

ORDINANCE NO. O-108

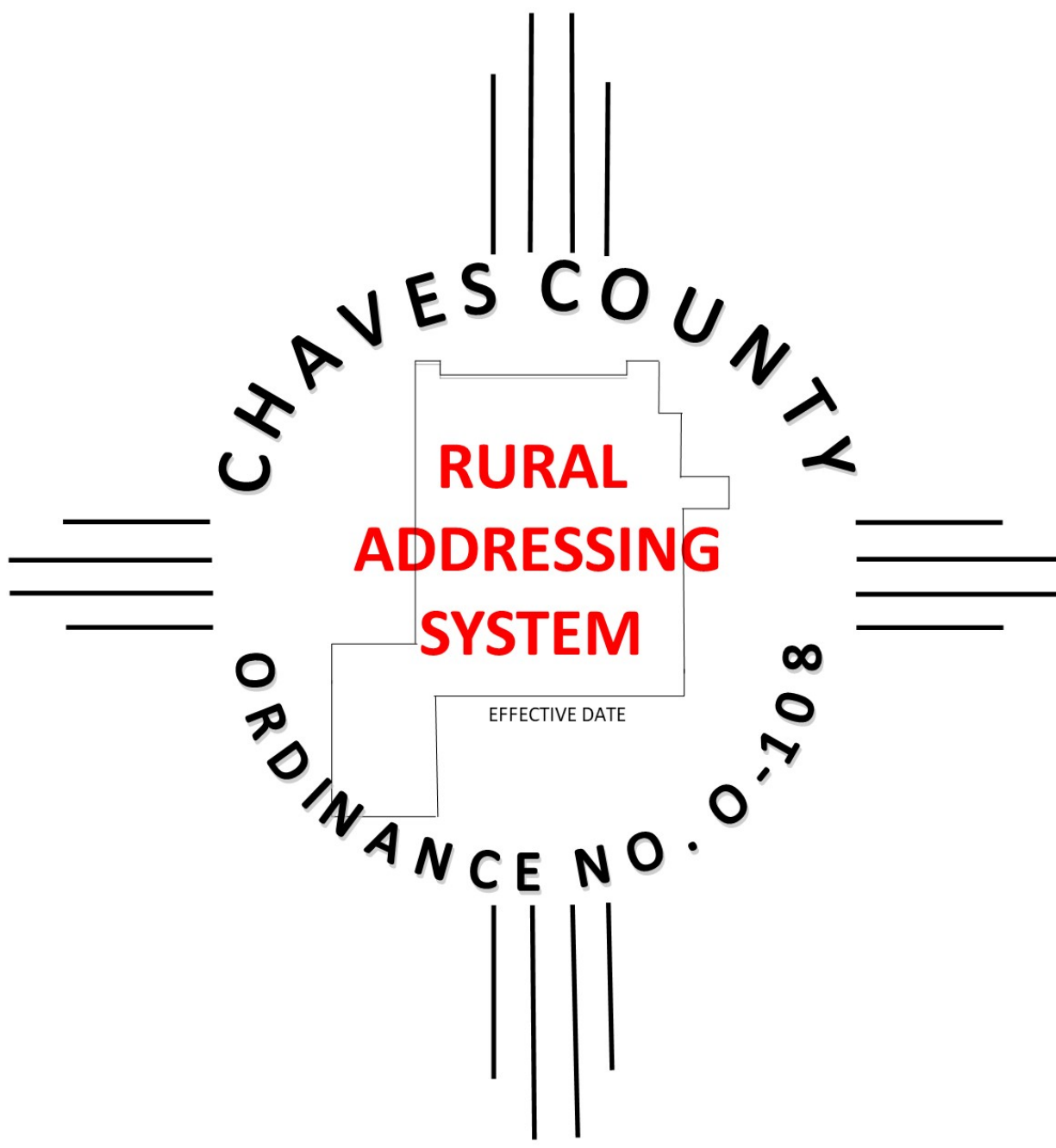
REPEALING AND REPLACING ORDINANCE NO. 19 “CHAVES  
COUNTY RURAL ADDRESSING AND REVISION NO.1”, WITH A  
NEW CHAVES COUNTY RURAL ADDRESSING SYSTEM  
ORDINANCE.

