



**AGENDA**  
**August 24, 2010**  
**Regular Meeting**  
**Town Council Chambers - 120 Civic Plaza Drive**  
**1:30 PM**

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1. CALL TO ORDER BY THE HONORABLE MAYOR DARREN M. CORDOVA
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES

A. July 27, 2010 Regular Meeting Minutes

6. CITIZENS FORUM

7. PUBLIC HEARINGS

A. Allen Ferguson, Town Attorney

Consideration and approval of Ordinance 10-17 amending the Town's Sign Code (Title 15, Chapter 8 of the Town Municipal Code).

***(Continued from the July 23, 2010 Special Town Council Meeting)***

B. Allen Ferguson, Town Attorney

Consideration and approval of Ordinance 10-20 authorizing and approving a lease for 115 Civic Plaza Drive to UNM Taos.

C. Daniel Miera, Town Manager/Code Administrator

Consideration and approval of Ordinance 10-18; An Ordinance amending Sections 16.20.040.1 through 16.20.040.4 of the Land Use Development Title of the Taos Town Code with respect to the number of parking spaces required and allowing a small but increased amount of parking in front of newly constructed multi-family, commercial, and special use buildings and/or structures. ***(Continued from the July 23, 2010 Special Town Council Meeting)***

D. **Rick Anglada, Chief of Police**

Consideration and approval of Ordinance 10-21; Adopting by Reference the 2010 Compilation of the New Mexico Uniform Traffic Ordinance, comprising Sections 12-1-1 through 12-13-6 inclusive, and all changes through July 1, 2010 pursuant to Section 3-17-6 NMSA 1978.

## 8. MATTERS FROM STAFF

A. **Francisco "French" Espinoza, Public Works Director**

Consideration and approval to allow the Public Works/Transit Division to apply for financial assistance under Section 5311 of the Federal Transit Act in the approximate amount of \$542,550 for Federal Fiscal Year 2011/2012. Administrative expenses are 80% Federal share in the amount of \$116,080 and 20% Local share in the amount of \$29,020. Operating expenses are 50% Federal share in the amount of \$198,725 and 50% Local share in the amount of \$198,725. (Total Local Share: \$227,745).

B. **Francisco "French" Espinoza, Public Works Director**

Consideration and approval to allow the Public Works/Transit Division to apply for financial assistance under Section 5311 of the Federal Transit Act. The grant will be submitted in the projected amount of \$57,500 for Federal Fiscal Year 2011/2012. Funds will support the administrative and operational costs associated with the Taos Express. Administrative expenses are 80% Federal Share in the amount of \$8,000 and 20% Local Share in the amount of \$2,000. Operating expenses are 50% Federal Share \$23,750 and a 50% Local Share of \$23,750. (Total Local Share: \$25,750).

C. **Francisco "French" Espinoza, Public Works Director**

Consideration and acceptance of FTA Section 5311 Grant Award for FY2011 in the amount of \$522,290.08. Funding will allow continued Public Transportation Administrative and Operating functions. Administrative match is 80% Federal \$109,577.66 and 20% local \$27,394.42. Operating match is 50% Federal \$192,659 and 50% Local \$192,659. Total award \$522,290.08.

D. **Marietta Fambro, Finance Director (with Miranda Quintana, Grants Administrator)**

Acceptance and approval of Grant Agreement No. 2010-0011 with the State of New Mexico Aging and Long-Term Services Department in the amount of \$5,250 to purchase and install equipment for the Taos Senior Center. The Town of Taos will act as a fiscal agent for Ancianos Senior Center.

E. **Marietta Fambro, Finance Director**

Consideration and approval of Resolution 10-48; Budget Adjustment Request - **1) Community Grants Fund (30)** - Increase revenues and expenditures to purchase and install equipment for Ancianos Senior Citizens Center, money is coming from a grant through New Mexico Aging and Long Term Services Department in the amount of \$5,250. **2) Lodger's Tax Fund (23)** Transfer \$1,162 from operating expense to

personnel to cover total personnel transportation costs for the NMML conference.

## 9. MATTERS FROM THE MAYOR AND COUNCIL/YOUTH COUNCILMEMBER

## 10. EXECUTIVE SESSION

### Executive Session

The Council will adjourn to go into executive session to discuss the following: 1) Limited personnel matters regarding the Town Manager pursuant to NMSA 1978 10-15-1-H.2.; 2) Subject to the attorney client privilege pertaining to pending litigation specifically State of New Mexico versus Abeyta, U.S. District Court pursuant to NMSA 10-15-1-H.7.

## 11. ADJOURNMENT

### APPROVED:

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**Darren M. Cordova, Mayor**

### ATTEST:

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**Renee Lucero, Town Clerk**

- *To request details on an agenda item please contact the Town Clerk at 400 Camino de la Placita, Taos New Mexico, 87571 (575) 751-2005.*
- *If you are an individual with a disability who is in need of aid or service to attend and/or participate in a meeting of the Town of Taos Council, please contact the office of the Town Clerk at 400 Camino de la Placita, Taos New Mexico, 87571 (575) 751-2005 at least 24 hours in advance.*
- *For copies of this agenda please pick-up at Town Hall.*



**August 24, 2010**

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**Title:**

July 27, 2010 Regular Meeting Minutes

**Summary:**

**Background:**

**Attachments:**

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 [Minutes](#)

**APPROVALS:**

Date/Time:

8/16/2010 11:32 AM

Approval:

Approved

Department:

Town Clerk



## MINUTES

**July 27, 2010  
Regular Meeting  
Taos Town Council  
Town Council Chambers - 120 Civic Plaza Drive  
Taos, New Mexico  
1:30 p.m.**

**1. CALL TO ORDER:** The Regular Meeting of the Taos Town Council was called to order by the Honorable Mayor Darren M. Cordova at 1:37 p.m.

**2. ROLL CALL:** Ms. Renee Lucero, Town Clerk, called roll and a quorum was present.

**Those present were:**

Mayor	Darren M. Cordova
Mayor Pro Tem	Rudy C. Abeyta
Councilmember	A. Eugene Sanchez
Councilmember	Amy J. Quintana
Councilmember	Michael A. Silva

**Also present were:**

Town Manager	Daniel Miera
Assistant Town Manager	Abigail Adame
Town Attorney	Allen Ferguson
Town Clerk	Renee Lucero

**3. PLEDGE OF ALLEGIANCE:**  
Councilmember Quintana led the audience in the pledge of allegiance.

**4. APPROVAL OF AGENDA:**  
Add Item 9. - Matters from the Mayor and Council.

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1       **Mayor Pro Tem Abeyta made a motion to approve the Agenda as**  
2       **presented. Councilmember Quintana seconded the motion. The motion**  
3       **carried unanimously.**  
4

5       **5. CITIZENS FORUM**

6       **A.** Cathy Ray, owner of Bella Vista Apartments, complained about the piles of  
7       dirt owned by Mr. Vigil located next to the Southside Guadalajara Grill. Her  
8       apartments are located next to Guadalajara Grill and she stated the dirt from  
9       the piles constantly flow into the air filters at the apartments she owns. She  
10      stated she recently replaced the filters and now the filters are filthy again.  
11      She stated she cannot afford to keep changing the filters.  
12

13      Mayor Cordova thanked Ms. Ray for submitting her complaint as the Town  
14      had not yet received a formal complaint. He stated Mr. Vigil has been  
15      informed that he has 30 days (from July 22, 2010) to relocate and minimize  
16      the piles of dirt. He asked Daniel Miera, Town Manager, to follow-up with  
17      Mr. Vigil to ensure that the piles are removed.  
18

19      Councilmember Silva stated he appreciates Mr. Vigil's cooperation in  
20      moving the piles.  
21

22      **B.** Jeff Northrup spoke against the proposed tax increase which will be on the  
23      agenda for Council action on August 10, 2010. He stated he believes the  
24      Town of Taos has wasted too much money in the past. He asked the  
25      Council to put off any further tax increase until an audit is conducted. Mayor  
26      Pro Tem Abeyta clarified that the Town of Taos is audited on an annual  
27      basis.  
28

29      **C.** John Ray, owner of Bella Vista Apartments, complained about the piles of  
30      dirt owned by Mr. Vigil located next to the Southside Guadalajara Grill and  
31      stated the dust from the dirt piles is a problem as is the noise caused by the  
32      heavy equipment. He urged the Council to address the problem which he  
33      states has gotten worse over the last two years. He believes the dirt piles  
34      should be moved. Mayor Cordova again stated that Mr. Vigil has been  
35      notified that he has 30 days to relocate and minimize the piles of dirt.  
36

37      Councilmember Sanchez asked if the Highway Corridor Protection District  
38      (HCPD) Zone allows for this type of business. Mr. Miera stated the HCPD  
39      Zone does allow for specialty retail businesses as long as they do not create  
40      a nuisance.  
41

42      Mayor Pro Tem Abeyta stated this situation is an example of how vague the  
43      Land Use Development Code is. He asked Mr. Ray to contact the Town if  
44      he feels the problem is not corrected.  
45  
46

**6. CONSENT AGENDA****A. Matthew Spriggs, Community & Economic Development Director (With Matthew Foster, Long Range Planner)**

Consideration and approval of Resolution 10-39; A Resolution approving the application to the Historic Preservation Division for certified local governments. If awarded, the grant will fund an architectural survey of 159 historic buildings and two public workshops regarding the federal and state tax incentives for preserving historic buildings.

**B. Marietta Fambro, Finance Director**

Consideration and approval of Resolution 10-40; Budget Adjustment Request for Fiscal Year End June 30, 2010. This Budget Adjustment Request balances all line items and funds to end of year final expenditure amounts.

**C. Marietta Fambro, Finance Director (with Miranda Quintana, Grants Administrator/Writer)**

Acceptance and approval of 2010 Community Development Block Grant No. 10-C-RS-I-01-A-27 between the State of New Mexico Department of Finance and Administration Local Government Division and the Town of Taos in the amount of \$500,000 for the construction of roadway, curbs, and gutters on Reed Street and Alexander Street.

**D. Matters from the Mayor and Council**

Consideration and approval of Resolution 10-38: A Resolution of the Town Council Supporting the Food Depot's Grant Proposal to the Economic Development Administration.

**Items 6.B. and 6.C. were removed for discussion.**

**Mayor Pro Tem Abeyta made a motion to approve the Consent Agenda as amended. Councilmember Quintana seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.**

- **Item 6.B.,** Marietta Fambro, Finance Director, stated she emailed a revised Resolution to the Mayor and Council which is different than the Resolution in the packets. She stated the revision includes changes to the Transportation Fund, the General Fund, the Facilities Improvements Fund, the Water Rights Fund and the Utility Fund.

**Councilmember Quintana made a motion to approve the revised Resolution 10-40 as presented. Councilmember Sanchez seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.**

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- **Item 6.C.** Councilmember Silva stated the contract for the sewer work on Reed Street and Alexander Street was signed a few months ago but the construction has not started. He asked what the status is.

Mayor Cordova stated the contractor will be fully mobilized by Monday, August 2<sup>nd</sup> and the work will be complete by August 11<sup>th</sup>.

Councilmember Silva asked Mr. Miera to ensure that the project is completed in accordance with the contract given that they are proposing to complete the project in a short amount of time.

**Councilmember Quintana made a motion to approve the 2010 Community Development Block Grant No. 10-C-RS-I-01-A-27 subject to minor changes by the Town Attorney. Mayor Pro Tem Abeyta seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.**

## 7. PUBLIC HEARINGS

### A. Matthew Spriggs, Community & Economic Development Director (With Rudy Perea, Senior Planner)

Consideration and approval of Ordinance 10-16; An Ordinance amending Section 16.20.030 of the Town of Taos Land Use Development Code with respect to the Hearing Officer. The purpose of the amendment is to streamline the Planning and Zoning application process for some applications which require public hearings.

Rudy Perea, Senior Planner, presented Ordinance 10-16 to the Mayor and Council and stated the proposed ordinance will streamline the application process that requires public hearings. He explained the types of cases that will be heard by the Hearing Officer will be variance requests, Conditional Use Permit requests, Special Use Permit requests and any other zoning applications that the Code Administrator determines the Hearing Officer should hear. He also stated the proposed ordinance codifies a process that is already being followed.

Mayor Cordova asked how property owners will be informed about public hearings. Mr. Perea stated the publication process is the same as other public hearings in which staff publishes notices in the newspaper, mails certified letters and posts signs on the property.

#### *Public Opinion*

Mayor Cordova opened the public hearing. **No one came forward.**

After closing the public hearing, Mayor Cordova asked for questions from the Council.



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Councilmember Silva made a motion to approve Ordinance 10-16 as presented. Mayor Pro Tem Abeyta seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

**B. Loretta Trujillo, Human Resources Director**

Consideration and approval of Ordinance 10-15; An Ordinance of the Town Council amending Section 3.92.020 of the Town Code as it applies to "Public Conduct". The proposed changes to Town Code include verbiage that applies to standards of professional conduct while working with minor employees and/or minor patrons. *(Continued from the July 13, 2010 Regular Town Council Meeting)*

Loretta Trujillo, Human Resources Director, presented Ordinance 10-15 to the Mayor and Council and stated the intent is to be proactive instead of reactive in dealing with minor employees and minor patrons.

*Public Opinion*

Mayor Cordova opened the public hearing. **No one came forward.**

After closing the public hearing, Mayor Cordova asked for questions from the Council.

Councilmember Silva made a motion to approve Ordinance 10-15 as presented. Councilmember Quintana seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.

**8. MATTERS FROM STAFF****A. Matthew Spriggs, Community & Economic Development Director (With Matthew Foster, Long Range Planner)**

Presentation of the Draft Land Use Element of the Comprehensive Plan.

Mr. Foster gave a PowerPoint Presentation and stated he plans to have the plan adopted in different phases. He explained the Comprehensive Plan includes the following elements: Land Use, Infrastructure, Community Economic Development, Housing, Open Space, Historic & Cultural Preservation and Parks & Recreation. In addition, Mr. Foster explained the land use designations.

**B. Brian Greer, Youth & Family Center Director**

*Town Management wishes to inform the public of the upcoming street closures for 2010 & 2011. The Town of Taos does this so the public and merchants can be aware of these activities.*

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Approval of the following projected road and plaza closings for the calendar year of 2010 & 2011 (staff recommends the closing of the roadway and plaza to vehicular traffic to protect and ensure the safety of the expected pedestrian participants):

- 14th Annual Children's Halloween Party: Event will be held at Rio Grande Hall, Bataan Hall and Don Fernando Hall on Saturday, October 23, 2010 from 2:00 PM to 5:00 PM. Staff requests to close Civic Plaza Drive from the intersection of Camino de la Placita to the intersection of Bedford Street from 1:00 PM - 5:30 PM.
- 28th Annual Yuletide Arts & Crafts Fair: Event will be held at all three halls on Friday, November 26, 2010 and Saturday, November 27, 2010 from 10:00 AM - 5:00 PM and Sunday, November 28, 2010 from 11:00 AM - 4:00 PM. Staff requests to close Civic Plaza Drive from the intersection of Camino de la Placita to the intersection of Bedford Street on Friday, November 26, 2010 and Saturday, November 27, 2010 from 9:00 AM - 5:30 PM and on Sunday, November 28, 2010 from 10:00 AM - 4:30 PM.
- University of New Mexico Graduation: Event will be held at the Rio Grande Hall and Bataan Hall on Friday, May 13, 2011 from 6:00 PM - 10:00 PM. Staff requests to close Civic Plaza Drive from the intersection of Camino de la Placita to the intersection of Bedford Street from 5:00 PM - 10:00 PM.
- 24th Annual Yuletide Caroling and Tree Lighting: Event will be held at the Taos Plaza on Friday, December 3, 2010 from 4:00 PM - 6:00 PM. Staff requests to close the Taos Plaza to vehicular traffic from 3:00 PM - 6:30 PM.
- Taos Auto Enthusiasts Car Club Autumn Run Street Dance: Event will be held at the Taos Plaza on Saturday, August 28, 2010 from 6:00 PM - 10:00 PM. Staff requests to close the Taos Plaza to vehicular traffic from 5:00 PM - 10:00 PM.

**Mayor Pro Tem Abeyta made a motion to approve the street closure schedule as presented. Councilmember Quintana seconded the motion. The motion was approved by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.**

## 9. MATTERS FROM MAYOR AND COUNCIL

- Councilmember Sanchez asked what the status is of evaluating the need for the Convention Center. He believes the Town is losing a lot of money by continuing to operate the Convention Center.

Mayor Cordova stated he spoke to Kate O'Neill, Executive Director of UNM Taos, and she indicated UNM is interested in leasing the Convention Center to expand their offices. He further stated UNM's challenge is they have to

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own the building in order to receive state funding for renovations. Mayor Cordova asked Mr. Miera if he has worked on a plan.

Mr. Miera stated his goal is to submit options for Council consideration in September for implementation in October, which will allow time for any changes if needed before the new calendar year. This would be for changes at the Convention Center. Furthermore, Mr. Miera stated the Visitor's Center is also being evaluated.

- Councilmember Silva asked for an update on the temporary asphalt patch that was placed where the water line broke at the intersection of Taos Plaza. Mr. Miera stated staff has contacted three local contractors for quotations to complete the work.

- Councilmember Silva asked for an update on block to block maintenance and materials contracts. Mr. Ferguson stated he has been working on this matter and has identified eight to ten issues with the last contract. He has asked for advice from the State Procurement Office as well as the State Department of Labor.

Mayor Cordova asked Mr. Miera and Mr. Ferguson to prepare a draft contract by next week.

- Councilmember Silva asked if the Council could revisit Resolution 10-34 dealing with commercial events at Kit Carson Park and setting fees. He believes the fees that were adopted are too aggressive. Mayor Cordova stated there is consensus to revisit the pricing structure.

- Councilmember Silva asked Mr. Miera for an update on the sidewalk project, the Eco Park project and the Wastewater Treatment Plant project. Mr. Miera stated he was not prepared to give an update and did not require staff to attend this meeting. He informed Councilmember Silva that he will meet with staff and have an update by Thursday.

- Councilmember Silva stated he would like a joint meeting with the Taos County Commission to discuss the intersection at Albright Street and Tiwa Street. Mayor Cordova asked that staff follow up with County staff before a meeting is scheduled.

- Councilmember Sanchez stated a traffic light is needed at the intersection near the County complex. Mayor Cordova stated he has asked Mr. Miera to contact the Department of Transportation about installing traffic lights in that area.

- Mayor Cordova stated he met with the Parks & Recreation Advisory Board and they have submitted a list of their priorities. He stated they support

- There was a discussion about the appointment of five additional individuals to the Parks & Recreation Advisory Board. Mayor Cordova asked Mr. Miera to provide him with a list of recommendations for action at the next Town Council Meeting.

**At 5:15 p.m., Councilmember Quintana made a motion to come out of Executive Session and stated discussion in the Executive Session was limited to the item as it was called for. Councilmember Silva seconded the motion. The motion was confirmed by an affirmative vote. Those voting AYE were: Mayor Pro Tem Abeyta, and Councilmembers Sanchez, Quintana and Silva.**

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**August 24, 2010**

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**Title:**

Allen Ferguson, Town Attorney

**Summary:**

Consideration and approval of Ordinance 10-17 amending the Town's Sign Code (Title 15, Chapter 8 of the Town Municipal Code). *(Continued from the July 23, 2010 Special Town Council Meeting)*

**Background:**

**Attachments:**

**Click to download**

- 📄 [Ordinance 10-17 Amending sign code](#)
- 📄 [Title Redlined](#)
- 📄 [Attachment A, Sign Code, Redlined](#)
- 📄 [Title Clean](#)
- 📄 [Clean Ordinance](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
8/16/2010 11:03 AM	Approved	Town Clerk



## TOWN OF TAOS ORDINANCE NO. 10-17

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TAOS AMENDING TITLE 15 CHAPTER 08 OF THE TAOS TOWN CODE (SIGN CODE)

**This ordinance amends the sign code of the Town of Taos pertaining to the purposes of the sign code; protection of First Amendment rights; linking the authority of Town officials to public interest standards in making discretionary determinations; removal of reference to a sign permit being a revocable license or privilege only; removal of general prohibition of off-site signage; establishing standards for encroachment permits; omitting a general prohibition against “attention getting devices” as vague and unnecessary; making uniform various provisions requiring removal of signs within a certain time period after a specific event to which they refer; removing certain restrictions on signs on portable structures; removing certain restrictions on signs on inoperable vehicles; making certain provisions related to exemptions from the requirements of the sign code cover all noncommercial signs; removing durational restrictions on decorative lighting; changing dimensional restrictions on noncommercial signs to make them no more restrictive than dimensional restrictions on commercial signs; striking a limitation on the period before an election political signs may be posted; omitting a restriction on certain noncommercial flags; deleting a provision relating to public art; exempting from the requirements of the code all hand-held signs that contain a non-commercial message and remain in a person’s control, replacing a similar provision relating to picketing signs only; clarifying certain definitions; and making certain other, minor changes.**

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**WHEREAS**, on December 8, 2009, the Town Council of the Town of Taos enacted Ordinance 09-41 putting in place a new Sign Code for the Town, which was Attachment A to the Ordinance, which Ordinance repealed and replaced the previous Title 15 Chapter 08 [15.08] of the Taos Municipal Code; and

**WHEREAS**, the said Sign Code of the Town of Taos is in need of certain changes as indicated in the foregoing statement; and

**WHEREAS**, this amendment is the first action taken by the Governing Body to address community concerns that relate to First Amendment rights, noncommercial signs in general and political and protest signs in particular; and

**WHEREAS**, the matter of this Ordinance initially came on for public hearing, pursuant to notice, at the Governing Body’s July 23, 2010 special meeting and at that time was continued by the Governing Body to its regular meeting on August 24, 2010:

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Town of Taos, meeting in Regular Session, this 24<sup>th</sup> day of August, 2010, and after having held a public hearing on the matter, that this ordinance is hereby adopted, approved and ratified:

**Article 1:** The Taos Sign Code, Attachment A to Ordinance 09-41 is repealed and replaced by Attachment A to this Ordinance [“Attachment A to Ordinance 10-17 Taos Sign Code (First Amended)”].

**Article 2:** This Ordinance shall become effective as provided by law.

**ORDAINED, ADOPTED, APPROVED, AND RATIFIED** this 24<sup>th</sup> day of August, 2010 by the following vote:

Councilman Rudy Abeyta \_\_\_\_\_

Councilwoman Amy Quintana \_\_\_\_\_

Councilman Eugene Sanchez \_\_\_\_\_

Councilman Michael Silva \_\_\_\_\_

\_\_\_\_\_  
DARREN CORDOVA  
MAYOR  
ATTEST:

\_\_\_\_\_  
RENEE LUCERO  
TOWN CLERK

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
ALLEN FERGUSON  
TOWN ATTORNEY

# Ordinance 10-17

**REDLINED**  
**VERSION**



**ATTACHMENT A**  
**To Town of Taos Ordinance 10-17**  
**TAOS SIGN CODE (FIRST AMENDED)**

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- 15.08.220** Statutory Fees and Penalties Applicable to Permanent Signs
- 15.08.230** Issuance and Display of Permit for Permanent Signs
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**15.08.710: EFFECTIVE DATE OF THIS ORDINANCE**

**15.08.720: PENALTY**

**15.08.100: SHORT TITLE, PURPOSE AND SCOPE OF THIS ORDINANCE**

This Ordinance shall be known and cited as the Town of Taos Sign Code or alternatively The Sign Code; and is referred to herein as “this Sign Code.”

This Sign Code regulates and governs the size, appearance, construction and placement of all informational, industrial, commercial, trade, or other signage within the jurisdiction of the Town of Taos; by ~~licensing~~ **permitting** and empowering the municipal oversight of same.

This Sign Code furthers substantial municipal government interests in traffic and pedestrian safety, avoiding or reducing visual clutter, and maintaining visual harmony with the outdoor aesthetics of the Taos community while protecting the First Amendment expressive rights of the people.

This Sign Code strives to provide a fair and reasonable treatment of all signage within the Town by ~~mandating licensing~~ **permitting** of permanent signage, **regulation of permanent and temporary signage**, regular oversight, accurate record-keeping, consistent enforcement, and the imposition of fines and penalties for violation of its provisions. It recognizes and assists in the visual communication requirements of the business and civic sectors of the Town of Taos and the accompanying financial investment therein. It encourages the innovative use of contemporary sign design and construction. It seeks to promote a consciousness of basic standards, regular maintenance, and a necessary concern for the esthetics of our unique community and the safety and security of the public.

