

A G E N D A
CITY OF AZTEC
CITY COMMISSION WORKSHOP
November 13, 2018
201 W. Chaco, City Hall
5:15 p.m.

5:15 p.m.

A. GO Bond Discussion

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

Note: A final agenda will be posted 72 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410.

Staff Summary Report

MEETING DATE: November 13, 2018
AGENDA ITEM: WORKSHOP
AGENDA TITLE: GO Bond Discussion

ACTION REQUESTED BY:
ACTION REQUESTED: None
SUMMARY BY: Kathy Lamb

PROJECT DESCRIPTION / FACTS

This workshop is to provide an overview of the General Obligation bond process. The intent is to provide the City Commission and staff with basic information.

Chris Muirhead, with the Modrall Sperling Law Firm of Albuquerque NM, will lead the discussion with the City Commission. Mr. Muirhead has concentrated his practice in the areas of public finance and tribal lending for 20+ years and has previously worked with the City in project financing issues through the New Mexico Finance Authority.

PROCUREMENT

N/A

FISCAL IMPACTS

N/A

SUPPORT DOCUMENTS: None

DEPARTMENT'S RECOMMENDED MOTION: None

AG E N D A
CITY OF AZTEC
CITY COMMISSION MEETING
November 13, 2018
201 W. Chaco, City Hall
6:00 p.m.

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NEW MEXICO PLEDGE

I Salute the Flag of the State of New Mexico and the Zia Symbol of Perfect Friendship among United Culture's

V. ROLL CALL

VI. AGENDA APPROVAL

VII. CITIZEN RECOGNITION

VIII. EMPLOYEE RECOGNITION

IX. CONSENT AGENDA

- A. Commission Special Workshop Minutes October 15, 2018
- B. Commission Workshop Minutes October 23, 2018
- C. Commission Meeting Minutes October 23, 2018
- D. Animal Care and Control Intergovernmental Agreement with Town of Kirtland
- E. Amendment Intergovernmental Detention Center Services Agreement
- F. ITB 2019-666 Church Alley Sewer Reconstruction Bid Award
- G. Resolution 2018-1110 Surplus

Items placed on the Consent Agenda will be voted on with one motion. If any item proposed does not meet the approval of all Commissioners, a Commissioner may request that the item be heard under "items from Consent Agenda"

X. ITEMS FROM CONSENT AGENDA

XI. CITIZENS INPUT (3 Minutes Maximum)

(Citizens who wish to speak will sign up prior to the meeting. This is for items not otherwise listed on the agenda

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

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XII. BUSINESS ITEMS

- A. Final Adoption of Ordinance 2018-483 Amending Chapter 26, Article III, Division 2 Communications Tower and Antenna
- B. Intent to Adopt Ordinance 2018-484 International Property Maintenance Code within Chapter 14, Article IV. Dangerous and Unsafe Structures
- C. Intent to Adopt Ordinance 2018-485 Amending Section 1-12 Mandatory Penalty and Fees

XIII. LAND USE HEARINGS

XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

XV. DEPARTMENT REPORTS

(When this item is announced, all Department Heads who wish to give a report will move to the podium)

XVI. ADJOURNMENT

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1 CITY OF AZTEC
2 SPECIAL WORKSHOP MEETING MINUTES
3 October 15, 2018
4

5 **I. CALL TO ORDER**

6 Mayor Snover called the Workshop to order at 5:16 pm at the Aztec City
7 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.
8

9 MEMBERS PRESENT: Mayor Victor Snover; Mayor Pro-Tem Fry;
10 Commissioner Austin Randall; Commissioner
11 Sherri Sipe; Commissioner, Mark Lewis
12

13 MEMBERS ABSENT: None
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15 OTHERS PRESENT: City Manager Steve Mueller; Project Manager,
16 Ed Kotyk; Tanya Shelby, County Clerk; City
17 Clerk Karla Saylor
18

19 **A. Discussion of Local Election Act**
20

21 Mayor Snover opened the workshop for discussion on the local election act. City
22 Clerk Karla Saylor introduced County Clerk Tanya Shelby which reviewed the following
23 changes to elections with commission and the options of opting in or out for the County
24 to conduct Municipal Election or leave the way they are and the City Clerk conducts
25 elections under the new code:
26

27 The Municipal Election Code has been repealed and all municipal elections shall
28 now be conducted in accordance with the State Election Code effective July 1, 2018.
29 All municipalities have the following options under this new election act:
30

31 The Governing Body can retain their election if they opt out which will continue
32 to be the First Tuesday in March on even numbered years and Municipal Clerks will
33 continue to administer their own election but in accordance with the State Election Code
34 and the Local Election Act. The Municipal Clerk will continue to perform most of the
35 election functions; or
36

37 The Governing Body may choose, by Ordinance to "opt-in" to the regular local
38 election which will cost the city \$250 per million of General Fund expenditures and will
39 cost the City about the same or a little less and the fee will be paid to the Secretary of
40 State's Office the reimburse the County Clerk's office after election is performed. The
41 election will then be held on the First Tuesday of November of odd numbered years and
42 the County Clerk will administer the Election. This election will also include school and
43 bond elections as well as any questions that need to be placed on the ballot.

1 Tanya Shelby County Clerk explained that the hope is that by consolidating
2 elections it will help eliminate voter confusion and fatigue. The hope is also to increase
3 voter turnout. Special elections will be conducted as a mail ballot and will be an
4 additional fee to the annual fee. The voter will receive a ballot only for things that they
5 are allowed to vote on. The decision to opt in or out will need to be put on agenda for
6 approval and will go into effect January 30th. Karla will be attending training in
7 Albuquerque next week and will learn more about the process on the new election act.

8
9
10 **II. ADJOURMENT**

11
12 Moved by Mayor Snover to adjourn the meeting at 6:15 p.m.
13
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17

18 _____
19 Mayor, Victor C. Snover

20 ATTEST:

21 _____
22 Karla Sayler, City Clerk

23
24 MINUTES PREPARED BY:

25
26 _____
27 Sherlynn Morgan, Administrative Assistant

1 CITY OF AZTEC
2 WORKSHOP MEETING MINUTES
3 October 23, 2018
4

5 **I. CALL TO ORDER**

6 Mayor Snover called the Workshop to order at 5:16 pm at the Aztec City
7 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.
8

9 MEMBERS PRESENT: Mayor Victor Snover; Mayor Pro-Tem Fry;
10 Commissioner Austin Randall; Commissioner
11 Sherri Sipe; Commissioner, Mark Lewis
12

13 MEMBERS ABSENT: None
14

15 OTHERS PRESENT: City Manager Steve Mueller; Project Manager,
16 Ed Kotyk; City Clerk Karla Saylor
17

18 **A. Aztec Sparkles**
19

20 Project Manager Ed Kotyk explained that this is the 4th year for the Aztec
21 Sparkles Event. Ed asked Commission what they would be willing to do as far as a
22 lighting contest and explained what we have done in the past. The City has received a
23 request that individual residents be allowed to participate in the contest and not only
24 businesses. Staff does not feel like we should offer a utility credit but instead offer
25 smaller award amounts and more winners, 1 business and 1 individual each week. We
26 will also allow citizens to vote for their favorite online and on paper. Staff wants to
27 encourage people to drive around town. Plaques will be presented to each winner at a
28 Commission Meeting in January. Commission was on board with the idea and like the
29 idea of involving the public.
30

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32 **II. ADJOURNMENT**
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34 Moved by Mayor Snover to adjourn the meeting at 5:45 p.m.
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Mayor, Victor C. Snover

ATTEST:

Karla Sayler, City Clerk

MINUTES PREPARED BY:

Sherlynn Morgan, Administrative Assistant

1
2 CITY OF AZTEC
3 COMMISSION MEETING MINUTES
4 October 23, 2018
5

6 **I. CALL TO ORDER**
7

8 Mayor Victor Snover called the Meeting to order at 6:00 pm at the Aztec City
9 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.
10

11 **II. INVOCATION**
12

13 The Invocation was led by Commissioner Austin Randall
14

15 **III. PLEDGE OF ALLEGIANCE**
16

17 The Pledge of Allegiance was led by Mayor Snover
18

19 **IV. NEW MEXICO PLEDGE**
20

21 I Salute The Flag Of The State Of New Mexico And The Zia Symbol Of Perfect
22 Friendship Among United Culture's.
23

24 The New Mexico pledge was led by Mayor Snover.
25

26 **V. ROLL CALL**
27

28 Members Present: Mayor Victor Snover; Mayor Pro-Tem Fry;
29 Commissioner Sipe; Commissioner Mark
30 Lewis; Commissioner Austin Randall
31

32 Members Absent: None
33

34 Others Present: City Manager Steve Mueller; City Attorney Nicci Unsicker;
35 Project Manager Ed Kotyk; City Clerk Karla Sayler (see
36 attendance sheet)
37

38 **VI. AGENDA APPROVAL**
39

40 MOVED by Commissioner Lewis to Approve the Agenda as given
41 SECONDED by Mayor Pro-Tem Fry
42

43 All voted Aye: Motion passed five to zero
44
45
46

47 **VII. CITIZEN RECOGNITION**

48
49 Mayor Snover recognized the AHS Band for their accomplishments in
50 winning 1st place in division for 2018 pageant of bands and they won best brass,
51 woodwinds and percussion in the state.

52
53 **VIII. EMPLOYEE RECOGNITION**

54
55 NONE

56
57 **IX. CONSENT AGENDA**

- 58
59 A. Commission Workshop Minutes October 9, 2018
60 B. Commission Meeting Minutes October 9, 2018
61 C. Participation Agreement with San Juan County for Pictometry License
62 Agreement
63 D. State Grants in Aid FY19
64 E. Resolution 2018-1103 Certification of Capital Asset Inventory
65 F. Resolution 2018-1106 Quarterly Budget Review
66 G. Resolution 2018-1107 Municipal Surplus
67 H. Re-Bid ITB 2019-663 Western Red Cedar Poles
68 I. Public Regulation Commission State Fire Marshal Division Agreement
69 J. Economic Development Advisory Board Appointment

70
71 Moved by Commissioner Sipe, **SECONDED** by Commissioner Randall to
72 approve the Consent Agenda as given with the exception of Items (C) and (F).

73
74 All Voted Aye: Motion Passed Five to Zero

75
76 **X. ITEMS FROM CONSENT AGENDA**

77
78 (C) Participation Agreement with San Juan County for Pictometry License
79 Agreement

80
81 Commissioner Randall asked how the County decides what the cost will be and
82 Ed explained that the amount is based on the amount of sectors and aerial chosen.

83
84 Moved by Commissioner Randall, **SECONDED** by Commissioner Lewis to
85 approve Authorized Participation Agreement with San Juan County for Pictometry
86 License Agreement

87
88 All Voted Aye: Motion Passed Five to Zero

89
90 (F) Resolution 2018-1106 Quarterly Budget Review

91

92 Commissioner Sipe asked about the revenue decrease from NM Self Insurers
93 fund. Kathy Lamb Finance Director explained that the City Manager and Mayor didn't
94 attend the safety meeting that is required. City Manager Steve Mueller mentioned that
95 he is already scheduled for this year.

96
97 Moved by Commissioner Sipe, SECONDED by Mayor Pro-Tem Fry to approve
98 Resolution 018-1106 FY19 First Quarter Budget Adjustments

99
100 All Voted Aye: Motion Passed Five to Zero

101
102 **XI. CITIZENS INPUT (3 Minutes Maximum)**

103
104 NONE

105
106 **XII. BUSINESS ITEMS**

107
108 A. Aztec Sparkles Lighting Contest Awards

109
110 Project Manager Ed Kotyk explained that this information was presented at the
111 workshop and would stand for additional questions.

112
113 Moved by Commissioner Randall, SECONDED by Commissioner Sipe to
114 Approve Aztec Sparkles Lighting Contest Awards in the amount of \$2,320, awarded to
115 each of four Residential and four Commercial winners in the form of non-transferable
116 credits to City of Aztec utility accounts.

117
118 A Roll Call was taken: All Voted Aye: Motion Passed Five to Zero

119
120 **XIII. LAND USE HEARINGS**

121
122 **A. OG 18-04 Hilcorp Inc. Drill Site Permit (Glen Swire #1)**

123
124 Mayor Snover opened the hearing up to discussion amongst themselves after
125 being tabled 2 weeks ago. Commissioner Randall recused himself. Mayor Pro-
126 Tem Fry stated that she was comfortable with the conditions that Community
127 Development laid out. Commissioner Sipe is not sure that the landscaping will
128 help and thinks we should just go with the fencing. Mayor Snover felt like this is
129 too close to people's homes and the river. City Attorney Nicci J. Unsicker
130 explained that we cannot make them shut the well down because of Federal and
131 State laws.

132
133 Moved by Commissioner Sipe, SECONDED by Mayor Pro-Tem Fry to Approve
134 OG 18-04 an Oil and Gas Well application submitted by Keri Hutchins, on behalf of
135 Hilcorp San Juan, L.P. for permission to modify an existing well at the location indicated

136 per the staff report, with recommended conditions and suggested fining of facts with the
137 exception of landscaping.

138

139 A Roll Call was taken: 3 Voted Aye/ 1 Voted Nay: Motion Passed Three to One

140

141 **B. OG 15-05 Hilcorp Inc. Drill Site Permit (Fay Burdette #1)**

142

143 City Attorney Nicci J. Unsicker requested that Commissioners who have had ex-
144 parte communications identify themselves (Mayor Snover, Mayor Pro-Tem Fry and
145 Commissioner Sipe) identified themselves. She asked them to summarize the
146 communication and then not consider this information in their decision. She also
147 mentioned that we would reopen the hearing so that Hilcorp could give their side.

148 Mayor Snover explained that his ex-parte communication was an email and
149 phone call from Anna Evers explaining that she didn't receive any notice of the land use
150 hearing. She expressed concerns about recompleting that well because of a potential
151 investor and that could jeopardize the business interest.

152 Mayor Pro-Tem Fry explained that her ex-parte communication was an email and
153 and long voice message that contained the same detail that the Mayor mentioned and
154 they went into the dangers of fracking and the potential of earthquakes, concern for the
155 Ruins and downtown historical buildings being effected.

156 Commissioner Sipe explained that her ex-parte communications were an email
157 and phone call and she explained that the item was tabled and she explained she would
158 talk to Steven Saavedra about her being notified. She also received a long voicemail
159 from Gene Chaffee.

