TAOS COUNTY PLANNING DEPARTMENT

TAOS COUNTY
SIGN
REGULATIONS

TAOS COUNTY
ORDINANCE No. 1996-2
County of Taos, New Mexico

Sign Regulations

ARTICLE 1 - GENERAL

Sec. 1-1 Short Title.
This chapter shall be known and cited as the "sign regulations".

Sec. 1-2 Definitions.
For the purpose of this chapter, the following words, terms and phrases shall have the meanings respectively ascribed to them by this section:

Assembly or Meeting Room. Shall mean a room or portion of a building used for the gathering together of (100) one hundred or more persons for such purpose as deliberation, education, instruction, worship, entertainment, or amusement.

Grade. Grade shall mean the average elevation of the finished ground level at the center of all facades of a building.

Graphic Design. Graphic Design shall mean any artistic design, or portrayal, or mural, painted directly on the exterior wall, fence, window or sculpture or other structure which is visible from any public right-of-way, and which has its purpose artistic effect and not the identification of the premises or the advertisement or promotion of the interests of any person. Such graphic design may be subject to a sign permit or building permit and review and approval by the Building Official or the Code Enforcement Officer.

Height. Height, when used in this chapter, shall be the measurement from the top portion of any sign to the grade level.

Luminance. Luminance, shall mean the brightness of an object expressed in foot-candles.

Marquee. Is a lettering changeable sign; not to exceed (24) twenty four square feet in size, this type of sign may also be known as a reader board.

Person. Person, shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.

Planning Commission. The Taos County Planning Commission.

Portal. Portal, shall mean a covered structure forming an entrance to a building outside and with a separate roof, or as a recess in the interior as a kind of vestibule.

Sign. The term sign means any display to public view of letters, words, numerals, figures, statues, devices, sculptures, murals, emblems, pictures, or any parts or combinations thereof designed to inform or advertise or promote merchandise, services or activities, except for the following:

1. Non-illuminated names of buildings, dates of erection, monument citations, commemorative tablets and like when carved into stone, concrete, metal or any other permanent type of construction and made an integral part of a permitted structure or made flush to the ground.

2. Signs required by law or signs of a duly constituted governmental body

3. Signs placed by a public utility for safety, welfare or convenience of the public such as signs identifying high voltage, public telephone or underground cables.
(4) Signs upon a vehicle; provided that, any such vehicle with a sign face of over two (2) square feet is not conspicuously parked so as to constitute a sign. Nothing in this chapter prohibits such a vehicle from being used for bona fide delivery and other vehicular purposes without compliance with the provisions of this chapter.

Sign, Billboard. A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Sign, Canopy. Canopy sign, shall mean any sign which is mounted to and supported by a permanent canopy, arcade or portal, the ceiling of which is no more than sixteen (16) feet above grade.

Sign, Freestanding. Freestanding sign shall mean any sign with no more than two (2) faces structurally separated from a building being supported on itself or on a standard or legs.

Sign, Joint Identification. A joint identification sign is a sign whose area is shared by three (3) or more businesses and whose area and size are further defined in sections 1-31(c) and 1-34 of this chapter.

Sign, Off-Premises. See Sign, Billboards.

Sign, Projecting. Projecting sign shall mean any sign with no more than two (2) faces supported by a building wall and projecting therefrom.

Sign, Wall. Wall sign shall mean any sign painted on, incorporated in or affixed to the building wall, or any sign consisting of cutout letters and devices affixed to the building wall with no background or border defined on the building wall.

Value. Value, shall mean replacement cost, including any amount owed on sign.

Sec. 1-3 Penalties for violation of chapter.
Any person violating any provisions of this chapter shall be deemed guilty of a petty misdemeanor and upon conviction thereof, shall be fined not more than three hundred dollars ($300.00) per day and/or imprisonment of not more than 90 days. Each day such violation is committed, or permitted to continue shall constitute a separate offense and shall be punished as such hereunder.

Sec. 1-4 Compliance schedule for signs erected as of February 28, 1996.