This Sign Code acknowledges and recognizes the most attractive history, traditions and character of both the Central Business District of the Town of Taos and the Historic Overlay Zone of the Town of Taos.

Wherever this Sign Code grants discretion to the Code Administrator or any other Town official to issue, deny or condition any permit, or to take any other official act under this Code, such discretion shall be exercised only in order to promote the health, safety, welfare (including aesthetic interests) of the community and its residents, and the particular manner in which the discretionary act furthers such municipal interests shall be stated.

With the exception of specific sign regulations listed in the Traditional Neighborhood Development (TND) District, this Sign Code supersedes all references to signage in all other Ordinances of the Town of Taos. Any signage that violates the requirements and restrictions of this Sign Code is prohibited within this jurisdiction.

**15.08.200: SIGN PERMITS FOR PERMANENT SIGNS; REGULATORY OVERSIGHT**

Immediately upon adoption of this Sign Code it shall be a requirement that any person, corporation, or other entity, shall first obtain from the appropriate agency of the Town of Taos a permit prior to the erection, alteration, or relocation of any permanent signage within the jurisdiction of the Town of Taos.

Immediately upon adoption of this Sign Code the, Office of the Code Administrator or the Code Administrator's designee of the Town of Taos shall be the regulatory agency overseeing, ~~licensing~~ **permitting** and inspecting all signage within the jurisdiction of the Town of Taos.

#### **15.08.210: APPLICATION FORM FOR PERMANENT SIGNAGE**

Every application for a Town of Taos Sign Permit for a permanent sign pursuant to this Sign Code shall be made on the designated form supplied by the Code Administrator of the Town of Taos, and must include the following:

1. The name, mailing address, and business telephone number of the applicant;
2. The physical address of the building, structure, or lot, to which or upon which the proposed signage will be attached or erected;
3. The name, mailing address, and business telephone number of owner of the building, structure, or lot, to which or upon which the proposed signage is to be attached or erected, if not the same as the applicant; together with that owner's written consent to the erection of the signage;
4. A copy of the applicant's Town of Taos Business License for applicants required to hold business licenses;
5. A description or a sketch of the proposed site of the proposed signage, showing its position upon the lot, building or structure in relation to identified adjacent lots, buildings or structures, and public rights-of-way, and any existing signage at that location;
6. A sketch, digital rendering, or a digital photo of the proposed signage itself, clearly displaying its graphic and lettering content, its overall dimensions, the manner and materials of its construction, and the proposed method of attachment to the building or structure, or the ground, where it will be situated;
7. The name, mailing address, and business telephone of the person(s) or entity(s) charged with creating, erecting and attaching the proposed signage;

8. Such other information as may, from time to time, be deemed necessary by the Code Administrator of the Town of Taos to ensure compliance with this Sign Code and other Ordinances of the Town of Taos;

#### **15.08.220: FEES AND PENALTIES APPLICABLE TO PERMANENT SIGNS**

The basic statutory fee imposed upon all permanent signage permitted pursuant to this Sign Code shall be a non-refundable payment of two (2) dollars per square foot of the entire signage area proposed. Square footage shall be calculated by the Code Administrator or the Code Administrator's designee, as length multiplied by width, in inches, from furthest edge to furthest edge of each face of the signage.

The basic fee imposed upon all signage permitted pursuant to this Sign Code may, from time to time, be adjusted by a resolution of the Town Council of the Town of Taos; and that body may likewise, in the interest of public order, public safety or aesthetics, impose other or additional requirements or surcharges for particular types of signage.

In conjunction with the oversight and enforcement of this Sign Code the Code Administrator of the Town of Taos is further empowered to assess, impose, and apply those interest-bearing penalties and costs as are set forth herein for Non-Compliant, Unsafe, or Obsolete signage.

#### **15.08.230: ISSUANCE AND DISPLAY OF PERMIT FOR PERMANENT SIGN**

It shall be the duty of the Code Administrator of the Town of Taos, or the Code Administrator's designee, to examine all Permanent Sign Permit applications for compliance with the provisions of this Sign Code; to physically examine the premises at which the signage is proposed; to determine if any interest, penalties or costs may be due; and to issue said Sign Permit, or an explanatory denial thereof, within ten (10) business days of the filing of the application. Any explanatory denial of an application must include a statement concerning why the application is denied, citing the specific health, safety, welfare or aesthetic reasons for the denial.

Collection of the basic statutory fee and any and all fees and penalties shall be the duty of the Code Administrator of the Town of Taos, or the Code Administrator's designee; in exchange for which a numerically sequenced, dated, Town of Taos Sign Permit shall be issued.

A current Town of Taos Sign Permit shall be prima facie evidence of compliance with this Sign Code, as well as of the payment in full of all required fees, surcharges, penalties, interest thereon, and costs assessed; and it grants the holder thereof a non-transferable ~~license-permit~~ to display the ~~approved~~ signage ~~permitted~~ for the specific location indicated on the ~~license permit application and resulting sign permit~~.

Every recipient of a Town of Taos Sign Permit shall be responsible for retaining said permit and to provide evidence of the permit when requested by the Code Administrator of the Town of Taos, or the Code Administrator's designee.

#### **15.08.240: OVERSIGHT, INSPECTION AND REVOCATION OF SIGN PERMIT**

~~A Sign Permit issued by the Town of Taos is a license only; and all privileges granted pursuant to the provisions of this Sign Code are subject to revocation in addition to those other stated fines, penalties, or the imposition of costs, for violation of this Sign Code.~~

The Code Administrator of the Town of Taos or the Code Administrator's designee shall conduct regular inspections of all signage within the jurisdiction of the Town of Taos in order to verify compliance with the provisions of this Sign Code.

The Code Administrator of the Town of Taos or the Code Administrator's designee shall have the authority to enter upon any lot, property, or premises, at any reasonable time and with reasonable notice to the property owner, to inspect the signage thereon or within.

The Code Administrator of the Town of Taos or the Code Administrator's designee shall ascertain that all signage upon a premises or property has been properly permitted and in compliance with the provisions of this Sign Code. Any non-compliance shall be subject to the Penalty clause of this chapter.

#### **15.08.250: REGULATION OF SIGNS**

This Sign Code shall be interpreted in a manner that balances First Amendment expressive rights with the interests of businesses and the public safety and aesthetics of the community. It is intended to preserve and advance the unique character of the Town of Taos and its Central Business District, to accommodate the aesthetics of the Historic Overlay Zone of the Town of Taos, and to comply with the import of the Town of Taos Land Use Development Title. To accomplish these purposes, some forms of signage within the jurisdiction of the Town of Taos must be prohibited.

Notwithstanding any prohibition or constraint imposed by this Sign Code, an applicant whose request for a Sign Permit has been denied, or an individual or entity upon whom a fine, penalty, or costs has been imposed, may apply for relief from same as herein set forth.

#### **15.08.260: SPECIFICALLY PROHIBITED TYPES OF SIGNS**

1. Signage that flashes, blinks, rotates, or varies its degree of internal illumination is specifically prohibited;
2. Signage with mechanically moving parts is specifically prohibited;

3. Signage utilizing or incorporating audio devices is specifically prohibited;
4. Billboards are specifically prohibited;
5. Commercial off-site signage is specifically prohibited except as permitted elsewhere in this Code.
- ~~6. Signage not situated at the physical site where the sale of the goods or services referred to are, or will be, provided, or where the event announced occurs or will occur, is specifically prohibited;~~
6. Signage which obstructs the view of an operator of any motor vehicle upon any right-of-way, as determined by the Clear Sight Triangle as defined within the Town of Taos Land Use Development Title, or as may hereafter be defined therein, or as defined by the Town of Taos Access Management Manual or its successor documents, or as may hereafter be defined therein, is specifically prohibited;
7. Signage erected or placed on the ground within, or suspended or projecting above, a right-of-way, is specifically prohibited. Directional, safety and construction-related signs or other signs placed within or above a right-of-way by or with the permission of a governmental entity with jurisdiction is excepted from this prohibition, provided there is a valid and substantial public health, safety, welfare or aesthetic reason for such signage.
8. Signage bearing a similarity in style or design with commonly seen traffic signs or signals, and making use of such words as "stop," "look," "danger," or similar phrase or symbol, which tend to mislead, confuse, or impede the orderly flow of either pedestrian or vehicular traffic, is specifically prohibited;
9. Signage illuminated by floodlights or spotlights not complying with the Dark Skies Ordinance of the Town of Taos is specifically prohibited;
10. Signage that restricts the free ingress or egress of any sidewalk, window, door, or fire exit, is specifically prohibited;
11. Signage projecting above a roof line, eave, or parapet, ~~or which protrudes horizontally beyond the property line upon which it is located,~~ is specifically prohibited;
12. Signage spanning any public walkway or public access area whose lower edge is less than seven (7) feet above the average grade below, is specifically prohibited;

13. Signage that is hazardous, or in dilapidated and dangerous physical condition, or from which nails, tacks, screws, wires, or sharp objects of any nature may protrude is specifically prohibited;
14. Commercial signage constructed of cardboard, paper, cloth, or other non-durable material, is specifically prohibited;
15. Signage attached to a tree, fence, utility pole, transit facility enclosure, or street seating, ~~or within or adjacent to~~ any public right-of-way, is specifically prohibited;
16. Inflatable signs are prohibited within the Town of Taos.
17. Commercial monopole signs are prohibited within the Town of Taos.
18. Commercial sign walkers are prohibited within the Town of Taos.
19. Commercial mobile signage other than as specifically permitted by this sign code is prohibited.
20. The use of neon or LED or similar device to graphically outline any building, exterior walls, fence or other structure is prohibited.
21. Commercial signage placed on or affixed to a sidewalk or stairs unless specifically permitted by this Sign Code.

#### **15.08.270: NONCOMPLIANT, UNSAFE, OBSOLETE SIGNS**

Upon the determination of the Code Administrator of the Town of Taos that any signage within this jurisdiction does not comply with the provisions of this Sign Code, a written order shall be issued to the holder of the Sign Permit, or to the owner, agent, entity or individual enjoying the beneficial use of the premises, structure, or lot upon which the non-compliant signage is situated, or both, to take down and remove same within ten (10) days; after which the non-compliant signage may be removed by the Town of Taos with the costs of removal assessed against the holder of the Sign Permit, or the non-compliant owner, agent, entity or individual, or both and the property owner or other person who has violated the Sign Code will be subject to the penalty clause of this chapter.

Upon the determination of the Code Administrator of the Town of Taos that any signage within this jurisdiction is in violation of this Sign Code by reason of being situated or intruding upon a public right-of-way, or creating an immediate danger or peril to public safety, a verbal notification shall be issued to the holder of the Sign Permit, or to the owner, agent, entity or individual enjoying the beneficial use of the non-compliant signage, or both, to take down and



remove same within twenty-four (24) hours or such shorter period as public safety may require in the circumstances; after which the non-compliant signage may be removed by the Town of Taos with the costs of removal assessed against the holder of the Sign Permit, or the non-compliant owner, agent, entity or individual, or both and the property owner will be subject to the penalty clause of this chapter.

Upon the determination of the Code Administrator of the Town of Taos that any signage within this jurisdiction is obsolete or abandoned and no longer advertises or informs of a bona fide, existing business or trade, or a product or service being offered at any premises, structure, or lot, **or advertises or promotes a person and/or place and/or event for a fixed date that has passed**, a written or verbal notice shall be issued to the holder of the Sign Permit, or to the owner, agent, entity or individual enjoying the beneficial use of the premises, structure, or lot upon which the non-compliant signage is situate, or both, to take down and remove same within seventy-two (72) hours; after which the non-compliant signage may be removed by the Town of Taos with the costs of removal assessed against the holder of the Sign Permit, or the non-compliant owner, agent, entity or individual, or both and the property owner will be subject to the penalty clause of this chapter.

Upon the removal of any non-compliant, unsafe, obsolete or abandoned signage, the building, structure, or lot from which the signage is removed shall, within ten (10) days thereafter, be cleaned, patched, painted, or otherwise remediated by the owner, agent, entity or individual responsible for the premises. All supports, stanchions, brackets, mounts, attachments, or other sign-connecting devices shall be removed, leaving no visible evidence. The Code Administrator of the Town of Taos or the Code Administrator's designee shall thereafter inspect and certify compliance; or alternatively, issue written notice for further remediation within a specified time, after which the non-compliant remnants may be removed or remediated by the Town of Taos, and the costs of same assessed against the non-compliant owner, agent, entity, or individual responsible and the property owner will be subject to the penalty clause of this chapter.

#### **15.08.280: TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT – APPLICABLE SECTIONS**

The Traditional Neighborhood Development (TND) District contains specific regulations for signage and sections 15.08.310, 15.08.320, and 15.08.370 of this chapter do not apply to signage but are subject to the applicable regulations and restrictions listed in under the TND District however all signage within the TND District are subject to all other provisions of this Sign Code.

#### **15.08.300: GENERAL REGULATION OF PERMITTED SIGNS**

All permanent, commercial signage within the jurisdiction of the Town of Taos, whether informational or for identification purposes, shall relate to the purpose of the specific business entity displaying same; shall be consistent, upon any premises, in basic design, style, color and manufacture; and shall comply with the provisions of this Sign Code in all respects.

**15.08.310: NUMBER OF PERMANENT SIGNS PERMISSIBLE ON PREMISES OR LOT**

- A. All signage within the jurisdiction of the Town of Taos advertising the business conducted upon a parcel is limited to the following
  - a. Three (3) permanent signs per premises, building or location; whether they be freestanding, monument, window or wall signs;
  - b. Each business may elect to use either a banner or portable sign instead of one of the three permanent signs. Under no circumstances shall more than one such sign be placed on the premises.
  - c. Properties located outside of the Historic Overlay Zone of the Town of Taos may place up to three informational wall signs per façade on the exterior of the building. Informational signs shall not exceed three square feet in area and are not calculated in the total sign area permitted.
- B. In the case of a motel or hotel having an on-premises assembly or meeting room, or an on-premises performance or motion picture theater, an additional, one (1), double faced marquee sign may be permitted and is not included in the calculation of the total sign area permitted.
- C. See section 15.8.370 for the number of signs permitted for multi-tenant centers.

**15.08.320: BASIC DESIGN, DIMENSIONS AND MANUFACTURE OF PERMANENT SIGNS**

All signage within the jurisdiction of the Town of Taos must adhere to the following minimum standards:

- a. Whenever possible and practical, the street address of the premises upon which the signage is located shall be prominently incorporated and clearly visible to the public provided it is not greater than three square feet in area. The area used to identify the street address shall not be calculated in the sign area permitted;
- b. If a decorative trim, whether of wood, simulated wood, metal, or other material surrounds the signage it may be excluded in determining the permissible area of the signage as follows:

- i. For a sixty (60) square foot sign, trim width shall not exceed six (6) inches;
  - ii. For a forty (40) square foot sign, trim width shall not exceed five (5) inches;
  - iii. For a twenty (20) square foot sign, trim width shall not exceed four (4) inches;
- c. Freestanding, projecting, and monument signage may display two (2) faces, and shall be engineered to withstand a gusting wind velocity of seventy-five (75) miles per hour; and bear a dead-weight load as set forth in the Building Code of the Town of Taos. Only one sign face of a double faced sign shall be calculated in the sign area permitted;
- d. All projecting and hanging signs shall provide a minimum of seven (7) feet of vertical clearance from the average grade below the sign.
- e. Window signage shall not exceed twenty percent (20%) of the window area.
  - i. Display windows are not restricted in the number of items placed within the display area and are not considered signage.
  - ii. The total window area provided on the first floor of a façade may be totaled together to arrive at the permitted area of a window sign or signs.
- f. No signage may be constructed of, or incorporate, any reflective material or internal illumination that will constitute a visual hazard to drivers along public rights-of-way; nor may they be painted, in whole or in part, with fluorescent colors.
- g. Each premise shall be allowed up to a maximum of sixty (60) square feet of sign area. See section 15.8.370 for the allowable sign area for multi-tenant properties.
- h. Free-Standing and monument signs within the central business district and/or the Historic Overlay Zone shall not exceed twelve feet (12') in height and signs located in other districts shall not exceed twenty feet (20') in height or the height limit of the zoning district in which the property is located, whichever is lower.
- i. Wall signs are limited to ten percent (10 %) of the area of the façade to which it is affixed.

- j. The area of a wall sign consisting of cutout lettering and logo, with no borders or background defined on the building wall, or signs constructed of carved wood or similar material that provides articulation and depth to the sign, will be calculated at one-half ( $\frac{1}{2}$ ) of the area of the smallest rectangle that will wholly contain all the letters and logo.

**15.08.330: THE CENTRAL BUSINESS DISTRICT AND THE HISTORIC OVERLAY ZONE – SPECIAL RULES, REGULATIONS, AND RESTRICTIONS.**

1. The Central Business District and the Historic Overlay Zone of the Town of Taos are those areas so defined by the Land Use Development Title of the Town of Taos Code, or by any officially adopted map of the Town of Taos, and any amended description as may hereafter be enacted by the Town of Taos.
2. All signage within the Central Business District of the Town of Taos and the Historic Overlay Zone of the Town of Taos shall comply with the special regulations, particular restrictions, or prohibitions of this section in addition to the general provisions of this sign code.
  - a. External signage that is internally lit is prohibited within the Historic Overlay Zone and the Central Business District of the Town of Taos unless said has been found to be of historic significance and contributes to the property's listing on the local, state, or national register of historic places;
  - b. Internally lit static signage may be placed in a window or windows provided that the total signage placed in the window or windows does not exceed twenty percent (20%) of the window area. The total window area provided on the first floor of a façade may be totaled together to arrive at the permitted area of a window sign or signs.

**15.08.340: TEMPORARY SIGNS AND PORTABLE SIGNS – SPECIAL RULES**

1. Temporary signage is any poster, banner, or other advertising or informational device not constructed, displayed or intended for long term purposes. It includes signage which directs attention to a business, product, service, or entertainment conducted, sold or offered at a location other than the premises or lot on which the signage is located. A temporary sign includes decorative displays for holidays or public demonstrations.
2. Portable signage is any poster, banner, or other advertising or informational device which is self supporting and is easily relocated by its owner. Portable signs shall not

exceed an overall area of six (6) square feet per sign face and shall not to exceed two sign faces. Portable signs with wheels attached are not permitted. A portable sign may also be temporary signage. See section 15.8.350 for special rules for mobile signs.

3. All temporary and portable signage within the Town of Taos must comply with the provisions of this Sign Code subject to the exceptions set forth in Section 15.08.410 below. Special regulations, and particular restrictions or prohibitions, may apply pursuant to the provisions of this Sign Code and in the judgment of the Code Administrator of the Town of Taos, which judgment shall be exercised to promote public health, safety or welfare, including aesthetic interests, along with a statement of the particular public interest served by a particular judgment.
4. All temporary signage which shall be suspended and anchored to a device other than a wall, portal or other structure, must receive prior approval from the Code Administrator or the Code Administrator's designee prior to being suspended, based upon applicable public health, safety or welfare (including aesthetic) considerations, which shall be stated.

**5. Temporary Event announcement signs:**

- a. **A single temporary on-site announcement sign advertising the occurrence of a specific community, civic, commercial or other event upon the premises is allowed, provided said sign does not exceed sixteen (16) square feet in over-all dimension, nor exceed eight (8) feet in height.**
- b. **Up to six (6) temporary announcement signs may be placed off-site, provided each does not exceed eighteen (18) inches by twenty-four (24) inches in over-all dimension and is no greater than three (3) feet in height and said signs are placed with the permission of the property owner.**
- c. **All temporary announcement or attention-attracting signage for community events, occurrences or performances constructed of fabric or other non-rigid material, designed to be displayed by suspension off-site is subject to the prior approval, as to public safety and community standards, by the Code Administrator of the Town of Taos or the Code Administrator's designee.**
- d. **Any such commercial signage may be erected no earlier than fourteen (14) days prior to the event announced; and all such commercial and noncommercial signage must be removed by the responsible entity or individual, within three (3) days of the event's conclusion.**

**15.08.350: MOBILE SIGNS – SPECIAL RULES**

Vehicles are permitted to have permanent or temporary commercial or noncommercial signage affixed to the body of the vehicle however said signage shall not be affixed to the glazing of a vehicle in a manner that obstructs a driver's vision.

**15.08.360: CONSTRUCTION SIGNS – SPECIAL RULES**

Construction signage is that which identifies an architect, builder, contractor, subcontractor, material supplier, financing entity or others participating in any construction, design or alteration on the property on which the signage is located. It may also include a picture or representation of the structure under construction. By its nature, construction signage is temporary signage.

All construction signage within the Town of Taos shall be no larger than twenty-four square feet in area and no greater than six feet (6') in height.

**15.08.370: MULTI-TENANT CENTERS – SPECIAL RULES**

The following special rules apply to multi-tenant centers in addition to all general rules for signs. Each business within a multi-tenant center is permitted the number signs as listed under §15.08.310 A and is subject to the limitations set forth in §15.08.320. Each business in the multi-tenant center may have up to sixty (60) square feet of signage, however all such signs must also comply with the special rules contained within this section.

Multi-tenant centers are those premises where two (2) or more businesses share a common building or location. Multi-tenant centers are required to submit a Master Sign Program to the Code Administrator for approval. The submitted Master Sign Program should encourage design compatibility for all businesses within the multi-tenant centers and to foster integration of signage with the architectural style of the building or complex of buildings.

The Master Sign Program establishes additional standards and criteria for all signage within and about the building or complex of buildings of the multi-tenant center. It anticipates uniformity in signage materials and design; it sets requirements for all signage locations and their illumination; it differentiates between those signs situated out of view of the public roadways and those signs specifically intended for attracting or informing the passing public on public highways and roadways.

The owner, builder, manager or promoter of the multi-tenant center shall submit a Master Sign Program to the Code Administrator of the Town of Taos prior to the issuance of any Sign Permit for the over-all premises or for any unit thereof. All permanent signage at or upon the multi-tenant center shall be fully described in the Master Sign Program and approved by the Code

Administrator of the Town of Taos. That approval shall thereupon become binding upon present or future tenants or occupants of that multi-tenant center, notwithstanding that each must obtain their own Sign Permit in accordance with the provisions of this Sign Code and said Master Sign Program

The owner, builder, manager or promoter of the multi-tenant center must submit subsequent amendments to any Master Sign Plan, together with an affidavit of necessity, to the Code Administrator of the Town of Taos for approval.

Multi-tenant centers are permitted the following forms of signage:

1. Free standing or monument sign or signs are permitted along each street frontage advertising the name and street address of the center and the names of the tenants of the center.
  - a. The street address of the center shall be no greater than three (3) square feet and shall be excluded from the calculation of the sign area.
  - b. The name of the center shall be no greater than ten percent (10%) of the sign surface and shall not be included in the calculation of the sign area.
  - c. Each multi-tenant center is permitted one square foot of free standing or monument signage per three (3) linear feet of street frontage.
  - d. The face of a multi-tenant monument or free standing sign listing the tenants located therein shall not exceed sixty (60) square feet.
  - e. Regardless of the length of the street frontage of the multi-tenant center, all multi-tenant free standing and monument signs shall be allowed a minimum of seventeen (17) square feet of signage per sign face.
  - f. Multi-tenant center free standing and monument signs may be double sided and only one face of the sign shall be included in the calculation of the sign area.
  - g. Individual multi-tenant free standing and monument signs may not be closer than one hundred (100) feet to one another.
2. Wall signs:
  - a. A multi-tenant center may erect, or apply, one (1) wall sign with the name of the center on a plane parallel with the exposed face of the main building's wall.