160 Commission understood that they cannot consider any of this in the hearing
161 today. City Attorney had the Mayor reopen the hearing by having him read the land use
162 script and swearing in all parties.

163 Ben Mitchel the representative for Hilcorp explained that they have no concerns
164 about the ex-parte communication. Mayor Snover closed the hearing and opened up to
165 discussion amongst commission. Mayor Pro-Tem Fry explained that she felt the
166 Community Development did a good job laying out conditions and felt we should go with
167 that. Commissioner Sipe agreed but also felt we should go with fence and not the
168 landscaping. Mayor Snover mentioned that he is more in agreement but mentioned that
169 we have an ordinance on landscaping requirements and he feels that we should uphold
170 the ordinance at a minimum. There was a lot of discussion about landscaping. The
171 Mayor reopened the hearing to discuss landscaping ideas. Steve Saavedra Community
172 Development Director explained that perhaps the landscaping should be natural to area
173 maybe a vine, rabbit bush and pinion trees. The idea behind landscaping is to mitigate
174 and not cover. Ben Mitchel mentioned that Hilcorp would be willing create visual
175 screening when the development takes place and there is no longer natural vegetation.
176 City Attorney struggled with this because who defines this and who enforces it, so it
177 needs to be laid out now. Mayor Snover closed the hearing.

178

179 Moved by Commissioner Sipe, SECONDED by Mayor Pro-Tem Fry to Approve
180 OG 18-05 an Oil and Gas Well application submitted by Keri Hutchins, on behalf of

181 Hilcorp San Juan, L.P. for permission to modify an existing well at the location indicated
182 per the staff report, with recommended conditions and suggested fining of facts adding
183 that the well would be screened and landscaping plan be submitted and approved by
184 Community Development Department with drought resistant plants.

185
186 A Roll Call was taken: 4 Voted Aye, Motion Passed Four to Zero

187
188 **XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

189
190 City Manager Steve Mueller mentioned that we are currently in stage 2 water
191 restrictions and right now we are in great shape but the concern will be next year
192 depending on snow pack coming into spring, on November 1st he will scale back to
193 stage 1 just to let people know that we are not totally out of water restrictions.

194
195 Commissioner Sipe mentioned that she attended Chiefs presentation as well and
196 thanked him for doing. She attended EDAB last week and had a presentation on the
197 closure of the San Juan Generating plant and the Mine and the impact to the
198 community.

199
200 Mayor Pro-Tem Fry thanked Chief Heal for the school shooting presentation. She
201 attended a sparkles meeting and is excited for the holidays.

202
203 Commissioner Randall mentioned he attended the LTAB meeting last week. He
204 will be out of town the 2nd Tuesday in December.

205
206 Mayor Snover mentioned the Airport Advisory Board was canceled because no
207 quorum. ECHO meeting this week. He thanked Chief for the presentation he did for the
208 community.

209
210 **XV. DEPARTMENT REPORTS**

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212 NONE

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214 **XVI. ADJOURNMENT**

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216 Moved by Mayor Snover, SECONDED by Commissioner Lewis to adjourn the
217 meeting at 7:30 p.m.

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Mayor, Victor Snover

ATTEST:

Karla Sayler, City Clerk

MINUTES PREPARED BY:

Sherlynn Morgan, Administrative Assistant

DRAFT

Staff Summary Report

MEETING DATE: November 13, 2018
AGENDA ITEM: IX. CONSENT AGENDA (D)
AGENDA TITLE: Animal Care and Control Intergovernmental Agreement with Town of Kirtland

ACTION REQUESTED BY: City Manager/Animal Shelter Director
ACTION REQUESTED: Approval of Animal Care and Control Intergovernmental Agreement with Town of Kirtland
SUMMARY BY: Steve Mueller/Tina Roper

PROJECT DESCRIPTION / FACTS

This agreement between the City of Aztec and the Town of Kirtland is for the operation of an animal care and control facility and animal services provided by Aztec for Kirtland.

The term of the Agreement shall be indefinite, but is subject to review by the parties annually to discuss issues of cost, and/or operational changes. This Agreement may be terminated upon thirty (30) day written notice by either of the parties to the other, except that the notice of termination shall not affect the validity or the performance of any contractors or subcontractors which were retained to effectuate the purpose of this Intergovernmental Agreement.

PROCUREMENT / PURCHASING (if applicable)

N/A

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

This agreement is effective July 1, 2018. Animal Care and Finance Departments will coordinate data collection and billing for July – Sept 2018 after the agreement is approved and fully executed.

SUPPORT DOCUMENTS: Animal Care and Control Intergovernmental Agreement - Kirtland

DEPARTMENT'S RECOMMENDED MOTION: Move to approve the Animal Care and Control Intergovernmental Agreement between the City of Aztec and the Town of Kirtland

ANIMAL CARE AND CONTROL INTERGOVERNMENTAL AGREEMENT

This Agreement is made and entered into this 1st of July, 2018 by and between the **CITY OF AZTEC** a municipal corporation (“Aztec”), and the **TOWN OF KIRTLAND** (“Kirtland”) for the operation of an animal care and control facility and animal services, including but not limited to, spay and neuter, adoption, animal rescue, transportation and disposal services provided by Aztec for Kirtland

The parties also desire to work cooperatively on specific projects that are of mutual benefit to both entities in lieu of payment for services of the animal care and control facility by Kirtland.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Aztec will be responsible for the operation of an animal care and control facility located at 825 Sabena, Aztec, New Mexico.
2. Aztec will provide this facility and services for animals, including livestock, to Kirtland. The facility shall be operated pursuant to Aztec City Code, Chapter 5, Animals.
3. Animals picked up within the Town limits of Kirtland will be delivered to the Aztec animal care and control facility during the regular business hours of the facility or at other times by prior arrangement.
4. Kirtland residents recovering or adopting animals from the Aztec facility will be assessed fees in accordance with Aztec City Code, Chapter 16, Fee Schedule.
5. Aztec shall provide the personnel required to properly staff the animal care and control facility. City of Aztec personnel policy shall be the controlling policy at the animal shelter.
6. Aztec shall bill Kirtland quarterly the cost per intake animal based on actual net costs for animal care and control. The cost per animals will be documented and provided to Kirtland by October each year, based on actual costs incurred through June 30th of the same calendar year, and will be effective in July of the following year. Aztec will use the following equation to determine the actual net costs:

Net cost of shelter operations of prior fiscal year (total shelter costs including capital purchases minus fees, fines, donations, and other external funding) divided by total intake animals of prior fiscal year = rate per animal.

Rate per animal x Kirtland animals for current fiscal year = total cost to Kirtland.

(Aztec will use the most recent fiscal year to define the prior fiscal year. Aztec will provide an estimate during budget preparation process each year and provide the actual cost in August for billing purposes.)

The rate per animal may be adjusted to include personnel changes or cost of living adjustments to salaries authorized by the Aztec Commission, revenue from other sources, and any other known changes in income or expenses of Aztec Animal Care and Control.

7. Animals on Court Holds:
 - A. Aztec Animal Care and Control must receive court order if animals are to be held beyond 10 day rabies observation period;
 - B. Holds beyond 10 days, regardless of case disposition, will be billed to Kirtland (not animal owner) at the rate of \$25.00 per day until final decision reached with the amount being reflected as a line item for each such animal in the next quarterly bill;
 - C. In the absence of a court order, animal will be held for owner 7 days beyond 10 day rabies observation period at no additional cost to Kirtland. Animals remaining in the care of the Aztec facility beyond that period of time may be adopted, placed in a rescue program, or euthanized in compliance with established policies.

8. Quarterly invoices with supporting documentation for services will be provided to Kirtland electronically. If Kirtland requires Aztec to provide paper documentation, an additional fee of \$1.00/page will be assessed. Payment shall be remitted to Aztec no later than the 20th day of the month following quarterly billing for services rendered.

Kirtland email address for invoice purposes: gwarner@kirtlandnm.org

9. There will be a strict accountability of all receipts and disbursements under this Agreement. For specific services or projects completed by Kirtland for Aztec, a monetary value will be given, which shall be agreed upon by both entities. Kirtland shall be credited on the monthly billing for those services completed.

10. The term of the Agreement shall be indefinite, but is subject to review by the parties annually to discuss issues of cost, and/or operational changes. This Agreement may be terminated upon thirty (30) day written notice by either of the parties to the other, except that the notice of termination shall not affect the validity or the performance of any contractors or subcontractors which were retained to effectuate the purpose of this Intergovernmental Agreement.

CITY OF AZTEC

By: _____

Victor C. Snover, Mayor

TOWN OF KIRTLAND

By:  _____

Mark Duncan, Mayor

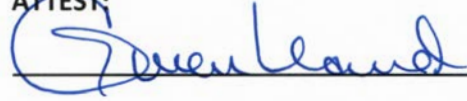
ATTEST:

Karla Sayler, City Clerk

APPROVED AS TO FORM:

J. Nicci Unsicker, City Attorney

ATTEST:

_____

Gwen Warner, Town Clerk

APPROVED AS TO FORM:

_____

Frank Coppler, Town Attorney

Staff Summary Report

MEETING DATE: NOVEMBER 16, 2018
AGENDA ITEM: IX. CONSENT AGENDA (E)
AGENDA TITLE: Intergovernmental Agreement with San Juan County for Detention Center Services, Amendment Ten

ACTION REQUESTED BY: Staff
ACTION REQUESTED: Approve the Intergovernmental Agreement with San Juan County for Detention Center Services, Amendment Ten
SUMMARY BY: Sherlynn Morgan

PROJECT DESCRIPTION / FACTS

All provisions from the 2007 agreement remain in effect.

The County has submitted a tenth amendment to the Detention Center Services Agreement executed in 2007.

While the agreement provides that an annual adjustment to the per diem rate may occur. This agreement increases the per diem rate from \$82.29 to \$86.45, applicable from July 1, 2019 through June 30, 2020.

PROCUREMENT

N/A

FISCAL IMPACTS

The FY20 Budget will be prepared based on the rate included in this amendment.

SUPPORT DOCUMENTS: Intergovernmental Agreement with San Juan County for Detention Center Services, Amendment Ten

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Intergovernmental Agreement with San Juan County for Detention Center Services, Amendment Ten

**TENTH AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT
DETENTION CENTER SERVICES**

THIS TENTH AMENDMENT to the Intergovernmental Agreement for Detention Center Services by and between San Juan County, New Mexico, hereinafter referred to as "The County", and the City of Aztec, New Mexico, hereinafter referred to as "the City."

WHEREAS, the Intergovernmental Agreement for Detention Center Services made and entered into the 17th day of July, 2007, requires that the County provide to the City, on or before October 15th of each year, the *per diem* rate for the County Detention Center to be effective July 1 of the succeeding calendar year; and

WHEREAS, the Ninth Amendment to the Intergovernmental established the *per diem* rate at \$82.29.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

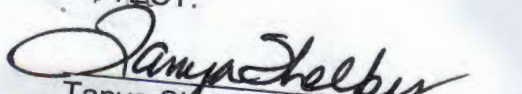
1. Paragraph D. of the July 17, 2007, Intergovernmental Agreement for Detention Center Services shall be amended to read as follows:

The parties agree that the City Prisoner Day rate shall be \$86.45, applicable from July 1, 2019, through June 30, 2020.

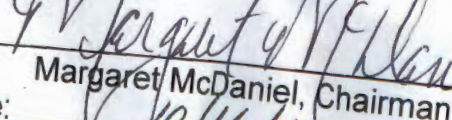
2. All other provisions of the Agreement including prior amendments other than those establishing the per diem rate shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals by their duly authorized officers, agents or representatives.



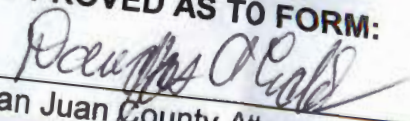

Tanya Shelby, County Clerk

**BOARD OF COUNTY COMMISSIONERS OF
SAN JUAN COUNTY, NEW MEXICO**

By: 
Margaret McDaniel, Chairman

Date: 10/16/18

APPROVED AS TO FORM:


San Juan County Attorney

CITY OF AZTEC, NEW MEXICO

ATTEST:

Karla Sayler, City Clerk

By: _____
Victor Snover, Mayor

Date: _____

APPROVED AS TO FORM:

Aztec City Attorney

Staff Summary Report

MEETING DATE:	November 13, 2018
AGENDA ITEM:	IX. CONSENT AGENDA (F)
AGENDA TITLE:	ITB 2019-666 Church Alley Sewer Reconstruction Bid Award

ACTION REQUESTED BY:	Public Works Department, Finance Department
ACTION REQUESTED:	Approval to Award ITB 2019-666
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

- The Church Alley sewer reconstruction is the replacement of the sewer line from Church Avenue to Zia Street in the alley east of Main Avenue. The need for the sewer line replacement was identified during routine maintenance. Initial assessment was the line was blocked but was later determined to be structurally damaged requiring replacement.
- This project was initially designed as an open trench sewerline replacement which included manhole and service replacements. A mandatory pre-bid meeting was held and a contractor asked if the City had considered pipe bursting. Following the onsite visit and research on pipe bursting, an addendum was issued which, in addition to the open trench replacement bid, an alternate bid for the alley sewerline replacement using the pipe burst method was added. The pipe burst alternate includes the epoxy coating of the manholes rather than replacement.
- Including the pipe burst method created an opportunity to correct a sewerline problem between two residences along the alley which would be difficult to replace with the open cut method. A second alternate bid (1a) was included in the addendum specific to this line replacement using the pipe burst method only.

PROCUREMENT / PURCHASING (if applicable)

- Invitation to Bid (ITB) was published on the city website and advertised in the Daily Times on Sunday, September 23, 2018. A mandatory pre-bid meeting was held on October 2, 2018. One addendum was issued on the bid adding the pipe burst method bid alternates. The bid was publically opened on Thursday, October 25, 2018. All contractors at the pre-bid meeting submitted bids.
- Contract days for construction are 90 calendar days from Notice to Proceed.
- Three responsive bids were received. Two bids (Adame Construction and TRC Construction) bid the open trench and pipe burst alternates. Triman Construction bid only the pipe burst alternates. This combination of bid submittal was authorized in the addendum.