(a) All on-site advertising signs subject to the provisions of this chapter, which had been erected as of March 28, 1996, shall conform to the provisions of this chapter in accordance with the following compliance schedule:

<table>
<thead>
<tr>
<th>Values of Sign:</th>
<th>Time to Comply from 3/28/96:</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.00 - $1,000.00</td>
<td>Six (6) months</td>
</tr>
<tr>
<td>$1,001.00 - $2,000.00</td>
<td>One (1) year</td>
</tr>
<tr>
<td>$2,001.00 - $3,000.00</td>
<td>Two (2) years</td>
</tr>
<tr>
<td>$3,001.00 &amp; up</td>
<td>Five (5) years</td>
</tr>
</tbody>
</table>

1. The sign owner, business owner or property owner shall remove or shall cause to be removed such on-premise signs, within thirty (30) days, that do not meet the compliance schedule shown above.
(b) Under the provisions of this Ordinance, existing off-premise advertising signs (including billboards) shall be allowed to remain in service if the sign is maintained in good repair and does not adversely impact the general health, safety, welfare and aesthetic quality of the community as long as the following happen:

1. The ownership of the land on which the sign is placed remains with the original owner or the direct descendants thereof.

2. Within 5 years from the effective date of this ordinance, all off-premise advertising signs must comply with the following provisions:
   
   aa. The maximum size of off premises signs shall be limited to 96 square feet.

   bb. Each sign shall have a maximum of 4 colors excluding those listed in Section 1-32.5 of this Ordinance.

   cc. Existing single sided off-premise advertising signs shall not be made double-sided by adding a new face to the back side of the existing sign.

   dd. The sign shall remain in the exact location noted as of the effective date of this ordinance, except where the sign must be moved only to comply with Section 1-4.(b).2.ee, below.

   ee. Each off-premise advertising sign shall maintain a safety and maintenance area that extends 20 feet out from both sides and 12 feet out from both ends of the sign.

3. The sign owner, business owner or property owner shall remove or shall cause to be removed such off-premise advertising signs, within thirty (30) days, that do not comply with the provisions listed above.

(c) Under this section, the burden of coming forth and seeking time to comply with this chapter is upon the owner of the sign involved. Anyone not supplying the necessary documentation to establish value by September 1, 1996, shall be conclusively presumed to have a sign value of less than one thousand dollars ($1,000.00).

(d) The Planning Commission shall have the power to recommend a time for compliance, not to exceed five (5) years, on all signs up to three thousand one dollars ($3,001.00) in value to the planning commission, after having taken into account all of the necessary financial factors, as well as all other factors involved.

Sec. 1-5 Prohibited, unsafe, obsolete, etc., signs; notice to remove; removal by county; assessment of costs etc.

(a) The following signs, lights and other devises are prohibited in the county under this chapter:

(1) Any sign or part thereof erected, constructed and maintained wholly upon or over the roof on any building, except for canopy signs not prohibited by subsection (a)(19) below, and those signs exempt in paragraphs (6) and (7) of section 1-6 of this article.
Exterior exposed, gas filled (neon etc.) tubing which is visible to the public view and is used to graphically outline any sign, building, exterior walls, fence or other structure.

Any sign or part thereof that flashes, blinks, rotates or any changes of degree of illumination.

Any sign or part thereof that moves or has moving parts.

Any sign or part thereof that contains any audible devices.

Any sign or part thereof that is not located upon the premises for which the advertisement exists.

Any sign or part thereof having a luminance greater than one hundred (100) footlamberts at night.

Any sign or part thereof which obstructs the view of a driver on a public right-of-way, as determined by the Code Enforcement Officer, Building Official or County Sheriff.

Any sign or part thereof which might be confused with any authorized traffic sign, signal or device or which makes use of the words "Stop", "Look", "Danger", or any other word phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

Any sign or part thereof that is partially or wholly illuminated by flood lights or spot lights, unless such lights are used for indirect lighting and the illumination is not directly visible from the public right-of-way.

Any sign or part thereof that restricts free ingress or egress from any door, window or fire escape.

Any sign or part thereof which is constructed, erected or maintained on street lines, or within five (5) feet thereof, from which nails, tacks, wires or other sharp objects protrude.