- i. A multi-tenant center name wall sign shall not extend above the roofline or parapet of the front façade of the structure.
    - ii. The multi-tenant center name wall sign shall not exceed ten percent of the total building façade to which is it affixed.
  - b. Each tenant space within a multi-tenant center is permitted one wall sign.
    - i. Tenant wall signs are limited to ten percent (10%) of the façade of the tenant space to which the sign is affixed however a minimum of twelve square feet of wall sign area is permitted per tenant space.
    - ii. Tenant wall signs may be located at the tenant space or at a common location that functions as a directory or both provided the total square footage does not exceed the permitted sign area.
- 3. Window signs:
  - a. Window signage shall not exceed twenty percent (20%) of the window area.
  - b. Display windows are not restricted in the number of items placed within the display area and are not considered signage.
  - c. The total window area provided on the first floor of a façade may be totaled together to arrive at the permitted area of a window sign or signs.
- 4. Portable signs and banners:
  - a. All portable signs must be placed a minimum of twelve feet (12') apart.
  - b. All banners must be attached to the façade of the tenant space.
- 5. Directional signage:
  - a. Multi-tenant center directional signage visible from public roadways, specifying "entrance," "exit," or displaying the premise's logo or street address, shall not exceed four (4) square feet in overall area nor exceed three (3) feet in height, and may be double-faced.
  - b. Directional signage located within the multi-tenant center and not adjacent to a public right-of-way may be applied as approved by the Code Administrator within the Master Sign Program for the multi-tenant center.

**15.08.380: REAL ESTATE SIGNS – SPECIAL RULES**



All real estate signage within the Town of Taos must comply with the provisions of this Sign Code applicable to temporary signs. Special regulations, and particular restrictions or prohibitions, apply pursuant to this section of this Sign Code.

1. Improved residential properties:

- a. Real estate signage advertising the sale, rental or lease of an improved residential premises or lot upon which it is located is limited to one (1) such sign, which may be double-faced, and which shall not exceed six (6) square feet in overall dimension per sign face, nor exceed five (5) feet in height above the average grade below. Such signage shall be removed within three (3) days of the rental, leasing or sale closing of the property.

2. Improved commercial, industrial, or agricultural properties:

- a. Real estate signage advertising the sale, rental or lease of an improved commercial, industrial or agricultural premises or lot upon which it is located is limited to one (1) such sign, which may be double-faced, and which may not exceed twelve (12) square feet in overall dimension per sign face, nor exceed eight (8) feet in height above the average grade below. Such signage shall be removed within three (3) days of the rental, leasing or sale closing of the property.

3. Unimproved properties:

- a. Real estate signage advertising the sale, rental or lease of any unimproved lot is limited to one (1) such sign per street frontage, each of which may be double-faced. In the case of such lot(s) being less than ten (10) acres in size, a single sign may not exceed eight (8) square feet in overall dimension per sign face, nor exceed eight (8) feet in height above the average grade below, nor may the aggregate square footage of all such signage exceed thirty-two (32) square feet in combined dimension (each sign area being calculated as the area of a single face to arrive at the combined dimension). In the case of such lot(s) being greater than ten (10) acres in size, a single sign may not exceed sixteen (16) square feet in overall dimension (each sign area being calculated as the area of a single face to arrive at the combined dimension), nor exceed sixty-four (64) square feet in combined dimension.

**15.08.400: PRE-EXISTING PERMANENT SIGNS**

Immediately upon adoption of this Sign Code no permanent informational, industrial, commercial, trade, or other signage shall be permitted within the jurisdiction of the Town of Taos except as specifically permitted by, and in compliance with, this Sign Code; however, all presently existing permanent signs shall be deemed allowable to the following extent:

1. PRE-EXISTING PERMANENT SIGNS:

- a. Existing permanent signage within this jurisdiction, as well as existing permanent signage in any other jurisdiction subsequently annexed into the Town of Taos, that is not in compliance with this Sign Code shall be allowed to continue to be used as legal non-conforming signage until such time that said signage is altered, improved, or replaced.
- b. Alteration, improvement, or replacement of any one legal non-conforming sign located on the premises shall require all permanent signage upon the property to conform to this Sign Code.
- c. Re-facing of a faded or similarly compromised sign that continues to advertise the same business upon the property shall not cause said sign to lose its legal non-conforming status.

2. PRE-EXISTING PERMANENT SIGNS - CHANGE IN OWNERSHIP, USE OR PURPOSE DURING GRACE PERIOD: Should there be a change in ownership, use or purpose of the building, structure, lot, or premises, upon which a legal nonconforming sign exists, said signage shall lose its temporary designation and must immediately comply with the provisions of this Sign Code.

**15.08.410: EXEMPT SIGNS**

The following classes of signs are exempt from the requirements of the Sign Code except to the extent stated in this section or as determined by the Code Administrator based upon particular, specified public health, safety, welfare or aesthetic considerations.

1. BULLETIN BOARDS: A single on-site exterior bulletin board, upon which public notices are temporarily affixed without charge therefore, is exempt from the provisions of this Sign Code provided it does not exceed eight (8) square feet per each sign face, nor exceed seven (7) feet in overall height.

2. CIVIC, CHURCH, SERVICE CLUB, POLITICAL, ELECTION CAMPAIGN, AND OTHER NON-COMMERCIAL SIGNS:

- a. Permanent, on-site civic, church, service club, political, election campaign, or other non-commercial signs or emblems, whether for a charitable purpose, a religion, a candidate, a cause, an idea, an ideology, or any other non-commercial purpose, are exempt from this Sign Code except that they are subject to the same number per property, dimensional and height requirements applicable to permanent commercial signs as set forth above, including in Sections 15.08.310 and 15.08.320. Such signage is in addition to allowable temporary signage.
- b. A reasonable number of off-site civic, church, service club, political, election campaign or other noncommercial signs or emblems are exempt from the provisions of this Sign Code, provided they are not illuminated and each does not exceed three (3) square feet in over-all dimension, nor exceed five (5) feet in height. Such signs may be double faced.
- c. Additionally, noncommercial entities may place a sign upon up to two off-site sign structures which hold the signs of multiple civic, church, service club and/or other noncommercial entities provided said sign structure is no greater than sixteen (16) square feet in over-all dimension per face, and does not exceed eight (8) feet in height. Said sign structure may be double faced.
- d. If noncommercial signage pertains to a particular election or other time-specific event, it shall be removed within three (3) days after the conclusion of event to which it pertains.
- e. Noncommercial signs are subject to the applicable prohibitions set forth in Section 15.08.260 above, including but not limited to Paragraph 7 thereof, prohibiting the placement of signs in public rights-of-way.

~~1. TEMPORARY COMMUNITY, CIVIC, OR COMMERCIAL EVENT ANNOUNCEMENT SIGNS:~~

- ~~a. A single temporary on-site announcement signs advertising the occurrence of a specific community, civic, or commercial event upon the premises may be granted an exemption from the provisions of this Sign Code provided said sign does not exceed sixteen (16) square feet in over-all dimension, nor exceed eight (8) feet in height.~~
- ~~b. Up to six (6) temporary announcement signs may be placed off site, provided each do not exceed eighteen (18) inches by twenty four (24) inches in over-all dimension and be no greater than three (3) feet in height.~~

- c. ~~Any such signage, if permitted, may be erected no earlier than fourteen (14) days prior to the event announced; and all must be removed by the responsible entity or individual, within three (3) days of the event's conclusion.~~

3. DIRECTIONAL SIGNS:

- a. On-site informational or directional signs bearing arrows or legends such as "self-service," "drive-through," "parking," "closed," "open," "exit," "entrance," "office," "restrooms," or food establishment menu displays, are exempt from the provisions of this Sign Code, provided they do not exceed two (2) in number per premises, nor six (6) square feet per each sign face.
- b. Directional signs shall not exceed three (3) feet in height above the average grade below.
- c. The name or logo of the business, which may appear on such signage, may not exceed twenty-five (25) percent of the sign's overall dimension.
- d. There shall be no restrictions on similar informational or directional signs which are both wholly within the confines of the premises and not visible from any public right-of-way.

4. DIRECTORY SIGNS:

On-site exterior directory signs advising of the occupants or tenants within a structure or premises that are not visible from any public right-of-way do not require a sign permit and are wholly exempt from the provisions of this Sign Code.

~~OFF-SITE COMMUNITY EVENT FLAGS, BANNERS, BUNTING: All temporary announcement or attention-attracting signage for community events constructed of fabric or other non-rigid material, designed to be displayed by suspension off-site which is advisory of an event, occurrence, or performance, is subject to the prior approval, as to public placement and community standards, by the Code Administrator of the Town of Taos or the Code Administrator's designee.~~

5. GARAGE SALE AND YARD SALE SIGNS:

- a. One (1) on-site temporary sign announcing a garage or yard sale event shall be wholly exempt from the provisions of this Sign Code provided it is located on the premises where the sale is to be held.
- b. No more than three (3) off-site temporary signs announcing a garage or yard sale event shall likewise be wholly exempt from the provisions of this Sign Code provided they are posted with the consent of the owner of the premises.
- c. Such signage shall not be displayed for a period of more than five (5) consecutive days prior to the event and must be removed by the entity or individual who posted them within three (3) days of the conclusion of the event.

6. **GASOLINE STATION PRICE SIGNS:**

- a. One on-site single or double faced gasoline price sign is wholly exempt from the provisions of this Sign Code provided they do not exceed twelve (12) square feet per each sign face and do not bear any advertising other than a gasoline brand name.
- b. No more than one (1) double-faced price sign is permissible at any one location, and the same may be mounted atop an otherwise lawfully permitted free-standing sign.

7. **GOVERNMENTAL, SCHOOL, AND HOSPITAL SIGNS:** Signage erected, posted, or displayed by federal, state or local governmental authorities or a hospital are wholly exempt from the provisions of this Sign Code however no internally lit signs are permitted within the Historic Overlay Zone.

8. **GOVERNMENTALLY SPONSORED WAY FINDING:** Way-finding sign sanctioned by the Town of Taos and/or the State of New Mexico are wholly exempt from the provisions of this Sign Code however no internally lit signs are permitted within the Historic Overlay Zone.

9. **MEMORIAL AND COMMEMORATIVE TABLETS:** On-site memorial signage or commemorative tablets are wholly exempt from the provisions of this Sign Code provided they are permanently attached to the building or structure to which they refer and do not exceed three (3) square feet in overall size.

10. **LED OR NEON WINDOW SIGNS:**

- a. Interior static neon, LED, or otherwise illuminated window signs displaying messages such as “open” or advertisements are wholly exempt from the provisions of this Chapter provided they do not exceed, cumulatively, three (3) square feet in total signage area.
  - b. LED or similarly lit changeable message signs shall be considered static provided that the message is not animated and the message that is displayed does not change on a cycle of less than five (5) minute intervals.
- 11. **FLAGS:** The display of national, state, municipal or other noncommercial flags is wholly exempt from the provisions of this Chapter provided the flags are suitably maintained, securely mounted, their display creating no impediment to traffic, no danger or peril to public safety. Commercial flags, banners or bunting are subject to the provisions of this Sign Code in all respects.
- 12. **RESIDENTIAL AND STREET ADDRESS SIGNS:** On-site exterior residential identification signs and private street address signs are wholly exempt from the provisions of this Sign Code provided they do not exceed three (3) square feet per each sign face.
- 13. **SALES SIGNS:**
  - a. On-site business signage announcing temporary sales events, or other notices to the public, is wholly exempt from the provisions of this Sign Code provided the sale sign is no greater than three (3) square feet.
  - b. It may be posted only on the interior of the window(s) of the business and may be displayed for a period of no more than thirty (30) consecutive days.
  - c. An exterior banner may be used as a sale sign but shall be considered one of the three permitted permanent signs for the business and shall comply with the provisions of this Sign Code.
- 14. **TIME AND TEMPERATURE SIGNS:** On-site displays or signs informing of the time and/or temperature, whether free-standing or attached to a structure, may not exceed twelve (12) square feet per each face, nor exceed an overall height of six (6) feet, and are subject to the prior approval, as to public placement and community standards, by the Code Administrator of the Town of Taos or the Code Administrator’s designee.
  - a. Time and temperature signs are not permitted within the Town of Taos Historic Overlay Zone.

15. Signs required by law to conduct business for approved uses within any Town of Taos zoning district are wholly exempt from the provisions of this Sign Code.

16. Residential subdivision signs that are no larger than twelve square feet in area and no greater than six feet in height and located at the main intersection or intersections entering into the subdivision are exempt from the provisions of this sign Code.

~~20. Picketing signs are limited to one double faced sign per individual~~ Hand held signs that contain a non-commercial message, including picketing, boycott, and protest signs, that remains in ~~that~~ a person's control at all times ~~but~~ are otherwise wholly exempt from this sign code.

#### **15.08.500: RELIEF FROM THE REQUIREMENTS OF THIS SIGN CODE**

The Planning and Zoning Commission shall have the power to grant variances of this chapter by following the town's land use development title, title 16 of the Taos Town Code, procedures and requirements for notice, hearing and grounds for granting variances. The commission shall also have the power to recommend extensions of time to comply with this chapter if they are satisfied that the person seeking the extension has put forth good faith effort to comply.

Nevertheless, no variance from the provisions of this Sign Code may allow more than a twenty (20) percent increase in the size, surface area, height or other signage dimension set forth in this Sign Code.

Further, the granting of any variance from the provisions of this Sign Code may provide singular relief from a real economic hardship or business-related constraint, and does not over-ride, rescind, negate, nor permanently amend, any portion of the provisions of this Sign Code.

#### **15.08.510: BASIS FOR GRANTING RELIEF**

The Planning and Zoning Commission of the Town of Taos, in hearing and deciding upon any application for a variance from the provisions of this Sign Code, may properly consider a balance between the following:

1. That a literal application of the provisions of this Sign Code would cause undue financial or other hardship to the applicant because of conditions that are unique to the building, structure, premises, or lot, upon which the proposed signage is to be situate;
2. That the granting of applicant's request for a variance from the provisions of this Sign Code would not be materially detrimental to the public, or to property

owners, or existing businesses, in the immediate vicinity of the proposed signage;

3. That the granting of applicant's request for a variance from the provisions of this Sign Code would not be contradictory to the intent, general purposes and objectives of this Sign Code, the Town of Taos Land Use Development Title, nor any other Ordinance of the Town of Taos;
4. That, in the case of multi-tenant centers, the requested variance nevertheless substantially meets the goals of the Town of Taos Vision 2020 Master Plan or its successor Master Plan, Comprehensive Plan or similar document approved by the Taos Town Council;
5. That, in the case of multi-tenant centers, the requested variance assures that signage visible from public rights-of-way do not exceed the design and dimension requirements set forth elsewhere in this Sign Code.

#### **15.08.520: APPEAL OF THE DECISION PLANNING AND ZONING COMMISSION OR THE CODE ADMINISTRATOR**

In regard to appeals of the decision of the Planning and Zoning Commission or of the Code Administrator, all such appeals shall be conducted as provided in §16.12.080 of the Taos Town Code.

#### **15.08.600: DEFINITIONS AND ILLUSTRATIONS OF TERMS USED IN THIS ORDINANCE**

For the purpose of interpreting the intent of any portion of this Sign Code, all language used shall be interpreted in accord with common English usage, definitions, and meanings and as may be defined in the most recent edition of Webster's Collegiate Dictionary, except that the following words, terms and phrases shall have these more specific meanings ascribed to them, respectively:

**Abandoned Sign:** Any sign that is in a state of disrepair or is located upon a vacant premises.

**A-Frame Sign:** A self supporting sign consisting of two equal faces that is easily relocated.

**Animated Sign:** A sign whose face changes to simulate motion or changes messages in intervals of less than five (5) minutes.

**Area of a Sign:** The product of the width multiplied by height of the sign face that identifies a business, product, or provides other information place on the sign face. For signs using cutout lettering it is the product of the area of the smallest rectangle that will wholly contain all of the letters and logo.



Audio Device: Any device which emits a sound that is audible to the general public.

Banner: A temporary sign constructed of cloth, paper, plastic or other non-rigid material that is affixed to a structure through grommets by rope, hooks, or similar anchors.

Billboard: Free-standing, rigidly supported signs advertising goods, products, or services of dimensions larger than those permitted by this Code for the location involved.

Bulletin Boards: Cork backed boards or boards surfaced with similar material that allow for temporary signs to be affixed to said surface with a tack, staple, or similar anchor.

Business License: A license issued by the Town of Taos to conduct business with the Town of Taos and to collect taxes due to the Town of Taos.

Central Business District: The area as depicted as the Central Business District upon the most recently approved zoning map of the Town of Taos.

Civic, Church, Service Club Political, Election Campaign and Other Non-commercial Signs: signs identifying a religious, civic, philanthropic or other noncommercial organization or containing any noncommercial message that such an organization or an individual wishes to convey.

Code Administrator: The Code Administrator of the Town of Taos, appointed and having authority as set forth in § 16.12 of the Taos Town Code.

Commercial sign walker: Any person who carries a sign in any manner that displays a commercial message. Commercial sign walkers are prohibited within the Town of Taos.

Construction Sign: Construction signage is that which identifies an architect, builder, contractor, subcontractor, material supplier, financing entity or others participating in any construction, design or alteration on the property on which the signage is located.

**Civic, Community, Commercial or Other Event Announcement Signs:** ~~A temporary sign which announces an~~ **An event that is open to the general public, usually conducted on public property or within a public building, and is otherwise unusual. A "Sales Event", "Sale", or other standard commercial promotion does not constitute a Civic, Community, or Commercial or other Event. not held for the benefit of a for-profit entity.**

Dark Skies Ordinance: Town of Taos Ordinance 99-2.

Directional Signs: Signs that guide a pedestrian or vehicle to an entrance, exit, or similar function on a property.

**Directory Sign:** A sign listing multiple tenants that are located on the premises and may or may not include a map depicting the location of tenants.

**Drive-Through Menu Sign:** A sign located at the entrance to a drive-thru that provides a menu of items that may be purchased from a vehicle at a pick-up window.

**Externally Illuminated Sign:** A sign which is illuminated by a light source external to the sign structure that complies with the Town of Taos Dark Skies Ordinance. Said external illumination may be placed in front of or behind the sign provided it is external to the sign structure.

**Façade:** The exterior surface of a wall of a building or other structure such as a retaining wall or landscape wall.

**Flag:** A rectangular piece of cloth depicting the symbols associated with a nation, state, city, town, or corporation or other organization.

**Flashing Signs:** Any sign which rapidly changes its illumination.

**Free Standing Sign:** A permanent sign supported by two (2) pole structures with the sign face or faces affixed between the supporting poles.

**Garage Sale & Yard Sale Signs:** Temporary signs used to advertise sales at residential properties.

**Governmental Sign:** Any sign identifying the location of a public building, street, or activity.

**Hanging Sign:** A sign affixed to the ceiling of a portal or similar structure over a sidewalk or a walkway.

**Height of a Sign:** The distance measured from the average grade of the foundation of the sign structure to the highest portion of the sign structure.

**Historic or Commemorative Marker:** A marker placed upon a building, structure, property, or embedded in a sidewalk listing its inclusion on the local, state, or national register of historic places or in commemoration of a person place or event as approved by the Taos Town Council.

**Inflatable Sign:** Any sign which use a gas to inflate in order to be deployed.

**Illegal Sign:** Any sign altered, erected, refurbished, repaired, or placed that does not comply with this Sign Code after its enactment.

**Internally illuminated Sign:** Any sign whose light source originates within the sign structure.

**Land Use Development Title:** Chapter 16 of the Taos Town Code.

**Light Emitting Diode Sign:** A sign which uses light emitting diodes for illumination.

**Logo:** A graphic or artistic symbol, picture, stylized lettering and other images used to identify a particular business or product.

**Marquee Sign:** A sign with changeable letters displaying entertainment or event offerings within an area of public assembly such as a theater, motion picture theater, or convention center.

**Menu Sign:** A sign in a display case or similar sign provided on the exterior of a restaurant or eatery listing food and drink offerings and their prices provided on the premises.

**Mobile Sign:** Signage on wheels, or on portable structures such as trailers, tents, or motor vehicles designed specifically as a mobile billboard.

**Monopole Sign:** A sign supported by a single pole structure that is less than the width of the sign face affixed to it.

**Monument Sign:** A sign affixed to a solid free-standing structure that is equal to or greater than the width of the sign and the thickness of the supporting base is at least six (6) inches.

**Multi-tenant Center:** A building or group of buildings with more than one tenant and have the same address, located on the same parcel or share adjoining walls.

**Off-Site Sign:** Any sign which displays a product, good, or service not offered at the location of the sign.

**Permanent Sign:** A sign permanently affixed to the ground, wall, window, or other structure.

~~**Picketing:** A person who carries a sign conveying a political message is a protected form of speech that is subject to limitations under section 15.08.410.~~

**Portable Sign:** A sign which is easily relocated.

**Portal:** A covered entrance, porch, or walkway adjacent to or affixed to a building.

**Pre-Existing Non-Conforming Sign:** A permanent sign constructed prior to the latest amendment to this Sign Code that does not conform to the requirements of this chapter.

**Projecting Sign:** A sign supported by a cross member above the sign face and affixed to a pole, wall, or other structure and hangs

**Real Estate Sign:** A real estate sign is any signage advertising the sale, lease or rental of real property, whether improved or unimproved, single occupancy or multi-tenancy. Real estate signs, by their nature, are temporary signs.

**Regulatory or Safety Sign:** A sign required by law.

**Right-of-way or Public Right-of-way:** Any street, road, highway, trail, bicycle path, alley or sidewalk open to and used by the public within the municipal limits of the Town of Taos.

**Roof Sign:** Any sign place above a parapet or eave.

**Sale Sign:** Temporary commercial sign informing the general public of a discount of a product, good, or service.

**Sandwich Sign:** See A-Frame Sign.

**Sign:** Any displayed poster, banner, or other surface lettering and/or graphics or pictures, or any similar device used to identify or advance a particular business, product, good, or service, or to advance a person, group, organization, candidate, idea, ideology, cause or other message.

**Sign Permit:** A permit issued by the Code Administrator of the Town of Taos approving the use of a sign or signs.

**Subdivision Sign:** A sign identify a residential or commercial subdivision.

**Temporary Sign:** Any poster, banner, or other advertising device not constructed, displayed or intended for long term purposes.

**Trailer Sign:** See mobile sign.

**Under Canopy Sign:** See hanging sign.

**Vehicle Sign:** A sign for a business located within the Town of Taos affixed to an automobile or truck.

**Wall Sign:** Any sign affixed to an exterior wall.

**Window Sign:** Any sign placed within, painted on, or otherwise affixed to the glazing of a window.

#### **15.08.700: SEVERABILITY OF THE PROVISIONS OF THIS SIGN CODE**

The provisions of this Sign Code are severable; and if any section, subsection, paragraph or part of this Ordinance is held to be invalid, unenforceable, unconstitutional, or inapplicable to any

person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect, impair, or render void, the remainder of this Sign Code.

**15.08.710: EFFECTIVE DATE OF THIS ORDINANCE**

The provisions of this Sign Code Ordinance shall become effective five (5) days after its publication unless otherwise provided by law.

**15.08.720: PENALTY**

Any person violating any provisions of this chapter shall be deemed guilty of a petty misdemeanor and upon conviction thereof, shall be fined not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such hereunder.

# Ordinance 10-17

**CLEAN**  
**VERSION**

**ATTACHMENT A**  
**To Town of Taos Ordinance 10-17**  
**TAOS SIGN CODE (FIRST AMENDED)**

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### **15.08.100: SHORT TITLE, PURPOSE AND SCOPE OF THIS ORDINANCE**

This Ordinance shall be known and cited as the Town of Taos Sign Code or alternatively The Sign Code; and is referred to herein as “this Sign Code.”

This Sign Code regulates and governs the size, appearance, construction and placement of all informational, industrial, commercial, trade, or other signage within the jurisdiction of the Town of Taos; by permitting and empowering the municipal oversight of same.

This Sign Code furthers substantial municipal government interests in traffic and pedestrian safety, avoiding or reducing visual clutter, and maintaining visual harmony with the outdoor aesthetics of the Taos community while protecting the First Amendment expressive rights of the people.

This Sign Code strives to provide a fair and reasonable treatment of all signage within the Town by permitting of permanent signage, regulation of temporary and permanent signage, regular oversight, accurate record-keeping, consistent enforcement, and the imposition of fines and penalties for violation of its provisions. It recognizes and assists in the visual communication requirements of the business and civic sectors of the Town of Taos and the accompanying financial investment therein. It encourages the innovative use of contemporary sign design and construction. It seeks to promote a consciousness of basic standards, regular maintenance, and a necessary concern for the esthetics of our unique community and the safety and security of the public.