Contractor	Open Trench (Base Bid)	Pipe Burst Alley (Alternate 1)	Pipe Burst (between residences Alt 1a)
Engineer Estimate	146,648.00	120,425.00	19,113.00
Adame Construction	154,683.00	169,157.00	29,597.00
TRC Construction	163,446.66	152,811.88	71,953.62
Triman Construction	No Bid	143,969.25	26,232.85

- Steve Morse, PW Director/City Engineer and Clayton Harrison, CHC Engineering, project engineer, after reviewing the bids and contractor qualifications, recommend award of Alternate 1 and 1a to Triman Construction, for a total of \$170,202.10 plus tax.
- Triman Construction has requested, if the bid is awarded to Triman, that the pre-construction meeting be immediately scheduled (Thursday, November 15) and the Notice to Proceed be issued on November 19, 2018.

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)
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- FY19 Annual Adopted Budget, Joint Utility Fund, includes \$200,000 specific to this project. The award of the bid to Triman Construction for alternate 1 and 1a, including tax @ 8.25% (rate effective 1/1/2019), \$184,243.77.

SUPPORT DOCUMENTS: ITB 2019-666 Bid Tabulation

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve award of ITB 2019-666 Church Alley Sewerline Reconstruction, Alternate 1 and 1a, to Triman Construction in the amount of \$170,202.10 plus tax and authorize the City Manager to execute the construction agreement.



CHURCH ALLEY SEWER RECONSTRUCTION
 BID #2019-666

BID DATE: OCTOBER 25, 2018 3:00PM
 SCHEDULED AWARD DATE: NOVEMBER 13, 2018

RECOMMENDED AWARD: TRIMAN CONSTRUCTION, ALTERNATE BID 1 AND 1A

BASE BID - Open Cut				ENGINEER ESTIMATE		ADAME CONSTRUCTION		TRC CONSTRUCTION		TRIMAN CONSTRUCTION	
ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	Sawcut and Remove Existing Pavement	SY	27	\$ 16.00	\$ 432.00	\$ 10.00	\$ 270.00	\$ 31.80	\$ 858.60		NO BID
2	Base Course	SY	27	\$ 18.00	\$ 486.00	\$ 19.00	\$ 513.00	\$ 4.34	\$ 117.18		NO BID
3	HMA SPIII	SY	27	\$ 40.00	\$ 1,080.00	\$ 70.00	\$ 1,890.00	\$ 115.00	\$ 3,105.00		NO BID
4	Remove and Replace Curb	LF	10	\$ 30.00	\$ 300.00	\$ 80.00	\$ 800.00	\$ 37.00	\$ 370.00		NO BID
5	Locate Service Lines	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,865.00	\$ 2,865.00		NO BID
6	Base Course - 3" Placed and Compacted	SY	1250	\$ 15.00	\$ 18,750.00	\$ 16.00	\$ 20,000.00	\$ 6.20	\$ 7,750.00		NO BID
7	8" Sewer Line	LF	1090	\$ 25.00	\$ 27,250.00	\$ 11.00	\$ 11,990.00	\$ 52.85	\$ 57,606.50		NO BID
8	4" Sewer Line 5' min.	EA	29	\$ 350.00	\$ 10,150.00	\$ 700.00	\$ 20,300.00	\$ 613.00	\$ 17,777.00		NO BID
9	4" Sewer Service Tap Saddle	EA	29	\$ 300.00	\$ 8,700.00	\$ 300.00	\$ 8,700.00	\$ 124.22	\$ 3,602.38		NO BID
10	Trenching and Backfill	LF	1380	\$ 25.00	\$ 34,500.00	\$ 19.00	\$ 26,220.00	\$ 17.25	\$ 23,805.00		NO BID
11	4" dia Type A Manhole with Collard	EA	5	\$ 5,000.00	\$ 25,000.00	\$ 4,500.00	\$ 22,500.00	\$ 4,891.00	\$ 24,455.00		NO BID
12	Remove or Abandon Manhole	EA	5	\$ 1,000.00	\$ 5,000.00	\$ 500.00	\$ 2,500.00	\$ 1,005.00	\$ 5,025.00		NO BID
13	Pumping Sewage	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,015.00	\$ 5,015.00		NO BID
14	Irrigation Repair	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 1,895.00	\$ 1,895.00		NO BID
15	Construction Staking by Contractor	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 6,700.00	\$ 6,700.00		NO BID
16	Traffic Control	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 20,000.00	\$ 20,000.00	\$ 2,500.00	\$ 2,500.00		NO BID
				ESTIMATE TOTAL	\$ 146,648.00	BID:	\$ 154,683.00	BID:	\$ 163,446.66	BID:	NO BID
Total Comparison including 5% NM State Preference						\$	146,948.85	\$	155,274.33		
Total Comparison including 10% (Maximum) Resident Veteran Preference											



CHURCH ALLEY SEWER RECONSTRUCTION
 BID #2019-666

BID DATE: OCTOBER 25, 2018 3:00PM
 SCHEDULED AWARD DATE: NOVEMBER 13, 2018

RECOMMENDED AWARD: TRIMAN CONSTRUCTION, ALTERNATE BID 1 AND 1A

ALTERNATE BID 1A - Pipe Burst				ENGINEER ESTIMATE		ADAME CONSTRUCTION		TRC CONSTRUCTION		TRIMAN CONSTRUCTION	
ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	Sewer Main Cleaning	LF	275	\$ 2.00	\$ 550.00	\$ 4.20	\$ 1,155.00	\$ 7.00	\$ 1,925.00	\$ 9.00	\$ 2,475.00
2	Sewer Manhole Cleaning	EA	1	\$ 500.00	\$ 500.00	\$ 800.00	\$ 800.00	\$ 200.00	\$ 200.00	\$ 160.00	\$ 160.00
3	Pre-Construction CCTV Inspection of existing sewer line	LF	275	\$ 2.00	\$ 550.00	\$ 4.20	\$ 1,155.00	\$ 7.00	\$ 1,925.00	\$ 5.45	\$ 1,498.75
4	Post-Construction CCTV inspection of installed sewer line	LF	275	\$ 2.00	\$ 550.00	\$ 5.00	\$ 1,375.00	\$ 7.00	\$ 1,925.00	\$ 3.80	\$ 1,045.00
5	Bypass Sewage Pumping	LF	275	\$ 4.00	\$ 1,100.00	\$ 3.64	\$ 1,000.00	\$ 7.27	\$ 1,999.25	\$ 2.85	\$ 783.75
6	Pipe Burst with 8" HDPE Sewer Line	LF	275	\$ 25.00	\$ 6,875.00	\$ 60.00	\$ 16,500.00	\$ 119.75	\$ 32,931.25	\$ 43.75	\$ 12,031.25
7	4" Sewer Service Line 5' min	EA	2	\$ 350.00	\$ 700.00	\$ 700.00	\$ 1,400.00	\$ 613.00	\$ 1,226.00	\$ 318.00	\$ 636.00
8	4" Sewer Service Tap Saddle	EA	2	\$ 300.00	\$ 600.00	\$ 300.00	\$ 600.00	\$ 124.22	\$ 248.44	\$ 767.00	\$ 1,534.00
9	Epoxy Coating of Manhole	LF	7	\$ 800.00	\$ 5,600.00	\$ 420.00	\$ 2,940.00	\$ 3,565.00	\$ 24,955.00	\$ 500.50	\$ 3,503.50
10	Epoxy Coating of Invert and Bench	EA	1	\$ 200.00	\$ 200.00	\$ 400.00	\$ 400.00	\$ 305.00	\$ 305.00	\$ 525.60	\$ 525.60
11	Traffic Control	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00	\$ 300.00	\$ 300.00
12	Sawcut and Remove Existing Pavement	SY	12	\$ 16.00	\$ 192.00	\$ 10.00	\$ 120.00	\$ 31.80	\$ 381.60	\$ 20.00	\$ 240.00
13	Base Course	SY	12	\$ 18.00	\$ 216.00	\$ 16.00	\$ 192.00	\$ 4.34	\$ 52.08	\$ 15.00	\$ 180.00
14	HMA SPIII	SY	12	\$ 40.00	\$ 480.00	\$ 80.00	\$ 960.00	\$ 115.00	\$ 1,380.00	\$ 110.00	\$ 1,320.00
				ESTIMATE TOTAL	\$ 19,113.00	BID:	\$ 29,597.00	BID:	\$ 71,953.62	BID:	\$ 26,232.85
Total Comparison including 5% NM State Preference						\$	28,117.15	\$	68,355.94	\$	24,921.21
Total Comparison including 10% (Maximum) Resident Veteran Preference											

Staff Summary Report

MEETING DATE: November 13, 2018
AGENDA ITEM: IX. CONSENT AGENDA (G)
AGENDA TITLE: Resolution 2018-1110 Municipal Surplus

ACTION REQUESTED BY: Library
ACTION REQUESTED: Approval of Resolution 2018-1110
SUMMARY BY: Kathy Lamb

PROJECT DESCRIPTION / FACTS

- Community Development has replaced an office desk which is no longer functions as necessary. No other City Departments have need for the desk.
- The Library, during the normal course of operations, reviews circulation of all materials. Materials which are not circulating or are out of date are pulled from the shelves and become surplus material. These items would have been purchased with city or state library funds or donated to the library. Materials pulled include a large collection of adult and youth books, several DVDs and music CDs.
- Approved library surplus items will be disposed of in a variety of ways to best serve the library and the community. Materials which may have use to Good Sam's, local schools, and/or veteran's programs will be donated. Materials which may have public interest will be packaged and available for sale at the library. Other materials may be packaged and sent to book outlets at no cost to the city. The Public Surplus website has not resulted in interest for library materials, although it will continue to be utilized as well.
- If the items are not sold they will be donated or disposed of according to NM Statute Sections 3-54-2 and 13-6-1. Disposition of obsolete, worn-out or unusable tangible personal property.

PROCUREMENT

- N/A

FISCAL IMPACTS

- Revenues from sale of surplus items will be applied to General Fund / Joint Utility Fund

SUPPORT DOCUMENTS: Resolution 2018-1110
Surplus List

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2018-1110 Declaring Certain Municipal Property Not Essential For Municipal Purpose and Directing It Be Sold or Disposed.

CITY OF AZTEC RESOLUTION 2018-1110

A RESOLUTION DECLARING CERTAIN MUNICIPAL PROPERTY NOT ESSENTIAL FOR MUNICIPAL PURPOSE AND DIRECTING IT BE SOLD, OR IF THE PROPERTY HAS NO VALUE, DONATE THE PROPERTY TO ANY ORGANIZATION DESCRIBED IN SECTION 501(c)3 OF THE INTERNAL REVENUE CODE OF 1986 OR DISPOSED.

- WHEREAS,** Sections 3-54-2 and 13-6-1 of NMSA, 1978 Compilation authorizes municipalities to sell personal property which is not essential for a municipal purpose or if the property has no value, donate the property to any organization described in Section 501(c)3 of the Internal Revenue Code of 1986; and
- WHEREAS,** the City of Aztec owns certain personal property which is obsolete and/or surplus and no longer needed or useful to the City; and
- WHEREAS,** the Governing Body wishes to declare this property not essential for a municipal purpose so that it can be sold or donated according to statute.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY of the City of Aztec, New Mexico that the personal property described on the attached list which is owned by the City is surplus and not essential for a municipal purpose.

PASSED, APPROVED AND SIGNED this 13th day of November 2018.

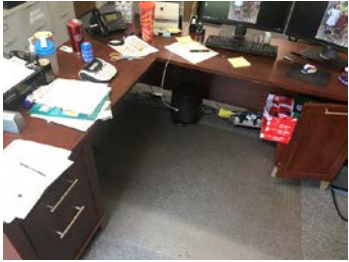
VICTOR C. SNOVER, MAYOR

ATTEST:

CITY CLERK KARLA SAYLER

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

Community Development		<p>Bush WC81710K Somerset 71W L-Shaped Office Desk, Hansen Cherry</p> <p>Dimensions: 71.06" W X 70.83" D X 29.03" H</p> <p>Acquisition Date: 2010 est</p> <p>Reason for Surplus: Repairs required to under desk drawer and cabinet side. Does not meet current needs of department.</p>
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LIBRARY SURPLUS	
TITLE	AUTHOR
Devastated by a volcano!	Stephen Person
Hurricane hunters and tornado chasers : life in the eye of the storm	Lois Sakany
Study earthquakes	Suzy Gazlay
Floods of the past and the future	Karen Donnelly
Water, water everywhere /	Mark J. Rauzon / Cynthia Overbeck Bix
Ask about the earth and the sky	Pierre Averous
Simple weather experiments with everyday materials	Muriel Mandell
Hurricanes and typhoons	Jacqueline Dineen
Hurricane and typhoon alert!	Paul Challen
La lluvia	de Gail Saunders-Smith
Forecasting!	Kris Hirschmann
Weather	Robin Kerrod
Rivers : nature's wondrous waterways	David L. Harrison
Hands on projects about weather and climate	Krista West
Be a storm chaser	David Dreier
Stellar science projects about Earth's sky	Robert Gardner
Wild science projects about Earth's weather / Robert Gardner ; illustrations by Tom Labaff	Robert Gardner
How we use rock	Chris Oxlade
Blocks of rocks	Thomas F. Sheehan
Experiments on rocks and the rock cycle	Zella Williams
Using water	Sally Hewitt

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
It could still be a rock	Allan Fowler
Tyrannosaurus and other mighty hunters	Jinny Johnson
Diplodocus	Sandy Fritz and George Olshevsky
Apatosaurus = Apatosaurio	Joanne Mattern
What has armor and a tail club? = Que tiene una armadura y una cola como garrote? Ankylosaurus	Robert Kanner
Stegosaurus = Estegosaurio	Joanne Mattern
What has three horns and a sharp beak? = Que tiene tres cuernos y un pico afilado?	Judy Zocchi
Pteranodon and other flying reptiles	Jinny Johnson
Pterodactyl	Rupert Matthews
Sabre-tooth	Rupert Matthews
Wooly mammoth	Rupert Matthews
Tyrannosaurus rex	Joanne Mattern
I live in the country = Vivo en el campo	por Gini Holland
Deep in a rainforest	Gwen Pascoe
I live in the mountains = Vivo en las monta*nas	por Gini Holland
I live in the desert = Vivo en el desierto	por Gini Holland
Seashore	Steve Parker
Mini beasts : the microscopic world of tiny creatures	David Burnie
Life cycle of a mushroom	Angela Royston
Great dinosaur expeditions and discoveries : adventures with the fossil hunters	Thom Holmes and Laurie Holmes
Ice Age beasts	Michael Jay
Dinosaur detectives	Peter Chrisp
Looking at-- Apatosaurus/Brontosaurus	Graham Coleman
Dinosaurs	Nicholas Harris
Looking at-- Ouranosaurus	Frances Freedman
Looking at-- Baryonyx : a dinosaur from the cretaceous period	Tamara Green
Dinosaur families : unearh the secrets behind dinosaur fossils	Rupert Matthews
Compsognathus : the smallest dinosaur	Elizabeth J. Sandell
Pteranodon : the flying reptile	Elizabeth J. Sandell
The discovery of T. rex	Dougal Dixon
What has a flat snout and a curved claw? = Que tiene un hocico plano y una garra curva?	Robert Kanner
Velociraptor	Sandy Fritz and George

