

**CITY OF ELEPHANT BUTTE
ORDINANCE NO. 213
AN ORDINANCE AMENDING ORDINANCE 119 PROVIDING FOR THE
ELIMINATION OF STAND-BY FEES FOR VACANT PROPERTIES**

WHEREAS, a portion of City of Elephant Butte Ordinance 119 (as codified in Ch. 51 Sections 15(F) (7) & (8), 30 (G), and 50 of the Municipal Code) establishes that stand-by fees may be assessed by the City for any vacant properties that are not connected to available sewer lines;

WHEREAS, the Governing Body has determined that stand-by fees assessed against vacant properties that are not connected to sewer line are not in the best interest of the City or its residents due to the burdens imposed on the residents and the difficulty associated with consistent, uniform enforcement and collections;

WHEREAS, the Governing Body intends to amend portions of Ordinance 119 to remove the stand-by fees assessed against vacant properties that are not connected to available sewer lines.

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

- 1. That City of Elephant Butte Ordinance 119 is hereby amended to eliminate stand-by fees may be assessed by the City for any vacant properties that are not connected to available sewer lines, amending in particular Chapter 51 Sections 15(F) (7) & (8), 30 (G), and 50 of the Municipal Code.**
- 2. Any provisions of the Municipal Code that are inconsistent with this amendment are repealed and replaced.**
- 3. This amendment shall not be construed to alter any other obligations of Chapter 51.**

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