



Village of Corrales

Governing Body Rules of Procedure

Adopted: March 12, 2024

By Resolution 24-13

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Article I

General Provisions

NMSA 1978 §3-12-3 grants the Governing Body of a municipality having a Mayor-Council form of government the power to determine the rules of its own proceedings.

1.1 Meetings

- A. The Governing Body shall hold regular meetings in accordance with the Open Meetings Act, NMSA, 1978, §10-15-1 et. seq., and will approve an annual Open Meetings Act Resolution in December of each year to set dates for all meetings for the following year. All regular meetings shall be held in the Village Council Chambers located at 4324 Corrales Road, Corrales, NM 87048 unless otherwise specified on the meeting agenda.
- B. Notice of meetings shall be posted at the following locations in the Village no later than 72 hours prior to the meeting date:
 1. Village Hall Lobby
 2. Village Hall marquee
 3. Corrales Senior Center
 4. Corrales Recreation Center
 5. Corrales Library
 6. Corrales Main Fire Station
- C. Special meetings may be called by the mayor or by a majority of the members of the Governing Body. Notice of such meetings shall be posted 72 hours in advance of the meeting date, just as a regular meeting would be.
- D. All binding actions of the Governing Body shall be taken at regular meetings, special meetings, or emergency meetings.
- E. The Governing Body may recess and reconvene a meeting to a subsequent date provided that prior to recessing, the mayor specifies the date, time, and place for continuation, and promptly causes posting of notice of the date, time, and place for the reconvened meeting at such places designated by Section 1.1.B of these rules. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.
- F. Work sessions or work study meetings may be held for the purpose of examining issues, but no official action may be taken. Non-mandatory work sessions are limited to no more than two hours in length. Public input will be allowed only at the discretion of the mayor. There shall be no more than three items on the agenda for these meetings.
- G. Town Hall meetings may be held to gather public input on various topics or projects. These meetings will follow the same basic agenda format as a regular

meeting or work study but will typically have one item of business followed by public comment on that topic. No votes or decisions will be made by the governing body at the town hall meeting, but information gathered at these sessions can be used to inform the governing body to make a decision at the next regularly scheduled meeting, or at a time that is announced during the town hall meeting.

1.2 Attendance

- A. Members of the Governing Body are expected to attend all scheduled meetings and shall make every effort to attend all special meetings. If a councilor will be unable to attend a meeting, they shall notify the Mayor and Village Clerk in writing of their absence.
- B. In accordance with the Open Meetings Act, NMSA 1978, § 10-15-1C, members of the Governing Body may participate in meetings by telephone or video conference or other similar communications facility by means of which all persons participating in the meeting can hear each other, when it is otherwise difficult or impossible to attend the meeting in person.

1.3 Duties of the Mayor

- A. The Mayor shall possess the powers and perform the following duties:
 1. Preserve order and decorum and have general direction of the Council Chambers.
 2. Announce the business before the body in the order in which it is to be acted upon.
 3. Recognize the speakers entitled to the floor and guide and direct the proceedings of the body.
 4. Call for public input on agenda items.
 5. Decide all points of order, subject to appeal, unless the mayor prefers to submit the question to the decision of the Governing Body.
 6. Put to vote all questions which are regularly moved or otherwise arise during the proceedings.
 7. Work with the Village Clerk and Village Administrator to prepare Governing Body agendas, subject to the provisions of Section 2.1.A of these rules.
- B. In the absence of the mayor, upon the inability to act, or upon the request of the mayor, the Mayor Pro Tem shall preside and shall have all the powers and authority of the mayor.