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
	Olshovsky
The Living house	Nigel Hester
Life in the woodlands	Rosanne Hooper
The ecosystem of a milkweed patch	Elaine Pascoe
The ecosystem of a garden	Elaine Pascoe
Desert survival	Jim Pipe
Desert explorer	Greg Pyers
The ecosystem of a stream	Elaine Pascoe
Marshes and swamps : a wetland web of life	Philip Johansson
The seashore : a saltwater web of life	Philip Johansson
Biomes of the past and future	Karen Donnelly
Ecology : the study of living things	Terry Jennings
Ecosystems	Pam Robson
Where am I? : this is a snowy place ; it is cold and icy	Moira Butterfield
The ecosystem of a grassy field	Elaine Pascoe
The voyage of the beetle : a journey around the world with Charles Darwin and the search for the solution to the mystery of mysteries, as narrated by Rosie, an articulate beetle	Anne H. Weaver
The search for life in space	Clint Twist
Genetics	Robert Taylor
Mendel and the laws of genetics	Heather Hasan
What Has Small Arms and Jagged Teeth?	Que tiene brazos cortos y dientes aserrados? T-rex
Jurassic ark!" : New Mexico dinosaurs & other prehistoric creatures : an interactive book	Carole Marsh
Plants of the forest	Andreu Llamas
In the deep, dark forest	Paul Humphrey
Sharing the world with animals	Marjorie B. Shaw
Pond & river	Steve Parker
Flowers and seeds	Carrie Branigan and Richard Dunne
Evolution	Linda Gamlin
Genes & DNA	Richard Walker
Genetics	Buffy Silverman
The diversity of life : from single cells to multicellular organisms	Robert Snedden
Are you living? : a song about living and nonliving things	Laura Purdie Salas

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Cells	Jeanne DuPrau
Experiments about the natural world	Zella Williams
Make it grow	Melinda Lilly
The cell works : an expedition into the fantastic world of cells	Norbert Landa and Patrick A. Baeuerle
Watson and Crick and DNA	Christy Marx
DNA	Alvin Silverstein
How animals move	Michel Barre
Prehistoric times	Louis-Renel
Animal senses	Michel Barre
Ocean tide pool	Arthur John L'Hommedieu
Now eat this! : 150 of America's favorite comfort foods, all under 350 calories	Rocco DiSpirito
Pure & simple : delicious recipes for additive-free cooking	Marian Burros
The Candida Albicans yeast-free cookbook: how good nutrition can help fight the epidemic of yeast-related diseases	
Classroom Treats	
Mastering the art of French cooking	Julia Child
Jane Butel's Southwestern grilling	Jane Butel / Gordon McMeen
Secrets of lactose-free cooking : over 150 delicious dairy-free and lactose-reduced recipes-- from breakfast to dinner	Arlene Burlant
The glass pantry : the pleasures of simple preserves	Georgeanne Brennan
Gourmet health recipes : for life extension & vital, healthy living to 120!	Paul C. Bragg / Patricia Bragg
Pizzas	Linda Henry
Diabetic cook book	
The whole foods diabetic cookbook	Patricia Bertron, Michael Cook, Patricia Stevenson
Allrecipes all-time favorite best brand recipes	
Jamba juice power : smoothies and juices for mind, body, and spirit	Kirk Perron / Stan Dembecki
Jam on: the craft of canning fruit	
Viva tequila: cocktails, cooking, and other agave adventures	
The wine club : a month-by-month guide to learning about wine with friends	Maureen Christian Petrosky

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
The 10 things you need to eat : and more than 100 easy and delicious ways to prepare them	Dave Lieberman / Anahad O'Connor
A field guide to buying organic	Luddene Perry & Dan Schultz
Chapman's encyclopedia of practical recipes and procedures	
Household hints & tips	Cassandra Kent
A woman's guide to family finances	Ellie Kay
Animal, vegetable, miracle : a year of food life	Barbara Kingsolver/ Steven L. Hopp / Camille Kingsolver
The turkey : an American story	Andrew F. Smith
Living on your own: the complete guide to setting up your money, your space, and your life	
Healthy child, healthy world : creating a cleaner, greener, safer home	Christopher Gavigan
Ask the experts : 2500 great hints & smart tips from the pros	
Our Planet : change is possible	MySpace community / Jeca Taudte
Vegetarian times complete Thanksgiving cookbook	
Food & Wine annual cookbook 2010: an entire year of recipes	
Favorite brand name gifts from the Christmas kitchen	
Home cooking sampler : family favorites from A to Z	Peggy K. Glass
The food you crave : luscious recipes for a healthy life	Ellie Krieger
Low cholesterol : for your heart's sake	Patricia Payne
Top 100 baby purees: 100 quick and easy meals for a healthy and happy baby	Annabel Karmel
Healthy 1-2-3 : fat-free, low fat, low calorie : the ultimate three-ingredient cookbook	Rozanne Gold
Camille Glenn's old-fashioned Christmas cookbook	
Heloise from A to Z	
Favorite brand name treasury of Christmas	
Best loved holiday recipes	
Generation T : beyond fashion : 120 new ways to transform a t-shirt	Megan Nicolay
Soup's on! : sixty hearty soups you can stand your spoon in	Janet Lembke
Meat-eating plants and other extreme plant life	June Preszler
Cool careers without college for people who love to make things grow	Monique Burns
Plants of the desert	Andreu Llamas
Flowers and seeds	Margaret Grieveson
Cacti / by Derek Fell	

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Super nature encyclopedia: the 100 most incredible creatures on the planet	
The animal book: a collection of the fastest, fiercest, toughest, cleverest, shyest- and most surprising- animals on earth	
Animal hide-and-seek	Teddy Slater
Red eyes or blue feathers : a book about animal colors	Patricia M. Stockland
Stripes, spots or diamonds : a book about animal patterns	Patricia M. Stockland
Camouflage	Terry Jennings
How to swallow a pig: step-by-step advice from the animal kingdom	
Compost critters	Bianca Lavies
Hunters	Rebecca L. Grambo
Migrating animals of the air	Jacqueline Ball
Animal relationships	Michel Barre
Migrating animals of the land	Thea Feldman
Gross and gory	Elizabeth Laskey
Pointy, long, or round : a book about animal shapes	Patricia M. Stockland
Grouse	John B. & Mary Theberge
Scholastic encyclopedia of animals	Laurence Pringle
Animal kingdom	David Jefferis
Top 10 countdowns of the biggest, baddest & loudest	Susan Ring & Neil Sims
The Visual dictionary of animals	
Eyes	Rebecca L. Grambo
How animals protect themselves	Michel Barre
Defenses	Rebecca L. Grambo
What if you had animal ears!?	
What if you had animal eyes!?	
Colors	Rebecca L. Grambo
Sand, leaf, or coral reef : a book about animal habitats	Patricia M. Stockland
What forest animals eat = Que*I? comen los animales del bosque?	Joanne Mattern
What grassland animals eat = Que*I? comen los animales de las praderas?	Joanne Mattern
Desert : around the clock with the animals of the desert	Elizabeth Haldane & Fleur Star
How animals migrate	Susan Labella
Migrating animals of the water	Susan Labella
A bed for the winter	Karen Wallace
Wild animal atlas : Earth's astonishing animals and where they live	
Jungles	John Norris Wood

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
101 questions about desert life	Alice Jablonsky
A-- B-- sea	Bobbie Kalman
The life cycle of an earthworm	Andrew Hipp
Seashells, crabs, and sea stars	Christiane Kump Tibbitts
The life cycle of a snail	Andrew Hipp
Coral reef builders /	Eric Ethan & Marie Bearanger
What river animals eat = Que*!? comen los animales de los ri*I?os?	Joanne Mattern
Squirmy wormy composters	Bobbie Kalman & Janine Schaub
Crabs	Theresa Greenaway
Crabs and crustaceans	Sally Morgan
Crabs & mollusks	Brenda Ralph Lewis
The real thing! scorpions	Mary Packard
Animal giants	Barbara Taylor
Animal life	Richard Walker
The octopus : phantom of the sea	Mary M. Cerullo
Octopus	Lynn M. Stone
Arthropods	Bev Harvey
Earthworms, underground farmers	Patricia Lauber
Cicada sing-song	Density Clyne
Buggin' with Ruud	Carrie E. Holcomb
Walkingsticks	Fran Howard
Dragonflies	Sophie Lockwood
Insects, bugs, and art activities	Steve Parker & Polly Goodman
Catch me if you can!	Density Clyne
Insects that work together	Molly Aloian & Bobbie Kalman
Behold the beautiful dung beetle	
The real thing! beetles	Mary Packard
Flesh-eating machines : maggots in the food chain	June Preszler
Flutter by butterfly	Density Clyne
Caterpillars	Jonathan P. Latimer, Karen Stray Nolting
Butterflies	Gallimard Jeunesse and Claude Delafosse

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Armies of ants	Walter Retan
Hornets : incredible insect architects	Sandra Markle
Hornets : incredible insect architects	Sandra Markle
Bees	Malcolm Penny
Safari animals	Maria Behan
Animals of the rivers, lakes, and wetlands	Michael Bright
What sea animals eat = Que*I? comen los animales del mar?	Joanne Mattern
Snakes!	editors of Time for kids with Lisa Jo Rudy
Wild world of snakes	Lynn M. Stone
Snakes on the hunt	Lynn M. Stone
Snakes that squeeze and snatch	Lynn M. Stone
Snakes with venom	Lynn M. Stone
Izas! : un libro sobre caimanes y cocodrilos	Melvin y Gilda Berger
The fascinating world of frogs and toads	Maria Angels Julivert
Alligators : life in the wild	Monica Kulling
Crocodylians : survivors from the dinosaur age	Josep Pique
Birds	
Bird	David Burnie
Bird	David Burnie
Beastly birds and bats	Lynn Huggins-Cooper
Australian birdlife	Steve Parish
Puffins & Hippopotamuses	Elizabeth MacLeod /Sally Banks
Loons & Black bears	Judy Ross / Caroline Greenland
What on earth is a booby?	Jenny Tesar
Penguins	Gallimard Jeunesse and Rene Mettler
Songbirds	Jonathan P. Latimer, Karen Stray Nolting
101 facts about eagles	Julia Barnes
Coral reef hunters	Eric Ethan and Marie Bearanger
Coral reef survival	Eric Ethan and Marie Bearanger
Fish : swimming and floating	Isidro Sanchez
book: All about sharks!	Jane P. Resnick

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
What do sharks eat for dinner? : questions and answers about sharks	Melvin and Gilda Berger
Eels	Lynn M. Stone
Muskrats	Laima Dingwall
Sea horses	Carol K. Lindeen
It's a frog's life!	Densey Clyne
The frog	Sabrina Crewe
Jellyfish : animals with a deadly touch	Eulalia Garcia
Reptiles	Bev Harvey
Your pet iguana	Elaine Landau
What on earth is a chuckwalla	Edward R. Ricciuti
Don't let the pigeon stay up late!	Mo Willems
The duckling gets a cookie	
Owls	Fern G. Brown
Awesome ospreys : fishing birds of the world	Donna Love
Falcons	Jill Bailey
The kangaroo	Sabrina Crewe
Flies	John Woodward
Big, rough, and wrinkly	Moira Butterfield
What has wide, padded feet and spits? = *Que tiene pies anchos con almohadillas y escupe?	Robert Kanner
Black rhino	Louise and Richard Spilsbury
Elephants : life in the wild	Monica Kulling
The big caribou herd : life in the Arctic National Wildlife Refuge	Bruce Hiscock
Giraffes : long-necked ruminants	Andreu Llamas
What on earth is a guanaco?	Edward R. Ricciuti
The wonder of wolves	Patricia Lantier-Sampon
Hyenas	Sandra Markle
Grizzly cub : five years in the life of a bear	Rick McIntyre
The mountain lion	Sabrina Crewe
The prairie dog	Sabrina Crewe
Prairie dog song: the key to saving North America's grasslands	
Chipmunks	Merebeth Switzer. Beavers / Elin Kelsey
Beavers / Matt Turner	
Bats	Theresa Greenaway
Bats	Sophie Lockwood

**CITY OF AZTEC
RESOLUTION 2018-1110
NOVEMBER 13, 2018**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Fringe-lipped bats	Jill C. Wheeler
Honduran white bats	Jill C. Wheeler
Little brown bats	Jill C. Wheeler
Slit-faced bats	Jill C. Wheeler
Whales	Helen H. Carey and Judith E. Greenberg
The biggest animal ever	Allan Fowler
What has an 8,000-pound tongue and sings? = Que tiene una lengua de 3,600 kilos y canta?	Robert Kanner

Staff Summary Report

MEETING DATE:	November 13, 2018
AGENDA ITEM:	XII. BUSINESS ITEM (A)
AGENDA TITLE:	Final Adoption of Ordinance 2018-483 Amending Chapter 26, Article III, Division 2 Communications Tower and Antenna

ACTION REQUESTED BY:	Community Development Office
ACTION REQUESTED:	Approve Final Adoption of Ordinance 2018-483 Amending Chapter 26, Article III, Division 2 Communications Tower and Antenna
SUMMARY BY:	Steven Saavedra

PROJECT DESCRIPTION / FACTS

- It has many years since the Communications Tower and Antennae has been amended.
- The Community Development staff has been reviewing Chapter 26 and has determined a number of areas which need to be amending in this chapter and as such is initiating the start of updates with the section on Communications Tower and Antennae.