This Sign Code acknowledges and recognizes the most attractive history, traditions and character of both the Central Business District of the Town of Taos and the Historic Overlay Zone of the Town of Taos.

Wherever this Sign Code grants discretion to the Code Administrator or any other Town official to issue, deny or condition any permit, or to take any other official act under this Code, such discretion shall be exercised only in order to promote the health, safety, welfare (including aesthetic interests) of the community and its residents, and the particular manner in which the discretionary act furthers such municipal interests shall be stated.

With the exception of specific sign regulations listed in the Traditional Neighborhood Development (TND) District, this Sign Code supersedes all references to signage in all other Ordinances of the Town of Taos. Any signage that violates the requirements and restrictions of this Sign Code is prohibited within this jurisdiction.

### **15.08.200: SIGN PERMITS FOR PERMANENT SIGNS; REGULATORY OVERSIGHT**

Immediately upon adoption of this Sign Code it shall be a requirement that any person, corporation, or other entity, shall first obtain from the appropriate agency of the Town of Taos a permit prior to the erection, alteration, or relocation of any permanent signage within the jurisdiction of the Town of Taos.

Immediately upon adoption of this Sign Code the, Office of the Code Administrator or the Code Administrator's designee of the Town of Taos shall be the regulatory agency overseeing, permitting and inspecting all signage within the jurisdiction of the Town of Taos.

#### **15.08.210: APPLICATION FORM FOR PERMANENT SIGNAGE**

Every application for a Town of Taos Sign Permit for a permanent sign pursuant to this Sign Code shall be made on the designated form supplied by the Code Administrator of the Town of Taos, and must include the following:

1. The name, mailing address, and business telephone number of the applicant;
2. The physical address of the building, structure, or lot, to which or upon which the proposed signage will be attached or erected;
3. The name, mailing address, and business telephone number of owner of the building, structure, or lot, to which or upon which the proposed signage is to be attached or erected, if not the same as the applicant; together with that owner's written consent to the erection of the signage;
4. A copy of the applicant's Town of Taos Business License for applicants required to hold business licenses;
5. A description or a sketch of the proposed site of the proposed signage, showing its position upon the lot, building or structure in relation to identified adjacent lots, buildings or structures, and public rights-of-way, and any existing signage at that location;
6. A sketch, digital rendering, or a digital photo of the proposed signage itself, clearly displaying its graphic and lettering content, its overall dimensions, the manner and materials of its construction, and the proposed method of attachment to the building or structure, or the ground, where it will be situated;
7. The name, mailing address, and business telephone of the person(s) or entity(s) charged with creating, erecting and attaching the proposed signage;

8. Such other information as may, from time to time, be deemed necessary by the Code Administrator of the Town of Taos to ensure compliance with this Sign Code and other Ordinances of the Town of Taos;

#### **15.08.220: FEES AND PENALTIES APPLICABLE TO PERMANENT SIGNS**

The basic statutory fee imposed upon all permanent signage permitted pursuant to this Sign Code shall be a non-refundable payment of two (2) dollars per square foot of the entire signage area proposed. Square footage shall be calculated by the Code Administrator or the Code Administrator's designee, as length multiplied by width, in inches, from furthest edge to furthest edge of each face of the signage.

The basic fee imposed upon all signage permitted pursuant to this Sign Code may, from time to time, be adjusted by a resolution of the Town Council of the Town of Taos; and that body may likewise, in the interest of public order, public safety or aesthetics, impose other or additional requirements or surcharges for particular types of signage.

In conjunction with the oversight and enforcement of this Sign Code the Code Administrator of the Town of Taos is further empowered to assess, impose, and apply those interest-bearing penalties and costs as are set forth herein for Non-Compliant, Unsafe, or Obsolete signage.

#### **15.08.230: ISSUANCE AND DISPLAY OF PERMIT FOR PERMANENT SIGN**

It shall be the duty of the Code Administrator of the Town of Taos, or the Code Administrator's designee, to examine all Permanent Sign Permit applications for compliance with the provisions of this Sign Code; to physically examine the premises at which the signage is proposed; to determine if any interest, penalties or costs may be due; and to issue said Sign Permit, or an explanatory denial thereof, within ten (10) business days of the filing of the application. Any explanatory denial of an application must include a statement concerning why the application is denied, citing the specific health, safety, welfare or aesthetic reasons for the denial.

Collection of the basic statutory fee and any and all fees and penalties shall be the duty of the Code Administrator of the Town of Taos, or the Code Administrator's designee; in exchange for which a numerically sequenced, dated, Town of Taos Sign Permit shall be issued.

A current Town of Taos Sign Permit shall be prima facie evidence of compliance with this Sign Code, as well as of the payment in full of all required fees, surcharges, penalties, interest thereon, and costs assessed; and it grants the holder thereof a non-transferable permit to display the approved signage for the specific location indicated on the permit application and resulting sign permit.

Every recipient of a Town of Taos Sign Permit shall be responsible for retaining said permit and to provide evidence of the permit when requested by the Code Administrator of the Town of Taos, or the Code Administrator's designee.

#### **15.08.240: OVERSIGHT, INSPECTION AND REVOCATION OF SIGN PERMIT**

The Code Administrator of the Town of Taos or the Code Administrator's designee shall conduct regular inspections of all signage within the jurisdiction of the Town of Taos in order to verify compliance with the provisions of this Sign Code.

The Code Administrator of the Town of Taos or the Code Administrator's designee shall have the authority to enter upon any lot, property, or premises, at any reasonable time and with reasonable notice to the property owner, to inspect the signage thereon or within.

The Code Administrator of the Town of Taos or the Code Administrator's designee shall ascertain that all signage upon a premises or property has been properly permitted and in compliance with the provisions of this Sign Code. Any non-compliance shall be subject to the Penalty clause of this chapter.

#### **15.08.250: REGULATION OF SIGNS**

This Sign Code shall be interpreted in a manner that balances First Amendment expressive rights with the interests of businesses and the public safety and aesthetics of the community. It is intended to preserve and advance the unique character of the Town of Taos and its Central Business District, to accommodate the aesthetics of the Historic Overlay Zone of the Town of Taos, and to comply with the import of the Town of Taos Land Use Development Title. To accomplish these purposes, some forms of signage within the jurisdiction of the Town of Taos must be prohibited.

Notwithstanding any prohibition or constraint imposed by this Sign Code, an applicant whose request for a Sign Permit has been denied, or an individual or entity upon whom a fine, penalty, or costs has been imposed, may apply for relief from same as herein set forth.

#### **15.08.260: SPECIFICALLY PROHIBITED TYPES OF SIGNS**

1. Signage that flashes, blinks, rotates, or varies its degree of internal illumination is specifically prohibited;
2. Signage with mechanically moving parts is specifically prohibited;
3. Signage utilizing or incorporating audio devices is specifically prohibited;
4. Billboards are specifically prohibited;

5. Commercial, off-site signage is specifically prohibited;
6. Signage which obstructs the view of an operator of any motor vehicle upon any right-of-way, as determined by the Clear Sight Triangle as defined within the Town of Taos Land Use Development Title, or as may hereafter be defined therein, or as defined by the Town of Taos Access Management Manual or its successor documents, or as may hereafter be defined therein, is specifically prohibited;
6. Signage erected or placed on the ground within, or suspended or projecting above, a right-of-way is specifically prohibited. Directional, safety and construction-related signs or other signs placed within or above a right-of-way by or with the permission of a governmental entity with jurisdiction is excepted from this prohibition, provided there is a valid and substantial public health, safety, welfare or aesthetic reason for such signage.
7. Signage bearing a similarity in style or design with commonly seen traffic signs or signals, and making use of such words as “stop,” “look,” “danger,” or similar phrase or symbol, which tend to mislead, confuse, or impede the orderly flow of either pedestrian or vehicular traffic, is specifically prohibited;
8. Signage illuminated by floodlights or spotlights not complying with the Dark Skies Ordinance of the Town of Taos is specifically prohibited;
9. Signage that restricts the free ingress or egress of any sidewalk, window, door, or fire exit, is specifically prohibited;
10. Signage projecting above a roof line, eave, or parapet is specifically prohibited;
11. Signage spanning any public walkway or public access area whose lower edge is less than seven (7) feet above the average grade below, is specifically prohibited;
12. Signage that is hazardous, or in dilapidated and dangerous physical condition, or from which nails, tacks, screws, wires, or sharp objects of any nature may protrude is specifically prohibited;
13. Commercial signage constructed of cardboard, paper, cloth, or other non-durable material, is specifically prohibited;

14. Signage attached to a tree, fence, utility pole, transit facility enclosure, or street seating, or within any public right-of-way, is specifically prohibited;
15. Inflatable signs are prohibited within the Town of Taos.
16. Commercial monopole signs are prohibited within the Town of Taos.
17. Commercial sign walkers are prohibited within the Town of Taos.
18. Commercial mobile signage other than as specifically permitted by this sign code is prohibited.
19. The use of neon or LED or similar device to graphically outline any building, exterior walls, fence or other structure is prohibited.
20. Commercial signage placed on or affixed to a sidewalk or stairs unless specifically permitted by this Sign Code.

#### **15.08.270: NONCOMPLIANT, UNSAFE, OBSOLETE SIGNS**

Upon the determination of the Code Administrator of the Town of Taos that any signage within this jurisdiction does not comply with the provisions of this Sign Code, a written order shall be issued to the holder of the Sign Permit, or to the owner, agent, entity or individual enjoying the beneficial use of the premises, structure, or lot upon which the non-compliant signage is situated, or both, to take down and remove same within ten (10) days; after which the non-compliant signage may be removed by the Town of Taos with the costs of removal assessed against the holder of the Sign Permit, or the non-compliant owner, agent, entity or individual, or both and the property owner or other person who has violated the Sign Code will be subject to the penalty clause of this chapter.

Upon the determination of the Code Administrator of the Town of Taos that any signage within this jurisdiction is in violation of this Sign Code by reason of being situated or intruding upon a public right-of-way, or creating an immediate danger or peril to public safety, a written or verbal notification shall be issued to the holder of the Sign Permit, or to the owner, agent, entity or individual enjoying the beneficial use of the non-compliant signage, or both, to take down and remove same within twenty-four (24) hours or such shorter period as public safety may require in the circumstances; after which the non-compliant signage may be removed by the Town of Taos with the costs of removal assessed against the holder of the Sign Permit, or the non-compliant owner, agent, entity or individual, or both and the property owner will be subject to the penalty clause of this chapter.

Upon the determination of the Code Administrator of the Town of Taos that any signage within this jurisdiction is obsolete or abandoned and no longer advertises or informs of a bona fide, existing business or trade, or a product or service being offered at any premises, structure, or lot, **or advertises or promotes a person and/or place and/or event for a fixed date that has passed**, a written or verbal notice shall be issued to the holder of the Sign Permit, or to the owner, agent, entity or individual enjoying the beneficial use of the premises, structure, or lot upon which the non-compliant signage is situate, or both, to take down and remove same within seventy-two (72) hours; after which the non-compliant signage may be removed by the Town of Taos with the costs of removal assessed against the holder of the Sign Permit, or the non-compliant owner, agent, entity or individual, or both and the property owner will be subject to the penalty clause of this chapter.

Upon the removal of any non-compliant, unsafe, obsolete or abandoned signage, the building, structure, or lot from which the signage is removed shall, within ten (10) days thereafter, be cleaned, patched, painted, or otherwise remediated by the owner, agent, entity or individual responsible for the premises. All supports, stanchions, brackets, mounts, attachments, or other sign-connecting devices shall be removed, leaving no visible evidence. The Code Administrator of the Town of Taos or the Code Administrator's designee shall thereafter inspect and certify compliance; or alternatively, issue written notice for further remediation within a specified time, after which the non-compliant remnants may be removed or remediated by the Town of Taos, and the costs of same assessed against the non-compliant owner, agent, entity, or individual responsible and the property owner will be subject to the penalty clause of this chapter.

#### **15.08.280: TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT – APPLICABLE SECTIONS**

The Traditional Neighborhood Development (TND) District contains specific regulations for signage and sections 15.08.310, 15.08.320, and 15.08.370 of this chapter do not apply to signage but are subject to the applicable regulations and restrictions listed in under the TND District however all signage within the TND District are subject to all other provisions of this Sign Code.

#### **15.08.300: GENERAL REGULATION OF PERMITTED SIGNS**

All permanent, commercial signage within the jurisdiction of the Town of Taos, whether informational or for identification purposes, shall relate to the purpose of the specific business entity displaying same; shall be consistent, upon any premises, in basic design, style, color and manufacture; and shall comply with the provisions of this Sign Code in all respects

**15.08.310: NUMBER OF PERMANENT SIGNS PERMISSIBLE ON PREMISES OR LOT**

- A. All signage within the jurisdiction of the Town of Taos advertising the business conducted upon a parcel is limited to the following
  - a. Three (3) permanent signs per premises, building or location; whether they be freestanding, monument, window or wall signs;
  - b. Each business may elect to use either a banner or portable sign instead of one of the three permanent signs. Under no circumstances shall more than one such sign be placed on the premises.
  - c. Properties located outside of the Historic Overlay Zone of the Town of Taos may place up to three informational wall signs per façade on the exterior of the building. Informational signs shall not exceed three square feet in area and are not calculated in the total sign area permitted.
- B. In the case of a motel or hotel having an on-premises assembly or meeting room, or an on-premises performance or motion picture theater, an additional, one (1), double faced marquee sign may be permitted and is not included in the calculation of the total sign area permitted.
- C. See section 15.8.370 for the number of signs permitted for multi-tenant centers.

**15.08.320: BASIC DESIGN, DIMENSIONS AND MANUFACTURE OF PERMANENT SIGNS**

All signage within the jurisdiction of the Town of Taos must adhere to the following minimum standards:

- a. Whenever possible and practical, the street address of the premises upon which the signage is located shall be prominently incorporated and clearly visible to the public provided it is not greater than three square feet in area. The area used to identify the street address shall not be calculated in the sign area permitted;
- b. If a decorative trim, whether of wood, simulated wood, metal, or other material surrounds the signage it may be excluded in determining the permissible area of the signage as follows:
  - i. For a sixty (60) square foot sign, trim width shall not exceed six (6) inches;



- ii. For a forty (40) square foot sign, trim width shall not exceed five (5) inches;
  - iii. For a twenty (20) square foot sign, trim width shall not exceed four (4) inches;
- c. Freestanding, projecting, and monument signage may display two (2) faces, and shall be engineered to withstand a gusting wind velocity of seventy-five (75) miles per hour; and bear a dead-weight load as set forth in the Building Code of the Town of Taos. Only one sign face of a double faced sign shall be calculated in the sign area permitted;
- d. All projecting and hanging signs shall provide a minimum of seven (7) feet of vertical clearance from the average grade below the sign.
- e. Window signage shall not exceed twenty percent (20%) of the window area.
  - i. Display windows are not restricted in the number of items placed within the display area and are not considered signage.
  - ii. The total window area provided on the first floor of a façade may be totaled together to arrive at the permitted area of a window sign or signs.
- f. No signage may be constructed of, or incorporate, any reflective material or internal illumination that will constitute a visual hazard to drivers along public rights-of-way; nor may they be painted, in whole or in part, with fluorescent colors.
- g. Each premise shall be allowed up to a maximum of sixty (60) square feet of sign area. See section 15.8.370 for the allowable sign area for multi-tenant properties.
- h. Free-Standing and monument signs within the central business district and/or the Historic Overlay Zone shall not exceed twelve feet (12') in height and signs located in other districts shall not exceed twenty feet (20') in height or the height limit of the zoning district in which the property is located, whichever is lower.
- i. Wall signs are limited to ten percent (10 %) of the area of the façade to which it is affixed.
- j. The area of a wall sign consisting of cutout lettering and logo, with no borders or background defined on the building wall, or signs constructed

of carved wood or similar material that provides articulation and depth to the sign, will be calculated at one-half ( $\frac{1}{2}$ ) of the area of the smallest rectangle that will wholly contain all the letters and logo.

**15.08.330: THE CENTRAL BUSINESS DISTRICT AND THE HISTORIC OVERLAY ZONE – SPECIAL RULES, REGULATIONS, AND RESTRICTIONS.**

1. The Central Business District and the Historic Overlay Zone of the Town of Taos are those areas so defined by the Land Use Development Title of the Town of Taos Code, or by any officially adopted map of the Town of Taos, and any amended description as may hereafter be enacted by the Town of Taos.
2. All signage within the Central Business District of the Town of Taos and the Historic Overlay Zone of the Town of Taos shall comply with the special regulations, particular restrictions, or prohibitions of this section in addition to the general provisions of this sign code.
  - a. External signage that is internally lit is prohibited within the Historic Overlay Zone and the Central Business District of the Town of Taos unless said has been found to be of historic significance and contributes to the property's listing on the local, state, or national register of historic places;
  - b. Internally lit static signage may be placed in a window or windows provided that the total signage placed in the window or windows does not exceed twenty percent (20%) of the window area. The total window area provided on the first floor of a façade may be totaled together to arrive at the permitted area of a window sign or signs.

**15.08.340: TEMPORARY SIGNS AND PORTABLE SIGNS – SPECIAL RULES**

1. Temporary signage is any poster, banner, or other advertising or informational device not constructed, displayed or intended for long term purposes. It includes signage which directs attention to a business, product, service, or entertainment conducted, sold or offered at a location other than the premises or lot on which the signage is located. A temporary sign includes decorative displays for holidays or public demonstrations.
2. Portable signage is any poster, banner, or other advertising or informational device which is self supporting and is easily relocated by its owner. Portable signs shall not exceed an overall area of (6) square feet per sign face and shall not to exceed two sign faces. Portable signs on wheels are not permitted. A

portable sign may also be temporary signage. See section 15.8.350 for special rules for mobile signs.

3. All temporary and portable signage within the Town of Taos must comply with the provisions of this Sign Code subject to the exceptions set forth in Section 15.08.410 below. Special regulations, and particular restrictions or prohibitions, may apply pursuant to the provisions of this Sign Code and in the judgment of the Code Administrator of the Town of Taos, which judgment shall be exercised to promote public health, safety or welfare, including aesthetic interests, along with a statement of the particular public interest served by a particular judgment.
4. All temporary signage which shall be suspended and anchored to a device other than a wall, portal or other structure, must receive prior approval from the Code Administrator or the Code Administrator's designee prior to being suspended, based upon applicable public health, safety or welfare (including aesthetic) considerations, which shall be stated.
5. Temporary Event announcement signs:
  - a. A single temporary on-site announcement sign advertising the occurrence of a specific community, civic, commercial or other event upon the premises is allowed, provided said sign does not exceed sixteen (16) square feet in over-all dimension, nor exceed eight (8) feet in height.
  - b. Up to six (6) temporary announcement signs may be placed off-site, provided each does not exceed eighteen (18) inches by twenty-four (24) inches in over-all dimension and is no greater than three (3) feet in height and said signs are placed with the permission of the property owner.
  - c. All temporary announcement or attention-attracting signage for community events, occurrences or performances constructed of fabric or other non-rigid material, designed to be displayed by suspension off-site is subject to the prior approval, as to public safety and community standards, by the Code Administrator of the Town of Taos or the Code Administrator's designee.
  - d. Any such commercial signage may be erected no earlier than fourteen (14) days prior to the event announced; and all such commercial and noncommercial signs must be removed by the responsible entity or individual, within three (3) days of the event's conclusion.

#### **15.08.350: MOBILE SIGNS – SPECIAL RULES**

Vehicles are permitted to have permanent or temporary commercial or noncommercial signage affixed to the body of the vehicle however said signage shall not be affixed to the glazing of a vehicle in a manner that obstructs a driver's vision.

#### **15.08.360: CONSTRUCTION SIGNS – SPECIAL RULES**

Construction signage is that which identifies an architect, builder, contractor, subcontractor, material supplier, financing entity or others participating in any construction, design or alteration on the property on which the signage is located. It may also include a picture or representation of the structure under construction. By its nature, construction signage is temporary signage.

All construction signage within the Town of Taos shall be no larger than twenty-four square feet in area and no greater than six feet (6') in height.

#### **15.08.370: MULTI-TENANT CENTERS – SPECIAL RULES**

Multi-tenant centers are those premises where two (2) or more businesses share a common building or location. Multi-tenant centers are required to submit a Master Sign Program to the Code Administrator for approval. The submitted Master Sign Program should encourage design compatibility for all businesses within the multi-tenant centers and to foster integration of signage with the architectural style of the building or complex of buildings.

The Master Sign Program establishes additional standards and criteria for all signage within and about the building or complex of buildings of the multi-tenant center. It anticipates uniformity in signage materials and design; it sets requirements for all signage locations and their illumination; it differentiates between those signs situated out of view of the public roadways and those signs specifically intended for attracting or informing the passing public on public highways and roadways.

The owner, builder, manager or promoter of the multi-tenant center shall submit a Master Sign Program to the Code Administrator of the Town of Taos prior to the issuance of any Sign Permit for the over-all premises or for any unit thereof. All permanent signage at or upon the multi-tenant center shall be fully described in the Master Sign Program and approved by the Code Administrator of the Town of Taos. That approval shall thereupon become binding upon present or future tenants or occupants of that multi-tenant center, notwithstanding that each must obtain their own Sign Permit in accordance with the provisions of this Sign Code and said Master Sign Program

The owner, builder, manager or promoter of the multi-tenant center must submit subsequent amendments to any Master Sign Plan, together with an affidavit of necessity, to the Code Administrator of the Town of Taos for approval.

Multi-tenant centers are permitted the following forms of signage:

1. Free standing or monument sign or signs are permitted along each street frontage advertising the name and street address of the center and the names of the tenants of the center.
  - a. The street address of the center shall be no greater than three (3) square feet and shall be excluded from the calculation of the sign area.
  - b. The name of the center shall be no greater than ten percent (10%) of the sign surface and shall not be included in the calculation of the sign area.
  - c. Each multi-tenant center is permitted one square foot of free standing or monument signage per three (3) linear feet of street frontage.
  - d. The face of a multi-tenant monument or free standing sign listing the tenants located therein shall not exceed sixty (60) square feet.
  - e. Regardless of the length of the street frontage of the multi-tenant center, all multi-tenant free standing and monument signs shall be allowed a minimum of seventeen (17) square feet of signage per sign face.
  - f. Multi-tenant center free standing and monument signs may be double sided and only one face of the sign shall be included in the calculation of the sign area.
  - g. Individual multi-tenant free standing and monument signs may not be closer than one hundred (100) feet to one another.
2. Wall signs:
  - a. A multi-tenant center may erect, or apply, one (1) wall sign with the name of the center on a plane parallel with the exposed face of the main building's wall.
    - i. A multi-tenant center name wall sign shall not extend above the roofline or parapet of the front façade of the structure.
    - ii. The multi-tenant center name wall sign shall not exceed ten percent of the total building façade to which is it affixed.
  - b. Each tenant space within a multi-tenant center is permitted one wall sign.

- i. Tenant wall signs are limited to ten percent (10%) of the façade of the tenant space to which the sign is affixed however a minimum of twelve square feet of wall sign area is permitted per tenant space.
  - ii. Tenant wall signs may be located at the tenant space or at a common location that functions as a directory or both provided the total square footage does not exceed the permitted sign area.
- 3. Window signs:
  - a. Window signage shall not exceed twenty percent (20%) of the window area.
  - b. Display windows are not restricted in the number of items placed within the display area and are not considered signage.
  - c. The total window area provided on the first floor of a façade may be totaled together to arrive at the permitted area of a window sign or signs.
- 4. Directional signage:
  - a. Multi-tenant center directional signage visible from public roadways, specifying “entrance,” “exit,” or displaying the premise’s logo or street address, shall not exceed four (4) square feet in overall area nor exceed three (3) feet in height, and may be double-faced.
  - b. Directional signage located within the multi-tenant center and not adjacent to a public right-of-way may be applied as approved by the Code Administrator within the Master Sign Program for the multi-tenant center.

#### **15.08.380: REAL ESTATE SIGNS – SPECIAL RULES**

All real estate signage within the Town of Taos must comply with the provisions of this Sign Code applicable to temporary signs. Special regulations, and particular restrictions or prohibitions, apply pursuant to this section of this Sign Code.

