street, sidewalk, alley or from the ground level of abutting properties. The storage of such materials within a garage or other fully enclosed structure shall not be considered outdoor storage for the purposes of this provision.</p> <p><i>Outdoor storage</i> means the keeping, storing, placing, or locating on exterior property on any premises for more than 30 consecutive days, of goods, products, tools, machinery, equipment, inoperable vehicles, trailers, or other similar items that are not allowed as a principal use or an accessory use of the premises or property under Chapter 16 Development Code.</p> | <p>Sec 18-1 Outdoor storage</p> <p>Outdoor storage or accumulation of items in residential zone districts consisting of but not limited to <del>abandoned, discarded, nonfunctional or inoperable household items, appliances, furnishings, equipment, machinery, appliances</del> junk, building or construction materials not in use for construction on the property, heavy equipment, household appliances, salvage materials, tires or vehicle parts, or similar items <del>that are not manufactured or intended for storage or use on any residentially zoned property</del> shall be stored and maintained in an orderly manner (e.g. stacked), shall not prevent emergency access to the primary structure, shall remain free of stagnant water, and shall be located outside the front setback area, <del>that does not prohibited unless otherwise allowed by this Code, within any yard, unenclosed porch, carport, other partially enclosed structure, deck or balcony that are visible from any public street, sidewalk, or alley or from the ground level of abutting properties.</del> The storage of such materials within a garage or other fully enclosed structure shall not be considered outdoor storage for the purposes of this provision. <u>Storage within carports is permitted, provided storage does not inhibit parking within the carport and storage complies with the provisions of this section. Items customarily associated with residential uses such as, but not limited to, hoses, lawn furniture, grills and outdoor cooking equipment, sport, game and leisure equipment, children's play equipment, firewood, etc. may be stored outside provided storage complies with the provisions of this section. This section does not apply to the storage of such materials within a garage or other fully enclosed structure. Notwithstanding the foregoing, construction materials may be stored outdoors on residential premises for a period not to exceed nine months, or for such longer period of time as may have been approved by the Community Development Director, if such materials are being used in the construction of a structure on the site and for which a building permit has been issued by the county.</u></p> <p>Outdoor storage in non-residential zoning districts shall be screened from view in accordance with requirements of Chapter 16 or conditions of a Conditional Use Permit or as otherwise required by law. All required screening shall be maintained in good repair.</p> <p><i>Outdoor storage</i> means the keeping, storing, placing, or locating on exterior property on any premises for more than 30 consecutive days, of <del>abandoned, discarded, nonfunction or inoperable household items, appliances, furnishings</del> goods, products, <del>tools, machinery, equipment, inoperable vehicles, trailers,</del> or other similar items that are not allowed as a principal use or an accessory use of the premises or property under Chapter 16 Development Code. <u>Items customarily associated with residential uses such as, but not limited to, hoses; lawn furniture; grills and outdoor cooking equipment; sport, game and leisure equipment; children's play equipment; firewood; etc. shall not be considered outdoor storage for the purposes of this Chapter.</u></p> |

# Sec 18-38 Inoperable or Abandoned Vehicles

**Original content moved from Chapter 16 Sec. 16-281**

## **No substantial changes:**

- Storage locations
- Opaque cover requirement if not enclosed with a fence
- Limit of 3 vehicles per site

## **Notable changes:**

- Clarified that this section does not apply to vehicles within enclosed structures, or on the premise of a business where such activity is permitted.
- New language to clarify inoperable vehicles being actively restored are permitted provided parts are neatly stored out of public view and the vehicle is covered when not actively being restored.

# Sec 18-38 Inoperable or Abandoned Vehicles

- Public concerns particularly regarding the language regarding hobby repair of inoperable vehicles
- CDAB guidance was to remove the clause “with a opaque cover designed to fit the motor vehicle”. Received at least 1 Council comment that this requirement should be retained.
- Revised draft retains requirement
- Revised draft provides clearer standards for hobby repair and exemptions for routine or minor vehicle maintenance and repairs, such as oil changes, brake replacement

