

**TOWN OF RED RIVER
ORDINANCE 2004-05**

AN ORDINANCE AMENDING TOWN OF RED RIVER ORDINANCE 2000-5. ARTICLE 5. BUILDING PERMIT. ARTICLE 6. DEFINITIONS. ARTICLE 10. R-3 RESIDENTIAL ZONE. ARTICLE 13. GENERAL BUSINESS ZONE. ARTICLE 17. OFF-STREET PARKING. ARTICLE 20. DRAINAGE CHANNELS AND AREAS SUBJECT TO FLOODING. PROVIDING FOR PENALTY AND AN EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF RED RIVER, NEW MEXICO.

SECTION 1. AMENDMENTS

A. Article 5. Building Permits. Subsection C, D, and E are hereby amended to read:

- (C) Such application, along with a minimum fee of \$20.00 or 25% of the State Building Fee, whichever is greater, shall be accompanied by a plat of the property, in triplicate, showing with dimensions not less than the following:**
- 1. A boundary survey showing the lot lines and staking of the lot by a licensed, registered New Mexico land surveyor.**
 - 2. The location of the building or structure (including the porches, decks, stairways, or anything attached to the outside of the building) on the lot, including the setbacks on all sides. When necessary, (corner lots, intersecting driveways, etc.) show required vision clearance, turnarounds, etc.**
 - 3. How water and sewer service will be provided and location of any easements.**
 - 4. Drainage (slope direction only) and snow removal plans.**
 - 5. Number of dwelling or commercial units and type.**
 - 6. The location and description of any signs to be placed on the property.**
 - 7. The parking plan which shall show the location of all parking spaces (including but not limited to handicapped parking), ingress, and egress from spaces and necessary turn around areas, as well as access to streets or alleys.**
- (D) The application shall also be accompanied by three elevation drawings showing the proposed building or structure and how it will appear upon completion and the drawing and plat shall contain suitable notations indicating all the proposed uses of land and buildings.**
- (E) A permit will be issued based on the following:**
- 1. after plats, plans and drawings have been approved by the Administrator (in case of absence of Administrator, the Town Administrator shall have authority to approve or disapprove).**
 - 2. after a determination of Flood Plain.**
 - 3. after all provisions of the Town of Red River Planning and Zoning Ordinances have been complied with accordingly.**
 - 4. after submitting a copy of a state permit if applicable.**
 - 5. after all Town fees have been paid.**

- B. Article 5. Building Permits.** hereby amended by adding Section (J) and shall read:
- (J)** After completion and inspection of the construction project, the Town of Red River shall issue a certificate of occupancy.
- C. Article 6. Definitions. Dwelling Unit.** is hereby amended to read:
- DWELLING UNIT – One room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease ---physically separated from any other rooms or dwelling units Which may be in the same structure---and served by only one water meter, one gas meter, and one electric meter. For purposes of computing comparable “dwelling unit” bulk requirements, every two beds in any boarding and rooming house, or dormitory, shall be considered to be one “dwelling unit”. Every eight beds in any orphanage, rest home, convalescent home, nursing home or retirement home shall be considered to be one “dwelling unit”.**
- D. Article 10. R-3 Residential Zone.** is amended by adding Subsection F. and shall read:
- (F)** Any new dwelling must conform to commercial building standards.
- E. Article 13. General Business Zone.** is hereby amended by adding Subsection F. and shall read:
- (F)** Any new dwelling must conform to commercial building standards.
- F. Article 17. Off-Street Parking.** Subsections A, B, C, D, E, F, G, H, J, K, and M, are hereby amended to read:
- (A)** **DWELLING – One parking space per 2500 square feet of floor area, but not less than two spaces per dwelling unit. A garage may be included if more than two (2) spaces are required for parking.**
- (B)** **CHURCHES, THEATERS, COMMUNITY CENTERS, CONFERENCE CENTERS – At least one off-street parking space for each 500 square feet of the building. Such space shall be provided not further than 300 feet distance in a direct line from the nearest part of such building or structure used for these purposes to the nearest part of the parking area.**
- (C)** **RESTAURANT, NIGHT CLUB, DANCE HALL, SIMILAR RECREATION OR AMUSEMENT ESTABLISHMENT - At least one parking space per 500 square feet of useable customer area.**
- (D)** **HOTEL, MOTEL, BED & BREAKFAST OR EACH DWELLING UNIT – Parking shall be based on maximum occupancy load as determined by Town’s Fire Chief. There shall be one space for every four occupants, plus 10% for accessory vehicle parking.**
- (E)** **HOSPITAL, SANATORIUM, CLINIC, OR NURSING HOME – At least one parking space per 500 square feet.**
- (F)** **RETAIL STORES – One off-street parking space for each retail store up to 2000 square feet, one additional space for each additional 1000 square feet.**

- (G) **OFFICE BUILDINGS OR BANKS** – At least one parking space for each 500 square feet of office floor area.
 - (H) **INDUSTRIAL OR MANUFACTURING ESTABLISHMENTS** – One space per every 2000 square feet.
 - (J) **VEHICLE RENTAL, RV AND VEHICLE SALES OUTLETS**
 - Rental Vehicles: There shall be at least one space for each vehicle and at least 25 square feet for each motorcycle, snowmobile, or ATV.
 - Vehicle Sales: There shall be at least one space for each vehicle.
 - Customer Parking: One off-street parking space for each retail store up to 2000 square feet; one additional space for each extra 1000 square feet.
 - (K) **GROUP FACILITY** – At least 400 square feet for each bus. Parking shall be based on maximum occupancy load as determined by the Town’s Fire Chief. There shall be one space for every four occupants.
 - (M) **SNOW STACKING** – Adequate additional space for snow stacking shall be provided on the same property that contains the off-street parking spaces. Locations on Main Street will be allowed to push snow to the center of Main Street before the Town crews begin clean-up. Persons that push snow to the center of Main Street after clearing of the snow will be in violation of this ordinance.
- E. **Article 17. Off-Street Parking** is hereby amended by deleting Subsection I. Bowling Alleys.
- F. **Article 17. Off-Street Parking** is hereby amended by adding Subsection O and shall read as follows:
- (O) Situations not specifically covered in this ordinance shall be required to appear before the Planning and Zoning Commission.
- G. **Article 20. Drainage Channels and Areas Subject to Flooding.** is hereby amended to read:
- As a condition precedent to issuance of any building permit, the Administrator shall review the information submitted pursuant to Article 5 of the Ordinance and if necessary, inspect the property to determine if Ordinance 2001-03 applies. If the Administrator determines such Ordinance applies because the site is located either wholly or partially in a flood hazard area, floodway, flood fringe area or flow line area, then all of the provisions in Ordinance 2001-03 and this Ordinance must be complied with prior to issuance of a Building permit.

SECTION 2. SEVERABILITY

If any part or provision of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such part or provision shall be determined to be severable and such decision shall not affect the remainder of this Ordinance.

SECTION 3. PENALTY

For any violation of this Ordinance, there shall be a fine of not more than \$500.00 and imprisonment of not more than ninety days, and each and every day of a violation of this Ordinance constitutes a separate offense punishable as a separate offense.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective five (5) days after passage and publication as provided by law.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF DECEMBER, 2004 AT TOWN HALL IN RED RIVER, NEW MEXICO.

ATTEST:

TOWN OF RED RIVER

JUDY BRUNSON
MUNICIPAL CLERK

CRAIG SWAGERTY
MAYOR