**WHEREAS**, Chaves County adopted a rural addressing system, based on Sections 4-37-1, 4-37-3, 67-5-1 et seq, NMSA 1978 Compilation, for consistent and coherent numbering of structures for public safety purposes, to minimize confusion for citizens and visitors to Chaves County, and to facilitate orderly and comprehensive mail delivery for the citizens of Chaves County; and

**WHEREAS**, the Chaves County Board of Commission previously adopted Ordinance No. 19 “Chaves County Rural Addressing Ordinance” and one resolution concerning the rural addressing system, being Revision No.1; and

**WHEREAS**, the Chaves County Board of Commissioners has determined that a more comprehensive and simplistic Rural Addressing System should be adopted and upon the passage of this Ordinance, Ordinance No.19, Chaves County Rural Addressing Ordinance, shall be repealed and replaced by this Ordinance; and

**NOW, THERFORE, BE IT RESOLVED**, the Chaves County Board of Commissioners hereby ordains:



CHAVES COUNTY

**RURAL  
ADDRESSING  
SYSTEM**

EFFECTIVE DATE

ORDINANCE NO. 0-108

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## Section 1. Purpose

1.0 The purpose of this ordinance is to provide guidelines for maintaining a Rural Addressing System within Chaves County in order to assist in the provision of public safety for its citizens including 911 emergency response, enhance mail and for defining policies and procedures related to the naming/re-naming of roads, signage of roads, assigning of addresses, and the ongoing maintenance of the rural addressing system.

## Section 2. Effective Date

2.0 The effective date of this Chaves County Rural Addressing System Ordinance shall be thirty (30) days after said document has been duly recorded by the Chaves County Clerk's Office.

## Section 3. Conflicting Provisions

3.0 Where there exists a conflict between any limitation or requirement in this Ordinance and any applicable limitation or requirement contained elsewhere in this Ordinance or in any other Ordinance, regulation or law, the more restrictive limitation or requirement shall prevail.

## Section 4 Definitions

4.0 **Address:** A permanent, unique identifier for a property that clearly identifies where a property is located. The address number is assigned by the PZD, or designee, after inspecting the location of the property or by referencing the County maps and road indexes. Address as used in this Ordinance references the physical location of the property.

4.1 **Board:** Chaves County Board of Commissioners.

4.2 **Chaves County Road Department:** The Department whose duties include county road and sign maintenance.

4.3 **County:** Chaves County, New Mexico

4.4 **Cul-de-sac:** A road that dead-ends but generally has a turn-around radius with structures arranged around it such that extending the street or joining with another street is not possible.

4.5 **Manufactured Home** A structure built on a permanent chassis with a body width exceeding eight (8) feet and body length exceeding forty (40) feet designed to be used as a dwelling unit when connected to the required utilities, plumbing, heating, cooling, and electrical systems.

4.6 **Municipality:** A village, town, or city that is a political subdivision in Chaves County.

4.7 **PZD:** Chaves County Planning and Zoning Department which includes individual(s) assigned the responsibility for assignment of addresses, maintenance of accurate road name listing, updating of maps, and enforcement and policing of the provisions of this Ordinance.

- 4.8 **Primary Access:** Principal point of ingress-egress to a property.
- 4.9 **Primary Structure:** For the purpose of this Ordinance, a primary structure is defined as a house or commercial building being newly constructed and/or occupied for the first time and which will require an installation visit to obtain utility services. With the implementation of wireless 911 services, all towers erected for the purposes of wireless communications, of all types, are classified as structures.
- 4.10 **Utility Company:** Any public or privately held entity that provides services for a fee or any type of remuneration.
- 4.11 **Utility Service:** Service that includes but is not limited to, electric, gas, water, sewer, telephone or cable television.