PROCUREMENT

N/a

FISCAL IMPACTS

N/a

SUPPORT DOCUMENTS: Ordinance 2018-483

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Final Adoption of Ordinance 2018-483 Amending Chapter 26, Article III, Division 2 Communications Tower and Antenna

**City Of Aztec
ORDINANCE 2018-483**

Amending Chapter 26, Article III, Division 2. Communications Tower and Antenna

WHEREAS: It has many years since the Communications Tower and Antennae has been amended; and

WHEREAS The Community Development staff has been reviewing Chapter 26 and has determined a number of areas which need to be amending in this chapter;

NOW THEREFORE BE IT ORDAINED By the Governing Body of The City of Aztec, New Mexico that Ordinance 2008-483 amending Chapter 26, Article III, Division 2. Communications Tower and Antenna (as attached) is

PASSED, APPROVED, SIGNED AND ADOPTED this 13th day of November, 2018.

By the Aztec City Commission, City of Aztec, New Mexico.

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk

APPROVE AS TO FORM:

City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____

ARTICLE III. SUPPLEMENTARY REGULATIONS

DIVISION 2. COMMUNICATIONS TOWER AND ANTENNA

Sec. 26-3-141. In General.

1. All new towers or antennas in the City of Aztec shall be subject to these regulations. Preexisting towers and preexisting antennas shall not be required to meet the requirements.
2. Antennas and towers may be considered either principal or accessory uses to the principal use of the property.
3. Site Suitability. In addition to other applicable standards of this section, the city shall consider the following in determining site suitability: height proposed; proximity to other uses, proximity to historic sites and landmarks, vehicle traffic routes, proximity to medical facilities, proposed signs, topographical features, utilities, access, and suitability of alternative sites.
4. State and federal requirements. All towers, antennae, and wireless communication facilities must meet or exceed standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate them or their components. If such standards and regulations are changed, then the owners of the towers and antennas governed by this section shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and unless a different compliance schedule is mandated by controlling law.
5. Maintenance. Towers, antennae, and wireless communication facilities shall be maintained in compliance with standards contained in the current New Mexico Building Code and the applicable health and safety standards established by the FCC, the city, or other governmental bodies having jurisdiction, as amended periodically. Towers, antennae and wireless communications facilities, which are not in compliance, shall be removed at the owner's expense if not brought into compliance within 30 days after written demand by the city.
6. Engineered Design. Any information of an engineering nature that the applicant submits, whether civil, mechanical, structural or electrical, shall be certified by a New Mexico licensed professional engineer.
(Code 2007, 26-141)

Sec. 26-3-142. Height Restrictions.

1. Freestanding.
 - 1) *Residential*. Freestanding tower with height not exceeding 35 feet is a permitted conditional use; height exceeding 35 feet requires a special use permit.
 - 2) *Office-Institutional*. Freestanding tower with height not exceeding 35 feet is a permitted conditional use; height exceeding 35 feet requires a special use permit.
 - 3) *Commercial*. Freestanding or guyed tower with height not exceeding 100 feet is a permitted conditional use; height exceeding 100 feet requires a special use permit.
 - 4) *Manufacturing/Industrial*. Freestanding or guyed tower with height not exceeding 200 feet is permitted conditional use; height exceeding 200 feet requires a special use permit.

- 5) *Agricultural-Rural*. Freestanding or guyed tower with height not exceeding 100 feet permitted conditional use, height exceeding 100 feet requires a special use permit.
- 6) *PUD*. Tower with height specified in approved plan is permitted under conditions set forth in plan.

2. Attached to structure.

- 1) All Districts. Tower and/or antenna mounted on building, water tank or structure other than a freestanding or guyed communications tower must not extend more than 30 feet above the highest part of the structure.
(Code 2007, 26-142)

Sec. 26-3-143. Application Requirements.

The applicant for a conditional use land use permit for construction of a communications tower or placement of a commercial telecommunication antenna on an existing structure other than a tower previously permitted must file with the Planning Department an application accompanied by a fee of \$350.00 and the following documents, if applicable:

1. Specifications. One copy of typical specifications for proposed structures and antennae, including description of design characteristics and material.
2. Site Plan. A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscaping plan, and existing land uses on adjacent property; (site plan not required if antenna is to be mounted on an approved existing structure).
3. Tower Location Map. A current map, or update for an existing map on file, showing locations of applicant's antennae, facilities, existing towers, and proposed towers which are reflected in public records, serving any property within the city.
4. Antenna Capacity / Wind Load. A report from a structural engineer registered in New Mexico showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards.
5. Antenna Owners. Identification of the owners of all antennae and equipment to be located on the site.
6. Owner Authorization. Written authorization from the site owner for the application.
7. FCC License. Evidence that a valid FCC License for the proposed activity has been issued.
8. Visual Impact Analysis. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
9. Removal Agreement. A written agreement to remove the tower and/or antenna within 180 days after cessation of use.
10. Conditions Met. Evidence that applicable conditions are met.

11. Additional Information. Additional information required by the City Planner for determination that all applicable land use regulations are met.
(Code 2007, 26-143)

Sec. 26-3-144. Conditions.

Applicant must show that all applicable conditions are met.

1. Collocation. A proposed tower shall be structurally and electrically designed to accommodate the applicant's antenna and comparable antennas for additional users. Towers shall be designed to allow for future -rearrangement of antennas and to accept antennas mounted at varying heights.
2. Inability to Locate on Existing Property. Applicant must show that a proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical design requirements without unreasonable modifications on any existing structure or tower under the control of applicant.
3. Location / Visual Impact. The proposed communications tower, antenna or accessory structure will be placed in a reasonably available location which will minimize the visual impact on the surrounding area and allow the facility to function in accordance with minimum standards imposed by applicable communications regulations and applicant's technical design requirements. **To further mitigate visual impact the following shall be implemented:**
 - 1) **Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration.**
 - 2) **Towers and antennas shall be of monopole design unless the city commission determines that an alternative design would be more appropriate to or better blend in with the surrounding environment.**
4. Necessity for Location in Residential District. Applicant for a permit in a residential district must show that the area cannot be adequately served by a facility placed in a non-residential district for valid technical reasons.
5. Public Property or Other Private Property Not Suitable. Prior to consideration of a permit for location on private property which must be acquired, applicant must show that available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulations and applicant's technical design requirements.
6. Design for Multiple Use. Applicant must show that a new tower is designed to accommodate additional antennae equal in number to applicant's present and future requirements.
7. Safety Codes Met. Applicant must show that all applicable health, nuisance, noise, fire, building and safety code requirements are met.
8. Paint; Illumination. A communications tower must not be painted or illuminated unless otherwise provided by state or federal regulations.
9. Distance from Existing Tower. A permit for a proposed tower site within 1,000 feet of an existing tower shall not be issued unless the applicant certifies that the existing tower does not meet

applicant's structural specifications and applicant's technical design requirements, or that a collocation agreement could not be obtained.

10. Indemnity; Claim Resolution. Applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Planning Department a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in form approved by the municipal attorney.
11. Application of Land Use Requirements. Land development regulations, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general land use district regulations except setback and height, shall apply to the use. Setback and height conditions in this section apply.
12. Minimum Setbacks. ~~A tower must be a minimum distance equal to one-half the height of the tower from property designated historic or architecturally significant, and must be setback from all lot lines distances equal to the district setback requirements or 25% of the tower height, whichever is greater.~~
The following setback requirements shall apply to all towers for which a special use permit is required; provided, however, standard setback requirements may be decreased if the goals of this section would be better served thereby:
 - 1) Towers must be set back from any lot line a distance equal to the height of the tower.
 - 2) Guy wires, accessory or related structures or control buildings shall be subject to the minimum setback requirements of the underlying zoning district
13. Tower Accessory Building and Structure Design. The design and color of accessory or related structures or control buildings shall be architecturally designed to blend in with the surrounding buildings and environment.
14. Fences and Walls. A fence or wall not less than six feet in height from finished grade shall be constructed around each communication tower and around each guy anchor and peripheral support.

(Code 2007, 26-144)

Sec. 26-3-145 Landscaping and Screening.

1. Ground- and rooftop-mounted mechanical equipment shall be screened from view off-site in accordance with the screening standards.
2. Perimeter trees shall be used to help screen the tower from residences in accordance with the requirements of the subsection.

Sec. 26-3-146. Signs.

No signs shall be allowed on a tower or antenna; provided, however, where high voltage is necessary for the operation of the communication tower and it is present in a ground grid or in the tower, signs located every 20 feet and attached to the fence or wall shall display in large bold letters the following: "HIGH VOLTAGE DANGER."

Sec. 26-3-147. Removal.

1. Towers and antennae shall be removed, at the owner's expense, within 180 days of the discontinuance of use unless the city extends this time in writing.
2. An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The director may extend the time for removal or reactivation of up to 60 additional days upon a showing of good cause. If the tower and antennae are not timely removed, the city may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the city may remove the structure at the cost of the owner.
3. Upon removal of the wireless telecommunication facility, the site shall be returned to its natural state and topography and vegetated consistent with the natural surroundings.

Sec. 26-3-148. Definitions.

Alternative tower structure

Clock towers, bell steeples, light poles and similar mounting structures that camouflage or conceal the presence of antennas.

Antenna

Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves,, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Backhaul network

The lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, an/or long distance providers, or the public switched telephone network.

Collocation

The provision of multiple antennas of more than one commercial wireless communication service provider or government entity on a single tower or structure.

Communications tower

As used in this Division shall mean any structure that is designed and constructed for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self -supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

Preexisting towers/antennas

Any tower or antenna for which a building permit or special use permit has been properly issued prior to the effective date of this ordinance.

Telecommunications

As defined in the federal Telecommunications Act of 1996, means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

(Code 2007, 26-145)

Sec. 26-3-149 to 26-3-150. Reserved.

Staff Summary Report

MEETING DATE: November 13, 2018
AGENDA ITEM: XII. BUSINESS ITEM (B)
AGENDA TITLE: Intent to Adopt Ordinance 2018-484 International Property Maintenance Code within Chapter 14, Article IV. Dangerous and Unsafe Structures

ACTION REQUESTED BY: Andrew Di Camillo, City of Aztec Code Compliance & Information Officer
ACTION REQUESTED: Approve Intent to Adopt Ordinance 2018-484 International Property Maintenance Code within Chapter 14, Article IV. Dangerous and Unsafe Structures
SUMMARY BY: Andrew Di Camillo, City of Aztec Code Compliance & Information Officer

PROJECT DESCRIPTION / FACTS

The International Property Maintenance Code (IPMC) is a part of the International code council that the city recognizes and references; such as the International Building code and the regular adoption of the International Fire Code. The International Property Maintenance Code, however, will add to and establish code compliance for the City of Aztec to be in line with the standards and Best practices. In addition, it will allow for greater reach and enforcement capabilities not currently established with the City code. The IPMC also lends an extra layer of justification, liability protection for the City and code compliance actions.

For consistency purposes, this requires the City Commission to adopt the proposed ordinance to properly utilize and reference the International Property Maintenance Code.

PROCUREMENT

N/a

FISCAL IMPACTS

N/a

SUPPORT DOCUMENTS: Ordinance 2018-484

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Intent to Adopt Ordinance 2018-484 International Property Maintenance Code within Chapter 14, Article IV. Dangerous and Unsafe Structures

**City Of Aztec
ORDINANCE 2018-484**

**Creation of Division 2. International Property Maintenance Code within
Chapter 14, Article IV, Dangerous and Unsafe Structures**

WHEREAS, The City of Aztec seeks to adopt the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; and

WHEREAS, by providing the standards for supplied utilities and facilities and other physical conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and

WHEREAS, the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City of Aztec; and

WHEREAS, the provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from elements, life safety, fire safety and safety from other hazards, and for safe and sanitary maintenance; and

WHEREAS, this code shall be construed to secure expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by continued occupancy and maintenance of structures and premises.

NOW THEREFORE BE IT ORDAINED By the Governing Body of The City of Aztec, New Mexico that Ordinance 2008-484 amending Chapter 14, Article IV, Dangerous and Unsafe Structures, Division 2. International Property Maintenance Code (as attached) is

PASSED, APPROVED, SIGNED AND ADOPTED this _____ day of _____, 2018.

By the Aztec City Commission, City of Aztec, New Mexico.

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk

APPROVE AS TO FORM:

City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____

ARTICLE IV. DANGEROUS AND UNSAFE STRUCTURES

DIVISION 1. IN GENERAL

Sec. 14-4-1. Penalty.

Violations of this article are punishable as provided in Section 1-8.
(Ord. 2012-409, eff. 2012-June-20)

Sec. 14-4-2. Prohibited.

1. It shall be unlawful for any person or persons, corporation or entity to:
 - 1) Maintain or permit the existence of any dangerous or unsafe building or structure within the City;
 - 2) Fail to repair, remodel or renovate any building or structure designated as dangerous or unsafe, or any building moved within the City;
 - 3) For the owner, occupant, or person in custody of any dangerous building to allow or permit the same to remain in a dangerous condition and to permit any building or structure to be occupied while it is or remains in a dangerous condition.
(Ord. 2012-409, eff. 2012-June-20)

Sec. 14-4-3. Unsafe Structures or Premises.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.
(Ord. 2012-409, eff. 2012-June-20)

Sec. 14-4-4. Dangerous Structures or Premises.

For the purpose of this code, any building, structure or premises that have any or all of the conditions or defects described below shall be considered dangerous:

1. Any door which is unsecured or any door, aisle, passageway, stairway or other means of egress, including windows, that does not conform to the current New Mexico Building Code and Fire Code as adopted by the authority having jurisdiction relating to the requirement for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure, or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any

other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

4. Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
5. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads required by the New Mexico Building Code.
6. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirements or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the Enforcement Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any portion of a building remaining on a site after a demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

(Ord. 2012-409, eff. 2012-June-20)

Sec. 14-4-5. Determination.

When the Enforcement Officer suspects that a building or structure may be unsafe or dangerous, the Enforcement Officer shall request that the Building Official perform a complete inspection and generate a report on the condition of the structure.

(Ord. 2012-409, eff. 2012-June-20)

Sec. 14-4-6. Procedure to Abate.