1.4 Councilors' Responsibilities

- A. Initiation of Proposals for Action
 - 1. Requests for initiation of legislation shall be directed to the Village Administrator. As sponsor of legislation, it is the responsibility of the Councilor to present the proposal to the Governing Body. Village staff are available to assist in the preparation of necessary documents.
 - 2. Substitute legislation. A proposal for a substitute ordinance or resolution in accordance with section 2.4.D shall be submitted through the Village Administrator and made available to the members of the Governing Body at least seventy-two (72) hours prior to the meeting at which the matter is to be discussed.
- B. In addition to other duties, responsibilities, and rights, the Governing Body shall:
 - 1. In all public statements, make clear that they speak only for themselves unless authorized by the mayor or a majority of the council to speak for the Governing Body as a whole.
 - 2. Ensure that the mayor is informed, as soon as practicable, of significant communications with outside entities, be they either directed to, or initiated by the Councilor.
 - 3. Refrain from negotiating contracts on behalf of the Village, without authority from the Village Administrator. Only the Village Administrator or their designee can negotiate a contract on behalf of the Village.

1.5 Adopted Rules

- A. Any matter not covered by these rules shall be governed by decision of the mayor, applying Robert's Rules of Order (current edition).
- B. These rules or any part thereof may be amended, repealed, altered, or rescinded by a vote of a majority of the Governing Body, after notice of intended proposal. Such notice shall be presented by resolution at a regular meeting of the Governing Body.
- C. Violation of these rules does not invalidate an action of the Governing Body.

1.6 Supplemental Legal Opinions

- A. The Mayor or any Councilor may request a supplemental legal opinion by making a written request to the mayor or administrator and having the request placed on the agenda of the Governing Body.
- B. The request for supplemental legal opinion shall identify the opinion from which the supplemental opinion is sought and the basis for disagreement with the opinion.

- C. The Governing Body may, in its discretion, approve or reject the request for a supplemental legal opinion by a majority vote of its members.
- D. If the Governing Body approves the request for supplemental legal opinion, the lawyer or law firm contracted by the Village will create the requested document.
- E. The Governing Body will approve no more than one supplemental legal opinion on any given subject. This provision does not prevent the Mayor or any Village Councilor from retaining an attorney using their own private funds to render additional opinions on any matter whatsoever.
- F. Any request for supplemental legal opinion which fails to obtain a majority vote in the affirmative shall not be reintroduced to the Governing Body for a period of six months, or the decision of a simple majority of the Governing Body.

Article II

Procedures

2.1 Preparation and Distribution of Agendas

- A. The Village Clerk, with the approval of the Mayor and the Village Administrator, shall prepare the agenda for all Governing Body meetings.
 - 1. Councilors may request an item be added to an agenda during the future agenda item at a regular council meeting, or by submitting a request in writing to the Village Clerk using the agenda item request form. If an item requested by a Councilor is not placed on an agenda for a specific future meeting, the Councilor may request a vote of the Governing Body on the question of whether to add such item to a specific future agenda. Such item shall be added to the agenda for the chosen meeting if a majority of Councilors present vote in favor of doing so.
 - 2. The Village Clerk shall ensure that scheduled public meetings and hearings have been duly advertised.
- B. All material to be presented to the Governing Body shall be submitted to the Village Clerk not later than 5:00 p.m. the day before an agenda is due to be posted.
- C. An ordinance, resolution, or communication is deemed introduced to the Governing Body when it has been filed with the Village Clerk and issued a number.
- D. The agenda, along with introductions and related materials, shall be available to each member of the Governing Body and on the Village website at least 72 hours prior to any meeting.

- E. Agendas will be posted following the guidelines set forth in Article 1.1 B of these Rules of Procedure.

2.2 Minutes

- A. Minutes shall include at a minimum the date, time, and place of the meeting; the names of members in attendance and those absent; the substance of the proposals considered; and a record of any decisions and votes taken that show how each member voted.
- B. Approval of the minutes shall be placed on the consent agenda. If members of the Governing Body believe that the minutes need to be amended, they may request the item be removed from the consent agenda and may make a motion to amend the minutes.