Any wall sign or part thereof that projects more than twelve (12) inches from the building wall at a height lower than seven (7) feet.

Any wall or projecting sign or part thereof which extends three (3) feet above the roof, eave or parapet line of the facade of the building to which it is attached or extends.

Any projecting sign or part thereof which extends more than four (4) feet from the building to which it is attached at a height lower than seven (7) feet except that no projecting sign may extend beyond the curb line.

Any part of a sign over or partially over a public walkway, street, alley, line or other public place, if the distance from the walk surface to the sign is less than eight (8) feet, except where the ceiling of the portal prevents this minimum clearance, in which case the sign must be no less than seven (7) feet from the surface of the walk.

Any sign over or partially over a public walkway under a portal that exceeds six (6) square feet.

Any sign that is in poor repair as determined by the Building Inspector or Code Enforcement Officer.

Any canopy sign or part thereof which extends more than three (3) feet above the roof, eave or parapet line of the facade of the building to which it is attached.

Any sign, other than signs described in this chapter, which are made of cardboard, or cloth or less permanent material.

Any sign attached to trees, fences, utility poles or street furniture, which is in the public right-of-way.

Sandwich Board Signs, except those smaller than 12 square feet and being displayed during business hours.

If the Building Official or Code Enforcement Officer find that any sign is unsafe or insecure or is a menace to the public, or has been erected or is being maintained in
violation of this chapter, he shall give written notice to the permittee or owner of the
property on which the sign is erected. If the permittee or owner fails to remove or alter
the sign so as to comply with this chapter within ten (10) days after mailing of said
notice, such sign may be removed by the County, and the permittee or owner shall bear
the expense of such removal. No person refusing to pay the costs so assigned shall be
issued a sign permit. If a sign is an immediate peril to persons or property, the Building
Official or Code Enforcement Officer may cause such to be removed summarily and
without notice.

(c) Any sign which no longer advertises a bonafide, ongoing business conducted, or a
product sold, or whose owner or permittee does not have a current occupational license
or which fails in a category set forth in section (b) above, shall be removed within ten
(10) days after mailing of a notice thereof by the Building Official or Code Enforcement
Officer. If the owner or permittee fails to remove the said sign, the County may cause
such sign to be removed and assess the costs of removal to the owner of the building or
land upon which said sign is located.

Sec. 1-6 Exemptions.
The provisions of this chapter shall not apply to the following signs; provided, however, that said
signs shall be subject to the provisions of subsections (b) and (c) of section 1-5 of this article:

1. Real Estate Signs. Real estate signs not exceeding six (6) square feet and five (5) feet
   in height which advertise the sale, rental or lease of the premises upon which they are
   located.

2. Bulletin Boards. Bulletin boards, not over eight (8) square feet and five (5) feet in
   height, for public, charitable institutions or organizations when the same are located on
   the premises of said institutions.

3. Civic and quasi-public signs off-premises. Off-premise name, directional and
   informational signs of service clubs, civic organizations and quasi-public uses, as long as
   said signs are no more than three (3) square feet and not more than five (5) feet in
   height.

4. Residential name and street address signs. Residential name and street address
   signs, so long as said signs are no more than one (1) square foot.

5. Street banners, banners, signs, pennants, pennant flags and streamers. Used as
   attention getters shall only be permitted within the county when erected within the
   confines of the private property building line and are used as promotion signs only. Such
   signs shall only be permitted for a thirty (30) day period during the promotional activity
   and there shall be at least a ninety (90) day period between the last day of the first
   permitted use of such signs on any one property for any promotion and the first day of
   the next period issued for any use of such said sign on the same property or for any
   promotional activity. Street banners advertising a public entertainment or civic event, if
   approved by the Code Enforcement Officer or Building Official may be displayed
   beginning fourteen (14) days prior to and shall be removed within three (3) days after the
   public entertainment or civic event.

6. Flags. Official national, state or town flags, for any period of time.

7. Temporary subdivision identification. Such signs may be located on the property to
   be developed not exceeding sixteen (16) square feet and eight (8) feet in height. Such
   signs shall not be displayed prior to recording of the subdivision plat with the county clerk
   and shall be removed upon completion of the project.

