

**CITY OF ELEPHANT BUTTE
ORDINANCE NO. 211
AN ORDINANCE AMENDING ORDINANCE 87 PROVIDING FOR THE
DISSOLUTION OF THE PLANNING AND ZONING COMMISSION**

WHEREAS, under NMSA 1978, Section 3-19-1 et seq and 3-21-1 et seq, municipalities are established as the planning, platting, and zoning authorities for their jurisdictions;

WHEREAS, NMSA 1978, Sections 3-19-1 and 3-21-7 allow municipalities to delegate planning, platting, and zoning powers to a commission;

WHEREAS, the City of Elephant Butte adopted Ordinance 87 creating a Planning and Zoning Commission;

WHEREAS, since the adoption of Ordinance 87, the Planning and Zoning Commission has provided invaluable service to the City of Elephant Butte in the development of the City's Master Plan as well as the administration and enforcement of the zoning code;

WHEREAS, the Governing Body of the City of Elephant Butte has determined that the current needs of the City can be met without the regular participation of the Planning and Zoning Commission;

WHEREAS, the Governing Body of the City of Elephant Butte is able and willing to retain Planning and Platting powers and, therefore, intends to dissolve the existing Planning and Zoning Commission and, by separate ordinance, create a Zoning Commission pursuant to NMSA 1978, Section 3-21-7 with particular duties and responsibilities;

WHEREAS, the dissolution of the Planning and Zoning Commission will preserve City resources, lessen administrative burdens and responsibilities on City staff, and enhance the City's ability to meet the needs of the City's residents, businesses, and visitors.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the City of Elephant Butte as follows:

- 1. That City of Elephant Butte Ordinance 87 is hereby amended to dissolve the Planning and Zoning Commission.**
- 2. The Planning, Platting, and Zoning Powers delegated to the Planning and Zoning Commission are retained by the Governing Body of the City of Elephant Butte.**
- 3. Any provisions of the City's Municipal Code that are inconsistent with this amendment are repealed and replaced.**

PASSED, APPROVED, AND ADOPTED by the **Governing Body of the City of Elephant Butte, New Mexico**, this _____ day of _____, **2023**.

Phillip Mortensen
Mayor

Roll Call:

ATTEST:

Lindsey Cobleigh
City Clerk

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