2.3 Order of Business

- A. The order of business of the Governing Body shall be conducted in the following order, to the extent that there are items relevant to each section for that meeting:
 1. Call to order/Pledge of Allegiance
 2. Roll call of Governing Body
 3. Approval of Agenda
 4. Presentations by Visitors, Staff, or Committees
 5. Confirmation of New appointments (reappointments will be included in the consent agenda)
 6. Reports by Officers
 7. Corrales' forum
 8. Councilors' forum
 9. Consent Agenda
 10. Items Removed from the Consent Agenda
 11. Public Hearings on Appeals
 12. Old Business
 13. New Business
 14. Announcements and Future Agenda Items
 15. Adjournment
- B. The Mayor may, during a meeting, rearrange items on the agenda to conduct business before the Governing Body more efficiently or to accommodate persons required for one or more particular items.
- C. The order of business for special and emergency meetings shall follow the same format as for a regular meeting but will include only those items of business necessary to conduct the meeting.

2.4 Ordinances and Resolutions

- A. An ordinance ranks highest in authority of all actions of the Governing Body. If duly enacted, an ordinance has the force of law within the municipality and may be enforced in municipal court.
 - 1. Ordinances shall be adopted in accordance with section 2-61 of the Village Code.
 - 2. An ordinance is open to amendment on first reading or upon second reading, provided the amendment does not constitute substantive change.
 - 3. Substantive amendments offered at a second reading shall require adoption of the ordinance be postponed to a subsequent meeting.
- B. A resolution is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character.
 - 1. Governing Body action shall be taken by resolution when required by law and in those instances where a formal expression of policy is desired.
 - 2. Resolutions shall be adopted in accordance with Section 2-62 of the Village Code.
 - 3. Resolutions are open to amendment provided such amendment does not constitute substantive change.
 - 4. Substantive amendments offered to resolutions may require adoption of the resolution to be postponed to a subsequent meeting.
- C. An ordinance or resolution which has been introduced is in the possession of the Governing Body and may be withdrawn only with the consent of the Governing Body.
- D. Substitutes for Ordinances and Resolutions.
 - 1. A Councilor may recommend that every clause in an ordinance or resolution be changed and that entirely new matter be substituted, so long as the new matter is relevant to the title and subject of the original measure. The introduction of substitute ordinances or resolutions shall follow section 1.4.A.2.

2.5 Approvals

- A. Approvals are the class of action in which the Governing Body shall make the final determination upon the recommendation of the Mayor or Village Administrator. Those items requiring approval by the Governing Body shall include, but are not limited to, the following:
 - 1. Mayor's appointments to boards and commissions
 - 2. Joint Powers Agreements, or other administrative requests involving expenditures of Village funds
 - 3. Contracts as directed by the Village Procurement Policy

2.6 Motions

- A. Presentation of Motions
 - 1. Main Motion: a main motion presents an ordinance, resolution, or other proposition for passage, adoption, approval, or rejection. The question is usually stated in the positive form i.e., “to pass,” “to adopt”, “to approve”, “to confirm”, etc. To make a proper motion, a Councilor must obtain the floor by stating “Madame/Mister Chair [or Mayor], I move that ...” and then state the motion.
 - 2. A main motion must be seconded before debate can take place and only one main motion may be on the floor at a time. A Councilor may give brief explanatory comments prior to stating the motion but must refrain from debate until the motion has been seconded. In the absence of a second, the motion fails. Main motions are debatable, amendable, and can be reconsidered after adoption.
 - 3. Motions become the official recorded statement of an action taken by the Governing Body. A motion should therefore be worded in a concise, unambiguous, and complete form appropriate to such a purpose.
 - 4. A motion should not be offered if its only effect is to propose that the body refrain from doing something since the same result can be accomplished by no motion at all.
- B. Withdrawal and modification of motions.
 - 1. Until a motion is seconded and stated, the mover may withdraw or modify the motion without consent. When a motion is seconded and stated, it is then in the possession of the Governing Body and can, therefore, be withdrawn or modified only by consent of the body.