Improved residential properties:

- a. Real estate signage advertising the sale, rental or lease of an improved residential premises or lot upon which it is located is limited to one (1) such sign, which may be double-faced, and which shall not exceed six (6) square feet in overall dimension per sign face, nor exceed five (5) feet in height above the average grade below. Such signage shall be removed within three (3) days of the rental, leasing or sale closing of the property.

2. Improved commercial, industrial, or agricultural properties:

- a. Real estate signage advertising the sale, rental or lease of an improved commercial, industrial or agricultural premises or lot upon which it is located is limited to one (1) such sign, which may be double-faced, and which may not exceed twelve (12) square feet in overall dimension per sign face, nor exceed eight (8) feet in height above the average grade below. Such signage shall be removed within three (3) days of the rental, leasing or sale closing of the property.

3. Unimproved properties:

- a. Real estate signage advertising the sale, rental or lease of any unimproved lot is limited to one (1) such sign per street frontage, each of which may be double-faced. In the case of such lot(s) being less than ten (10) acres in size, a single sign may not exceed eight (8) square feet in overall dimension per sign face, nor exceed eight (8) feet in height above the average grade below, nor may the aggregate square footage of all such signage exceed thirty-two (32) square feet in combined dimension (each sign area being calculated as the area of a single face to arrive at the combined dimension). In the case of such lot(s) being greater than ten (10) acres in size, a single sign may not exceed sixteen (16) square feet in overall dimension (each sign area being calculated as the area of a single face to arrive at the combined dimension), nor exceed sixty-four (64) square feet in combined dimension.

**15.08.400: PRE-EXISTING PERMANENT SIGNS**

Immediately upon adoption of this Sign Code no permanent informational, industrial, commercial, trade, or other signage shall be permitted within the jurisdiction of the Town of Taos except as specifically permitted by, and in compliance with, this Sign Code; however, all presently existing permanent signs shall be deemed allowable to the following extent:

1. PRE-EXISTING PERMANENT SIGNS:

- a. Existing permanent signage within this jurisdiction, as well as existing permanent signage in any other jurisdiction subsequently annexed into the Town of Taos, that is not in compliance with this Sign Code shall be allowed to continue to be used as legal non-conforming signage until such time that said signage is altered, improved, or replaced.

- b. Alteration, improvement, or replacement of any one legal non-conforming sign located on the premises shall require all permanent signage upon the property to conform to this Sign Code.
  - c. Re-facing of a faded or similarly compromised sign that continues to advertise the same business upon the property shall not cause said sign to lose its legal non-conforming status.
2. PRE-EXISTING PERMANENT SIGNS - CHANGE IN OWNERSHIP, USE OR PURPOSE DURING GRACE PERIOD: Should there be a change in ownership, use or purpose of the building, structure, lot, or premises, upon which a legal nonconforming sign exists, said signage shall lose its temporary designation and must immediately comply with the provisions of this Sign Code.

#### **15.08.410: EXEMPT SIGNS**

The following classes of signs are exempt from the requirements of the Sign Code except to the extent stated in this section or elsewhere in the Sign Code or as determined by the Code Administrator based upon particular, specified public health, safety, welfare or aesthetic considerations.

1. BULLETIN BOARDS: A single on-site exterior bulletin board, upon which public notices are temporarily affixed without charge therefor, is exempt from the provisions of this Sign Code provided it does not exceed eight (8) square feet per each sign face, nor exceed seven (7) feet in overall height.
2. CIVIC, CHURCH, SERVICE CLUB, POLITICAL, ELECTION CAMPAIGN, AND OTHER NON-COMMERCIAL SIGNS:
  - a. Permanent, on-site civic, church, service club, political, election campaign, or other non-commercial signs or emblems, whether for a charitable purpose, a religion, a candidate, a cause, an idea, an ideology, or any other non-commercial purpose, are exempt from this Sign Code except that they are subject to the same number per property, dimensional and height requirements applicable to permanent commercial signs as set forth above, including in Sections 15.08.310 and 15.08.320. Such signage is in addition to allowable temporary signage.
  - b. A reasonable number of off-site civic, church, service club, political, election campaign or other noncommercial signs or emblems are exempt from the provisions of this Sign Code, provided they are not illuminated and each does not exceed three (3) square feet in over-all dimension, nor exceed five (5) feet in height. Such signs may be double faced.



- c. Additionally, noncommercial entities may place a sign upon up to two off-site sign structures which hold the signs of multiple civic, church, service club and/or other noncommercial entities provided said sign structure is no greater than sixteen (16) square feet in over-all dimension per face, and does not exceed eight (8) feet in height. Said sign structure may be double faced.
- d. If noncommercial signage pertains to a particular election or other time-specific event, it shall be removed within three (3) days after the conclusion of event to which it pertains.
- e. Noncommercial signs are subject to the applicable prohibitions set forth in Section 15.08.260 above, including but not limited to Paragraph 7 thereof, prohibiting the placement of signs in public rights-of-way.

### 3. DIRECTIONAL SIGNS:

- a. On-site informational or directional signs bearing arrows or legends such as “self-service,” “drive-through,” “parking,” “closed,” “open,” “exit,” “entrance,” “office,” “restrooms,” or food establishment menu displays, are exempt from the provisions of this Sign Code, provided they do not exceed two (2) in number per premises, nor six (6) square feet per each sign face.
- b. Directional signs shall not exceed three (3) feet in height above the average grade below.
- c. The name or logo of the business, which may appear on such signage, may not exceed twenty-five (25) percent of the sign’s overall dimension.
- d. There shall be no restrictions on similar informational or directional signs which are both wholly within the confines of the premises and not visible from any public right-of-way.

### 4. DIRECTORY SIGNS:

On-site exterior directory signs advising of the occupants or tenants within a structure or premises that are not visible from any public right-of-way do not require a sign permit and are wholly exempt from the provisions of this Sign Code.

### 5. GARAGE SALE AND YARD SALE SIGNS:

- a. One (1) on-site temporary sign announcing a garage or yard sale event shall be wholly exempt from the provisions of this Sign Code provided it is located on the premises where the sale is to be held.
- b. No more than three (3) off-site temporary signs announcing a garage or yard sale event shall likewise be wholly exempt from the provisions of this Sign Code provided they are posted with the consent of the owner of the premises.
- c. Such signage shall not be displayed for a period of more than five (5) consecutive days prior to the event and must be removed by the entity or individual who posted them within three (3) days of the conclusion of the event.

6. GASOLINE STATION PRICE SIGNS:

- a. One on-site single or double faced gasoline price sign is wholly exempt from the provisions of this Sign Code provided they do not exceed twelve (12) square feet per each sign face and do not bear any advertising other than a gasoline brand name.
- b. No more than one (1) double-faced price sign is permissible at any one location, and the same may be mounted atop an otherwise lawfully permitted free-standing sign.

7. GOVERNMENTAL, SCHOOL, AND HOSPITAL SIGNS: Signage erected, posted, or displayed by federal, state or local governmental authorities or a hospital are wholly exempt from the provisions of this Sign Code however no internally lit signs are permitted within the Historic Overlay Zone.

8. GOVERNMENTALLY SPONSORED WAY FINDING: Way-finding sign sanctioned by the Town of Taos and/or the State of New Mexico are wholly exempt from the provisions of this Sign Code however no internally lit signs are permitted within the Historic Overlay Zone.

9. MEMORIAL AND COMMEMORATIVE TABLETS: On-site memorial signage or commemorative tablets are wholly exempt from the provisions of this Sign Code provided they are permanently attached to the building or structure to which they refer and do not exceed three (3) square feet in overall size.

10. LED OR NEON WINDOW SIGNS:

- a. Interior static neon, LED, or otherwise illuminated window signs displaying messages such as “open” or advertisements are wholly

exempt from the provisions of this Chapter provided they do not exceed, cumulatively, three (3) square feet in total signage area.

b. LED or similarly lit changeable message signs shall be considered static provided that the message is not animated and the message that is displayed does not change on a cycle of less than five (5) minute intervals.

11. **FLAGS:** The display of national, state, municipal or other noncommercial flags is wholly exempt from the provisions of this Chapter provided the flags are suitably maintained, securely mounted, their display creating no impediment to traffic, no danger or peril to public safety. Commercial flags, banners or bunting are subject to the provisions of this Sign Code in all respects.

12. **RESIDENTIAL AND STREET ADDRESS SIGNS:** On-site exterior residential identification signs and private street address signs are wholly exempt from the provisions of this Sign Code provided they do not exceed three (3) square feet per each sign face.

13. **SALES SIGNS:**

a. On-site business signage announcing temporary sales events, or other notices to the public, is wholly exempt from the provisions of this Sign Code provided the sale sign is no greater than three (3) square feet.

b. It may be posted only on the interior of the window(s) of the business and may be displayed for a period of no more than thirty (30) consecutive days.

c. An exterior banner may be used as a sale sign but shall be considered one of the three permitted permanent signs for the business and shall comply with the provisions of this Sign Code.

14. **TIME AND TEMPERATURE SIGNS:** On-site displays or signs informing of the time and/or temperature, whether free-standing or attached to a structure, may not exceed twelve (12) square feet per each face, nor exceed an overall height of six (6) feet, and are subject to the prior approval, as to public placement and community standards, by the Code Administrator of the Town of Taos or the Code Administrator's designee.

a. Time and temperature signs are not permitted within the Town of Taos Historic Overlay Zone.

15. Signs required by law to conduct business for approved uses within any Town of Taos zoning district are wholly exempt from the provisions of this Sign Code.

16. Residential subdivision signs that are no larger than twelve square feet in area and no greater than six feet in height and located at the main intersection or intersections entering into the subdivision are exempt from the provisions of this sign Code.

17. Hand held signs that contain a non-commercial message, including picketing, boycott, and protest signs, that remains in a person's control at all times are wholly exempt from this sign code.

#### **15.08.500: RELIEF FROM THE REQUIREMENTS OF THIS SIGN CODE**

The Planning and Zoning Commission shall have the power to grant variances of this chapter by following the town's land use development title, title 16 of the Taos Town Code, procedures and requirements for notice, hearing and grounds for granting variances. The commission shall also have the power to recommend extensions of time to comply with this chapter if they are satisfied that the person seeking the extension has put forth good faith effort to comply.

Nevertheless, no variance from the provisions of this Sign Code may allow more than a twenty (20) percent increase in the size, surface area, height or other signage dimension set forth in this Sign Code.

Further, the granting of any variance from the provisions of this Sign Code may provide singular relief from a real economic hardship or business-related constraint, and does not over-ride, rescind, negate, nor permanently amend, any portion of the provisions of this Sign Code.

#### **15.08.510: BASIS FOR GRANTING RELIEF**

The Planning and Zoning Commission of the Town of Taos, in hearing and deciding upon any application for a variance from the provisions of this Sign Code, may properly consider a balance between the following:

1. That a literal application of the provisions of this Sign Code would cause undue financial or other hardship to the applicant because of conditions that are unique to the building, structure, premises, or lot, upon which the proposed signage is to be situate;
2. That the granting of applicant's request for a variance from the provisions of this Sign Code would not be materially detrimental to the public, or to

property owners, or existing businesses, in the immediate vicinity of the proposed signage;

3. That the granting of applicant's request for a variance from the provisions of this Sign Code would not be contradictory to the intent, general purposes and objectives of this Sign Code, the Town of Taos Land Use Development Title, nor any other Ordinance of the Town of Taos;
4. That, in the case of multi-tenant centers, the requested variance nevertheless substantially meets the goals of the Town of Taos Vision 2020 Master Plan or its successor Master Plan, Comprehensive Plan or similar document approved by the Taos Town Council;
5. That, in the case of multi-tenant centers, the requested variance assures that signage visible from public rights-of-way do not exceed the design and dimension requirements set forth elsewhere in this Sign Code.

#### **15.08.520: APPEAL OF THE DECISION PLANNING AND ZONING COMMISSION OR THE CODE ADMINSTRATOR**

In regard to appeals of the decision of the Planning and Zoning Commission or of the Code Administrator, all such appeals shall be conducted as provided in §16.12.080 of the Taos Town Code.

#### **15.08.600: DEFINITIONS AND ILLUSTRATIONS OF TERMS USED IN THIS ORDINANCE**

For the purpose of interpreting the intent of any portion of this Sign Code, all language used shall be interpreted in accord with common English usage, definitions, and meanings and as may be defined in the most recent edition of Webster's Collegiate Dictionary, except that the following words, terms and phrases shall have these more specific meanings ascribed to them, respectively:

**Abandoned Sign:** Any sign that is in a state of disrepair or is located upon a vacant premises.

**A-Frame Sign:** A self supporting sign consisting of two equal faces that is easily relocated.

**Animated Sign:** A sign whose face changes to simulate motion or changes messages in intervals of less than five (5) minutes.

**Area of a Sign:** The product of the width multiplied by height of the sign face that identifies a business, product, or provides other information place on the sign face. For

signs using cutout lettering it is the product of the area of the smallest rectangle that will wholly contain all of the letters and logo.

Audio Device: Any device which emits a sound that is audible to the general public.

Banner: A temporary sign constructed of cloth, paper, plastic or other non-rigid material that is affixed to a structure through grommets by rope, hooks, or similar anchors.

Billboard: Free-standing signs advertising goods, products, or services not available on the site where the sign is located.

Bulletin Boards: Cork backed boards or boards surfaced with similar material that allow for temporary signs to be affixed to said surface with a tack, staple, or similar anchor.

Business License: A license issued by the Town of Taos to conduct business with the Town of Taos and to collect taxes due to the Town of Taos.

Central Business District: The area as depicted as the Central Business District upon the most recently approved zoning map of the Town of Taos.

Civic, Church, Service Club, Political, Election Campaign and Other Non-commercial Signs: signs identifying a religious, civic, philanthropic, political or other noncommercial organization or person or containing any noncommercial message that such an organization or an individual wishes to convey.

Code Administrator: The Code Administrator of the Town of Taos, appointed and having authority as set forth in § 16.12 of the Taos Town Code.

Commercial sign walker: Any person who carries a sign in any manner that displays a commercial message. Commercial sign walkers are prohibited within the Town of Taos.

Construction Sign: Construction signage is that which identifies an architect, builder, contractor, subcontractor, material supplier, financing entity or others participating in any construction, design or alteration on the property on which the signage is located.

Civic, Community, Commercial or Other Event A event that is open to the general public, usually conducted on public property or within a public building, and is otherwise unusual. A "Sales Event", "Sale", or other standard commercial promotion does not constitute a Civic, Community, or Commercial or other Event.

Dark Skies Ordinance: Town of Taos Ordinance 99-2.

Directional Signs: Signs that guide a pedestrian or vehicle to an entrance, exit, or similar function on a property.

**Directory Sign:** A sign listing multiple tenants that are located on the premises and may or may not include a map depicting the location of tenants.

**Drive-Through Menu Sign:** A sign located at the entrance to a drive-thru that provides a menu of items that may be purchased from a vehicle at a pick-up window.

**Externally Illuminated Sign:** A sign which is illuminated by a light source external to the sign structure that complies with the Town of Taos Dark Skies Ordinance. Said external illumination may be placed in front of or behind the sign provided it is external to the sign structure.

**Façade:** The exterior surface of a wall of a building or other structure such as a retaining wall or landscape wall.

**Flag:** A rectangular piece of cloth depicting the symbols associated with a nation, state, city, town, or corporation or other organization.

**Flashing Signs:** Any sign which rapidly changes its illumination.

**Free Standing Sign:** A permanent sign supported by two (2) pole structures with the sign face or faces affixed between the supporting poles.

**Garage Sale & Yard Sale Signs:** Temporary signs used to advertise sales at residential properties.

**Governmental Sign:** Any sign identifying the location of a public building, street, or activity.

**Hanging Sign:** A sign affixed to the ceiling of a portal or similar structure over a sidewalk or a walkway.

**Height of a Sign:** The distance measured from the average grade of the foundation of the sign structure to the highest portion of the sign structure.

**Historic or Commemorative Marker:** A marker placed upon a building, structure, property, or embedded in a sidewalk listing its inclusion on the local, state, or national register of historic places or in commemoration of a person place or event as approved by the Taos Town Council.

**Inflatable Sign:** Any sign which use a gas to inflate in order to be deployed.

**Illegal Sign:** Any sign altered, erected, refurbished, repaired, or placed that does not comply with this Sign Code after its enactment.

**Internally illuminated Sign:** Any sign whose light source originates within the sign structure.

Land Use Development Title: Chapter 16 of the Taos Town Code.

Light Emitting Diode Sign: A sign which uses light emitting diodes for illumination.

Logo: A graphic or artistic symbol, picture, stylized lettering and other images used to identify a particular business or product.

Marquee Sign: A sign with changeable letters displaying entertainment or event offerings within an area of public assembly such as a theater, motion picture theater, or convention center.

Menu Sign: A sign in a display case or similar sign provided on the exterior of a restaurant or eatery listing food and drink offerings and their prices provided on the premises.

Mobile Sign: Signage on wheels, or on portable structures such as trailers, tents, or motor vehicles designed specifically as a mobile billboard.

Monopole Sign: A sign supported by a single pole structure that is less than the width of the sign face affixed to it.

Monument Sign: A sign affixed to a solid free-standing structure that is equal to or greater than the width of the sign and the thickness of the supporting base is at least six (6) inches.

Multi-tenant Center: A building or group of buildings with more than one tenant and have the same address, located on the same parcel or share adjoining walls.

Off-Site Sign: Any sign which displays a product, good, or service not offered at the location of the sign.

Permanent Sign: A sign permanently affixed to the ground, wall, window, or other structure.

Portable Sign: A sign which is easily relocated.

Portal: A covered entrance, porch, or walkway adjacent to or affixed to a building.

Pre-Existing Non-Conforming Sign: A permanent sign constructed prior to the latest amendment to this Sign Code that does not conform to the requirements of this chapter.

Projecting Sign: A sign supported by a cross member above the sign face and affixed to a pole, wall, or other structure and hangs.



**Right-of-way or Public Right-of-way:** Any street, road, highway, trail, bicycle path, alley or sidewalk open to and used by the public within the municipal limits of the Town of Taos.

**Real Estate Sign:** A real estate sign is any signage advertising the sale, lease or rental of real property, whether improved or unimproved, single occupancy or multi-tenancy. Real estate signs, by their nature, are temporary signs.

**Regulatory or Safety Sign:** A sign required by law.

**Roof Sign:** Any sign placed above a parapet or eave.

**Sale Sign:** Temporary commercial sign informing the general public of a discount of a product, good, or service.

**Sandwich Sign:** See A-Frame Sign.

**Sign:** Any displayed poster, banner or other surface with lettering and/or graphics or pictures on it, or any similar device, used to identify or advance a particular business, product, good, or service, or to advance a person, group, organization, candidate, idea, ideology, or cause or other message.

**Sign Permit:** A permit issued by the Code Administrator of the Town of Taos approving the use of a sign or signs.

**Subdivision Sign:** A sign identifying a residential or commercial subdivision.

**Temporary Sign:** Any poster, banner, or other advertising device not constructed, displayed or intended for long term purposes.

**Trailer Sign:** See mobile sign.

**Under Canopy Sign:** See hanging sign.

**Vehicle Sign:** A sign for a business located within the Town of Taos affixed to an automobile or truck.

**Wall Sign:** Any sign affixed to an exterior wall.

**Window Sign:** Any sign placed within, painted on, or otherwise affixed to the glazing of a window.

#### **15.08.700: SEVERABILITY OF THE PROVISIONS OF THIS ORDINANCE**

The provisions of this Sign Code are severable; and if any section, subsection, paragraph or part of this Ordinance is held to be invalid, unenforceable,

unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect, impair, or render void, the remainder of this Sign Code.

**15.08.710: EFFECTIVE DATE OF THIS ORDINANCE**

The provisions of this Sign Code Ordinance shall become effective five (5) days after its publication unless otherwise provided.

**15.08.720: PENALTY**

Any person violating any provisions of this chapter shall be deemed guilty of a petty misdemeanor and upon conviction thereof, shall be fined not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such hereunder.



**August 24, 2010**

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**Title:**

Allen Ferguson, Town Attorney

**Summary:**

Consideration and approval of Ordinance 10-20 authorizing and approving a lease for 115 Civic Plaza Drive to UNM Taos.

**Background:**

**Attachments:**

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📎 [Ordinance 10-20](#)

📎 [TOT-UNM Lease Agreement](#)

**APPROVALS:**

Date/Time:

Approval:

Department:

8/16/2010 11:04 AM

Approved

Town Clerk



**TOWN OF TAOS  
ORDINANCE 10-20**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TAOS  
AUTHORIZING AND APPROVING A LEASE AGREEMENT FOR 115 CIVIC  
PLAZA DRIVE**

**WHEREAS**, the Town of Taos owns a adobe building located at 115 Civic Plaza Drive and does not use the building for municipal purposes; and

**WHEREAS**, the Regents of the University of New Mexico ("Prospective Lessee") wish to lease the building from the Town for the purpose of housing the University of New Mexico Taos Branch Administrative Offices, Certain Program Offices, Classrooms, Library, and Bookstore; and

**WHEREAS**, the Town has caused an appraisal of the subject property to be performed by a qualified appraiser, as required by statute; and,

**WHEREAS**, the appraised fair market value of the property is \$600,000 and the appraised fair rental value of the premises is \$5,707.40 per month; and,

**WHEREAS**, the Prospective Lessee is a State of New Mexico educational institution and State governmental entity; and,

**WHEREAS**, the premises to be leased to the Prospective Lessee house facilities and programs that are vital to the welfare of the residents of the Town of Taos and the surrounding community, including but not limited to a library, a GED program, English as a Second Language (ESL) program, Adult Basic Education (ABE) program; and the Southwest Research Center, all of which are provided free to the public, and in the near future the premises will also house a Small Business Development Center (SBDC) and a Title V program aimed at high school students (a federal grant program for Hispanic-serving institutions), both of which also will be free to members of the public; and,

**WHEREAS**, the foregoing programs are consonant with the Town of Taos's goals of improving the knowledge, skills and educational level of members of the Taos community in order to promote and enhance the welfare of the Community and consequently the Town of Taos wishes to endorse and support these programs; and,

**WHEREAS**, there is no legal prohibition against the Town of Taos contributing value, in the form of reduced rent, in order to endorse and support the foregoing programs as part

of the Town's mission to further the welfare of the Town and its residents and the Town of Taos wishes to do so; and,

**WHEREAS**, the Town of Taos and the Prospective Lessee are in agreement that a reasonable rental amount for the premises, reflective of the Town's endorsement and support of the foregoing programs, is \$3,335.74 per month; and,

**WHEREAS**, the foregoing paragraphs constitute the Governing Body's statement detailed written explanation, as required by statute (NMSA 1978, Sec. 3-54-1.B), of the reasons for charging the Prospective Lessee less than the fair rental value for leasing the premises; and,

**WHEREAS**, the Town desires to lease the premises to the Prospective Lessees and the Prospective Lessee desires to lease the premises from the Town for the purposes stated above; and,

**WHEREAS**, statutorily required notice of the proposed adoption of this Ordinance and of the public hearing on it has been duly published;

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Town of Taos, meeting in Regular Session, this 24<sup>th</sup> day of August 2010, and after having held a public hearing on the matter, and after having reviewed the proposed form of lease agreement between the Town of Taos and the Regents of the University of New Mexico, attached to this Ordinance as Attachment A, and having considered staff's recommendation for approval, this ordinance is hereby adopted, approved and ratified. In particular, the Town of Taos Council, the Governing Body of the Town of Taos, hereby approves and adopts the form of lease agreement between the Town of Taos and the Regents of the University of New Mexico for the premises located at 115 Civic Plaza Drive attached hereto as Attachment A, subject to the proviso that the parties to the lease agreement may agree to changes to terms of the agreement that do not alter its essential purposes or its substantial and substantive terms as set forth in this Ordinance and in the Notice of Proposed Adoption of Ordinance published in the Taos News on August 5, 2010.

This ordinance shall become effective as provided by law.

