

**CITY OF ELEPHANT BUTTE
ORDINANCE NO. 197**

**AN ORDINANCE AMENDING THE SIGN ORDINANCE OF THE CITY OF
ELEPHANT BUTTE**

WHEREAS, the City has previous passed the Sign Ordinance of the City of Elephant Butte (City Code Section 152.01 et seq.) (“Sign Ordinance”);

WHEREAS, the City seeks to balance the community interests articulated in Section 152.02 of the Sign Ordinance with each individual’s interest in freedom of speech; and

WHEREAS, the City has authority under NMSA 1978, 3-17-1 and 3-21-1 to regulate signage within the city for the health, safety, morals and welfare of its inhabitants.

NOW THEREFORE, be it ordained by the City of Elephant Butte’s Governing Body:

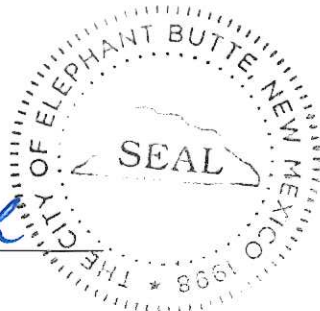
1. The language “not offensive,” is hereby removed from City Code Section 152.02(C) and is replaced with the phrase “not obscene,”
2. The language “is a menace to the public;” is hereby removed from City Code Section 152.05(I).
3. City Code Section 152.07(C)(5) is repealed and replaced with the following language:
 “(5) Signs, displays, or other similar advertising structures which:
 - (a) display any obscene language or images;
 - (b) advertise activities that are illegal under federal, state, or local laws or regulations; or
 - (c) are intended to provoke and will likely lead to an immediate, violent breach of the peace.”
4. City Code Section 152.07(C)(12) is repealed.


PASSED, APPROVED, AND ADOPTED by the Governing Body of the City of Elephant Butte, New Mexico, this 18 day of August 2021.

ATTEST:



Rani Bush
Clerk-Treasurer





Edna Trager
Mayor