2.7 Postponement of Action

- A. Postponement (to a definite time): the motion to postpone defers action on a pending question to some definite day or meeting. When a question has been postponed to a certain time, it becomes an order of the day for that time. When the time to which a question has been postponed arrives and the question is taken up, it can be postponed again if the additional delay will not interfere with the proper handling of the postponed question. The motion to postpone is debatable, amendable, and may be reconsidered.
- B. To Table (postpone temporarily): any measure before the Governing Body may be tabled temporarily to be heard later **at the same meeting**. Items must be removed from the table and acted upon prior to the adjournment. The motion to table is not debatable, not amendable, and cannot be reconsidered.
- C. To Remove From the Table (resume consideration): the purpose is to bring before the Governing Body for action a question that has previously been laid on the table. The motion to remove from the table is not debatable, not amendable, and cannot be reconsidered.

- D. Reconsideration of Action
 - 1. The purpose is to permit the Governing Body to reconsider a vote on previous action. The reconsideration of a negative vote on final action is as proper as reconsideration of a favorable vote.
 - 2. The motion to reconsider may be made at the same meeting or a subsequent meeting. However, certain rules apply as appropriate under the circumstances.
 - 3. The motion must be made by a member who voted on the prevailing side.
 - 4. The motion to reconsider is inappropriate after the action taken has gone into effect or after it is too late, for any reason, to reverse the action taken.
 - 5. The determination of reconsideration is dependent on the passage or failure of the motion for reconsideration.
 - 6. Should the motion for reconsideration pass, the item is immediately before the Governing Body to be acted upon or scheduled for hearing at a subsequent meeting.
 - 7. Should the motion for reconsideration fail the item remains as adopted.
 - 8. Either the motion to reconsider or the notice of intent to reconsider must be made not later than the next regular meeting. A member of the Governing Body may indicate notice of intent to propose reconsideration either orally or in writing to the Village Clerk.
- E. The effect of making the motion to reconsider, or of giving notice of the motion, is to suspend all action on the subject of the motion until the reconsideration is acted upon.
- F. Reconsideration at a subsequent meeting
 - 1. When notice is required for a question, the Governing Body shall comply with all rules requiring public notice.
 - 2. If reconsideration will be taken up at a subsequent meeting, notice of intent will be placed on the agenda. The determination of reconsideration is dependent on the passage or failure of the motion for reconsideration.
- G. Debate on the motion to reconsider will be limited to the merits of the reconsideration and not the merits of the question to be reconsidered.
- H. The passage of the motion to reconsider requires a majority vote, even if the measure to be reconsidered requires a two-thirds vote.

2.8 Appeal a decision of the Mayor

- A. An appeal must be made promptly before any debate or other business has intervened. When an appeal is taken, the Mayor should clearly state the decision being appealed and may state his reasons for his decision. If there is no debate, or when debate has concluded, the Mayor may put the question to the Governing Body. A majority vote of those present sustains a decision of the Mayor.

2.9 Amendments

- A. Every amendment proposed must be relevant to the subject of the proposition.
- B. A proposed amendment takes precedence over the original motion out of which it arises and must be voted upon before the original motion.
- C. After an amendment is adopted, the question as amended must be put to a vote.
- D. Rejection of an amendment leaves the pending question worded as it was before the amendment was offered.
- E. Form of amendments:
 - 1. Amendments should be offered in a concise, unambiguous, and complete form of a motion.
 - 2. In form, amendments may be divided into the following types:
 - a. To add (that is to place at the end)
 - b. To insert
 - c. To strike out
 - d. To strike out and insert
- F. Decision on amendments
 - 1. An amendment, once adopted, may not thereafter at the same meeting be changed or modified, except upon reconsideration of the vote by which it was adopted.
 - 2. When a proposed amendment has been defeated, the same amendment may not be proposed again without first reconsidering the vote by which the amendment lost.
- G. The Mayor may require amendments to be submitted in writing.
- H. Withdrawing Amendments and Accepting Modification
 - 1. Amendments may be withdrawn before being seconded and stated by the Mayor. After it is seconded and stated, it is in the possession of the Governing Body and may be withdrawn only with the consent of the Governing Body.
 - 2. A member may modify an amendment before it is seconded and stated by the Mayor. After it is seconded and stated, it is in the possession of the Governing Body and can be modified only with the consent of the Governing Body. The Mayor may put the question of modification without waiting for a motion, if there is no objection.

