



DEPARTMENT MEMORANDUM

To: The Honorable Mayor and Governing Body

From: Municipal Judge

Date: October 22, 2021

Subject: Discussion Section: Proposed Ordinance "2021-07-Referance."
An ordinance that updates City Ordinance Chapter 35, Vehicles and Traffic, Section 305-10. This Section adopts the New Mexico Uniform Traffic Ordinance by Referance.

Introduction: The city of Espanola has adopted the New Mexico Uniform Traffic Ordinance. The City's codified ordinance, section 305-10, Adoption by Reference, however, only adopts the New Mexico Uniform Traffic Ordinance through July 2017. The New Mexico UTO was updated in 2019, and other updates may present themselves in the future.

Background: In order for the city to accept and incorporate the New Mexico UTO updates through 2021 and into the future, the City should adopt the New Mexico UTO by reference through 2021, and include future revisions to the UTO. Both of these provisions are in ordinance "2021-07-Referance".

Discussion: Attached draft ordinance, "2021-07-Referance" will update the City's adoption of the New Mexico UTO through August 2021, and will in include all future revisions to the UTO.

Budget Impact: There is no impact to the City Budget.

Recommendation: Action. Item: Adoption of this ordinance is crucial to the enforcement and adjudication of the City's traffic ordinances. I respectfully urge the council to adopt this ordinance.

Prepared by: Martin Martinez, Espanola Municipal Judge

Attachments: 1. Proposed Ordinance "2021-07-Referance".
A proposed amendment to Section 305-10, Adoption by Reference

Ordinance Number 2021-07-Referance

AN ORDINANCE ADOPTING THE NEW MEXICO UNIFORM TRAFFIC ORDINANCE, 2010 COMPILATION WITH ALL REVISIONS THROUGH AUGUST, 2021, AND WITH ALL FUTURE REVISIONS TO THE ORDINANCE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ESPANOLA, NEW MEXICO

Section 305-10 Adoption by Reference.

A. The New Mexico Uniform Traffic Ordinance, 2010 compilation with all revisions through August, 2021, and with all future revisions to the ordinance, is herewith adopted by reference, pursuant to NMSA 1978, SECTION 3-17-6.

B. The New Mexico Uniform Traffic Ordinance hereby adopted by reference is on file at the City Clerk's Office, City of Espanola, 405 N. Paseo De Onate, Espanola, NM 87532.

Section 5. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. ORDINANCES REPEALED.

All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed only to the extent of such inconsistency.

Section 7. EFFECTIVE DATE.

This ordinance shall be effective upon its adoption and the publication as provided by law.

ADOPTED AND APPROVED by the Governing Body of the City of Espanola. This 26th Day of October, 2021.



The Honorable Javier E. Sanchez
Mayor, City of Espanola