### **Section 5 Administration**

5.0 All addressing services shall be administered through the Chaves County Planning and Zoning Department hereafter "PZD". The department shall have the authority to delegate to an individual or individuals the responsibility of coordinating the ongoing maintenance of the rural addressing system. These duties shall include: assignment of addresses, maintenance of an accurate road name list, update maps, management of address sign installations and maintenance, and enforcement and policing of the provisions of this Ordinance.

### **Section 6 Jurisdiction**

6.0 These standards shall regulate all lots, parcels, buildings, occupant identifiers, structures, and streets within the unincorporated areas of Chaves County, and within all municipalities to the extent as set forth in the Joint Powers Agreements previously enacted between Chaves County and each municipality individually. All provisions of this Ordinance shall be in effect where Joint Powers Agreements exist for road maintenance by the Chaves County Road Department.

### **Section 7 Application of Ordinance**

- 7.0 Any person, firm, corporation, or other legal entity constructing new structures or locating or relocating manufactured homes shall, before construction or placement work commences, request an address from PZD and shall provide all information required to complete the address process.
- 7.1 No utility company operating in Chaves County shall furnish utility service(s) to any new structure or manufactured home, including a manufactured home that is moved from one location to another, until it has been issued a valid address by PZD or PZD has validated an existing address.
- 7.2 The subscriber shall furnish PZD with the necessary utility contact information for verification of address assignment as well as proof of ownership of the property or a contract for use of the property. PZD shall notify the utility of valid address completion.
- 7.3 Due to 911 requirements in New Mexico, all entities that have communication towers, regardless of installation date, shall have ninety (90) days from the

effective date of this Ordinance to report the location of all towers located in Chaves County. This provision shall apply to all towers that have or could have cellular telephone, similar or newer replacement technologies, installed. This will apply to all towers not previously addressed by Chaves County.

## **Section 8 Addressing**

8.0 Proposed addressing numbers shall be administered through the PZD in order to provide a uniform property numbering system which allows adequate space between numbers for development and also provides a simple and logical method for expedient response in locating all buildings within the Chaves County's road network.

8.1 Only the PZD may assign, approve, change, or delete an address.

8.2 Halves (1/2) and Letters (A&B) within an address numbering shall be avoided whenever possible. Changes to a property address may be necessary, from time to time, to avoid such possibilities. The County may assist in the expenses acquired for a necessary address change when the change is for the benefit of the neighborhood and community.

8.3 All primary structures, outside the agreed upon block system covering the municipalities, shall be addressed starting at the road point-of-beginning (POB) and extending to the road terminus, at a rate of 100 addresses per mile. At the discretion of PZD, the interval may be amended to accommodate a higher density of structures.

8.4 Even numbered address shall be assigned to primary structures that lie on the south or west sides of the roadways. Odd numbered addresses shall be assigned to primary structures on the north or east side of the roadways.

8.5 Addressing requests abutting State roads or highways shall require an approved Access Permit from the New Mexico Department of Transportation before consideration by the PZD.

8.6 If a municipality or County has been previously using another methodology, the PZD may continue with that system to the extent of the established block system, then the County's methodology described in provisions (8.1), (8.2) of this section shall be utilized.

8.7 Pursuant to existing joint powers agreements, and the criteria set forth when the Rural Addressing System was adopted, block lengths (Example:100-199) shall be approximately six hundred and sixty (660) feet.

8.8 Once the address has been assigned, PZD shall provide the sign, sign post and numbers for a fee equal to the cost of the materials at the time of the address issuance. The person to whom the address was issued shall be responsible for placement of the address sign at a location which will be on the property line at the front of the property and located two (2) feet to the outside of the primary driveway access to the parcel. The County may, for a fee of twenty dollars (\$20.00)

install the signs at the request of the owner. Address signs shall be located as specified in the attachments to this Ordinance.

8.9 The owner of the addressed property shall be responsible for keeping brush and debris cleared to ensure the visibility of the address sign from the traveled roadway.

8.10 Residents or owners shall be responsible for maintaining their address sign after installation. The County shall make replacement supplies available, for a fee equal to the cost of the supplies at the time of the replacement. The Board may, upon request, assist residents with maintenance.