1. Whenever the Building Official, the Fire Official, or the Enforcement Officer shall be of the opinion that any building or structure in the city is a dangerous or unsafe building, that Enforcement Officer shall file a written notice to be served upon the legal owner of record thereof, and upon the occupant thereof, if any, by mail or by personal service to the last known address. Such notice shall state that the building has been declared to be in a dangerous condition, and that such dangerous condition(s) must be removed or remedied by repairing or altering the building or by demolishing it; and that the condition must be remedied within a fixed period of time not to exceed ninety (90) days.
2. Based on the report submitted by the Building Official, the City Commission may, by formal resolution, find the property to be dangerous. A copy of the resolution shall be served on the owner, occupant or agent in charge of the building, structure or premise. If the owner, as shown by the real estate records of the county clerk, occupant or agent in charge of the building, structure or premise cannot be served within the city, a copy of the resolution shall be posted on the building, structure or premise and a copy of the resolution shall be published one time.
(Ord. 2012-409, eff. 2012-June-20)

Sec. 14-4-7. Removal and Appeal.

1. Within ten (10) days of the receipt of a copy of the resolution or of the posting and publishing of a copy of the resolution, the owner, occupant or agent in charge of the building, structure or premise shall commence removing the building, structure, ruin, rubbish, wreckage or debris, or file a written objection with the City Clerk asking for a hearing before the governing body of the municipality.
2. If a written objection is filed as required in this section, the City shall:
 - 1) Fix a date for a hearing on its resolution and the objection;
 - 2) Consider all evidence for and against the removal resolution at the hearing; and
 - 3) Determine if its resolution should be enforced or rescinded.
3. Any person aggrieved by the determination of the governing body may appeal to the district court by:
 - 1) Giving notice of appeal to the governing body within five (5) days after the determination made by the governing body; and
 - 2) Filing a petition in the district court within twenty (20) days after the determination made by the governing body. The district court shall hear the matter de novo and enter judgment in accordance with its findings.
4. If the owner, occupant or agent in charge of the building, structure or premise fails to commence removing the building, structure, ruins, rubbish, wreckage or debris:

- 1) Within ten (10) days of being served a copy of the resolution or of the posting and publishing of the resolution; or
 - 2) Within five (5) days of the determination by the governing body that the resolution shall be enforced; or
 - 3) After the district court enters judgment sustaining the determination of the governing body, the municipality may remove the building, structure, ruins, rubbish, wreckage or debris at the cost and expense of the owner. The reasonable cost of the removal shall constitute a lien against the building, structure, ruin, rubbish, wreckage or debris so removed and against the lot or parcel of land from which it was removed. The lien shall be foreclosed in the manner provided in Sections 3-36-1 through 3-36-6 NMSA 1978.
5. The municipality may pay for the costs of removal of any condemned building, structure, wreckage, rubbish or debris by granting to the person removing such materials, the legal title to all salvageable materials in lieu of all other compensation.
6. Any person or firm removing any condemned building, structure, wreckage, rubbish or debris shall leave the premises from which the material has been removed in a clean, level and safe condition, suitable for further occupancy or construction and with all excavations filled.
(Ord. 2012-409, eff. 2012-June-20)

Sec. 14-4-8. Recording of Lien; Interest Rate on Lien.

1. It shall be the duty of the City Clerk to make out, sign, attest, file and record in the office of the county clerk, a claim of lien upon premises described in any delinquent assessment roll.
2. Such lien shall bear interest at the rate of eight percent per annum from the date of filing until paid, together with reasonable attorney fees for the foreclosure of same.
(Ord. 2012-409, eff. 2012-June-20)

Sec. 14-4-9. Emergency Action.

When the city official feels the dangerous building or debris must be abated immediately, the official may submit a report directly to the City Commission and follow the procedures outlined in Section 14-4-6 and Section 14-4-7.

(Ord. 2012-409, eff. 2012-June-20)

Secs. 14-4-10 to 14-4-50. Reserved.

DIVISION 2. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 14-4-51. Adopted by Reference; Amendments.

1. The City of Aztec hereby adopts the most current International Property Maintenance Code by reference. All references will be to sections established within the International Property Maintenance Code.
2. All amendments or versions established by the International Code Council for the International Property Maintenance Code shall be implemented without further action on the part of the Aztec City Commission.

Sec. 14-4-52. Short Title; Form of Citation.

1. This division may be cited as "City of Aztec Property Maintenance Code."

Sec. 14-4-53. Ordinance Available for Inspection.

A copy of the most current International Property Maintenance Code will be available at the Community Development Office during regular business hours at City Hall, City of Aztec, 201 West Chaco, Aztec, New Mexico and available online at the City's website.

Sec. 14-4-53. Conflicts.

In the event that there is conflict or contradiction between existing City of Aztec Code and the International Property Maintenance Code, the more restrictive of the two shall take effect.

Sec. 14-4-54. Violations and Fines.

Fines for the violations of the International Property Maintenance Code are established in Chapter 1, Sec. 1-12. Mandatory Penalty and Fees; Disposition and Use of Fees.

Staff Summary Report

MEETING DATE: November 13, 2018
AGENDA ITEM: XII. BUSINESS ITEM (C)
AGENDA TITLE: Intent to Adopt Ordinance 2018-485 Amending Section 1-12 Mandatory Penalty and Fees

ACTION REQUESTED BY: City Staff
ACTION REQUESTED: Approve Intent to Adopt Ordinance 2018-485 Amending Section 1-12 Mandatory Penalty and Fees
SUMMARY BY: City Staff

PROJECT DESCRIPTION / FACTS

With the intent to adopt Ordinance 2018-484 which adopts the International Property Maintenance Code, comes the need for developing fines for violations. As such a section will be created to allow for violations, citations, and court appearances.

In addition, staff discovered some minor discrepancies and have included those corrections.

PROCUREMENT

N/a

FISCAL IMPACTS

N/a

SUPPORT DOCUMENTS: Ordinance 2018-485

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Intent to Adopt Ordinance 2018-485 Amending Section 1-12 Mandatory Penalty and Fees

**City of Aztec
Ordinance 2018-485**

Amending Section 1-12 Mandatory Penalty and Fees

WHEREAS: The Community Development staff has reviewed and determined that wording and fines on some of the various Land Use fines needed to be corrected to accommodate the adoption of the International Property Maintenance Code; and

WHEREAS: Other City staff and Municipal Courts has also reviewed the fines and found some minor discrepancies,

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico that Ordinance 2018-485 amends Section 1-12 in general to be adopted as attached.

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2018.

By the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor Snover

ATTEST:

Karla Sayler, City Clerk

APPROVED AS TO FORM:

City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____

Sec. 1-12. Mandatory Penalty and Fees; Disposition and Use of Fees.

1. Mandatory Penalty. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, the maximum penalty for violation of any municipal ordinance shall be as follows:

- (1) Except for those violations of ordinances described in subsections 1-2 and 1-3 of this section, a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days or both;
- (2) For violations of an ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor or drugs, a fine of not more than nine hundred and ninety-nine dollars (\$999.00) or imprisonment for not more than one hundred seventy-nine (179) days or both; and
- (3) For violations of a industrial user waste-water pretreatment ordinance as required by the United States Environmental Protection Agency, a fine of not more than nine hundred and ninety-nine dollars (\$999.00) a day for each violation.
(Code 2007, 1-12-1)

2. Specific Penalty Schedule. A fine and fee schedule for specific penalties.

(1) *Traffic and Offenses.* In reference to Chapter 12 and 24.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
12-1/66-3-1	Vehicle Subject To Registration	No	\$56	\$29	\$85
12-1/66-3-4.A	Register and Certificate of Title	No	\$56	\$29	\$85
12-1/66-3-6	Temporary Permit Required	No	\$56	\$29	\$85
12-1/66-3-13	Registration Required	No	\$56	\$29	\$85
12-1/66-3-17	License Tag Expired	No	\$56	\$29	\$85
12-1/66-3-17.A	Registration Renewals/Sticker Only	No	\$56	\$29	\$85
12-1/66-3-17.B	Replacement of Plate	No	\$56	\$29	\$85
12-1/66-3-17.C	Owner Shall Apply & Obtain Replacement Plate	No	\$56	\$29	\$85
12-1/66-3-18	Display of Registration Plates	No	\$56	\$29	\$85
12-1/66-3-19	Renewal of Registration	No	\$56	\$29	\$85
12-1/66-3-23	Registration Address Change	No	\$56	\$29	\$85
12-1/66-3-104	Use Registration Wrong Vehicle	No	\$106	\$29	\$135
12-1/66-3-105 (IPMC 107.6)	Transfer of Ownership	No	\$56	\$29	\$85
12-1/66-3-301	Registration By Non-residents	No	\$56	\$29	\$85
12-1/66-3-401	Operate Vehicle with Special Plate	No	\$56	\$29	\$85
12-1/66-3-701	Bicycles; Effect of Regulations	Yes	Set at Hearing	\$29	Set at Hearing

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
12-1/66-3-702	Traffic Laws Apply To Persons Riding Bicycles	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-3-703	Riding On Bicycles	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-3-704	Clinging To Vehicles	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-3-705	Riding On Roadways and Bicycle Paths	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-3-706	Carrying Articles On Bicycle	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-3-707	Lamps and Other Equipment On Bicycles	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-3-801	Equipment Violation	No	\$46	\$29	\$75
12-1/66-3-802	When Lighted Lamps Required	No	\$46	\$29	\$75
12-1/66-3-804	Headlamps Required (# Required)	No	\$46	\$29	\$75
12-1/66-3-805	Tail Lamps Required (LP Lamp)	No	\$46	\$29	\$75
12-1/66-3-806	Motor Vehicle To Be Equipped with Reflectors	No	\$46	\$29	\$75
12-1/66-3-807	Stop Lamps & Turns Signals	No	\$46	\$29	\$75
12-1/66-3-810	Color of Lamps - Front/Side/Rear/License	No	\$46	\$29	\$75
12-1/66-3-813	Lamps/Reflectors On Trailers	No	\$46	\$29	\$75
12-1/66-3-824	Lamp/Flag Projecting Load	No	\$46	\$29	\$75
12-1/663-825	Lamps On Parked Vehicles	No	\$46	\$29	\$75
12-1/66-3-827	Stop Lamps / Auxiliary Lamp	No	\$46	\$29	\$75
12-1/66-3-828	Signal Lamps & Devices (Brake Lamps White)	No	\$46	\$29	\$75
12-1/66-3-829	Additional Lighting Equipment	No	\$46	\$29	\$75
12-1/66-3-831	Multiple-Beam Equipment (Dimming)	No	\$46	\$29	\$75
12-1/66-3-834	Number of Driver Lamps Required	No	\$46	\$29	\$75
12-1/66-3-835	Spec Restrict On Lamps (Driving Lights)	No	\$46	\$29	\$75
12-1/66-3-840	Brakes	No	\$46	\$29	\$75
12-1/66-3-841	Improper Height / Handle Bar Mc	No	\$46	\$29	\$75
12-1/66-3-842	M/C Maneuverability	No	\$46	\$29	\$75
12-1/66-3-843	Horns and Warning Devices	No	\$46	\$29	\$75
12-1/66-3-844	Mufflers	No	\$46	\$29	\$75
12-1/66-3-845	Mirrors	No	\$46	\$29	\$75

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
12-1/66-3-846	Obstructed Windshield	No	\$46	\$29	\$75
12-1/66-3-846.1	Tinting on Windshields and Windows	Yes	\$46	\$29	\$75
12-1/66-3-847	Restrictions As To Tire Equipment	No	\$46	\$29	\$75
12-1/66-3-852	Stop Vehicle Interfere with Traffic	No	\$46	\$29	\$75
12-1/66-3-874	Safety Belts Required In Vehicles	No	\$46	\$29	\$75
12-1/66-3-887	Slow-Moving Vehicle Identification	No	\$46	\$29	\$75
12-1/66-3-901	Unsafe Condition – Vehicle	No	\$106	\$29	\$135
12-1/66-3-1003	Off Hwy Motor Vehicle Registration	No	\$56	\$29	\$85
12-1/66-3-1011	Operation On Streets or Highways	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-3-1012	Movement of off-Highway Vehicles Adjacent To Highway	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-3-1101	Mopeds: Standard, Operator Requirement	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-4-3	Use of Temporary Permits	No	\$56	\$29	\$85
12-1/66-5-2	Drivers Must Be Licensed	No	\$56	\$29	\$85
12-1/66-5-5	Person Not To Be Licensed	No	\$56	\$29	\$85
12-1/66-5-7	Driver's License Class / Exam	No	\$56	\$29	\$85
12-1/66-5-8	Instruction Permit / Temp License	No	\$56	\$29	\$85
12-1/66-5-9	Appl For License / Temp License	No	\$56	\$29	\$85
12-1/66-5-14	No Motorcycle Endorsement	No	\$56	\$29	\$85
12-1/66-5-16	Driver's License Carried/Exhibited On Demand	No	\$56	\$29	\$85
12-1/66-5-18	Altered / Forged / Fictitious License	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-19	Restricted Licenses	No	\$56	\$29	\$85
12-1/66-5-20	Duplicate Licenses	No	\$56	\$29	\$85
12-1/66-5-21	Expiration of License	No	\$56	\$29	\$85
12-1/66-5-22	Driver's License Address Change	No	\$56	\$29	\$85
12-1/66-5-34	No Operation Under Forged License On Suspension	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-37.A	Unlawful Use of License	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-38	False Affidavit Perjury	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-39	Driver's License Suspended/Revoked	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-40	Permit Minor To Drive	Yes	Set at Hearing	\$29	Set at Hearing

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
12-1/66-5-41	Permit Unauthorized Person To Drive	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-59	Commercial Driver's License Required	No	\$56	\$29	\$85
12-1/66-5-205	Vehicle Must Have Insurance	No	\$306	\$29	\$335
12-1/66-5-205.1	Uninsured Motorist/Req Following Accident	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-230	Surrender of License and Registration	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-231	Forged Evidence of Insurance	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-5-409	Unlawful Use of Identification Card	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-4	Obedience To Police Officers	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-6	Authorized Emergency Vehicles	No	\$56	\$29	\$85
12-1/66-7-7	Traffic Laws Apply To Riding/Driving/Animals	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-104	Obedience Traffic Devices (Cover All)	No	\$66	\$29	\$95
12-1/66-7-105	Traffic Control Signal Legend (Lights)	No	\$66	\$29	\$95
12-1/66-7-106	Pedestrian Control Signal	No	\$46	\$29	\$75
12-1/66-7-108	Display Unauthorized Sign	No	\$46	\$29	\$75
12-1/66-7-109	Interfere with Traffic Dev	No	\$66	\$29	\$95
12-1/66-7-201	Duty Accident - Death or Injury	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-202	Accident Involving Damage Vehicle	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-203	Duty To Give Information / Render Aid	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-204	Duty Upon Striking Unattended Vehicle	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-205	Duty Upon Striking Fixtures/Other Objects	No	Set at Hearing	\$29	Set at Hearing
12-1/66-7-206	Immediate Notice of Accident	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-207	Written Reports On Accident	No	\$66	\$29	\$95
12-1/66-7-208	Driver Unable To Report	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-210	False Report	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-301.A.1	Speeding School Zone	No	\$106	\$29	\$135
12-1/66-7-301.A.2	Speeding 1 To 15 Mph Over	No	\$66	\$29	\$95
12-1/66-7-301.A.3	Speeding 16 To 25 Mph Over	No	\$81	\$29	\$110