ATTACHMENT E 20

| Current Draft  | Recommended Revisions   |
|--|---|
| <p>Sec 18-1      <b>Inoperable or abandoned vehicles</b></p> <p>Storage or encroachment of inoperable vehicles, as defined by this Chapter, in the public right-of-way is prohibited. Storage of inoperable vehicles within a front yard is prohibited, except if the lot, because of topography, shape, or the location of the structures, cannot reasonably accommodate the location of inoperable vehicles in areas other than the front yard, and there is no safety hazard, then one (1) inoperable vehicle may be stored in a front yard; provided that it is covered with an opaque cover designed to fit the motor vehicle. No more than three (3) inoperable vehicles may be stored in a combination of the rear yard and side yard; provided that they are enclosed with a fence or <u>wall</u> or each is covered with an opaque cover designed to fit the motor vehicle such that the vehicle is not a safety hazard or visible from adjoining or surrounding property or from view of a public right-of-way.</p> <p>This section shall not apply in an area where an activity is within the contemplated purposes of a duly licensed business with the appropriate zoning or permitted as part of a Special Use and complies with all use requirements of the district and any conditions imposed by the approving bodies, or where any number of inoperable vehicles are kept in an enclosed structure.</p> <p><b>Alternative for Personal Auto and Hobby Repair:</b> Repair, maintenance or hobby activities performed on personal vehicles owned by the owner(s) or occupant of the property will be done in a manner which minimizes the impact to the neighborhood and, shall be performed within the garage or behind fenced areas which are not readily visible from public rights-of-way.</p> | <p>Sec 18-1      <b>Inoperable or abandoned vehicles</b></p> <p>Storage or encroachment of inoperable vehicles, as defined by this Chapter, in the public right-of-way is prohibited. Storage of inoperable vehicles within a front yard is prohibited, except if the lot, because of topography, shape, or the location of the structures, cannot reasonably accommodate the location of inoperable vehicles in areas other than the front yard, and there is no safety hazard, then one (1) inoperable vehicle may be stored in a front yard; provided that it is covered with an opaque cover designed to fit the motor vehicle. No more than three (3) inoperable vehicles may be stored in a combination of the rear yard and side yard; provided that they are enclosed with a fence or <u>wall</u> or each is covered with an opaque cover designed to fit the motor vehicle such that the vehicle is not a safety hazard or visible <del>from adjoining or surrounding property or</del> from view <del>of a</del> public right-of-way.</p> <p>This section shall not apply <u>to a vehicle stored in an enclosed structure, to</u> vehicles on the premise of a business <del>in an area</del> where an activity is within the contemplated purposes of a duly licensed business with the appropriate zoning or permitted as part of a Special Use <del>and provided it</del> complies with all use requirements of the district and any conditions imposed by the approving bodies, or <del>where any number of inoperable vehicles are kept in an enclosed structure.</del> <u>to a vehicle that is in compliance with §§ 66-11-1 through 66-11-5 NMSA 1978., except that such vehicles, when stored in the front yard, will be covered with an opaque cover designed to fit the vehicle.</u></p> <p><u>Any dismantled or inoperative vehicles, or parts thereof, actively being restored, as defined by this Chapter, are permitted to be stored on the property for a period not to exceed six months, provided the motor vehicle is registered in the resident's name, the dismantled parts are neatly stored out of public view when not actively being restored, and the vehicle is fully covered with an opaque cover designed to fit the motor vehicle if stored in a front yard when not actively being restored. This section does not apply to the routine or minor vehicle maintenance and repairs, such as oil changes, brake replacement, etc..</u></p> <p><del>Alternative for Personal Auto and Hobby Repair: Repair, maintenance or hobby activities performed on personal vehicles owned by the owner(s) or occupant of the property will be done in a manner which minimizes the impact to the neighborhood and, shall be performed within the garage or behind fenced areas which are not readily visible from public rights-of-way.</del></p> <p>Add definition of actively restored to Division 5 to read: “Actively Restored means the owner has spent at least ten hours of labor in repairing, rebuilding or reconstruction of the motor vehicle within the last <del>30</del>60 days. The burden shall be on the owner of the vehicle to prove that it is being actively restored which may include receipts for the purchase of parts and supplies during the last 6 months which have been installed on the vehicle.”</p> |

# Division 3 Exterior Structure

## No substantial changes to:

- General requirement that structures be maintained in good repair
- Unsafe conditions

## Notable changes to:

- Clarified exterior surfaces protective treatment language to require exterior surfaces to be rated for exterior use

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|--|---|
| DIVISION 3. REGULATION OF EXTERIOR STRUCTURE .....     | 7 |
| Sec 18-50 General .....                                | 7 |
| Sec 18-51 Exterior surfaces protective treatment ..... | 7 |
| Sec 18-52 Unsafe conditions .....                      | 8 |

# Division 4 Administration and Enforcement

## No substantial changes to:

- Responsibility for property maintenance
- Violations
- Responsibility of enforcement
- Penalties

## Notable changes to:

- Codified administration and enforcement procedures to match existing processes
- Clarified notice requirements to include courtesy letter
- Codified authority to enter with a warrant per IPMC

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|-----|--|----|
|     | DIVISION 4. ADMINISTRATION AND ENFORCEMENT .....         | 9  |
|     | Sec 18-70 Responsibility for property maintenance .....  | 9  |
|     | Sec 18-71 Violations.....                                | 9  |
|     | Sec 18-72 Responsibility of enforcement .....            | 9  |
| New | Sec 18-73 Administration and enforcement procedures..... | 10 |
|     | Sec 18-74 Authority to Enter .....                       | 11 |
|     | Sec 18-75 Abatement and Lien.....                        | 11 |
|     | Sec 18-76 Notice .....                                   | 11 |
|     | Sec 18-77 Penalties for violation of division .....      | 12 |
|     | Sec 18-78 —18-89. Reserved.....                          | 12 |

CDAB recommends eliminating Section 18-71c and to impose a cap on total possible fines and restructuring the text of Section 18-71, Authority to Enter to better highlight that “the authority to enter shall not include the interiors of private parties, dwellings or living quarters, or the portions of commercial premises used as dwellings, or the non-public portions of commercial premises, except upon obtaining a search warrant, or permission of the occupant thereof”.