8.11 Vanity address signs may be allowed in addition to County issued address signs.

8.12 All subdivisions that are approved by the County shall be required to be addressed as determined by PZD. Vacant lots may be assigned addresses for planning and assessment purposes, however, addresses and address signs shall not be issued or placed until the primary access point for the property has been established and a building permit or Manufactured Home Placement Permit has been issued to the property owner. These addresses shall then be officially issued to the property owner.

8.13 In the event a property is annexed into a municipality, the County shall no longer provide support or supplies for the address signs.

## **Section 9 Road Names**

9.0 Proposed road names shall be administered through the PZD. The County may, at its discretion, name, rename, and remove road names to avoid duplication, or when it is in the best interest of the health, safety, and general welfare of the citizens of Chaves County.

9.1 The PZD shall consider a road name for private roads only when the road provides access to three or more structures and requires a name in order to promote the health, safety and welfare of the public.

9.2 Proposed road names in new developments, excluding subdivisions, shall be submitted to PZD for preliminary approval with the following:

- a) New road name application, provided by PZD, and required administrative fee.
- b) A signed petition from the majority (51%) of the affected property owners who own, reside, or operate a commercial establishment on the road in question, shall forward such petition to PZD and such petition shall include the name, address of residence and telephone number of the petitioner, and such petition shall name one person on the petition as the group representative who shall be the spokesperson for the group and work directly with PZD.

- c) A site plan showing the latitude and longitude of the primary access point of the proposed road as it intersects with an existing road, and the length and width of the easement or right-of-way of the proposed new road.
  - d) Approval from the New Mexico Department of Transportation for proposed roads that intersect with a State road or highway.
- 9.3 New road names proposed within a new subdivision shall be reviewed and approved as part of the subdivision approval process per the latest Chaves County Subdivision Ordinance.
- 9.4 New road names shall not be in conflict with an existing named road, duplicate an existing name that does not align with the proposed road, be based on a family name, nor phonetically sound the same as an existing named road.
- 9.5 A new road may utilize an existing road name when the new road aligns with or is an extension of an existing road.
- 9.6 Newly named roads shall be designated "Road" with the exception of roads that meet the design provisions in (9.7), (9.8) and (9.9) of this section.
- 9.7 Newly named roads, being approximately one half (1/2) of a mile in distance and intersect with other roads at each end, normally due to a change in direction shall be designated "Lane".
- 9.8 Newly named roads that are circular in shape and begin and end with a common road shall be designated "Loop".
- 9.9 Newly named cul-de-sacs shall be designated "Court" or "Place".

### **Section 10 Renaming Roads**

- 10.0 Once a road has been named, it shall not be the subject of a petition for renaming for a period of ten (10) years, unless the petitioning land owners can establish a need to rename the road based on public health, safety, or welfare.
- 10.1 A petition from the majority (51%) of the affected property owners who own, reside, or operate a commercial establishment on the road in question, shall forward such petition to PZD and such petition shall include the name, address of residence and telephone number of the petitioner, and such petition shall name one person on the petition as the group representative who shall be the spokesperson for the group and work directly with PZD.
- 10.2 PZD shall contact all property owners who reside or operate a commercial establishment on the road in question and conduct a poll of the residents concerning the proposed name change.
- 10.3 Upon completion of the poll, PZD shall forward the results of the poll, and all other pertinent information to the County Manager's Office. The request for name



change shall then be placed on the agenda for the next regularly scheduled Board Meeting or as soon thereafter as reasonably possible to comply with publication requirements for a hearing and consideration of the request.

10.4 A road name shall be changed only if there is a public benefit which clearly outweighs the public confusion and expense created by the name change.

10.5 It shall be the responsibility of the residents requesting the name change to pay the costs associated with the name change. A non-refundable administrative fee, as established by separate resolution, shall be paid to cover the expenses related to the review, polling, document preparation, notifications, and map and records changes. A fee, as established by separate resolution, shall be paid for each street or road sign that must be installed or replaced due to the name change.

