

## **NOTICE OF ORDINANCE**

NOTICE IS HEREBY GIVEN that on the 7<sup>th</sup> day of December, 2009, at its regular meeting at 6:00 p.m. in the City Commission Chambers at City Hall, 200 East Broadway, Hobbs, New Mexico, the governing body of the City of Hobbs proposes to adopt an ordinance which reads as follows:

### **AN ORDINANCE AMENDING TITLE 16 OF THE HOBBS MUNICIPAL CODE REGARDING STREET INFRASTRUCTURE REQUIRED WITH RESIDENTIAL BUILDING PERMITS AND MOBILE HOME PLACEMENT PERMITS, AS RECOMMENDED BY THE PLANNING BOARD.**

WHEREAS, the following amendments to Title 16 – Subdivisions of the Hobbs Municipal Code are recommended to improve the City's ability to process new development and to safeguard the public from undue costs of new residential development without complete infrastructure; and

WHEREAS, the City has received recent building permit applications for new residential structures, including mobile home and manufactured housing placement permits, on undeveloped, unpaved streets or located on private streets with out dedicated right-of-way, and in certain areas lacking proper City water and sewer utilities; and

WHEREAS, the City has recently expended considerable time and funding necessary to correct an old development in a subdivision without proper street right-of-way and no street paving; and

WHEREAS, in order to safeguard the public and to address potential future costs to the City and negative impacts of new residential development in undeveloped areas, and to create conditions favorable to the health, safety, convenience, prosperity or general welfare of the residents of the City of Hobbs, the City Commission has established that a temporary moratorium on residential building permits including mobile home placement permits was required to maintain the harmonious development of the municipality and all residential neighborhoods; and

WHEREAS, the following amendment was reviewed and approved by the Hobbs Planning Board at the September 29, 2009 meeting.

### **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, as follows:**

- 1. Amendment 1: Add the following new sections for Section 16.12.040 C.**

**16.12.040 C. For all City building permits for new residential structures and mobile home placement permits, the lot, tract, parcel or real property containing the location of the new structure shall abut a dedicated public right – of – way with a paved street pursuant to minimum standards as specified by the City Engineer. If the permit location does not abut an paved dedicated street or is both unpaved and not dedicated, the permit applicant must cause the street to be dedicated and paved prior to the building permit being issued, unless adequate financial security has been approved by the Planning Board and City Commission. The City will post notice signs to inform the public of this policy on affected streets.**

**2. Amendment 2: Add the following new sections for Section 16.12.040 D.**

**16.12.040 D. If the permit location’s nearest property line is two hundred (200) feet or more from the nearest paving, it shall be exempt from the paving requirement, but in no case shall a permit be granted unless a public dedicated right-of-way exists for access.**

Copies of the proposed ordinance are available to interested persons during regular business hours in the Office of the City Clerk at City Hall, 200 East Broadway, Hobbs, New Mexico, and available online at [www.hobbsnm.org](http://www.hobbsnm.org).

/s/ Jan Fletcher  
JAN FLETCHER, City Clerk