**ORDAINED, ADOPTED, APPROVED, AND RATIFIED** this 24th day of August, 2010 by the following vote:

Mayor Pro Tem Rudy C. Abeyta	_____
Councilmember Amy J. Quintana	_____
Councilmember A. Eugene Sanchez	_____
Councilmember Michael A. Silva	_____

**TOWN OF TAOS**

**Darren M. Cordova, Mayor**

**ATTEST:**

**APPROVED AS TO FORM**

**Renee Lucero, Town Clerk**

**Allen Ferguson, Jr., Town Attorney**



LEASE AGREEMENT BETWEEN  
TOWN OF TAOS and REGENTS OF THE UNIVERSITY OF NEW MEXICO  
TT-11-47

This Lease Agreement (hereinafter "Lease") is hereby made and entered into on the date signed by the last party to sign, as reflected on the signature page, by and between the TOWN OF TAOS (hereinafter "Town" or "LESSOR") and **Regents of the University of New Mexico** (hereinafter "LESSEE"), provided, however, that this Lease does not become effective until the procedures required by the Sale or Lease of Municipal Property Statute, NMSA 1978, Section 3-54-1 are successfully completed and the time periods set forth therein have elapsed.

1. Scope & Purpose. LESSEE desires to lease certain property owned by the Town located at 115 Civic Plaza Drive, Taos New Mexico for the purpose of housing the University of New Mexico Taos Branch Campus offices, classrooms, programs, library, research center, and other facilities.
2. Term. This Lease shall be effective as provided in the opening paragraph above and shall end **four (4)** years after that date.
3. Option to Renew. This lease may be renewed or extended for an additional period of 1 year, upon such terms and conditions as may be acceptable to both parties. Such renewal or extension shall be in writing and executed prior to the termination date.
4. Compensation. As rental under this Lease, LESSEE shall pay to the Town, Three Thousand Three Hundred Fifty Dollars and Seventy Four Cents (\$3,350.74) per month for a total of Forty Thousand Two Hundred Eight Dollars and Eighty Eight Cents per year (\$40,208.88) payable at the end of each month. Rent checks shall be made payable and mailed to Town of Taos Attn: Utility Department Lease TT-11-47, 400 Camino de la Placita, Taos New Mexico 87571.

Any holdover by lessee past the expiration or termination date, shall be at a daily rate equal to ten (10%) of the monthly rate. The imposition and collection of this hold-over charge does not affect the right of the Town to require immediate vacating of the premise and /or the right to seize any property remaining thereon.

5. Late Payment. A late fee of one hundred dollars (\$100.00) shall be imposed if any month's payment is not received on or before the tenth (10<sup>th</sup>) day of the following month.

In the event Lessee is late for any second consecutive month, the Town may, in the sole option of the Town Manager, declare the lease terminated and take possession of the leased premises or give the Lessee a reasonable opportunity to pay past due rent plus any late fees due. Except as otherwise required by law, any personal property located in or on

the premises may be held by the Town to satisfy any unpaid rental amounts that are overdue. Any value of such personal property in excess of amounts owing to the Town shall be paid over to the Lessee. The Town shall be held harmless for any damage and/or injury to property of the Lessee held by the Town.

6. Permitted Uses. The premise(s) shall be used only for those use(s) specified above and related educational and administrative functions unless LESSEE has received prior written approval, from the Town, for any other use. No illegal act(s) will be done, or allowed to be done, on the premise(s), including the storage of any contraband or other illegal substance or item(s).
7. Utilities & Other Use Charges. LESSEE shall be solely responsible for the timely payment of all utilities and other service or use fees. All utilities shall be placed in the name of the LESSEE.
8. Notices. All notices required to be sent pursuant to this lease shall be sent to the parties at the addresses below unless the parties are otherwise advised of a change of address in writing.

Town of Taos  
Attn: Daniel Miera  
400 Camino de la Placita  
Taos, NM 87571  
575-751-2000

University of New Mexico  
Attn: Dennis Cruz  
115 Civic Plaza Drive  
Taos, NM 87571  
575-737-6200

University of New Mexico  
Attn: University Counsel Office  
Scholes Hall Rm 152  
Albuquerque, NM 87131  
505-277-5035

Town of Taos  
Attn: Legal Dept  
400 Camino de la Placita  
Taos, NM 87571  
575-751-2010

University of New Mexico  
Real Estate Office  
1712 Lomas NE  
Albuquerque, NM 87131  
505-277-4620

9. Alterations/Improvements. LESSEE may, with prior written permission of the Town, make such alterations and/or improvements to said premise(s) as may be consistent with the permitted use(s) specified above.

Said alterations/improvements, including permits, permit fees, utilities, easements, etc. shall be a the sole cost of LESSEE and LESSEE shall not allow, permit, or otherwise incur a lien of any sort or kind to be filed against said property. Any such lien, if paid by the Town to protect the Town's interest(s), shall be reimbursed to the Town, by the LESSEE, immediately and if Lessee fails to do so, the Town may take any legal measures available to it to recoup the value of such lien and any expenses incurred with respect thereto.

Said alterations/improvements, if of a permanent nature, shall become a part of the premises and all title and right(s) to said alterations/improvements shall vest to the Town.

If not a permanent nature, any alteration or improvement made by the Lessee shall be removed by LESSEE upon termination of this lease and the premises restored to their original condition, excepting normal wear and tear.



10. Standard(s) of Construction. All construction, whether new or renovation, shall be done in a professional manner and meet all building requirements and codes as determined by the Town of Taos Planning Department, the State of New Mexico Construction Industries Division or other appropriate official/department.
11. Maintenance. LESSEE shall, at its sole cost and expense, maintain the property and improvements in a clean and orderly condition, ordinary wear and tear excepted, and shall maintain and replace, when necessary, all plumbing fixtures, lighting fixtures, glass, heating fixtures, and lighting fixtures located on, in, or attached to any portion of the leased premises.  
  
Upon written notice by the Town to LESSEE, LESSEE shall perform any maintenance that the Town reasonably deems necessary. If said maintenance is not undertaken by LESSEE within ten (10) days or completed within the time prescribed in the written notice, the Town shall have the right to enter upon the leased premise(s) and perform the necessary maintenance and such cost(s) shall be billed to the LESSEE who shall make payment if full within thirty days of said billing. Alternatively, the Town may in its sole discretion declare the Lease breached and terminate the Lease as provided above.
12. Security. LESSEE acknowledges and agrees that security of LESSEE's property is solely the responsibility of LESSEE and will ensure that adequate insurance and protective measures are taken to protect LESSEE's property and to protect all of Lessee's employees, faculty members, students, or invitees. It is specifically understood and accepted that the Town assumes no responsibility for the security of LESSEE's property and no responsibility for injury to any persons who may be on the premises except to the extent provided by the New Mexico Tort Claims Act.
13. Inspection. The Town reserves the right to enter the premise(s) for the purpose of inspection, to cure maintenance problems, in the interest of public safety, or upon other good cause. The Town will attempt, where feasible, to advise LESSEE at least twenty-four (24) hours prior to entry.
14. Insurance. LESSEE and/or its sublessees shall maintain property insurance with coverage in an amount at least equal to the replacement value of items of personal property located in or on the leased premises and general public liability insurance naming the Town as an additional insured with coverage amounts at least sufficient to satisfy the limits of liability of the Town as set forth in the New Mexico Tort Claims Act (NMSA 1978, Sec. 44-4-19). LESSEE shall ensure that the Town be named as additional insured on all insurance policies, and shall provide a copy of such policies to the Town.
15. Responsibility. To the extent permitted by law, LESSEE assumes responsibility for any property damage or injury that may occur as a result of any negligent, willful or otherwise wrongful act by it or by any of its employees or agents. Lessee acknowledges and agrees that use of the Town property and the premises described herein are at LESSEE's sole risk.
16. Assignment/Subleasing. LESSEE shall not assign, transfer, sublease, or otherwise affect

any interest in this Lease without the prior written approval of the TOWN.

17. Breach by LESSEE. In the event that LESSEE fails to comply with any term, condition or obligation required under this Lease, the Town may consider LESSEE to have breached the Lease and, in the sole option of the Town, may either negotiate a cure of the breach or default on such terms and conditions as may be acceptable to the Town or terminate the lease in accordance with Paragraph 18 below. Provided, however, that the Town may terminate the Lease upon 30 days' notice in the event of a breach by Lessee that poses a substantial threat to public health, safety, or welfare or poses a substantial and clear risk to Town property.
18. Termination. This Lease may be terminated at will, by either party, with or without cause upon one year's advance notice. Termination shall be by written notice which shall be mailed (certified mail, return receipt) or hand delivered to the other party. In no event shall termination nullify obligations of either party prior to the effective date of termination.
19. Premises leased "AS IS". Lessee has fully examined the premises and any and all conditions affecting the premises and leases them AS IS with no warranties from the Town as to the condition or fitness of the premises for any use or purpose.
20. Appropriations, Authority. The obligations of the parties to this Lease Agreement are contingent upon there being sufficient appropriations and legal authority to carry them out.
- 21.. Binding Effect. This Lease shall be binding upon the parties, their heirs, and successors-in-interest or other lawful claimant.
22. Scope of Agreement. This Lease incorporates all of the agreements and understandings between the parties concerning the subject matter of this Lease. No prior agreement(s) or understanding(s), verbal or otherwise, shall be valid or enforceable unless embodied in or attached to this Lease.
23. Applicable Law. This Lease shall be governed by the Laws of the State of New Mexico and the Ordinances, resolutions, rules and regulations of the TOWN.
24. Judicial Enforcement. Any legal proceeding brought against the TOWN, arising out of this contract, shall be brought before the Eighth Judicial District Court, Taos County, State of New Mexico.
25. Severability. In the event that a court of competent jurisdiction finds that any term or provision of this Lease is void, voidable or otherwise unenforceable, all other terms and provisions shall remain intact and enforceable where not otherwise inconsistent with the Court's findings.
26. Amendment. This Lease shall not be altered, changed, modified or amended, except by instrument, in writing, executed by both parties and appended hereto.

27. Alternative Dispute Resolution. In the event of a dispute between the parties concerning the meaning or application of this Lease Agreement, they shall attempt in good faith to resolve their differences by discussions, including, if necessary, discussions among the highest level officials or governing bodies of each organization. If the parties cannot reach agreement, they shall submit their dispute to mediation before instituting any litigation. The parties shall agree mutually agree on a mediator or if they are unable to do so shall each name a person who has training and experience as a mediator and the two persons so named shall select the mediator. Costs of mediation shall be shared equally.

REGENTS OF THE UNIVERSITY  
OF NEW MEXICO

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

TOWN OF TAOS

\_\_\_\_\_  
Mayor Darren M. Cordova  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Renee Lucero, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Allen R. Ferguson Jr.  
Town Attorney



**August 24, 2010**

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**Title:**

Daniel Miera, Town Manager/Code Administrator

**Summary:**

Consideration and approval of Ordinance 10-18; An Ordinance amending Sections 16.20.040.1 through 16.20.040.4 of the Land Use Development Title of the Taos Town Code with respect to the number of parking spaces required and allowing a small but increased amount of parking in front of newly constructed multi-family, commercial, and special use buildings and/or structures. **(Continued from the July 23, 2010 Special Town Council Meeting)**

**Background:**

**Attachments:**

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- 📄 [Ordinance](#)
- 📄 [TITLE Clean](#)
- 📄 [Clean Ordinance](#)
- 📄 [P&Z Res](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
8/18/2010 8:20 AM	Approved	Town Manager
8/18/2010 8:21 AM	Approved	Town Clerk

# Ordinance 10-18

**REDLINED**  
**VERSION**



## TOWN OF TAOS ORDINANCE NO. 10-18

### AN ORDINANCE AMENDING SECTIONS 16.20.040.1 THROUGH 16.20.040.4 OF THE LAND USE DEVELOPMENT TITLE OF THE TAOS TOWN CODE

**This ordinance amends the Land Use Development Title of the Taos Town Code with respect to the number of parking spaces required and allowing a small but increased amount of parking in front of newly constructed multi-family, commercial, and special use buildings and/or structures.**

**WHEREAS**, the Planning and Zoning Division Staff of the Town of Taos Community Economic Development Department at the direction of the Town Council of the Town of Taos is proposing amendments to sections 16.20.040.1 through 16.20.040.4 of the Town of Taos Land Use Development Title changing the number of parking spaces required and allowing a small but increased amount of parking in front of newly constructed multi-family, commercial, and special use buildings and/or structures.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Town of Taos, meeting in Special Session, this July 23<sup>rd</sup>, 2010, and after having held a public hearing on the matter, this ordinance is hereby adopted, approved and ratified:

Within Taos Town Code Sections 16.20.040.1 through 16.20.040.4 shall be amended as follows:

#### **16.20.040.1: GENERAL PROVISIONS:**

A. The off street parking requirements set forth in this section [16.20.040](#) are applicable **to all properties within** in the ~~Town's jurisdiction and its extraterritorial zone.~~

B. Every building, or portion of a building hereafter erected shall be provided with parking space(s) as required in this title. ~~Such~~ Parking space(s) shall be made permanently available. ~~and shall be permanently maintained for parking purposes.~~ **Within the CBD, HCPD, C-2 and C-1 zoning districts, parking lots or portions of parking lots, may be made available for temporary use by itinerant vendors provided that the parking is not required for use by the business located on the property, e.g. an office building that is open on Monday through Friday may on the weekends provide space in the parking lot for itinerant vendors.** Failure to maintain required parking shall be cause for termination of a use or occupancy. ~~All construction shall take place in a manner that minimizes the amount of dirt which is removed from the construction site and deposited on public roads and rights of way.~~

C. All off street parking, both in size and quantity, shall comply with all requirements of the Americans with disabilities act (ADA).

D. With the exception of the Central Business District (CBD) and Historic Overlay (HOZ) Zones, Off street parking must be provided for any change of use based upon the requirements of section 16.20.040.2 of this chapter where the change of ~~use, new construction, or additions, results in a requirement for more parking. In the CBD/ and HOZ zones, any building or use that was in existence before erected prior to March 23, 2004 January 1, 2010, which does not conform to the off street parking requirements shall not be required to furnish additional parking, except with a change in use. (Ord. 04-05, 2004; Ord. 03-16, 2003; Ord. 99-05, 1999)\*~~

#### 16.20.040.2: SPACES REQUIRED:

A. Number Of Off Street Parking Spaces: The number of off street parking spaces required shall be not less than as set forth in the following:

Types Of Use	Minimum Space Requirement
Assisted living	0.5 per dwelling unit and 1 per employee
Bank	1 per 200 square feet of service and office area plus stacking if a drive-thru is provided
Bed and breakfast	1 per guestroom and 2 manager/owner
Bowling center	4 per alley plus 50 percent of accessory uses
Church	1 per 4 fixed seats and/or plus 1 per 100 square feet for assembly
College	1 per 2 students(delete this) *(Add this: 10 parking spaces/classroom)*
Daycare	1 per 10 clients plus 1 per employee
Government office	1 per 250 square feet
Greenhouse, retail	1 per 300 square feet office, 1 per 2,000 square feet sales *under roof* (Added "under roof")
Health club/spa	1 per 250 square feet
Hospital	1 per 250 square feet
Hotel/motel/inn	1 per guestroom
Library	1 per 300 square feet plus 1 per 100 square feet of assembly
Manufactured home park	2 per unit and 20 percent of total for guest
Manufacturing, light	1 per 300 square feet office, 1 per 500 square feet work area
Mortuary/funeral home	1 per 100 square feet of assembly area
Museum	1 per 400 square feet plus 1 per 100 square feet assembly
Nursing home	1 per 3 beds
Office (3)	1 per 300 square feet
Office, medical	1 per 200 square feet
Office, vet	1 per 200 square feet
Personal service, barber/hairstylist	1 per 150 square feet

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Repair, vehicle	1 per repair bay
Residence, <b>one bedroom and efficiency</b> apartments	<del>2</del> <b>1.1</b> per unit <del>and 20 percent of total for guest</del>
<b>Residence, two bedroom apartment</b>	<b>1.5 per unit</b>
<b>Residence, three (or more) bedroom apartment</b>	<b>2 per unit</b>
Residence, duplex	2 per unit <del>and 20 percent of total for guest</del>
Residence, patio home	2 per unit <del>and 20 percent of total for guest</del>
Residence, single-family	2 per unit
<del>Deleted *<u>“Residence, studio(1)”</u>*</del>	<del>1.1 per unit and 20 percent of total for guest</del>
Residence, townhouse, condo	2 per unit <del>and 20 percent of total for guest</del>
Restaurant, fast food	1 per 75 square feet <b>of seating and assembly area</b> plus stacking
Restaurant, standard	1 per 100 square feet <b>of seating and assembly area</b>
Restaurant/tavern	1 per 100 square feet <b>of seating and assembly area</b> plus 1 per 35 square feet dance floor
Retail, general (2)	1 per 250 square feet <b>of sales and service area</b>
Retail, large goods	1 per 600 square feet <b>of sales and service area</b>
School, K-8	2 per classroom plus 1 per employee
School, 9-12	1 per 4 students plus 1 per employee
Stadium/sports arena	1 per 2 employees plus 1 per 2 fixed seats plus 1 per 100 square feet <b>of assembly area</b>
Theater	1 per 4 fixed seats
Vehicle, sales	1 per 300 square feet sales area plus 1 per 2,000 square feet under roof <del>(Added “under roof”)</del>
Vehicle, service station	1 per 200 square feet <b>of convenience store area</b> , plus pump stacking
Warehousing	1 per 300 square feet office plus 1 per 2,000 square feet storage <del>*under roof*</del> <del>(Added “under roof”)</del>
Wholesale sales and storage	1 per 300 square feet office plus 1 per 750 square feet storage

#### 16.20.040.3: PARKING PLAN REQUIREMENTS:

A. Parking Plan Required: ... (Unchanged)

B. Contents Of The Parking Plan: ... (Unchanged)

#### 16.20.040.4: DESIGN STANDARDS FOR OFF STREET PARKING:

Off street parking areas shall be designed to conform to the following minimum standards:



## A. Minimum Area Of Spaces:

~~1. A minimum of three hundred fifty (350) square feet shall be required for each parking space, including drives and aisles.~~

~~2. 1. Parking stalls shall not be less than nine feet by eighteen feet (9' x 18').~~ ~~2. Aisles for circulation shall not be less than:~~

- a. Twelve feet (12') wide for parallel parking, one-way traffic;
- b. Twenty four feet (24') wide for parallel parking, two-way traffic;
- c. Twelve feet (12') wide for thirty to forty degree (30\_40°) parking and one-way traffic;
- d. Twenty two feet (22') wide for thirty to forty degree (30\_40°) parking and two-way traffic;
- e. Sixteen feet (16') wide for sixty degree (60°) parking and one-way traffic;
- f. Twenty two feet (22') wide for sixty degree (60°) parking and two-way traffic; and
- g. Twenty four feet (24') wide for ninety degree (90°) parking.

**Deleted:** Add: All handicapped parking must comply with ADA parking space requirements, or otherwise comply with all ADA requirements.¶

## B. Entrances And Exits:

1.... (Unchanged)

## C. Surfacing: ... (Unchanged)

## D. Borders, Barricades, Screening And Landscaping:

1. ... (Unchanged)

## E. Parking Lot Location:

Parking lots may be located to the sides and rears of lots.

For multi-family, commercial and special use properties, **not located within the Central Business District (CBD) Zone or within the Historic Overlay Zone (HOZ)** parking spaces may be located in front of a project, providing the following criteria are met:

A maximum of ~~40%~~ **25%** of the total parking space requirements for the type of use proposed by the applicant (as they are stated in Table 5-4.2 of the Town of Taos Land Use Development Code) may be placed between the property line and the **front** façade of the building subject to the following additional requirements:

- a) All handicapped parking must ~~\* be located between the property line and the front façade of the building, comply with all ADA Parking requirements.\*~~
- b) There must be enhanced pedestrian amenities within the project's parking lot which shall include the following:

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- i) Integrated pedestrian walkways within the remainder of the project's parking lot which are delineated by pavers and shall be a minimum of six feet (6') wide. Where this requirement conflicts with the provisions of the Town of Taos Landscaping Ordinance, the Landscaping Ordinance shall take precedence.
- ii) A raised sidewalk (i.e a Speed Table) connection from Right of Way (ROW) to the main entrance of the building shall be provided. The sidewalk shall be a minimum of six feet (6') wide and provide a direct pedestrian connection to the entrance.
- iii) The total landscaping required for the project shall be increased by 10% and the additional landscaping shall be placed in the project's front setback with a screening

wall of no greater than three feet (3') in height. Screening walls shall be integrally colored material or finished with stucco and approved by the Code Administrator.

iv) The parking cannot exceed ~~one~~ **two** rows of stalls plus an appropriate drive aisle.

v) Vehicles shown as inventory by automobile/pleasure craft dealerships shall not be construed as parking, and may be located behind the property line provided that there is a clear line of sight at all intersections and along the right-of-way..

This ordinance shall become effective as provided by law.

**ORDAINED, ADOPTED, APPROVED, AND RATIFIED** this ~~24<sup>th</sup>~~ day of ~~August~~, 2009 by the following vote:

Deleted: 1

Deleted: 11

Councilman Rudy Abeyta \_\_\_\_\_

Councilwoman Amy Quintana \_\_\_\_\_

Councilman Eugene Sanchez \_\_\_\_\_

Councilman Michael Silva \_\_\_\_\_

\_\_\_\_\_  
DARREN CORDOVA  
MAYOR  
ATTEST:

\_\_\_\_\_  
RENEE LUCERO  
TOWN CLERK

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
ALLEN FERGUSON  
TOWN ATTORNEY

# Ordinance 10-18

**CLEAN**  
**VERSION**



## TOWN OF TAOS

### ORDINANCE NO. 10-18

#### AN ORDINANCE AMENDING SECTIONS 16.20.040.1 THROUGH 16.20.040.4 OF THE LAND USE DEVELOPMENT TITLE OF THE TAOS TOWN CODE

**This ordinance amends the Land Use Development Title of the Taos Town Code with respect to the number of parking spaces required and allowing a small but increased amount of parking in front of newly constructed multi-family, commercial, and special use buildings and/or structures.**

---

**WHEREAS**, the Planning and Zoning Division Staff of the Town of Taos Community Economic Development Department at the direction of the Town Council of the Town of Taos is proposing amendments to sections 16.20.040.1 through 16.20.040.4 of the Town of Taos Land Use Development Title changing the number of parking spaces required and allowing a small but increased amount of parking in front of newly constructed multi-family, commercial, and special use buildings and/or structures.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Town of Taos, meeting in Regular Session, this August 24th, 2010, and after having held a public hearing on the matter, this ordinance is hereby adopted, approved and ratified:

Within Taos Town Code Sections 16.20.040.1 through 16.20.040.4 shall be amended as follows:

#### **16.20.040.1: GENERAL PROVISIONS:**

- A. The off street parking requirements set forth in this section [16.20.040](#) are applicable to all properties within in the Town's jurisdiction.
- B. Every building, or portion of a building hereafter erected shall be provided with parking space(s) as required in this title. Parking space(s) shall be made permanently available. Within the CBD, HCPD, C-2 and C-1 zoning districts, parking lots or portions of parking lots, may be made available for temporary use by itinerant vendors provided that the parking is not required for use by the business located on the property, e.g. an office building that is open on Monday through Friday may on the weekends provide space in the parking lot for itinerant vendors. Failure to maintain required parking shall be cause for termination of a use or occupancy.
- C. All off street parking, both in size and quantity, shall comply with all requirements of the Americans with disabilities act (ADA).
- D. With the exception of the Central Business District (CBD) and Historic Overlay (HOZ) Zones, off street parking must be provided for any change of use, new construction, or additions based upon the requirements of section [16.20.040.2](#) of this chapter.