10.6 A request for changing a road name shall not be considered for approval until PZD has received a cashier's check or money order for an amount equal to the administrative fee. Payment for road signage shall be in advance of actual work, and within fifteen (15) days of approval. It shall be the responsibility of the "group representative" to obtain the funds necessary to cover all administrative and signage fees.

10.7 Subdivision re-plats that change the name of established roads shall be subject to the provisions of this section.

10.8 For the purposes of Section 10.1, to establish the required 51 % of the affected land owners, one person per vacant lot, or one person per residence may sign the petition. (i.e. one vacant lot, one vote; one residence, one vote.)

### **Section 11 Road Signs**

11.0 All road and traffic control signs on roads that are not maintained by the State of New Mexico or municipality, shall be placed by the Chaves County Road Department in accordance with the Manual on Uniform Traffic Control Devices. (MUTCD).

11.1 Road name and traffic control signs placed by the Chaves County Road Department in new developments shall be at the expense of the party creating the development. Fees shall be based on the current material and actual installation costs, as determined by the Chaves County Road Department. All signage fees shall be paid in advance of the installation.

### **Section 12 Prohibitions**

12.0 No building permit shall be issued, or a manufactured home located or relocated, within the unincorporated areas of Chaves County until an approved address has been assigned and verification, in writing, has been provided by the PZD.

12.1 Only persons authorized by the County may install or erect road or traffic control signs.

12.2 Only County authorized personnel may remove, alter, change, install or maintain road name signs in accordance with this ordinance.

12.3 No person shall install or cause to be installed any utility service, including but not limited to electric, gas, water, sewer, telephone or cable television to any

structure or manufactured home without first obtaining a valid address for that location. Utility companies shall obtain address verification from the PZD prior to installation.

### **Section 13 Severance Clause**

13.0 The provisions of this Ordinance are severable. If any provision, sentence, clause, section, or part hereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, the illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance or its application to other persons or circumstances. It is hereby declared to be the intent of the County that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, sentence, clause, section, or part had not been included herein, or if the person or circumstances to which this Ordinance or any part thereof are inapplicable had been specifically exempted therefrom.

### **Section 14 Non-Conforming Addresses**

14.0 Existing addresses that fail to meet the requirements of this ordinance may be recognized as legal non-conforming or “grandfathered” addresses as determined by the PZD.

