

ARTICLE 4. PROCESS FOR THE ADOPTION OF ALL ORDINANCES AND RESOLUTIONS

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§ 2.4.1 RESOLUTIONS

(A) A “Resolution” is the formal expression of the will or opinion of the governing body, adopted by vote.

(B) A “Resolution” shall be adopted only by roll call vote and by a majority of the governing body.

§ 2.4.2 ORDINANCES

(A) An “Ordinance” is a rule established by the governing body of a municipal corporation. It is a permanent rule of action. § 3-17-1 NMSA 1978.

(B) The enacting clause of a municipal ordinance shall be: “Be it ordained by the governing body of the Village of Los Ranchos de Albuquerque.” § 3-17-2 NMSA 1978.

§ 2.4.3 NOTICE BY PUBLICATION OF CERTAIN PROPOSED ORDINANCES

(A) Notice by publication of the title and subject matter of any ordinance proposed for adoption by the governing body of any municipality must take place at least two weeks prior to consideration of final action upon the ordinance in open session of the governing body, except that this section shall not apply to ordinances dealing with an emergency declared by the chairman of the governing body or the Mayor, as the case may be, to be an immediate danger to the public health, safety and welfare of the municipality, or to ordinances the subject matter of which is amending a city zoning map, provided the amendment to such zoning map has been considered by, and recommended to, the governing body by a planning commission with jurisdiction in the matter. It is sufficient defense to any suit or prosecution to show that no notice by publication was made. § 3-17-3 (A) NMSA 1978.

(B) Notice of the proposed ordinance shall be published one time as a legal advertisement in a newspaper of general circulation in the municipality. § 3-17-3 (B) NMSA 1978.

(C) Copies of a proposed ordinance shall be available to interested persons during normal and regular business hours of the Village Clerk upon request and payment of a reasonable charge, beginning with the date of publication and continuing to the date of consideration by the governing body. § 3-17-3 (C) NMSA 1978.

§ 2.4.4 ORDINANCE AUTHENTICATION; EFFECTIVE DATE

(A) An ordinance shall be recorded in a book kept for that purpose, shall be authenticated by the signature of the presiding officer of the governing body and the Village Clerk and shall bear the seal of the municipality. The ordinance shall be published one time



either in its entirety or by title and a general summary of the subject matter contained in the ordinance, whichever the governing body elects to do. § 3-17-5 (A) NMSA 1978.

(B) An ordinance shall not become effective until five (5) days after it has been published, unless otherwise provided by law. § 3-17-5 (B) NMSA 1978.

§ 2.4.5 ORDINANCE ADOPTION: ROLL CALL VOTE

(A) If a majority of all the members of the governing body vote in favor of adopting the ordinance or resolution, it is adopted. The Village Clerk shall record in the minutes book the vote of each member of the governing body on each ordinance. § 3-17-4 (A) NMSA 1978.

(B) Within three (3) days after the adoption of an ordinance or resolution, the Mayor shall validate the ordinance or resolution by endorsing “Approved” upon the ordinance and signing. § 3-17-4 (B) NMSA 1978.

§ 2.4.6 CONFORMITY WITH STATE LAW

(A) All ordinances adopted by the Village of Los Ranchos shall be in conformity with state law. § 3-17-1 NMSA 1978.

(B) All references to NMSA (1978) in this Article are subject to amendment.

Ordinance and State Law References regarding Chapter 2, Article 4:

Ordinance #198, adopted March 15, 2006, added Section 4.