**16.20.040.2: SPACES REQUIRED:**

A. Number Of Off Street Parking Spaces: The number of off street parking spaces required shall be not less than as set forth in the following:

<u>Types Of Use</u>	<u>Minimum Space Requirement</u>
Assisted living	0.5 per dwelling unit and 1 per employee
Bank	1 per 200 square feet of service and office area plus stacking if a drive-thru is provided
Bed and breakfast	1 per guestroom and 2 manager/owner
Bowling center	4 per alley plus 50 percent of accessory uses
Church	1 per 4 fixed seats and/or 1 per 100 square feet for assembly
College	10 parking spaces/classroom
Daycare	1 per 10 clients plus 1 per employee
Government office	1 per 250 square feet
Greenhouse, retail	1 per 300 square feet office, 1 per 2,000 square feet sales under roof
Health club/spa	1 per 250 square feet
Hospital	1 per 250 square feet
Hotel/motel/inn	1 per guestroom
Library	1 per 300 square feet plus 1 per 100 square feet of assembly
Manufactured home park	2 per unit
Manufacturing, light	1 per 300 square feet office, 1 per 500 square feet work area
Mortuary/funeral home	1 per 100 square feet of assembly area
Museum	1 per 400 square feet plus 1 per 100 square feet assembly
Nursing home	1 per 3 beds
Office (3)	1 per 300 square feet
Office, medical	1 per 200 square feet
Office, vet	1 per 200 square feet
Personal service, barber/hairstylist	1 per 150 square feet
Repair, vehicle	1 per repair bay
Residence, one bedroom and efficiency apartments	1.1 per unit
Residence, two bedroom apartment	1.5 per unit
Residence, three (or more) bedroom apartment	2 per unit
Residence, duplex	2 per unit

Residence, patio home	2 per unit
Residence, single-family	2 per unit
Residence, townhouse, condo	2 per unit
Restaurant, fast food	1 per 75 square feet of seating and assembly area plus stacking
Restaurant, standard	1 per 100 square feet of seating and assembly area
Restaurant/tavern	1 per 100 square feet of seating and assembly area plus 1 per 35 square feet dance floor
Retail, general	1 per 250 square feet of sales and service area
Retail, large goods	1 per 600 square feet of sales and service area
School, K-8	2 per classroom plus 1 per employee
School, 9-12	1 per 4 students plus 1 per employee
Stadium/sports arena	1 per 2 employees plus 1 per 2 fixed seats plus 1 per 100 square feet of assembly area
Theater	1 per 4 fixed seats
Vehicle, sales	1 per 300 square feet sales area plus 1 per 2,000 square feet under roof
Vehicle, service station	1 per 200 square feet of convenience store area, plus pump stacking
Warehousing	1 per 300 square feet office plus 1 per 2,000 square feet storage under roof
Wholesale sales and storage	1 per 300 square feet office plus 1 per 750 square feet storage

#### 16.20.040.3: PARKING PLAN REQUIREMENTS:

A. Parking Plan Required: ... (Unchanged)

B. Contents Of The Parking Plan: ... (Unchanged)

#### 16.20.040.4: DESIGN STANDARDS FOR OFF STREET PARKING:

Off street parking areas shall be designed to conform to the following minimum standards:

A. Minimum Area Of Spaces:

1. Parking stalls shall not be less than nine feet by eighteen feet (9' x 18').
2. Aisles for circulation shall not be less than:
  - a. Twelve feet (12') wide for parallel parking, one-way traffic;
  - b. Twenty four feet (24') wide for parallel parking, two-way traffic;
  - c. Twelve feet (12') wide for thirty to forty degree (30\_40°) parking and one-way traffic;
  - d. Twenty two feet (22') wide for thirty to forty degree (30\_40°) parking and two-way traffic;
  - e. Sixteen feet (16') wide for sixty degree (60°) parking and one-way traffic;
  - f. Twenty two feet (22') wide for sixty degree (60°) parking and two-way traffic; and
  - g. Twenty four feet (24') wide for ninety degree (90°) parking.

## B. Entrances And Exits:

1.... (Unchanged)

## C. Surfacing: ... (Unchanged)

## D. Borders, Barricades, Screening And Landscaping:

1. ... (Unchanged)

## E. Parking Lot Location:

Parking lots may be located to the sides and rears of lots.

For multi-family, commercial and special use properties, not located within the Central Business District (CBD) Zone or within the Historic Overlay Zone (HOZ) parking spaces may be located in front of a project, providing the following criteria are met:

A maximum of 25% of the total parking space requirements for the type of use proposed by the applicant (as they are stated in Table 5-4.2 of the Town of Taos Land Use Development Code) may be placed between the property line and the front façade of the building subject to the following additional requirements:

- a) All handicapped parking must comply with all ADA Parking requirements.
- b) There must be enhanced pedestrian amenities within the project's parking lot which shall include the following:
  - i) Integrated pedestrian walkways within the remainder of the project's parking lot which are delineated by pavers and shall be a minimum of six feet (6') wide. Where this requirement conflicts with the provisions of the Town of Taos Landscaping Ordinance, the Landscaping Ordinance shall take precedence.
  - ii) A raised sidewalk (i.e a Speed Table) connection from Right of Way (ROW) to the main entrance of the building shall be provided. The sidewalk shall be a minimum of six feet (6') wide and provide a direct pedestrian connection to the entrance.
  - iii) The total landscaping required for the project shall be increased by 10% and the additional landscaping shall be placed in the project's front setback with a screening wall of no greater than three feet (3') in height. Screening walls shall be integrally colored material or finished with stucco and approved by the Code Administrator.
  - iv) The parking cannot exceed two rows of stalls plus an appropriate drive aisle.
  - v) Vehicles shown as inventory by automobile/pleasure craft dealerships shall not be construed as parking, and may be located behind the property line provided that there is a clear line of sight at all intersections and along the right-of-way..

This ordinance shall become effective as provided by law.

**ORDAINED, ADOPTED, APPROVED, AND RATIFIED** this 24<sup>h</sup> day of  
August, 2010 by the following vote:

Councilman Rudy Abeyta \_\_\_\_\_

Councilwoman Amy Quintana \_\_\_\_\_

Councilman Eugene Sanchez \_\_\_\_\_

Councilman Michael Silva \_\_\_\_\_

\_\_\_\_\_  
DARREN CORDOVA  
MAYOR  
ATTEST:

\_\_\_\_\_  
RENEE LUCERO  
TOWN CLERK

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
ALLEN FERGUSON  
TOWN ATTORNEY





**TOWN OF TAOS  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 10-03**

**ENDORISING TOWN OF TAOS ORDINANCE 10-18**

**WHEREAS**, the Town of Taos Planning and Zoning Commission finds it necessary to update the Land Use Development Code with respect to the number of parking spaces required and allowing a small but increased amount of parking in front of newly constructed multi-family, commercial and special use buildings, and

**THEREFORE, BE IT RESOLVED**, that the Planning and Zoning Commission endorses the Town of Taos Ordinance 10-18, parking requirements, (in addition to their recommended changes) of the Land Use Development Title of the Town of Taos Town Municipal Code.

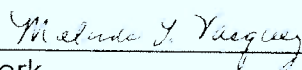
**Passed by the Planning and Zoning Commission this 16th day of August 2010, at a Special Meeting.**

**PLANNING AND ZONING COMMISSION**

By:

  
Jim Thompson, Chair

**ATTEST:**

  
Clerk

Vote: For 5 Against 0 Abstain 0



**August 24, 2010**

---

**Title:**

Rick Anglada, Chief of Police

**Summary:**

Consideration and approval of Ordinance 10-21; Adopting by Reference the 2010 Compilation of the New Mexico Uniform Traffic Ordinance, comprising Sections 12-1-1 through 12-13-6 inclusive, and all changes through July 1, 2010 pursuant to Section 3-17-6 NMSA 1978.

**Background:**

**Attachments:**

Click to download

📎 [Ordinance](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
8/18/2010 5:07 PM	Approved	Town Manager
8/18/2010 5:07 PM	Approved	Town Clerk



**TOWN OF TAOS  
ORDINANCE 10-21**

**AN ORDINANCE ADOPTING THE NEW MEXICO UNIFORM TRAFFIC  
ORDINANCE BY REFERENCE**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF TAOS,  
NEW MEXICO.**

**SECTION 1. ADOPTION BY REFERENCE**

The 2010 Compilation of the New Mexico Uniform Traffic Ordinance, comprising Sections 12-1-1 through 12-13-6 inclusive, and all changes through July 1, 2010, are herewith adopted by reference, pursuant to Section 3-17-6 NMSA 1978.

This ordinance as adopted shall be available for inspection in the office of the town clerk during regular and normal business hours of the town clerk. A copy of the code shall be available upon request and payment of a reasonable charge.

**SECTION 1. EFFECTIVE DATE**

This Ordinance shall take effect as provided by law after the 24<sup>th</sup> day of August 2010.

**SECTION 1. REPEALER**

The 2004 compilation and all amendments thereto are expressly repealed.

**PASSED, APPROVED AND ADOPTED** this 24<sup>th</sup> day of August, 2010 by the following vote:

Mayor Pro Tem Rudy C. Abeyta  
Councilmember A. Eugene Sanchez  
Councilmember Amy J. Quintana  
Councilmember Michael A. Silva

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TOWN OF TAOS**

\_\_\_\_\_  
**Darren M. Cordova, Mayor**

**ATTEST:**

**APPROVED AS TO FORM**

\_\_\_\_\_  
**Renee Lucero, Town Clerk**

\_\_\_\_\_  
**Allen R. Ferguson, Jr., Town Attorney**



**August 24, 2010**

**Title:**

Francisco "French" Espinoza, Public Works Director

**Summary:**

Consideration and approval to allow the Public Works/Transit Division to apply for financial assistance under Section 5311 of the Federal Transit Act in the approximate amount of \$542,550 for Federal Fiscal Year 2011/2012. Administrative expenses are 80% Federal share in the amount of \$116,080 and 20% Local share in the amount of \$29,020. Operating expenses are 50% Federal share in the amount of \$198,725 and 50% Local share in the amount of \$198,725. (Total Local Share: \$227,745).

**Background:**

Continued administrative and operating funding for Town of Taos Public Transportation - Chile Line.

**Attachments:**

Click to download

 [second](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
8/16/2010 1:19 PM	Approved	Town Manager
8/16/2010 1:19 PM	Approved	Town Clerk

## SECTION 5311 APPLICATION

# Application for FY 2012 Federal Fiscal Year Section 5311 Public Rural Transportation

## FY 2012 - Oct. 1, 2011 to Sept. 30, 2012

### I. Applicant Information

Organization/ Agency:	Town of Taos
Contact Person Name and Title:	Delilah D. Garcia, Transit Superintendent
Mailing Address:	400 Camino de la Placita
City, State, ZIP:	Taos, NM 87571
Physical Address:	1032 Dea Lane
Phone and Cell Number:	(575) 751-4459 (Office) (575) 770-0520 (Cell)
FAX Number:	(575) 751-2049
E-mail Address: (Required)	dgarcia@taosgov.com
Regional Planning Organization: (circle one)	<div style="display: flex; justify-content: space-around; align-items: center;"> <span>NERPO</span> <span>MRRPO</span> <span>SERPO</span> <span>SWRPO</span> </div> <div style="display: flex; justify-content: space-around; align-items: center;"> <span><u>NPRPO</u></span> <span>NWRPO</span> <span>SCRPO</span> </div>
Applicant Signature and Date Signed:	
Please Print Name and Title	

### II. Summary of Budget Request

Please enter the dollar amount of **your application request (Administration, Operating, and Capital)** in the appropriate column below. This information should come directly from the budget pages in Section III of this application.

	Total	Federal Share	Local Share
Administration (80/20)	\$145,100.00	\$116,080.00	\$29,020.00
Operating (50/50)	\$397,450.00	\$198,725.00	\$198,725.00
*Capital (80/20)			
<b>TOTAL</b>	<b>\$542,550.00</b>	<b>\$314,805.00</b>	<b>\$227,745.00</b>

#### Capital Breakdown

capital to subgrantee			
capital to vendor			
*TOTAL should equal 'Capital' amt. above			

(refer to page 3 for vehicle type and estimated costs)

## Section 5311

**Capital to Vendor** – when you purchase capital using a state approved price agreement you will make a check to the awarded vendor for the 20% local share, and send the check to NMDOT's Transit and Rail Division. At delivery, your check is given to the vendor, and NMDOT is billed for the difference.

**Capital to Subgrantee** – any approved capital that you wish to purchase that is not on a state price agreement. This includes large buses, radios, and other requested capital. The subgrantee will initially pay 100% of the purchase. Upon submitting the appropriate documentation to the Transit and Rail Division, you will be reimbursed 80%.

### III. Financial Information

#### A) ADMINISTRATION BUDGET

**Please attach justification to this section for any line item increase of 20% or greater for FY12**

##### ELIGIBLE ADMINISTRATIVE COSTS

Item Description	FY10 ACTUAL EXPENDITURES As of 6/30/10	FY11 APPROVED BUDGET	FY12 PROJECTED EXPENDITURES
1-01-00 Salaries and Wages			
1-01-05 Director	\$24,491.75	\$30,000.00	\$31,500.00
1-01-10 Managers			
1-01-12 Financial Manager			
1-01-15 Clerical Support Staff	\$17,673.27	\$25,000.00	\$26,250.00
1-01-20 Accounting Staff			
1-01-25 Administrative Assis.			
1-01-30 Village Administrator			
1-01-35 CFO			
1-01-40 Salary Adjustments			
1-01-45 Chief Exec. Officer			
1-01-50 Transp. Coord.			
1-01-55 Public Works Dir.			
1-01-60 Janitor			
1-01-65 Temporary			
1-02-00 Fringe Benefits	\$20,819.20	\$28,422.08	\$30,000.00
1-02-05 FICA			
1-02-10 PERA Retirement			
1-02-15 Health Insurance			
1-02-20 Unemployment Ins.			
1-02-25 Workman's			
1-02-30 Other Fringe Benefits			
1-03-00 Communications			
1-03-05 Fax Machine			
1-03-10 Internet Subsc. Srvs.			
1-03-15 Postage	\$204.30	\$300.00	\$300.00
1-03-20 Telephone			
1-03-25 Cell Phone	\$280.66	\$1,000.00	\$500.00
1-03-30 Radio			

## Section 5311

1-03-35 Repeater Fees			
1-04-00 Contractual Services			
1-04-05 Audit		\$3,000.00	\$3,000.00
1-04-10 Advertising	\$706.73	\$8,000.00	\$8,500.00
1-04-15 Equipment Rental			
1-04-20 Contractual Services- Other			
1-04-25 Contractual Svcs.- Janitorial			
1-05-00 Dues and Subscriptions			
1-05-05 NMPTA		\$150.00	\$200.00
1-05-10 SWTA		\$300.00	\$300.00
1-05-15 Transit Publications			
1-05-20 20(CTAA)	\$290.00	\$300.00	\$300.00
1-06-00 Equipment			
1-06-05 Equipment Lease		\$1,500.00	\$400.00
1-06-10 Equipment Repair		\$1,500.00	\$1,600.00
1-06-15 Computer			
1-07-00 Insurance			
1-07-05 Buildings and Contents			
1-07-10 Gen. & Emp. Liab. Ins.			
1-07-15 Surety & Fidelity Bonds			
1-07-20 Claims Deductible			
1-07-25 Vehicle Insurance	\$5,758.77	\$15,000.00	\$16,000.00
1-08-00 Occupancy Costs			
1-08-05 Office Rent			
1-08-10 Utilities	\$6,933.32	\$9,000.00	\$10,000.00
1-08-20 Building Maintenance	\$261.63	\$2,500.00	\$2,750.00
1-09-00 Personnel Costs			
1-09-05 Drug & Alcohol Testing		\$1,000.00	\$1,000.00
1-09-10 Physicals			
1-09-15 Hepatitis Vaccinations			
1-10-00 Printing/Copying Costs	\$899.39		
1-10-05 Printing		\$2,000.00	\$2,500.00
1-10-10 Copying		\$2,000.00	\$2,500.00
1-11-00 Supplies	\$2,064.95		
1-11-05 Office Supplies		\$3,000.00	\$3,500.00
1-11-10 Furn. & Eqp. under \$500			
1-11-20 Janitorial Supplies			
1-12-00 Training	\$275.00	\$1,500.00	\$2,000.00
1-12-05 Training			
1-12-10 Training/Lazaro & Noel			
1-13-00 Travel	\$698.77	\$1,500.00	\$2,000.00
1-13-05 Mileage			
1-13-10 Public Transport Fares			
1-13-15 Per Diem			
1-13-20 Registration Fees			
1-13-25 Lodging and Meals			
1-13-30 Other			
1-14-00 Indirect Costs			
1-14-05 Indirect Cost			
<b>TOTAL ELIGIBLE COSTS</b>	<b>*\$81,357.74</b>	<b>\$136,972.08</b>	<b>\$145,100.00**</b>

## Section 5311

**\*Calculations based off of nine (9) of 12 months of financial data. Estimated expenses for next three (3) months will be \$15,156.00 monthly.**

(Administration Continued)

## LOCAL SHARE SOURCES (specify)

<b>TOTAL LOCAL SHARE (20%)</b>	<b>\$16,271.55</b>	<b>\$27,394.42</b>	<b>\$29,020.00</b>

<b>FEDERAL SHARE (80%)</b>	<b>\$65,086.19</b>	<b>\$109,577.66</b>	<b>\$116,080.00</b>
----------------------------	--------------------	---------------------	---------------------

**NOTE: NO ITEM LISTED AS "OTHER" WILL BE CONSIDERED. PLEASE BE SPECIFIC IN LINE ITEM DESCRIPTIONS.**

**\*\* This number should match the number entered on Page 1, Section II**

## B) OPERATING BUDGET

**Please attach justification to this section for any line item increases of 20% or greater for FY12.**

## ELIGIBLE OPERATING COSTS

Item Description	FY10 ACTUAL EXPENDITURES As of 6/30/10	FY11 APPROVED BUDGET	FY12 PROJECTED EXPENDITURES
2-01-00 Salaries and Wages			
2-01-05 Supervisor			
2-01-10 Drivers	\$136,393.14	\$155,000.00	\$162,750.00
2-01-15 Mechanics	\$19,010.72	\$25,000.00	\$26,000.00
2-01-20 Dispatcher			
2-01-25 Janitor			
2-01-30 Salary Adjustment			
2-01-35 Overtime			
2-01-40 Mechanic Supervisor			
2-01-45 Auto Parts Clerk			
2-01-50 Maintainer			
2-01-55 Accountant			
2-01-60 Laborer			
2-02-00 Fringe Benefits	\$100,302.16	\$117,000.00	\$123,000.00
2-02-05 FICA			
2-02-10 PERA Retirement			
2-02-15 Health Insurance			
2-02-20 Unemployment Insurance			
2-02-25 Worker's Compensation			
2-02-30 Other			
2-03-00 Communications			
2-03-05 Cell Phone			
2-03-10 Telephone			
2-03-15 Radio Repeater			
2-03-20 Mobile Radio			



## Section 5311

2-03-25 Radio			
2-04-00 Contractual Services			
2-04-05 Maint. - Mach. and Equip.			
2-04-10 Equipment Rental			
2-04-15 Contractual Svcs. - Other			
2-04-20 Transit Services			
2-05-00 Equipment			
2-05-10 Assigned Vehicle Use			
2-05-15 Equipment Rental			
2-06-00 Occupancy Costs			
2-06-05 Building Maintenance			
2-06-10 Operational Rent			
2-06-15 Utilities			
2-06-20 Building Insurance			
2-06-25 Building and Grounds			
2-07-00 Personnel Costs			
2-07-05 Uniforms	\$478.06	\$5,000.00	\$4,000.00
2-07-10 Hepatitis Vaccinations			
2-07-15 Physicals			
2-08-00 Supplies			
2-08-05 Shop Supplies	\$1,888.41	\$5,000.00	\$5,000.00
2-08-10 Furn. & Equip. under 500\$			
2-08-15 Printing			
2-09-00 Training	\$275.00	\$3,000.00	\$3,000.00
2-09-05 Training			
2-09-10 Training/Lazaro & Noel			
2-10-00 Travel	\$187.84	\$3,000.00	\$3,000.00
2-10-05 Mileage			
2-10-10 Public Transport Fares			
2-10-15 Per Diem			
2-10-20 Registration Fees			
2-10-25 Lodging & Meals			
2-10-30 Other			
2-11-00 Vehicle Costs			
2-11-05 Fuel	\$33,410.28	\$50,000.00	\$52,500.00
2-11-10 License & Fees			
2-11-15 Oil & Lubricants	\$2,308.27	\$5,000.00	\$5,250.00
2-11-20 Replacement Parts	\$6,703.33	\$20,318.00	\$20,000.00
2-11-25 Tires	\$4,361.06	\$9,000.00	\$9,450.00
2-11-30 Vehicle Maintenance	\$3,073.98	\$13,000.00	\$13,000.00
2-11-35 Vehicle Painting			
2-11-40 Veh. Interior Maintenance			
2-11-45 Freight			
2-11-50 Vehicle Repair			
2-12-00 Indirect Costs			
2-12-05 Indirect Costs			
<b>TOTAL ELIGIBLE COSTS</b>	<b>*\$308,392.25</b>	<b>\$410,318.00</b>	<b>\$426,950.00</b>

**\*Calculations based off of nine (9) of 12 months of financial data. Estimated expenses for next three (3) months will be \$27,483.25 monthly.**

## Section 5311

(Operating Continued)

**REVENUES (specify)**

Fare Box Revenues (only fare box revenues reduced from Operating)	\$17,739.99	\$28,000.00	\$29,500.00
<b>TOTAL REVENUES</b>	<b>\$17,739.99</b>	<b>\$28,000.00</b>	<b>\$29,500.00</b>

<b>NET OPERATING COSTS (total Operating less fare box revenues)</b>	<b>\$290,652.26</b>	<b>\$382,318.00</b>	<b>**\$397,450.00</b>
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**LOCAL SHARE SOURCES (specify)**

<b>LOCAL SHARE TOTAL (50%)</b>	<b>\$145,326.13</b>	<b>\$191,159.00</b>	<b>**\$198,725.00</b>

<b>FEDERAL SHARE (50%)</b>	<b>\$145,326.13</b>	<b>\$191,159.00</b>	<b>**\$198,725.00</b>
----------------------------	---------------------	---------------------	-----------------------

**NOTE:** \*\* This number should match the number entered in Section II, "Summary of Request."**C) CAPITAL BUDGET**

**NOTE - Please attach justification to this section for any line item increases of 20% or greater for FY12**

**ELIGIBLE CAPITAL COSTS**

Item Description	FY10 ACTUAL EXENDITURES	FY11 APPROVED BUDGET	FY12 PROJECTED EXPENDITURES
3-01-05 Buildings			
3-01-10 Computers			
3-01-15 Furniture & Fixtures			
3-01-20 Radios & Base Stations			
3-01-25 Other Capital Expenses			
3-01-30 Benches/Signage			
3-01-35 Passenger Bus			
3-01-40 Surveillance System			
3-01-45 15 Passenger Van (W/Lift)			
3-01-50 15 Passenger Van (W/O Lift)			
3-01-55 Bus Shelters			
3-01-60 Mobile Radios			
3-01-65 Capital Cost of Contracting			

**TOTAL ELIGIBLE COSTS**



**August 24, 2010**

**Title:**

Francisco "French" Espinoza, Public Works Director

**Summary:**

Consideration and approval to allow the Public Works/Transit Division to apply for financial assistance under Section 5311 of the Federal Transit Act. The grant will be submitted in the projected amount of \$57,500 for Federal Fiscal Year 2011/2012. Funds will support the administrative and operational costs associated with the Taos Express. Administrative expenses are 80% Federal Share in the amount of \$8,000 and 20% Local Share in the amount of \$2,000. Operating expenses are 50% Federal Share \$23,750 and a 50% Local Share of \$23,750. (Total Local Share: \$25,750).

**Background:**

**Attachments:**

Click to download

 [Backup](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
8/16/2010 1:20 PM	Approved	Town Manager
8/16/2010 1:20 PM	Approved	Town Clerk

## SECTION 5311 APPLICATION

# Application for FY 2012 Federal Fiscal Year Section 5311 Public Rural Transportation

## FY 2012 - Oct. 1, 2011 to Sept. 30, 2012

### I. Applicant Information

Organization/ Agency:	Town of Taos –Taos Express		
Contact Person Name and Title:	Delilah D. Garcia, Transit Superintendent		
Mailing Address:	400 Camino de la Placita		
City, State, ZIP:	Taos, NM 87571		
Physical Address:	1032 Dea Lane		
Phone and Cell Number:	(575) 751-4459 (Office) (575) 770-0520 (Cell)		
FAX Number:	(575) 751-2049		
E-mail Address: (Required)	dgarcia@taosgov.com		
Regional Planning Organization: (circle one)	NERPO	MRRPO	SERPO
	<u>NPRPO</u>	NWRPO	SCRPO
SWRPO			
Applicant Signature and Date Signed:			
Please Print Name and Title	Delilah D. Garcia, Transit Superintendent		

### II. Summary of Budget Request

Please enter the dollar amount of **your application request (Administration, Operating, and Capital)** in the appropriate column below. This information should come directly from the budget pages in Section III of this application.