ARTICLE III

RULES OF ORDER

3.1 Rules of Debate.

Debate is the essential feature of a legislative body. It is the means by which the opinions of members are exchanged, questions deliberated, and conclusions reached on the business before the body.

- A. To permit debate:
 - 1. There must be a debatable question before the body, and one member must have been recognized as entitled to speak.
 - 2. All debate must be addressed to the Mayor, and not to the members.
 - 3. Debate must be confined to the question before the body.
- B. Time limits: The Mayor may set time limits in debate.
- C. Call the Question (Previous Question): Debate may be closed immediately by calling the question. The motion for the call for the question may motivate unanimous consent to end debate. Before such a motion has been seconded, the chair may ask if there is any objection to closing debate. If there is no objection, the Mayor shall immediately call the question. If any Councilor objects, the Mayor shall ask if there is a second to the motion. If there is a second to the call, he must immediately take a vote on whether to order the call for the question. The call for the question requires a majority vote before the vote on the question to which it is applied. The call for the question is neither amendable nor debatable and cannot be reconsidered.

3.2 Rules of Voting

- A. Each Councilor in attendance must vote for or against all measures before the Governing Body, unless there is a conflict of interest, for which abstention is recognized. Such conflict-of-interest disclosure shall be recorded in the minutes.
- B. A member shall not explain his vote during voting, which would be the same as debate at such a time.
- C. Except for procedural matters, voting shall be by roll call and each Councilor's vote shall be recorded in the minutes. Roll call votes shall be at random, but a failure to call for votes at random shall not affect the validity of any vote. Actions declared as procedural by the Mayor may be decided by a show of hands or voice vote.
- D. No member of the Governing Body shall participate in the discussion, debate, deliberation, or vote, or otherwise take part in the decision-making process on any agenda item before the Governing Body in which the member has a conflict of interest. Further, to avoid the appearance of impropriety, any member determined

to have a conflict of interest on any agenda item before the Governing Body shall leave the meeting room, except that if the matter is being considered at a public meeting, the Governing Body member may remain in the area of the room occupied by the general public.

- E. The Mayor shall vote only in case of a tie vote among the Councilors present.

3.3 Decorum

- A. The Mayor shall preserve the order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with these procedures. Any questions on a matter of order and decorum shall be resolved by referring to the current edition of Roberts Rules of Order.
- B. Members must address all remarks through the Mayor.
- C. Members of the Governing Body shall confine their remarks to the question under discussion or debate, avoiding personal references or attacks on fellow members, staff members, or members of the public. No member of the Governing Body shall engage in private discourse or commit any other act tending to distract the attention of the Governing Body from the business before it.
- D. A member who resorts to persistent irrelevance or persistent repetition may be directed to discontinue their speech by the Mayor.
- E. Point of Order. A Councilor may call attention to the violation of the rules or a mistake in procedure by rising to a point of order. The Mayor may permit a full explanation before ruling on the claim and may submit the question to the Governing Body for decision by a majority vote. The Mayor is not required to decide any point of order not directly presented in the proceedings of the body. Such an assertion does not require a second, is not debatable or amendable and cannot be reconsidered.
- F. Question of Privilege. Questions of privilege do not relate to pending business but have to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else. The Mayor makes a ruling as to whether it is admitted as a question of privilege and whether it requires consideration before the pending business is resumed.
- G. Members of the public who wish to address the council shall sign in on the sheet posted by the front door of the Council Chambers before the meeting begins, or if they wish to participate by Zoom, they must email or call the Village Clerk before 12:00 pm the day of the meeting to have their name added to the sign-in sheet.
- H. While the Governing Body is in session, no person, either of the public attending the meeting nor members of the Governing Body, shall act in a disorderly manner

while speaking during a meeting. People shall also refrain from making any personal, impertinent, or slanderous remarks during a meeting. The Mayor may bar anyone acting improperly from continuing to address the Governing Body.

