

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2011-12

INTRODUCED BY:

C. Dominguez

AN ORDINANCE

AMENDING SECTION 23-1.4 SFCC 1987 REGARDING OBSTRUCTION PERMIT FEES; AMENDING SECTION 23-2.10 SFCC 1987 REGARDING STREET CUT PERMIT FEES AND RESTORATION PENALTIES; AND AMENDING SECTION 23-3-10 SFCC 1987 REGARDING CURB CUT FEES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Section 23-1.4 SFCC 1987 (being Code 1953, § 24-4 – 24-7) is amended to read:

23-1.4 Obstruction of Streets.

A. Permit Required; Fee. Except as otherwise provided, any person desiring to place any obstruction on any public street, alley or way in the city shall make application to the public works department for a permit to do so. Such permit shall be granted on compliance with terms as may be imposed by a city engineer and on the payment of a fee[s as may be required by the city] of one hundred dollars (\$100.00) per permit.

B. Warning Lights Required. Except as otherwise provided, warning lights shall be

1 placed and maintained from sundown to sunup of every day at both ends of every obstruction on any
 2 street of the city and at intervals of not more than fifty feet (50') along such obstruction.

3 C. Removal.

4 (1) Any obstruction on any street or alley or in that half of the street adjoining
 5 any store, shop, building or premises in violation of paragraphs A. or B. above, shall
 6 immediately be removed by the owner or occupant of the premises.

7 (2) It is the duty of any police officer or other authorized city employees finding
 8 an obstruction in any street or alley, to notify and require the owner, occupant or person in
 9 charge, to remove the obstruction immediately.

10 (3) It is unlawful for any person to refuse or neglect to comply with such order
 11 and the city shall immediately remove the obstruction at the expense of the owner or
 12 occupant.

13 (4) No person shall hinder, interfere with, or prevent the city from performing
 14 any of the duties conferred in this paragraph.

15 **Section 2. Section 23-2.10 SFCC 1987 (being Ord. #1988-2, §11 as amended) is**
 16 **amended to read:**

17 **23-2.10 Street Cut Permit Fees, Restoration Penalties; Exemptions.**

18 A. Effective [~~October 11, 2004,~~] July 1, 2011, a street cut permit fee of [~~one hundred~~
 19 ~~dollars (\$100-)] two hundred dollars (\$200.00) shall be charged for each street cut permit issued. A
 20 separate permit shall be required for each street cut as defined in subsection 22-2.3 SFCC 1987. A
 21 single repair project may consist of multiple street cuts.~~

22 B. Restoration penalties provided for in this section shall be [~~ten dollars (\$10.00)]
 23 twenty dollars (\$20.00) per square foot of resurfaced area.~~

24 C. After acceptance or approval by the city of the work completed under the permit, a
 25 property owner residing on the property for which the work was completed may apply to the streets

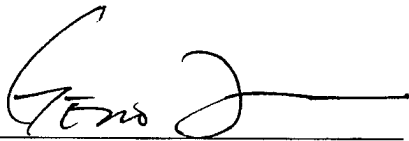
1 division for reimbursement of the fee provided that all dwelling units on the property are occupied by
2 a household earning less than eighty percent (80%) of the area median income as certified by a
3 nonprofit affordable housing organization, under contract with the city, or otherwise qualified
4 organization.

5 **Section 3. Section 23-3.10 SFCC 1987 (being Ord. #1979-21, as amended) is**
6 **amended to read:**

7 **23-3.10 Curb Cut Fees.**

8 A fee of [~~fifteen dollars (\$15.00)~~] one hundred dollars (\$100.00) per permit shall be collected by the
9 city. A permit is required for each curb cut.

10 APPROVED AS TO FORM:

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13 GENO ZAMORA, CITY ATTORNEY