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
12-1/66-7-301.A.4	Speeding 26 Mph and Up	No	\$126	\$29	\$155
12-1/66-7-301.B.1	Speeding Basic Rule	No	\$66	\$29	\$95
12-1/66-7-303.1	Construction Zone	No	\$71	\$29	Set at Hearing
12-1/66-7-303.A.4	Construction Zone with Sign	No	\$126	\$29	\$156
12-1/66-7-303.D	Restricted Speed Zone	No	\$66	\$29	\$95
12-1/66-7-305	Minimum Speed	No	\$56	\$29	\$85
12-1/66-7-308	Improper Lane - Wrong Side	No	\$66	\$29	\$95
12-1/66-7-309	Improper Pass - Opposite Direct	No	\$56	\$29	\$85
12-1/66-7-310	Improper Pass - Overtake - Left	No	\$56	\$29	\$85
12-1/66-7-311	Improper Pass - On Right	No	\$56	\$29	\$85
12-1/66-7-312	Limitations On Overtaking On The Left	No	\$56	\$29	\$85
12-1/66-7-313	Further Limit On Driver/Left of Center of Roadway	No	\$56	\$29	\$85
12-1/66-7-314	Hazardous Vehicles Movement/Escort	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-7-315	No Passing Zone	No	\$56	\$29	\$85
12-1/66-7-316	One Way Roadway	No	\$66	\$29	\$95
12-1/66-7-317	Driving On Roadways Laned For Traffic	No	\$76	\$29	\$105
12-1/66-7-318	Following Too Closely	No	\$76	\$29	\$105
12-1/66-7-319	Driving On Divided Highway		\$76	\$29	\$105
12-1/66-7-320	Restricted Access Violation	No	\$56	\$29	\$85
12-1/66-7-321	Controlled Access Violation	No	\$56	\$29	\$85
12-1/66-7-322	Required Position/ Method Turning	No	\$56	\$29	\$85
12-1/66-7-323	Turn On Curve or Crest	No	\$56	\$29	\$85
12-1/66-7-324	Starting Parked Vehicle	No	\$56	\$29	\$85
12-1/66-7-325	Turn Movement & Required Signals	No	\$56	\$29	\$85
12-1/66-7-326	Signals By Hand / Arm or Signal Device	No	\$56	\$29	\$85
12-1/66-7-327	Method of Giving Hand / Arm Signals	No	\$56	\$29	\$85
12-1/66-7-328	Fail Yield / Approach Enter	No	\$56	\$29	\$85
12-1/66-7-329	Fail Yield / Turn Left	No	\$56	\$29	\$85
12-1/66-7-330	Vehicles Entering Stop or Yield Intersection	No	\$56	\$29	\$85
12-1/66-7-331	Fail Yield / Enter Private Drive	No	\$56	\$29	\$85
12-1/66-7-332	Operation of Vehicle On Approach of	No	\$106	\$29	\$135

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
	Emergency Vehicle				
12-1/66-7-332.1	Approach of Oncoming Vehicle: Yield Right of Way	No	\$56	\$29	\$85
12-1/66-7-333	Pedestrian - Violation	No	\$56	\$29	\$85
12-1/66-7-334	Pedestrian – Right-of-Way	No	\$56	\$29	\$85
12-1/66-7-335	Cross - Other Than Crosswalks	No	\$56	\$29	\$85
12-1/66-7-336	School Crossings	No	\$66	\$29	\$95
12-1/66-7-337	Drivers To Exercise Due Care	No	\$56	\$29	\$85
12-1/66-7-339	Pedestrian On Roadways	No	\$56	\$29	\$85
12-1/66-7-340	Pedestrians Solicit Rides/Bus in Roadway	No	\$56	\$29	\$85
12-1/66-7-345	Fail Stop - Stop / Yield Sign	No	\$66	\$29	\$95
12-1/66-7-346	Fail Stop - Alley / Private Drive	No	\$56	\$29	\$85
12-1/66-7-347	Passing School Bus	No	\$106	\$29	\$135
12-1/66-7-349	Stop / Stand / Park Districts	No	\$46	\$29	\$75
12-1/66-7-350	Remove Illegally Stopped Vehicle	No	\$46	\$29	\$75
12-1/66-7-351	Stop / Stand / Parking Prohibited	No	\$35	-	\$35
12-1/66-7-352	Additional Parking Regulations	No	\$35	-	\$35
12-1/66-7-352.5	Unauthorized Use: Penalty (Handicap Parking)	No	\$105	-	\$105
12-1/66-7-353	Unattended Motor Vehicle	No	\$56	\$29	\$85
12-1/66-7-354	Limitation On Backing	No	\$56	\$29	\$85
12-1/66-7-355	Improper Riding - Motorcycles	No	\$56	\$29	\$85
12-1/66-7-356	Helmets Required	No	\$46	\$29	\$75
12-1/66-7-357	Obstructing Drivers View / Mech	No	\$56	\$29	\$85
12-1/66-7-360	Coasting Prohibited	Yes	\$56	\$29	\$85
12-1/66-7-361	Following Fire Apparatus	No	\$56	\$29	\$85
12-1/66-7-362	Crossing Fire Hose	No	\$56	\$29	\$85
12-1/66-7-363	Animals On Highway	No	\$101	\$29	\$130
12-1/66-7-364	Put Glass, Etc On Highway	No	\$106	\$29	\$135
12-1/66-7-366	Occupy Moving House Trailer	No	\$56	\$29	\$85
12-1/66-7-367	Improper Opening of Doors	No	\$46	\$29	\$75
12-1/66-7-369.A	Child Restraint Device Required – 1st offense	No	\$66	\$29	\$95
12-1/66-7-369.A	Child Restraint Device Required - 2nd offense	No	\$76	\$29	\$105

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
12-1/66-7-369.A	Child Restraint Device Required - 3rd offense	No	\$86	\$29	\$115
12-1/66-7-372	Mandatory Seatbelts Law	No	\$56	\$29	\$85
12-1/66-7-374	Texting While Driving	No	\$66	\$29	\$95
12-1/66-7-401	Weight & Size Limitations	No	\$46	\$29	\$75
12-1/66-7-402	Width of Vehicles	No	\$46	\$29	\$75
12-1/66-7-403	Projecting Loads / Passing Vehicle	No	\$46	\$29	\$75
12-1/66-7-404	Height & Length - Vehicles	No	\$46	\$29	\$75
12-1/66-7-405	Minimum Vehicle Size	No	\$46	\$29	\$75
12-1/66-7-406	Special Load Limitations	No	\$46	\$29	\$75
12-1/66-7-407	Improper Load	No	\$46	\$29	\$75
12-1/66-7-408	Trailers & Towed Vehicles	No	\$46	\$29	\$75
12-1/66-7-413.A	Overload Permit	No	\$46	\$29	\$75
12-1/66-7-416.B	Liability For Damage	No	\$106	\$29	\$135
12-1/66-8-2	Improper Use of Registration	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-8-10	Duplicate or Replacement Registration Plate	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-8-102	DWI	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-8-102.D	DWI Aggravated	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-8-113	Reckless Driving	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-8-114	Careless Driving	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-8-115	Racing on Highways	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-8-120	Parties to a Crime	Yes	Set at Hearing	\$29	Set at Hearing
12-1/66-8-121	Offenses Person Owning/Controlling Vehicle	No	\$66	\$29	\$95
12-1/66-8-138	Open Container In Vehicle	No	\$106	\$29	\$135
12-2	Aiding An Illegal Activity	Yes	Set at Hearing	\$29	Set at Hearing
12-3	Concealing	Yes	Set at Hearing	\$29	Set at Hearing
12-21	Assault	Yes	Set at Hearing	\$29	Set at Hearing
12-22	Battery	Yes	Set at Hearing	\$29	Set at Hearing
12-23	Libel	Yes	Set at Hearing	\$29	Set at Hearing

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
12-41	Criminal Damage To Property	Yes	Set at Hearing	\$29	Set at Hearing
12-42	Destructing/Defacing of Property	Yes	Set at Hearing	\$29	Set at Hearing
12-43	Tamper with Utilities	Yes	Set at Hearing	\$29	Set at Hearing
12-61	Petty Larceny	Yes	Set at Hearing	\$29	Set at Hearing
12-62	Shoplifting	Yes	Set at Hearing	\$29	Set at Hearing
12-63	Falsely Receive Services	Yes	Set at Hearing	\$29	Set at Hearing
12-64	Fraud	Yes	Set at Hearing	\$29	Set at Hearing
12-65	Receiving Stolen Property	Yes	Set at Hearing	\$29	Set at Hearing
12-81	Worthless Check – Notice	Yes	Set at Hearing	\$29	Set at Hearing
12-82	Worthless Check – Purpose	Yes	Set at Hearing	\$29	Set at Hearing
12-83	Worthless Check – Exception	Yes	Set at Hearing	\$29	Set at Hearing
12-84	Unlawful To Issue Worthless Check	Yes	Set at Hearing	\$29	Set at Hearing
12-85	Intent To Defraud - Worthless Check	Yes	Set at Hearing	\$29	Set at Hearing
12-101	Criminal Trespass	Yes	Set at Hearing	\$29	Set at Hearing
12-102	Wrongful Entry Public Facility	Yes	Set at Hearing	\$29	Set at Hearing
12-103	Wrongful Use of Public Property	Yes	Set at Hearing	\$29	Set at Hearing
12-104	Simple Trespassing	Yes	Set at Hearing	\$29	Set at Hearing
12-105	Idling, Loitering or Prowling	Yes	Set at Hearing	\$29	Set at Hearing
12-121	Disorderly Conduct	Yes	Set at Hearing	\$29	Set at Hearing
12-122	Unlawful Assembly	Yes	Set at Hearing	\$29	Set at Hearing
12-123	Disturbing The Peace	Yes	Set at Hearing	\$29	Set at Hearing
12-124	Obstructing Movement	Yes	Set at Hearing	\$29	Set at Hearing
12-125	Unreasonable Noise	Yes	Set at Hearing	\$29	Set at Hearing
12-127	Disorderly House	Yes	Set at Hearing	\$29	Set at Hearing
12-141	Removal of Barricades	Yes	Set at	\$29	Set at

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
			Hearing		Hearing
12-142	Open Container	Yes	Set at Hearing	\$29	Set at Hearing
12-161	Unlawful Use of Deadly Weapon	Yes	Set at Hearing	\$29	Set at Hearing
12-162	Negligent Use of a Deadly Weapon	Yes	Set at Hearing	\$29	Set at Hearing
12-163	Unlawful Propulsion of Missiles	Yes	Set at Hearing	\$29	Set at Hearing
12-164	Unlawful Possession of Weapons	Yes	Set at Hearing	\$29	Set at Hearing
12-165	Firing of Rifle or Pistol	Yes	Set at Hearing	\$29	Set at Hearing
12-181	Curfew of Minors	Yes	Set at Hearing	\$29	Set at Hearing
12-182	Drinking in Public	Yes	Set at Hearing	\$29	Set at Hearing
12-183	Unlawful Possession of Marijuana	Yes	Set at Hearing	\$29	Set at Hearing
12-184	Obscenity	Yes	Set at Hearing	\$29	Set at Hearing
12-185	Prostitution	Yes	Set at Hearing	\$29	Set at Hearing
12-186	Patronizing Prostitutes	Yes	Set at Hearing	\$29	Set at Hearing
12-187	Indecent Exposure	Yes	Set at Hearing	\$29	Set at Hearing
12-188	Unlawful Possession of Drug Paraphernalia	Yes	Set at Hearing	\$29	Set at Hearing
12-206	Impersonating Public Officer	Yes	Set at Hearing	\$29	Set at Hearing
12-207	False Reports of Crimes	Yes	Set at Hearing	\$29	Set at Hearing
12-208	Resisting or Obstructing an Officer	Yes	Set at Hearing	\$29	Set at Hearing
12-209	Escape from Custody	Yes	Set at Hearing	\$29	Set at Hearing
12-210	False Alarms	Yes	Set at Hearing	\$29	Set at Hearing

(Ord. 2018-479, eff. 2018-Jul-18; Ord. 2014-440, eff. 2015-Jan-21; Ord. 2013-428, eff. 2013-Aug-22)

(2) *Alcohol*. In reference to Chapter 4.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
4-9	Persons Unlawful To Serve	Yes	Set at Hearing	\$29	Set at Hearing
4-10	Minor in Licensed Premises Over 18	Yes	Set at Hearing	\$29	Set at Hearing
4-11	Purchases by Minor	Yes	Set at Hearing	\$29	Set at Hearing
4-12	False ID of Minor	Yes	Set at Hearing	\$29	Set at Hearing

(3) *Animals*. In reference to Chapter 5.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
5-223	Unauthorized Removal of Animals	No	Set at Hearing		Set at Hearing
5-235	Failure to Return Adopted Animal for Spay/Neuter Surgery	No	\$200		\$200
5-301	Liability of Damages Caused by Animal	Yes	Set at Hearing	\$29	Set at Hearing
5-302	Restraint Devices	No	\$150	--	\$150
5-303	Identification Required	No	\$65		\$65
5-401	Interference with Animal Control Officer	Yes	Set at Hearing	\$29	Set at Hearing
5-402	Service Animals Trained to Assist	No	\$300	--	\$300
5-403	Fraudulent Use of Rabies and License Tags	No	Set at Hearing	--	Set at Hearing
5-421	Inhumane Treatment of Animals	Yes	Set at Hearing	\$29	Set at Hearing
5-422	Leg hold Traps Prohibited	Yes	Set at Hearing	\$29	Set at Hearing
5-431	Animals At Large				
	1 st Offense	No	Set at Hearing \$100	-	Set at Hearing \$100
	2 nd Offense	No	\$150	-	\$150
	3 rd Offense	No	\$200	--	\$200
	4 th Offense	Yes	\$300 Set Hearing	-	\$300 Set Hearing
5-432	Animals Disturbing The Peace				
	1 st Offense	No	Set at	-	Set at