- I. The Chief of Police or such police officer as is designated the chief's alternate shall be the sergeant-at-arms of the Governing Body and shall carry out all orders of the Mayor for the purpose of maintaining the order and decorum of the session. Upon order of the Mayor, it shall be the duty of the sergeant-at-arms to place any person who violates these provisions under arrest and cause such person to be prosecuted upon the complaint of the Mayor.

3.4 Appeal Hearing Procedures

- A. All appeals brought to the Governing Body following guidelines set forth in Village Ordinances shall be conducted in accordance with the rules of this section.
- B. Reasonable efforts shall be made to give notice of public hearings to all interested people. Notice of public hearings shall state the subject, the time and place of the public hearing, the manner in which interested people may express their views, and where interested people may obtain copies of the material that is the subject of the hearing. Notices of hearing shall be posted following section 1.1.B. Certified letters will be sent to parties affected if such notice was required at the hearing in which the matter being appealed was originally heard.
- C. At the beginning of the appeal hearing, the Mayor shall identify the parties to the public hearing. Parties are those people who have an immediate, pecuniary, or direct interest that will be substantially and specifically affected by the proceeding. The Mayor shall also identify witnesses sponsored by such parties, and any other interested person wishing to address the Governing Body. Any person wishing to give testimony or address the Governing Body must register with the Village Clerk, giving their name and address, and whether they wish to speak as a proponent, opponent, or otherwise. Any person, other than witnesses who have been designated by a party, who fails to register to speak with the Village Clerk in the manner prescribed by Section 3.3.G shall not be permitted to speak until all those who signed in have spoken.
- D. Any person offering testimony in the proceeding will be sworn by the Village Clerk and will be subject to cross-examination by the parties and the Governing Body. Objections to the proffered testimony of any person must be made at the time the testimony is offered. If the Governing Body allows new testimony on an appeal, an interested person does not have to have appeared before the subordinate official or body from which the appeal is taken (*e.g.*, before the Planning and Zoning Board in a land use proceeding).

- E. The Mayor may change the order of speakers so that testimony is heard in the most logical groupings, e.g., proponents, opponents, adjacent owners, vested interested, etc.
- G. The Mayor will introduce the item, open the public hearing, and call upon the staff to submit its report into evidence and request the proponent (“appellant”) to describe the matter under consideration.
- H. Under Village Ordinances some Appeals are on the record appeals and some are de novo. The Mayor and staff will clearly identify for the parties and Council whether the hearing is on the record or if new evidence is allowed (de novo).
- I. If allowed by Ordinance, interested persons shall have the opportunity to submit data, views, or arguments orally or in writing. All written material must be marked as exhibits, submitted to the Clerk, and placed into evidence as part of the administrative record. Cross examination by a party of a witness or interested person expressing their views, although expressly permitted, may be limited at the discretion of the Mayor.
- J. The Mayor may establish reasonable speaker time limits and otherwise control presentations to avoid repetition or the introduction of irrelevant matters. Additional time may be granted if appropriate and necessary, in the Mayor's discretion, to secure a full and fair presentation of testimony or legal argument.
- J. After the proponents and opponents have had an opportunity to be heard, the Mayor will call for rebuttal. A proponent or opponent speaking in rebuttal shall not introduce new materials.
- K. After the Governing Body has heard all the evidence, the Mayor closes the public hearing. Nothing further shall be admitted into the record. The Governing Body may discuss and debate (“deliberate”) the evidence presented. Deliberation may be conducted in either an open or closed session of the Governing Body. After concluding its deliberations, a motion concerning the subject of the matter of the appeal is in order. Following the motion and its second, additional discussion may occur among the body. The purpose of this discussion is to formulate the agreed upon relief and the factual and legal basis for such relief.
- L. The Governing Body shall direct their attorney to promptly prepare a written statement that includes an order granting or denying relief and a statement of the factual and legal basis for the order; shall file the order with the Village Clerk, and shall serve a copy of the written decision and the requirements for filing an appeal to all persons who appeared as parties in the proceeding and every person who has filed a written request for notice of the final decision in that particular proceeding.