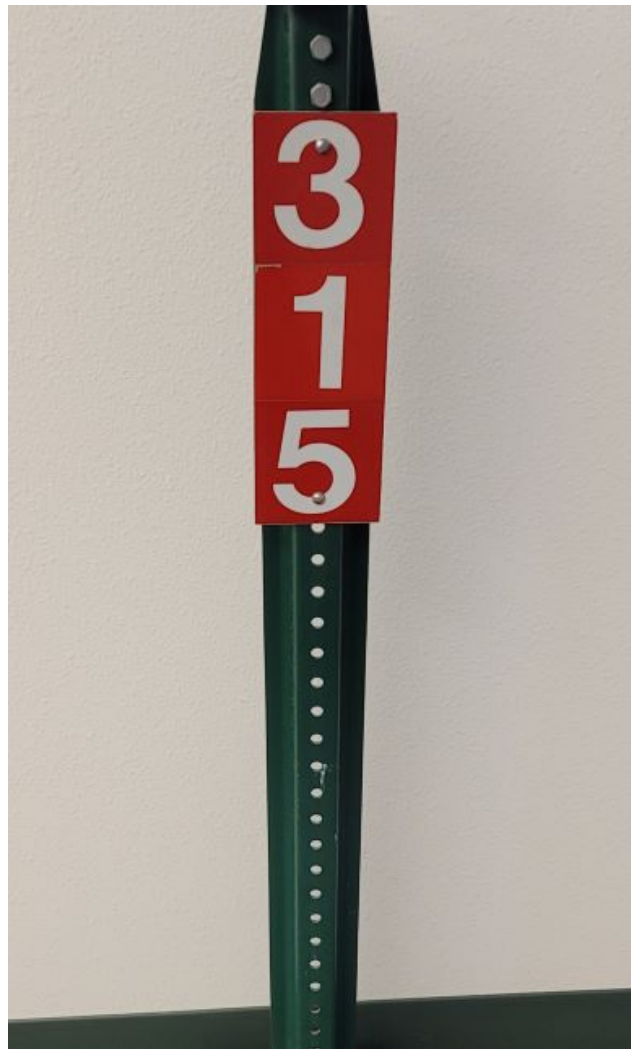
### **Section 15 Penalties**

15.0 Any person, partnership, association, corporation, public utility, private utility, or other legal entity who purposefully locates or relocates a manufactured home, or installs or causes to be installed any utility service including, but not limited to electric, gas, water, sewer, telephone or cable television to any location required by this Ordinance to be assigned an address without first receiving written address verification from the PZD may be guilty of a petty misdemeanor punishable by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment for a term not to exceed ninety (90) days, or both.

15.1 Any person who intentionally installs a road sign, traffic control sign or address sign in violation of this Ordinance or who intentionally removes, alters, defaces, changes or conceals a road, traffic control or address sign erected or installed pursuant to this Ordinance may be guilty of a petty misdemeanor punishable by a fine not to exceed three hundred dollars (\$300.00) or imprisonment for a term not to exceed ninety (90) days, or both.

