

ORDINANCE NO. 276

AN ORDINANCE AMENDING SECTION 90.18 OF THE
TULAROSA CODE OF ORDINANCES PROVIDING FOR
UNLAWFUL ACCUMULATION OF REFUSE

BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF
TULAROSA, NEW MEXICO:

That Section 90.18 of the Tularosa Code of Ordinances is hereby amended to
read as follows:

90.18 ACCUMULATION OF REFUSE.

(A) For the purpose of this section, the following
definition shall apply unless the context clearly indicates or
requires a different meaning.

REFUSE.

(a) Any article or substance:

1. Which is commonly discarded as waste;

or

2. Which, if discarded on the ground, will create or
contribute to an unsanitary, dangerous, offensive or
unsightly condition.

(b) REFUSE includes, but is not limited to the
following items or classes of items: waste food; waste paper
and paper products; cans, bottles or other containers; junked
household furnishings and equipment; junked parts or bodies of
automobiles and other metallic junk or scrap; portions or
carcasses of dead animals; and collections of ashes, dirt,
yard trimmings or other rubbish. (NMSA 30-8-3).

(B) It shall be unlawful for any person to: (1)
Allow any refuse to collect or accumulate on any lot or other
premises within the city of which he or she is owner, tenant,
lessee, manager or occupant; (2) Throw, place, discard or
conduct, in any manner, any refuse into any public
thoroughfare or other public place, or upon any private
property, whether owned by the person, other than by placing

the refuse in proper containers; or (3) Throw, place or conduct in any manner, any refuse into any ditch within the city limits.

(C) When it has been determined that there is a violation of this section, notice shall be served by the Chief of Police or his or her agent, upon the owners or agents in charge of the property directing that removal of refuse be made within ten (10) days.

(D) In addition, if the owners or agents in charge of the property fail to comply with the order within the time prescribed, the village may cause the refuse to be removed at the expense of the owners of the property in accordance with state law (NMSA 3-18-5) and the cost of the removal shall constitute a lien against the property which shall be enforced by foreclosure by the Village Attorney

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE VILLAGE OF TULAROSA, NEW MEXICO, this 21st day July , 2021.


MARGARET TRUJILLO
Mayor

ATTEST:


REBEKAH BRYANT
Village Clerk