Revised: February 28, 2024



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VILLAGE OF CORRALES

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WEBSITE: www.corrales-nm.org

Agenda Item Request Form

Council members who would like to have an item of business addressed at a council meeting may submit this form either in person or by email to the Village Clerk. This form must be submitted to the clerk no later than one week prior to the date of the meeting on which the item is requested to appear. If the item cannot be placed on the requested meeting agenda, the councilor will receive an email from the clerk with a brief explanation of why the item will not be on the agenda for that date, and will give a meeting date for the item to appear on the agenda. Questions can be directed to the clerk either by email at mromero@corrales-nm.org, or by phone at 505-897-0502.

Councilor Name: _____

Name of agenda topic: _____

This topic will be in the form of a (please choose one):

Resolution Ordinance: Discussion only:

Update from staff: Action item:

Meeting date being requested: _____

Short description of topic: _____

Signature: _____ Date: _____

CLERK'S OFFICE USE ONLY

Date request received: _____ Received by: _____

Request approved: _____ Request denied: _____

Reason for denial: _____

Meeting date for requested item: _____

Notes: _____

SAMPLE RESOLUTION

RESOLUTION NO.

A RESOLUTION DECLARING APRIL 1ST TO BE JUAN CALABERA DAY.

WHEREAS, on April 1, 1878, Juan Calabera and his family settled in a homestead on the Rio Bravo; and

WHEREAS, the area surrounding the Juan Calabera homestead was gradually populated by additional settlers; and

WHEREAS, this settlement later became the Village of Rio Bravo.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Village of Rio Bravo that henceforth April 1st shall be known and celebrated in the Village of Rio Bravo as Juan Calabera day; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to the surviving descendants of Juan Calabera, and that a copy be prominently displayed in the lobby of the Village Hall.

ADOPTED AND APPROVED THIS __ DAY OF ___, 20 __.

Mayor

(SEAL)

ATTEST:

Municipal Clerk

SAMPLE ORDINANCE

ORDINANCE NO.

AN ORDINANCE PERTAINING TO SIGNS: ESTABLISHING CERTAIN SIZE AND LOCATION REQUIREMENTS; PROVIDING A PENALTY; REPEALING CERTAIN PRIOR ORDINANCES.

BE IT ENACTED BY THE GOVERNING BODY OF THE VILLAGE OF RIO BRAVO:

Section 1. **SHORT TITLE.**--This Ordinance may be cited as the "Sign Ordinance of the Village of Rio Bravo".

Section 2. **PURPOSES.**--The purpose of the Sign Ordinance of the Village of Rio Bravo is to promote the safety, comfort and well-being of street users; to reduce distractions and obstructions from signs; to preserve and enhance the natural scenic beauty and other aesthetic features of the streets; and to generally create and foster a more stable and attractive roadside environment.

Section 3. **DEFINITIONS.**--As used in the Sign Ordinance of the Village of Rio Bravo:

- A. "activity" means the specific use or uses to which a premises is put;
- B. "erect" includes to build, construct, assemble, affix, attach, create, paint or draw;
- C. "ground sign" means a sign which is directly and permanently supported, and physically separated from any other structure;
- D. "person" includes any individual, firm, association, organization, partnership, trust, company or corporation, but does not include a governmental entity;
- E. "premises" means one or more parcels of land which are in the same ownership and contiguous;
- F. "projecting sign" means a sign which is attached to a wall and extends more than eighteen (18) inches at a ninety (90°) angle from the wall and clears the ground or sidewalk by at least eight (8) feet;
- G. "public way" means any way designated for vehicular use and maintained with public funds;
- H. "roof sign" means a sign which is displayed above the eaves of a building;
- I. "sign" means any letter, symbol, number or combination thereof which is visible from the traveled portion of a public way;
- J. "sign area" means the area of the smallest square, rectangle, triangle, circle or combination thereof, which encompasses the facing of a sign, including copy, insignia, background and borders, but excluding the structural supports;
- K. "visible" means capable of being seen without visual aid by a person of normal visual acuity; and
- L. "wall sign" means a sign which is attached flat to, painted on or pinned away from the wall and does not project more than eighteen (18) inches from the wall.

Section 4. **GENERAL RESTRICTIONS.**--

- A. No sign shall be attached to any tree, fence or utility pole or be painted upon or otherwise directly affixed to any rock, ledge or other natural feature.

- B. No sign shall be erected:
 - (1) at any location where, by reason of position, shape, wording or color, it interferes with or obstructs the view of pedestrian or vehicular traffic; or
 - (2) which may be confused with any authorized traffic sign, signal or device.
- C. All signs and their supporting structures shall be maintained to prevent rust, rot, peeling or similar deterioration.
- D. Any sign which advertises, identifies or pertains to an activity no longer in existence shall be removed by its owner or the person otherwise responsible within thirty (30) days from the time the activity ceases existence. This provision does not apply to seasonal activities during the regular periods in which they are closed.
- E. No sign shall:
 - (1) have visible moving parts;
 - (2) have blinding, moving or glaring illumination; or
 - (3) consist of banners, pennants, ribbons, streamers or similar devices.
- F. No sign shall be erected:
 - (1) within any public right-of-way; or
 - (2) closer than ten (10) feet to any lot line which is not a boundary with a public right-of-way.
- G. A premises may display an illuminated sign only during those hours which the premise is open to the public.

Section 5. STANDARDS.--

- A. No more than three (3) signs shall be displayed on any premise.
- B. No individual sign shall:
 - (1) contain more than one hundred (100) square feet of sign area; or
 - (2) have a height greater than twenty-five (25) feet above the ground level or, if the sign is a roof sign, be more than ten (10) feet above the roof of the building.
- C. No ground sign which contains more than twenty-five (25) square feet of sign area shall be closer than fifty (50) feet to any other ground sign on the same premises which contains more than twenty-five (25) square feet of sign area.
- D. Wall signs shall occupy no more than forty (40) per cent of the wall to which they are attached or affixed.
- E. Roof signs shall only be displayed in place of wall signs, and are subject to the same space limitation.
- F. Projecting signs shall not extend above the second floor.

Section 6. PENALTY.--Any person violating any provision of the Sign Ordinance of the Village of Rio Bravo shall be fined not more than one hundred dollars (\$100). Each day that a violation is permitted to exist after notification constitutes a separate offense.

Section 7. SAVING CLAUSE.--The Sign Ordinance of the Village of Rio Bravo does not apply to any sign lawfully in existence at the time of its adoption, and the use of any such sign may continue. Normal maintenance and repairs are permitted, but the sign shall not be altered, enlarged or rebuilt except in conformance with the Sign Ordinance of the Village of Rio Bravo.

Section 8. REPEAL.--Ordinance No. 101 of the Village of Rio Bravo, enacted February 2, 1957, is hereby repealed.

- Section 9. SEVERABILITY.--If any part or application of the Sign Ordinance of the Village of Rio Bravo is held invalid by a court of competent jurisdiction, the remainder, or its application to other situations or persons, shall not be affected.
- Section 10. EFFECTIVE DATE.--The Sign Ordinance of the Village of Rio Bravo shall become effective five days after publication as provided by law.

PASSED, APPROVED AND ADOPTED this ____th day of _____, 20 ____.

Approved:

Mayor

(SEAL)

ATTEST:

Municipal Clerk