	Total	Federal Share	Local Share
Administration (80/20)	\$10,000.00	\$8,000.00	\$2,000.00
Operating (50/50)	\$47,500.00	\$23,750.00	\$23,750.00
*Capital (80/20)			
<b>TOTAL</b>	<b>\$57,500.00</b>	<b>\$31,750.00</b>	<b>\$25,750.00</b>

#### Capital Breakdown

capital to subgrantee			
capital to vendor			
*TOTAL should equal 'Capital' amt. above			

(refer to page 3 for vehicle type and estimated costs)

## Section 5311

**Capital to Vendor** – when you purchase capital using a state approved price agreement you will make a check to the awarded vendor for the 20% local share, and send the check to NMDOT's Transit and Rail Division. At delivery, your check is given to the vendor, and NMDOT is billed for the difference.

**Capital to Subgrantee** – any approved capital that you wish to purchase that is not on a state price agreement. This includes large buses, radios, and other requested capital. The subgrantee will initially pay 100% of the purchase. Upon submitting the appropriate documentation to the Transit and Rail Division, you will be reimbursed 80%.

### III. Financial Information

#### A) ADMINISTRATION BUDGET

**Please attach justification to this section for any line item increase of 20% or greater for FY12**

##### ELIGIBLE ADMINISTRATIVE COSTS

Item Description	FY10 ACTUAL EXPENDITURES	FY11 APPROVED BUDGET	FY12 PROJECTED EXPENDITURES
1-01-00 Salaries and Wages			
1-01-05 Director			\$2,000.00
1-01-10 Managers			
1-01-12 Financial Manager			
1-01-15 Clerical Support Staff			\$3,000.00
1-01-20 Accounting Staff			
1-01-25 Administrative Assis.			
1-01-30 Village Administrator			
1-01-35 CFO			
1-01-40 Salary Adjustments			
1-01-45 Chief Exec. Officer			
1-01-50 Transp. Coord.			
1-01-55 Public Works Dir.			
1-01-60 Janitor			
1-01-65 Temporary			
1-02-00 Fringe Benefits			\$2,000.00
1-02-05 FICA			
1-02-10 PERA Retirement			
1-02-15 Health Insurance			
1-02-20 Unemployment Ins.			
1-02-25 Workman's			
1-02-30 Other Fringe Benefits			
1-03-00 Communications			
1-03-05 Fax Machine			
1-03-10 Internet Subsc. Svcs.			
1-03-15 Postage			
1-03-20 Telephone			
1-03-25 Cell Phone			\$500.00
1-03-30 Radio			

## Section 5311

1-03-35 Repeater Fees			
1-04-00 Contractual Services			
1-04-05 Audit			
1-04-10 Advertising			
1-04-15 Equipment Rental			
1-04-20 Contractual Services- Other			
1-04-25 Contractual Srvs.- Janitorial			
1-05-00 Dues and Subscriptions			
1-05-05 NMPTA			
1-05-10 SWTA			
1-05-15 Transit Publications			
1-05-20 20(CTAA)			
1-06-00 Equipment			
1-06-05 Equipment Lease			
1-06-10 Equipment Repair			
1-06-15 Computer			
1-07-00 Insurance			
1-07-05 Buildings and Contents			
1-07-10 Gen. & Emp. Liab. Ins.			
1-07-15 Surety & Fidelity Bonds			
1-07-20 Claims Deductible			
1-07-25 Vehicle Insurance			\$2,000.00
1-08-00 Occupancy Costs			
1-08-05 Office Rent			
1-08-10 Utilities			
1-08-20 Building Maintenance			
1-09-00 Personnel Costs			
1-09-05 Drug & Alcohol Testing			
1-09-10 Physicals			
1-09-15 Hepatitis Vaccinations			
1-10-00 Printing/Copying Costs			
1-10-05 Printing			
1-10-10 Copying			
1-11-00 Supplies			
1-11-05 Office Supplies			\$500.00
1-11-10 Furn. & Eqp. under \$500			
1-11-20 Janitorial Supplies			
1-12-00 Training			
1-12-05 Training			
1-12-10 Training/Lazaro & Noel			
1-13-00 Travel			
1-13-05 Mileage			
1-13-10 Public Transport Fares			
1-13-15 Per Diem			
1-13-20 Registration Fees			
1-13-25 Lodging and Meals			
1-13-30 Other			
1-14-00 Indirect Costs			
1-14-05 Indirect Cost			
<b>TOTAL ELIGIBLE COSTS</b>			<b>\$10,000.00**</b>

## Section 5311

(Administration Continued)

## LOCAL SHARE SOURCES (specify)

<b>TOTAL LOCAL SHARE (20%)</b>			<b>\$2,000.00</b>
<b>FEDERAL SHARE (80%)</b>			<b>\$8,000.00</b>

**NOTE: NO ITEM LISTED AS "OTHER" WILL BE CONSIDERED. PLEASE BE SPECIFIC IN LINE ITEM DESCRIPTIONS.**  
**\*\* This number should match the number entered on Page 1, Section II**

**B) OPERATING BUDGET**

**Please attach justification to this section for any line item increases of 20% or greater for FY12.**

**ELIGIBLE OPERATING COSTS**

Item Description	FY10 ACTUAL EXPENDITURES	FY11 APPROVED BUDGET	FY12 PROJECTED EXPENDITURES
2-01-00 Salaries and Wages			
2-01-05 Supervisor			
2-01-10 Drivers			\$25,000.00
2-01-15 Mechanics			\$2,000.00
2-01-20 Dispatcher			
2-01-25 Janitor			
2-01-30 Salary Adjustment			
2-01-35 Overtime			
2-01-40 Mechanic Supervisor			
2-01-45 Auto Parts Clerk			
2-01-50 Maintainer			
2-01-55 Accountant			
2-01-60 Laborer			
2-02-00 Fringe Benefits			\$9,000.00
2-02-05 FICA			
2-02-10 PERA Retirement			
2-02-15 Health Insurance			
2-02-20 Unemployment Insurance			
2-02-25 Worker's Compensation			
2-02-30 Other			
2-03-00 Communications			
2-03-05 Cell Phone			
2-03-10 Telephone			
2-03-15 Radio Repeater			
2-03-20 Mobile Radio			
2-03-25 Radio			
2-04-00 Contractual Services			

## Section 5311

2-04-05 Maint. - Mach. and Equip.			
2-04-10 Equipment Rental			
2-04-15 Contractual Svcs. - Other			
2-04-20 Transit Services			
2-05-00 Equipment			
2-05-10 Assigned Vehicle Use			
2-05-15 Equipment Rental			
2-06-00 Occupancy Costs			
2-06-05 Building Maintenance			
2-06-10 Operational Rent			
2-06-15 Utilities			
2-06-20 Building Insurance			
2-06-25 Building and Grounds			
2-07-00 Personnel Costs			
2-07-05 Uniforms			
2-07-10 Hepatitis Vaccinations			
2-07-15 Physicals			
2-08-00 Supplies			
2-08-05 Shop Supplies			
2-08-10 Furn. & Equip. under 500\$			
2-08-15 Printing			
2-09-00 Training			
2-09-05 Training			
2-09-10 Training/Lazaro & Noel			
2-10-00 Travel			
2-10-05 Mileage			
2-10-10 Public Transport Fares			
2-10-15 Per Diem			
2-10-20 Registration Fees			
2-10-25 Lodging & Meals			
2-10-30 Other			
2-11-00 Vehicle Costs			
2-11-05 Fuel			\$8,500.00
2-11-10 License & Fees			
2-11-15 Oil & Lubricants			\$500.00
2-11-20 Replacement Parts			\$5,000.00
2-11-25 Tires			\$4,000.00
2-11-30 Vehicle Maintenance			
2-11-35 Vehicle Painting			
2-11-40 Veh. Interior Maintenance			
2-11-45 Freight			
2-11-50 Vehicle Repair			
2-12-00 Indirect Costs			
2-12-05 Indirect Costs			
<b>TOTAL ELIGIBLE COSTS</b>			<b>\$54,000.00</b>



## Section 5311

(Operating Continued)

## REVENUES (specify)

Fare Box Revenues (only fare box revenues reduced from Operating)			\$6,500.00
<b>TOTAL REVENUES</b>			<b>\$6,500.00</b>

<b>NET OPERATING COSTS</b> (total Operating less fare box revenues)			<b>**\$47,500.00</b>
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## LOCAL SHARE SOURCES (specify)

<b>LOCAL SHARE TOTAL (50%)</b>			<b>**\$23,750.00</b>

<b>FEDERAL SHARE (50%)</b>			<b>**\$23,750.00</b>
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**NOTE:** \*\* This number should match the number entered in Section II, "Summary of Request."

## C) CAPITAL BUDGET

**NOTE - Please attach justification to this section for any line item increases of 20% or greater for FY12**

### ELIGIBLE CAPITAL COSTS

Item Description	FY10 ACTUAL EXPENDITURES	FY11 APPROVED BUDGET	FY12 PROJECTED EXPENDITURES
3-01-05 Buildings			
3-01-10 Computers			
3-01-15 Furniture & Fixtures			
3-01-20 Radios & Base Stations			
3-01-25 Other Capital Expenses			
3-01-30 Benches/Signage			
3-01-35 Passenger Bus			
3-01-40 Surveillance System			
3-01-45 15 Passenger Van (W/Lift)			
3-01-50 15 Passenger Van (W/O Lift)			
3-01-55 Bus Shelters			
3-01-60 Mobile Radios			
3-01-65 Capital Cost of Contracting			

**TOTAL ELIGIBLE COSTS**



**August 24, 2010**

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**Title:**

Francisco "French" Espinoza, Public Works Director

**Summary:**

Consideration and acceptance of FTA Section 5311 Grant Award for FY2011 in the amount of \$522,290.08. Funding will allow continued Public Transportation Administrative and Operating functions. Administrative match is 80% Federal \$109,577.66 and 20% local \$27,394.42. Operating match is 50% Federal \$192,659 and 50% Local \$192,659. Total award \$522,290.08.

**Background:**

Continued operations for the Chile Line. Federal Fiscal Year runs from October 1, 2010 to September 30, 2011.

**Attachments:**

Click to download

📎 [Backup](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
8/16/2010 11:28 AM	Approved	Town Manager
8/16/2010 11:28 AM	Approved	Town Clerk



May 3, 2010

Delilah Garcia  
Town of Taos  
400 Camino de la Placita  
Taos, NM 87571

Dear Ms. Garcia:

The New Mexico Department of Transportation's Transit and Rail Division has reviewed your Section 5311 budget requests for FY11. Your administrative, operating and capital budget awards are outlined below.

	Federal	Local	Total
ADMINISTRATIVE (80/20)	\$109,577.66	\$27,394.42	\$136,972.08
OPERATING (50/50)	\$192,659.00	\$192,659.00	\$385,318.00
CAPITAL (80/20)	\$0	\$0	\$0
TOTAL	\$302,236.66	\$220,053.42	\$522,290.08

If you have any questions please contact Melvin Martinez at 490-2556.

Sincerely,

David C. Harris, AICP  
Transit Manager

Cc: Lucia Lopez

**Bill Richardson**  
Governor

**Gary L. J. Giron**  
Cabinet Secretary

**Commission**

**Johnny Cope**  
Chairman  
District 2

**Jim Franken**  
Vice Chairman  
District 4

**Norman Assed**  
Secretary  
District 3

**Roman Maes III**  
Commissioner  
District 5

**Jackson Gibson**  
Commissioner  
District 6

**John Hummer**  
Commissioner  
District 1



**August 24, 2010**

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**Title:**

Marietta Fambro, Finance Director (with Miranda Quintana, Grants Administrator)

**Summary:**

Acceptance and approval of Grant Agreement No. 2010-0011 with the State of New Mexico Aging and Long-Term Services Department in the amount of \$5,250 to purchase and install equipment for the Taos Senior Center. The Town of Taos will act as a fiscal agent for Ancianos Senior Center.

**Background:**

**Attachments:**

Click to download

▢ [Grant Agreement](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
8/16/2010 11:31 AM	Approved	Town Clerk

Contract No. 2010-0011

STATE OF NEW MEXICO  
NEW MEXICO AGING AND LONG-TERM SERVICES DEPARTMENT  
2008 LAWS OF NEW MEXICO

This Agreement is made and entered by and between the State of New Mexico, New Mexico Aging and Long-Term Services Department, hereinafter referred to as the "Department" and Town of Taos, hereinafter referred to as the "Contractor".

I. WITNESSETH

It is known and understood by the Department and by the Contractor that the 2008 Legislature enacted Chapter 80, 2008 New Mexico Laws of. The law appropriated to the Department a total of \$14,700,000 of which five thousand two hundred fifty dollars (\$5,250) is directed to purchase and install equipment hereinafter referred to as "equipment/furnishings" for the Taos Senior Center in Taos County, in accordance with the terms, covenants, and conditions set forth hereunder. The Department and the Contractor agree that the real property on which the senior center(s) is located will be the site where the equipment will be located.

II. GENERAL ADMINISTRATION

1. The authority for the administration of the state appropriated funds is the Department.
2. The Contractor agrees to pursue a policy and a program of compliance with applicable civil rights laws, regulations, and affirmative action, including Title VII of the Civil Rights Act of 1967, as amended, and the Older Americans Act of 1965, as amended, and the Americans with Disabilities Act in the provision of services to senior citizens.

III. IT IS MUTUALLY AGREED BETWEEN THE PARTIES THAT:

1. Scope of Project. The Contractor shall be responsible for the purchase of the equipment and shall further comply with all applicable State of New Mexico procurement requirements.
2. Representations. The Contractor represents that it shall finance its own operations hereunder, and is in no way acting as agent for the Department. The Contractor shall be responsible, to the extent of its negligence, for any and all liabilities, or charges resulting from any act, omission, or representation of the Contractor, its contractors, subcontractors, agents or employees.
3. Consideration. In consideration for the funds granted herein, the Contractor agrees to provide nutrition, educational, and recreational services to senior citizens in the Taos

Senior Center. The Contractor agrees that the equipment shall be used for the above stated purposes nor misused or misappropriated. The Contractor shall be responsible for adhering to the policy on Management and Disposition on Tangible Personal Property provided by the Department.

4. Method of Payment. For the project that is the subject matter of this Agreement, the Department shall reimburse Contractor for qualifying expenditures in a total not to exceed the amount set forth for in the appropriation referenced in Section I. The Contractor shall request payment by making requests using the Request form attached to this Agreement as Exhibit A. Payment requests require Contractor to submit one original of each Request for Payment and shall contain proof of payment in the form of a certification from an authorized signatory that the expenditures are valid or actual receipts. Failure of the Contractor to provide the above referenced information may result in the denial of its payment requests or delay reimbursement processing. Project funds must be expended by the reversion date for the particular project, as established by applicable law.
5. Time for Completion. The Contractor shall insure that purchases authorized under this Agreement shall be completed no later than 6/30/2011.
6. Project Readiness. The Contractor shall ensure that the project is developed sufficiently so that the Contractor reasonably expects to: (1) incur within six months a substantial binding obligation to a third party to expend at least five percent of the appropriation for the project; and (2) spend at least eighty-five percent of the appropriation within two years after the appropriation have been issued.
7. Monitoring/Oversight. The Contractor agrees that the department is authorized and responsible for monitoring the projects funded in this contract to ensure compliance with all applicable regulations. Monitoring includes site visits without prior notification by the department. Failure to complete the project and comply with the terms and conditions of this contract shall cause to be reverted any unexpended or unencumbered balance. Reverted funds shall be deposited in the debt service fund established by the state treasurer. The Contractor shall be responsible for the submission of quarterly status reports to the Department.
8. Liability. Neither party shall be responsible for liability incurred as result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claim Act, sections 41-4-1, et seq., NMSA 1978, as amended.
9. Insurance. The Contractor shall at all times commencing with the date of purchase of the equipment carry or cause to be carried sufficient insurance against damage or destruction and full extended coverage including vandalism and malicious mischief, covering all equipment under this Agreement in an amount equal to the full insurable



value of such equipment. The Contractor agrees to use any insurance proceeds paid under this Agreement to address equipment needs of the senior citizens in the Taos Senior Center with prior approval of the Department. The Contractor may provide self-insurance to satisfy this requirement.

10. Assignment. The Contractor shall not assign this Agreement or any amount payable hereunder without the express prior written consent of the Department. The Contractor shall upon request by the Department, disclose to the Department the names of all contractors, sub-contractors, or other persons or entities with whom it contracts or intends to contract with in connection with the performance of this Agreement.
11. Interest on Monies. Any interest accrued on monies awarded by the Department shall remain the property of the Department for the sole disposal of the Department, and the Contractor shall have no claim or interest whatsoever therein.
12. Audit and Inspection. Separate books of account for the performance of this Agreement and all matters pertaining to this Agreement shall be maintained by the Contractor. All records shall be open for inspection by the Department, the Department of Finance and Administration, or State Auditor at all reasonable times. The Department may audit such books or may employ independent auditors to audit such books at the sole discretion of the Department. The right to make such an audit shall not require that such an audit be made. The Department shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the Department to recover excessive or illegal payments.
13. Use of Equipment/Furnishings. The equipment shall be used solely for the purpose of providing services to the Taos Senior Center and not for any other purpose whatsoever nor misused or misappropriated.
14. Improper Use. The Contractor and the Department agree that the Department may remove the equipment from the site if it is used for other than the above agreed upon purposes.
15. Finality of the Funding. The Contractor understands that the amount of funding specified in Section I of this Agreement is final. Any other costs whatsoever shall be the sole responsibility of the Contractor. The Contractor shall not apply for other funds hereunder. No claim for payment in excess of the amount set forth herein for extra costs of any kind shall be made by the Contractor.
16. Notices. All notices which may be given to either of the parties hereunder shall be in writing and shall be sent by registered or certified mail to the addresses and addressees specified on the last page of this Agreement.

17. Status of Contractor. The Contractor and its agents and employees are independent contractors and are not employees of the State of New Mexico. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, use of state vehicles, or any other benefits afforded to employees of the State of New Mexico as a result of this Agreement.
18. Appropriations. The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the State of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made, this Agreement shall terminate upon written notice being given by the Department to the Contractor. The Department's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final.
19. Release. The Contractor, upon final payment of the amount due under this Agreement, releases the Department, its officers and employees, and the State of New Mexico from all liabilities, claims, and obligations arising from or under this Agreement. The Contractor agrees not to purport to bind the State of New Mexico unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.
20. Conflict of Interest. The Contractor warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement. The Contractor certifies that the requirements of the Governmental Conduct Act, Sections 10-16-1 through 10-16-18, NMSA 1978, regarding contracting with a public officer or state employee have been followed.
21. Term. This Agreement shall not become effective until approved by the Department and shall terminate on 6/30/2011, unless terminated pursuant to Paragraph 20.
22. Termination. This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party by at least thirty (30) days prior to the intended date of termination. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination.
23. Amendment. This Agreement shall not be altered, changed, or amended except by instrument in writing executed by the parties.
24. Merger. This Agreement incorporates all the agreements, covenants, and understandings between the parties concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Agreement. No prior agreements or understandings, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.



25. Procurement Code. The Contractor shall at all times comply with the Procurement Code. The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities, and kickbacks.
26. Equal Opportunity Compliance. The Contractor agrees to abide by all federal and state laws and rules and regulations, and executive orders by the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, the Contractor agrees to assure that no person in the U.S. shall, on the grounds of race, color, national origin, sex, sexual preference, age, or handicap, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If the Contractor is found to be not in compliance with these requirements during the life of this Agreement, the Contractor agrees to take appropriate steps to correct these deficiencies.
27. Applicable Law. This Agreement shall be governed by (a) the laws and regulations of the State of New Mexico and (b) any applicable laws and regulations of the federal government.

**THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.**

NEW  
MEXICO  
AGING &  
LONG-TERM  
SERVICES  
DEPARTMENT

IN WITNESS WHEREOF, the parties have executed this Agreement as follows:

**NEW MEXICO AGING AND LONG-TERM SERVICES DEPARTMENT**

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

**TOWN OF TAOS**

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

**TAXATION AND REVENUE DEPARTMENT**

The records of the Taxation & Revenue Department indicate that the entity is registered to pay gross receipt taxes to the State of New Mexico.

TAXPAYER I.D.# 01-710103-004

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

NOTICES

New Mexico Aging and Long-Term Services Department  
2550 Cerrillos Road  
Santa Fe, NM 87505

Town of Taos  
400 Camino De La Placitas  
Taos, New Mexico 87571



**August 24, 2010**

---

**Title:**

Marietta Fambro, Finance Director

**Summary:**

Consideration and approval of Resolution 10-48; Budget Adjustment Request - **1) Community Grants Fund (30)** - Increase revenues and expenditures to purchase and install equipment for Ancianos Senior Citizens Center, money is coming from a grant through New Mexico Aging and Long Term Services Department in the amount of \$5,250. **2) Lodger's Tax Fund (23)** Transfer \$1,162 from operating expense to personnel to cover total personnel transportation costs for the NMML conference.

**Background:**

Town of Taos Policy requires Council approval on all budget transfers that transfer funds between cost categories, (ie. Personnel, Operating Expenses and Capital Outlay), interfund transfers, budget increases, projects to projects and new projects.

**Attachments:**

Click to download

 [Res 10-48 BAR](#)

**APPROVALS:**

Date/Time:	Approval:	Department:
8/16/2010 1:21 PM	Approved	Town Clerk



**TOWN OF TAOS, NEW MEXICO  
RESOLUTION 10-48**

**WHEREAS** the Town of Taos has adopted its operating budget for the fiscal year ending June 30, 2011, and

**WHEREAS** the governing body of the Town of Taos, meeting in Regular Session this 24<sup>th</sup> day of August, 2010 wishes to adjust its operating budget for the fiscal year ending June 30, 2011.

**NOW, THEREFORE** be it resolved that the governing body of the Town of Taos, meeting in Regular Session this 24<sup>th</sup> day of August, 2010, adopts this budget adjustment and respectfully requests approval from the Local Government Division of the Department of Finance and Administration to effect this budget adjustment.

**Community Grants Fund (30)**

**Revenues and Other Sources:**

Grant NM Aging & Long-Term Services Department	\$ 5,250.00
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**Expenditures and other Financing Uses:**

Capital Outlay	\$ 5,250.00
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(To adjust the Community Grants Fund, this budget adjustment will increase revenues and expenditures to purchase and install equipment at the Senior Center.)

**Lodger's Tax Fund (23)**

**Expenditures and other Financing Uses:**

Personnel Expense	\$ 1,162.00
Operating Expense	\$( 1,162.00)

(To adjust the Lodger's Tax Fund, this budget adjustment will transfer from Personnel to operating to cover personnel transportation costs for the NMML Conference.)

**PASSED, APPROVED, AND ADOPTED THIS 24<sup>th</sup> DAY OF AUGUST 2010.**

Mayor Pro Tem Rudy C. Abeyta	_____
Councilmember A. Eugene Sanchez	_____
Councilmember Amy J. Quintana	_____
Councilmember Michael A. Silva	_____

**TOWN OF TAOS**

\_\_\_\_\_  
**Darren M. Cordova, Mayor**

**ATTEST:**

**APPROVED AS TO FORM**

\_\_\_\_\_  
**Renee Lucero, Town Clerk**

\_\_\_\_\_  
**Allen Ferguson, Jr., Town Attorney**

**APPROVED:**

\_\_\_\_\_  
**Department of Finance and Administration**

**Date:** \_\_\_\_\_



**August 24, 2010**

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**Title:**

Executive Session

**Summary:**

The Council will adjourn to go into executive session to discuss the following: 1) Limited personnel matters regarding the Town Manager pursuant to NMSA 1978 10-15-1-H.2.; 2) Subject to the attorney client privilege pertaining to pending litigation specifically State of New Mexico versus Abeyta, U.S. District Court pursuant to NMSA 10-15-1-H.7.

**Background:**

**Attachments:**

**Click to download**

No Attachments Available

**APPROVALS:**

Date/Time:

Approval:

Department:

8/19/2010 3:05 PM

Approved

Town Clerk