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
			Hearing \$100		Hearing \$100
	2 nd Offense	No	\$150	-	\$150
	3 rd Offense	No	\$200	-	\$200
	4 th Offense	Yes	\$300 Set Hearing	-	\$300 Set Hearing
5-433	Animal Defecation: Clean-Up	No	Set at Hearing	-	Set at Hearing
5-441	Sale or Gift of Animals	No	\$200	-	\$200
5-442	Animals in Unenclosed Premises				
	1 st Offense	No	Set at Hearing \$100	-	Set at Hearing \$100
	2 nd Offense	No	\$150	-	\$150
	3 rd Offense	No	\$200	-	\$200
	4 th Offense	Yes	\$300 Set Hearing	-	\$300 Set Hearing
5-443	Unlawful Retention of Strays	No	\$75	-	\$75
5-444	Poultry	No	\$50	-	\$50
5-501	Rabies Vaccination Required	No	\$75	-	\$75
5-601	Dangerous Animal	Yes	Set at Hearing	\$29	Set at Hearing
5-721	Intact Animal Permit Required	No	\$250	-	\$250
5-731	Limit on the Number of Dogs and Cats (Multiple Animal Permit Required)	No	\$250	-	\$250
5-741	Breeder Permit Required	No	\$250	-	\$250
5-742	Enclosure for Breeding Animals	No	\$50	-	\$50
5-801	Mandatory Spaying and Neutering	No	\$250	-	\$250

(Ord. 2018-472, eff. 2018-May-01; Ord. 2014-438, eff. 2014-Mar-18)

(4) *Tobacco*. In reference to Chapter 10.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
10-54	Smoking Prohibited (Except in Permitted Areas)	No	\$10-\$25 \$100	-	\$10-\$25
10-77	Distribution to Minors	No	\$10-\$25 \$100	-	\$10-\$25

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
10-78	Distribution Through Vending Machines	No	\$10-\$25 \$100	-	\$10-\$25
10-79	Sealed Packages	No	\$10-\$25 \$100	-	\$10-\$25

(5) *Nuisances*. In reference to Chapter 14.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
14-2-2	Prohibited. (Motor Vehicles)	Yes	Set at Hearing	\$29	Set at Hearing
14-2-4	Unhitched Trailer	Yes	Set at Hearing	\$29	Set at Hearing
14-2-5	Casual Sale of Vehicles and Trailers	Yes	Set at Hearing	\$29	Set at Hearing
14-3-2	Declaration of Nuisance; Unlawful (Accumulation of Junk, Trash and Refuse)	Yes	Set at Hearing	\$29	Set at Hearing
14-3-3	Disposal Restricted Generally	Yes	Set at Hearing	\$29	Set at Hearing
14-3-4 (IPMC 302.1)	Unsanitary Premises	Yes	Set at Hearing	\$29	Set at Hearing
14-3-5 (IPMC 108.1.5)	Hazardous Premises	Yes	Set at Hearing	\$29	Set at Hearing
14-3-6	Accumulation of Solid Waste	Yes	Set at Hearing	\$29	Set at Hearing
14-3-7	Storage on Private Property	Yes	Set at Hearing	\$29	Set at Hearing
14-3-8 (IPMC 302.4)	Weeds, Responsibility of Owner				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300
14-3-10	Alleys				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300
14-4-2 (IPMC 108.1)	Prohibited. (Dangerous and Unsafe Structures)	Yes	Set at Hearing	\$29	Set at Hearing

(Ord. 2014-432, eff. 2014-Feb-18)

(6) *Fires*. In reference to Chapter 8.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
8-2	Fires	No	\$90	-	\$90
8-3 (IPMC 704.2)	Interference with Alarms	Yes	Set at Hearing	\$29	Set at Hearing
8-58	Fireworks Violation	Yes	Set at Hearing	\$29	Set at Hearing
8-60	Permissible Fireworks	No	\$50	-	\$50

(Ord. 2014-432, eff. 2014-Feb-18)

(7) *Flood Damage Prevention*. In reference to Chapter 9.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
Art. V.	Violation of Flood Damage Prevention Regulations	Yes	Set at Hearing	\$29	Set at Hearing

(Ord. 2014-432, eff. 2014-Feb-18)

(8) *Signs*. In reference to Chapter 20.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
20-2-1	Unpermitted Signs				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300
20-2-6	Prohibited Signs	Yes	Set at Hearing	\$29	Set at Hearing
20-4-7	Failure to Remove Temporary Sign upon Expiration of Permit				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300
20-5-2	Violation of Clearance Standards	Yes	Set at Hearing	\$29	Set at Hearing
20-5-3	Unmaintained Sign				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
	3 rd Offense	No	\$300	-	\$300
20-5-3	Dangerous Sign	Yes	Set at Hearing	\$29	Set at Hearing

(Ord. 2014-432, eff. 2014-Feb-18)

(9) *Solid Waste*. In reference to Chapter 21.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
21-28 (IPMC 308.2.1)	Use of Containers				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300
21-29	Scavenging Prohibited				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300

(Ord. 2014-432, eff. 2014-Feb-18)

(10) *Public Property*. In reference to Chapter 22.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
22-91	Unlawful Encroachment of City Property				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300

(Editor's Note: On 03-06-2014 an error in citation was found and Citing 25-86 had to be changed to 22-91 for proper referencing; Ord. 2014-432, eff. 2014-Feb-18)

(11) *Subdivisions*. In reference to Chapter 23.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
23-13	Violation of Subdivision Regulations	Yes	Set at Hearing	\$29	Set at Hearing

(Ord. 2014-432, eff. 2014-Feb-18)

(12) *Utilities*. In reference to Chapter 25.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
25-86	Water Conservation	Yes	Set at Hearing	\$29	Set at Hearing

(Ord. 2014-432, eff. 2014-Feb-18)

(13) *Land Use*. In reference to Chapter 26.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
26-1-7.5	Violation: Vision Obstruction	Yes	Set at Hearing	\$29	Set at Hearing
26-1-7.8	Violation: Mobile Home Skirting	Yes	Set at Hearing	\$29	Set at Hearing
26-1-7.10	Violation: Dumpster Location/Screening	Yes	Set at Hearing	\$29	Set at Hearing
26-2-22 26-2-32 26-2-42 26-2-52 26-2-62 26-2-72 26-2-82 26-2-92 26-2-102	Uses Permitted	Yes	Set at Hearing	\$29	Set at Hearing
26-2-212.2	Hazards to Air Traffic	Yes	Set at Hearing	\$29	Set at Hearing
26-2-131	Violation: Accessory Structures	Yes	Set at Hearing	\$29	Set at Hearing
26-3-155	Landscape Maintenance				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300
26-3-171	Parking Maintenance				
	1 st Offense	No	Set at Hearing	-	Set at Hearing
	2 nd Offense	No	\$200	-	\$200
	3 rd Offense	No	\$300	-	\$300

(Ord. 2014-432, eff. 2014-Feb-18; Ord. 2012-410, eff. 2012-Jun-20; Ord. 2010-391, eff. 2010-Dec-01; Ord. 2009-376, eff. 2009-Aug-19; Ord. 2007-346; Code 2007, 1-12-2)

(Editor's Note: Additions due to omissions and corrections to typographical errors were made on 5 Aug 2010 as a result of review of Ordinance 2010-388)

(14) *International Property Maintenance Code.* In reference to Chapter 14, Division 2.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
107.4	Unauthorized tampering	Yes	Set at Hearing	\$29	Set at Hearing
108.1.2	Unsafe Equipment	Yes	Set at Hearing	\$29	Set at Hearing
108.1.3	Structure Unfit for human Occupancy	Yes	Set at Hearing	\$29	Set at Hearing
108.1.4	Unlawful Structure	Yes	Set at Hearing	\$29	Set at Hearing
302.2	Grading and drainage	Yes	Set at Hearing	\$29	Set at Hearing
302.3	Sidewalks and driveways	Yes	Set at Hearing	\$29	Set at Hearing
302.5	Rodent harborage	Yes	Set at Hearing	\$29	Set at Hearing
302.6	Exhaust vents	Yes	Set at Hearing	\$29	Set at Hearing
302.8	Motor Vehicles	Yes	Set at Hearing	\$29	Set at Hearing
302.9	Defacement of Property	Yes	Set at Hearing	\$29	Set at Hearing
303.1	Swimming pools	Yes	Set at Hearing	\$29	Set at Hearing
303.2	Enclosures	Yes	Set at Hearing	\$29	Set at Hearing
304.1.1	Unsafe conditions	Yes	Set at Hearing	\$29	Set at Hearing
304.2	Protective treatment	Yes	Set at Hearing	\$29	Set at Hearing
304.3	Premises identification	Yes	Set at Hearing	\$29	Set at Hearing
304.4	Structural members	Yes	Set at Hearing	\$29	Set at Hearing
304.5	Foundation walls	Yes	Set at Hearing	\$29	Set at Hearing
304.6	Exterior Walls	Yes	Set at Hearing	\$29	Set at Hearing
304.7	Roofs and Drainage	Yes	Set at Hearing	\$29	Set at Hearing
304.8	Decorative features	Yes	Set at Hearing	\$29	Set at Hearing

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
304.9	Overhang extensions	Yes	Set at Hearing	\$29	Set at Hearing
304.10	Stairways, decks, porches and balconies	Yes	Set at Hearing	\$29	Set at Hearing
304.11	Chimneys and towers	Yes	Set at Hearing	\$29	Set at Hearing
304.12	Handrails and guards	Yes	Set at Hearing	\$29	Set at Hearing
304.13	Window, skylight and door frames	Yes	Set at Hearing	\$29	Set at Hearing
304.13.1	Glazing	Yes	Set at Hearing	\$29	Set at Hearing
304.13.2	Openable windows	Yes	Set at Hearing	\$29	Set at Hearing
304.14	Insect screens	Yes	Set at Hearing	\$29	Set at Hearing
304.15	Doors	Yes	Set at Hearing	\$29	Set at Hearing
304.16	Basement hatchways	Yes	Set at Hearing	\$29	Set at Hearing
304.17	Guards for basement windows	Yes	Set at Hearing	\$29	Set at Hearing
304.18	Building security	Yes	Set at Hearing	\$29	Set at Hearing
304.19	Gates	Yes	Set at Hearing	\$29	Set at Hearing
305.1.1	Unsafe conditions	Yes	Set at Hearing	\$29	Set at Hearing
305.3	Interior surfaces	Yes	Set at Hearing	\$29	Set at Hearing
305.4	Stairs and walking surfaces.	Yes	Set at Hearing	\$29	Set at Hearing
305.6	Interior doors	Yes	Set at Hearing	\$29	Set at Hearing
308.1	Accumulation of rubbish or garbage	Yes	Set at Hearing	\$29	Set at Hearing
308.2	Disposal of rubbish	Yes	Set at Hearing	\$29	Set at Hearing
308.2.2	Refrigerators	Yes	Set at Hearing	\$29	Set at Hearing
308.3	Disposal of garbage	Yes	Set at Hearing	\$29	Set at Hearing

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
308.3.1	Garbage facilities	Yes	Set at Hearing	\$29	Set at Hearing
309.1	Infestation	Yes	Set at Hearing	\$29	Set at Hearing
402.1	Habitable spaces	Yes	Set at Hearing	\$29	Set at Hearing
402.2	Common halls and stairways	Yes	Set at Hearing	\$29	Set at Hearing
404.4	Bedroom and living room requirements	Yes	Set at Hearing	\$29	Set at Hearing
404.4.1	Room area	Yes	Set at Hearing	\$29	Set at Hearing
404.4.2	Access from bedrooms	Yes	Set at Hearing	\$29	Set at Hearing
404.4.3	Water closet accessibility	Yes	Set at Hearing	\$29	Set at Hearing
404.4.4	Prohibited occupancy	Yes	Set at Hearing	\$29	Set at Hearing
404.5	Overcrowding	Yes	Set at Hearing	\$29	Set at Hearing
502.1	Dwelling units	Yes	Set at Hearing	\$29	Set at Hearing
504.3	Plumbing system hazards	Yes	Set at Hearing	\$29	Set at Hearing
505.2	Contamination	Yes	Set at Hearing	\$29	Set at Hearing
505.3	Supply	Yes	Set at Hearing	\$29	Set at Hearing
505.4	Water heating facilities.	Yes	Set at Hearing	\$29	Set at Hearing
506.3	Grease interceptors	Yes	Set at Hearing	\$29	Set at Hearing
602.3	Heat supply	Yes	Set at Hearing	\$29	Set at Hearing
603.1	Mechanical appliances	Yes	Set at Hearing	\$29	Set at Hearing
603.4	Safety controls	Yes	Set at Hearing	\$29	Set at Hearing
604.3	Electrical system hazards	Yes	Set at Hearing	\$29	Set at Hearing
604.3.2.1	Electrical equipment	Yes	Set at Hearing	\$29	Set at Hearing

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
605.2	Receptacles	Yes	Set at Hearing	\$29	Set at Hearing
605.3	Luminaires	Yes	Set at Hearing	\$29	Set at Hearing
605.4	Wiring	Yes	Set at Hearing	\$29	Set at Hearing
702.2	Aisles	Yes	Set at Hearing	\$29	Set at Hearing
702.3	Locked doors	Yes	Set at Hearing	\$29	Set at Hearing
702.4	Emergency escape openings	Yes	Set at Hearing	\$29	Set at Hearing
703.1	Fire-resistance-rated assemblies	Yes	Set at Hearing	\$29	Set at Hearing
703.2	Opening protectives	Yes	Set at Hearing	\$29	Set at Hearing
704.1.1	Automatic sprinkler systems	Yes	Set at Hearing	\$29	Set at Hearing
704.1.2	Fire department connection	Yes	Set at Hearing	\$29	Set at Hearing
704.2.4	Smoke detection system	Yes	Set at Hearing	\$29	Set at Hearing