

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE NO. 02-335

**A CODE ORDINANCE AMENDING CHAPTER 8 TO REPEAL ARTICLE XV OF
CHAPTER 8 TO REMOVE THE COMMUNITY DEVELOPMENT ADVISORY BOARD
AS A PERMANENT BOARD OF THE COUNTY**

WHEREAS, the Incorporated County of Los Alamos (“County”) is a home rule charter municipality, as allowed by N.M. Constitution, Article X, Section 6; and

WHEREAS, the County Council of the Incorporated County of Los Alamos (“County Council”) has jurisdiction over the creation and abolishment of Standing Boards and Commissions and Ad Hoc Advisory Committees pursuant to Section 305 of the Charter; and

WHEREAS, County Council adopted Ordinance No. 02-285 amending the Chapter 8 of the Code of Ordinances to add Article XV to create a Community Development Advisory Board (CDAB) on May 15, 2018; and

WHEREAS, County Council directed the updating of Chapter 18 and CDAB participated in collecting usage data, analyzing such, and providing input on updated processes and mechanisms that contributed to this rewriting; and

WHEREAS, having completed the rewriting of Chapter 18, County Council finds that future review of Chapter 18 are more appropriately considered as a limited-term task force rather than a permanent County board.

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS, the Los Alamos County Code of Ordinances is hereby amended as follows:

Section 1. Article I, Chapter 8, Section 8-4 of the County Code is hereby amended as follows:

Sec. 8-4. Standing advisory boards or commissions; terms of existence.

- (a) The following standing boards or commissions are hereby continued or established although not all are governed by the provisions of this chapter: arts in public places board; board of public utilities; historic preservation advisory board; labor management relations board; library board; lodger's tax advisory board; parks and recreation board; personnel board; planning and zoning commission; environmental sustainability board; transportation board; valuation protests board, and the variance board, ~~and the community development advisory board.~~
- (b) All standing boards and commissions will continue to function indefinitely, unless specifically discontinued by the county council or as otherwise provided by county ordinance. Boards or commissions shall be terminated only by express action of the county council. A board or commission may be assigned more than one task

concurrently, but the absence of one or more assigned tasks at any time shall not affect the board or commission's continuing status.

Section 2. An Article XV (Community Development Advisory Board) of Chapter 8 is hereby repealed in its entirety.

ARTICLE XV. – COMMUNITY DEVELOPMENT ADVISORY BOARD

Sec. 8-301. – Purpose.

~~A community development advisory board is established in order to make recommendations to County Council regarding the development, implementation, and enforcement of County property maintenance codes within the corporate boundaries of the County.~~

Sec. 8-302. – Membership, Terms and Qualifications.

~~(1) The community development advisory board shall be composed of seven (7) citizens with an attempt to provide equal representation from both the Los Alamos townsite and the White Rock community. No board member shall be appointed that is an employee of the County, either as staff or by contractor. Members shall be appointed by the County Council for staggered terms of three (3) years. Three (3) initial appointments shall expire after one (1) year. The determination of which initial expiring appointments will be decided by the Council Chairperson at the time of appointment. Vacant board positions will be appointed by the County Council. The remaining four (4) members on the board will expire their term after two (2) years and rotation of appointments shall continue. Board members can be reappointed for no more than two (2) terms.~~

~~(2) Each member of the community development advisory board shall file a complete list of real estate interests in the county held by the member and, to the extent possible, a complete list of real estate interests in the county held by any person related to the member within the third degree of consanguinity or affinity (natural or adopted children, parents, brothers, sisters, aunts, uncles, nieces, nephews, grandchildren, grandparents, great grandchildren, great grandparents). The list shall include participation in partnerships, limited partnerships, syndications, joint ventures, etc., for the purpose of investment in real estate interests. The list shall be filed during the month of April of each year with the county manager and retained as required by the state Public Records Act, NMSA 1978, 14-3-1 et seq. A member of the community development advisory board is disqualified from participating or voting on any matter which would result in a substantial change, either increase or decrease, in the value of any real estate interests owned by the member or the real estate interests of any person related to the member within the third degree of consanguinity or affinity. Further, a member of the community development advisory board is disqualified from participating or voting on any matter which would result in a substantial change, either increase or decrease, in the values of real estate interests owned by others with whom the member has a business or professional relationship with respect to the matter under consideration.~~

Sec. 8-303. – Duties and Responsibilities.

~~The community development advisory board shall serve in an advisory capacity to the County Council and shall have the following functions, responsibilities and duties:~~

~~(1) Making of recommendations to the County Council regarding:~~

- ~~a. Policies for the development, implementation and enforcement of County property maintenance codes;~~
- ~~b. Recommend possible changes and definitions to the county code relating to CDD and Code Enforcement efforts; and~~
- ~~c. Recommend programs and policies for community development with regard to positive outreach activities, such as assistance programs, citizen volunteer groups, and county sponsored clean up activities.~~
- ~~(2) Receive and provide citizen input to staff and County Council on ways and means for improving the County's property maintenance and code enforcement program. For this purpose, the community development advisory board shall gather public input in ways appropriate to the circumstances, which may include public meetings dedicated to specific topics.~~
- ~~(3) Recommend ways to involve and educate the community on property maintenance issues.~~
- ~~(4) Receive all monthly property maintenance code enforcement reports including issued notices of violation and citations and photographic evidence, and review as appropriate.~~
- ~~(5) Report to County Council as requested by Council on community development advisory board findings, activities, and recommendations.~~
- ~~(6) Such other activities, duties and responsibilities related to Community Development Department activities as may be assigned by the County Council.~~

Section 3. Severability. If any section, paragraph, clause or provision of this Code Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this Code Ordinance.

Section 4. Effective Date. This Code Ordinance shall become effective thirty (30) days after publication of notice of its adoption.

Section 5. Repealer. All other ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED AND ADOPTED this 6th day of December 2022.

INCORPORATED COUNTY OF LOS ALAMOS

**Randall T. Ryti,
Council Chair**

ATTEST:

**Naomi D. Maestas,
Los Alamos County Clerk**