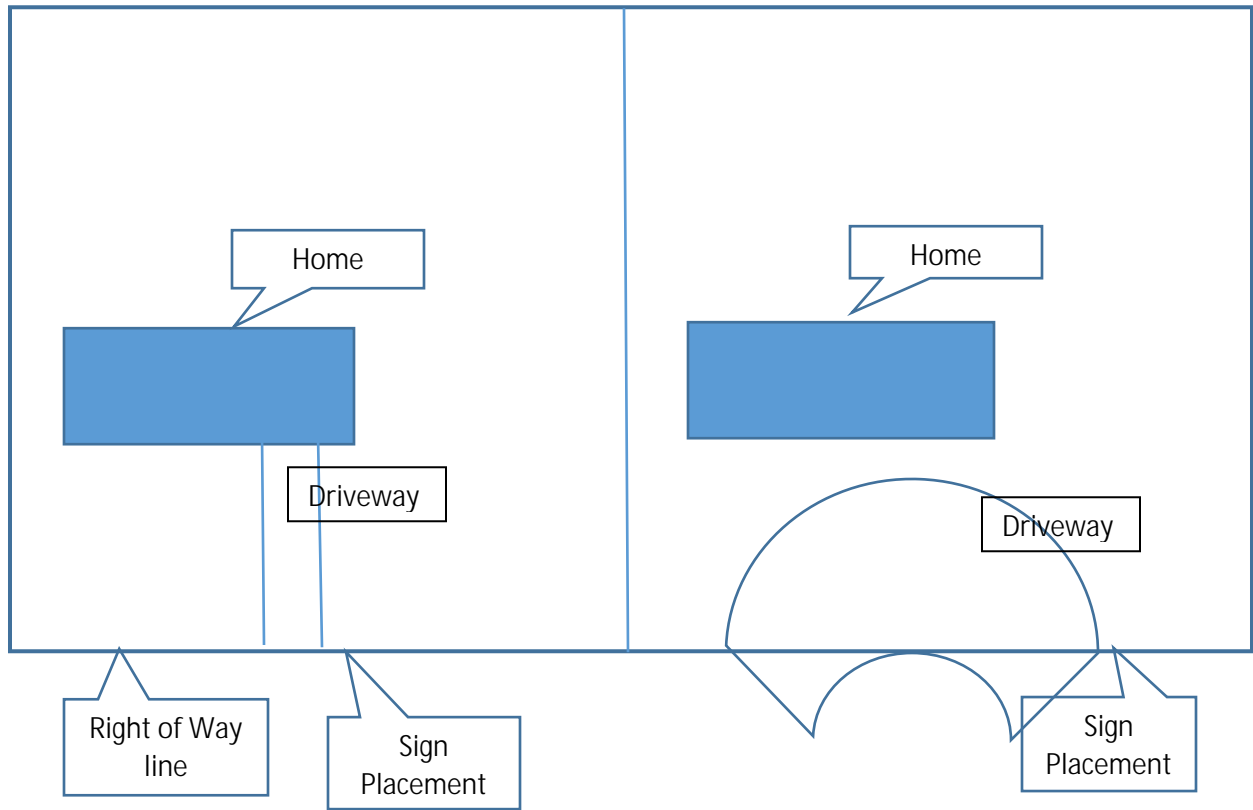
## **APPENDIX “A” ADDRESSING SIGNAGE FEE SCHEDULE**

<b>ITEM</b>	<b>FEE</b>
Post, Metal Sign and Numbers	\$10
Replacement Post	\$5
Replacement Metal Sign and Numbers	\$5
Per Number	\$0.25
Staff's Installment of Addressing Sign (Per Customer's Request)	\$20

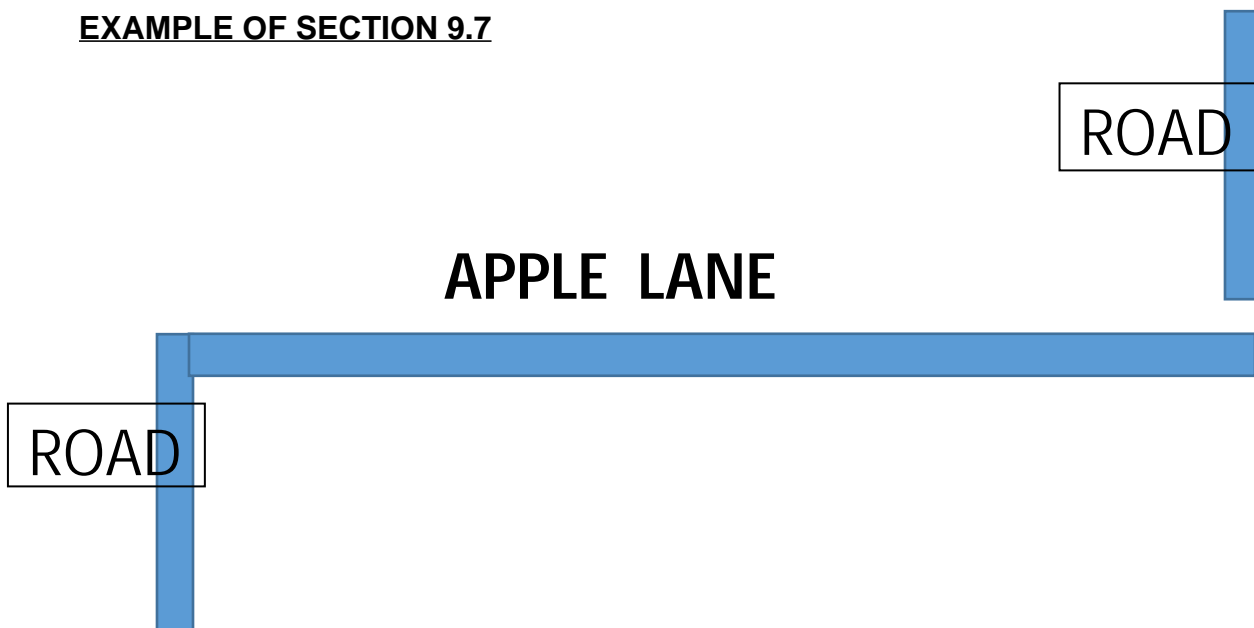


**APPENDIX "B"**

**EXAMPLE OF SECTION 8.6**



**EXAMPLE OF SECTION 9.7**



**PASSED, APPROVED AND ADOPTED this 18th day of February 2021.**

**BOARD OF CHAVES COUNTY COMMISSIONERS**

\_\_\_\_\_  
William E. Cavin, Chairman

\_\_\_\_\_  
Jeff Bilberry, Vice-Chairman

\_\_\_\_\_  
Dara Dana, Member

\_\_\_\_\_  
T. Calder Ezzell Jr, Member

\_\_\_\_\_  
Richard "Dick" Taylor, Member

**ATTEST:**

\_\_\_\_\_  
Cindy Fuller, Chaves County Clerk