8. Temporary political campaign signs. Temporary political campaign signs shall be
   permitted up to a total area of six (6) square feet for each premise. Such signs may be
   erected no earlier than sixty (60) days prior to any primary or general election. They
   shall be removed within three (3) days after the election to which the sign pertains. The
candidate portrayed on the sign or for whom the sign advertises shall bear the responsibility and the expense for removal.

Temporary political protest signs. Temporary political signs shall be permitted up to a total area of six (6) square feet for each premise. Such signs may be erected for a period not to exceed sixty (60) days. After the 60 day period by the person(s) who erected the sign shall bear the responsibility and the expense for removal.

Indoor Signs. Signs located inside a building or structure, provided the sign is not so located as to be conspicuously visible and readable without intentional effort, from outside the building or structure.

Advertising for community or civic events. One such sign, providing such sign shall not exceed sixteen (16) square feet and eight (8) feet in height and is located upon the site of said event. Such signs may be erected no earlier than fourteen (14) days prior to the event and shall be removed within three (3) days after the event.

Construction signs. One construction sign on the construction site as long as said does not exceed ten (10) square feet in area. Such signs shall be removed upon completion of the project.

Memorial Signs or Tablets. One memorial sign or tablet not exceeding three (3) square feet and permanently attached to the building or structure.

Gasoline price signs. Service stations shall be permitted one double-faced, on site sign not to exceed twelve (12) square feet per face and five (5) feet in height advertising the price of gasoline. Such signs may be mounted upon a freestanding sign, so long as all of the criteria for a freestanding sign is met. Such signs shall not contain any advertisement other than brand name.

Time and temperature signs. Time and temperature signs may be allowed with permission of the planning commission, based upon a determination of public need and usefulness.

Directional and informational signs. Directional and informational signs displaying such legends as “Self Service”, “Parking”, “Open”, “Closed”, “Exit”, “Entrance”, “Lounge”, “Coffee Shop”, “Office”, “Men’s and Women’s Rest Rooms”, “Inflammmable, including arrows, menus, etc.”, shall be allowed providing each such sign does not exceed three (3) square feet. It shall be permissible for the name of the business to appear on directional signs.

Signs required by law. Signs required by federal, state or local law.

Other temporary signs. Other temporary signs announcing, “Annual Sale”, “1 cent Sale”, “Sale”, “Special Price”, etc., so long as the signs are window signs, and are clearly temporary in nature and are not up for more than forty-five (45) days.

Sec. 1-7 Right of Inspection.
The Building Official and Code Enforcement Officer shall have the right to inspect all signs in the County for the purpose of ascertaining whether they are safe, secure in need of repair or conforming to this chapter.

Sec. 1-8 – 1-20 Reserved.

ARTICLE II - PERMITS

Sec. 1-21 Required.
It shall be unlawful for any person to erect, alter or relocate within the County any sign without first obtaining a permit from the Building Official or Code Enforcement Division and making payment of the fees required by Sec. 1-24 of this article. This section is not meant to require a permit for routine maintenance and repairs as long as the basic parts of the sign remain the same.

Sec. 1-22 Applications.
Internal lit signs shall be no larger than thirty-two (32) square feet and shall not be lit during off business hours.

Sec. 1-31 Number
(a) Each person issued a permit under this chapter shall be allowed a maximum of two (2) signs in any of the following combinations.

(1) One freestanding sign, and
   a. One wall sign, or
   b. One projecting sign, or
   c. Two (2) single-faced canopy signs, or
   d. One double-faced canopy sign, or
   e. One graphic, or

(2) Two (2) wall signs, or

(3) One wall sign and
   a. One projecting sign, or
   b. One graphic design, or
   c. Two (2) single-faced canopy signs, or
   d. One double-faced canopy sign, or

(4) One joint identification sign, or
   a. One wall sign, or
   b. One projecting sign, or
   c. Two (2) single-faced canopy signs, or
   d. One double-faced canopy sign, or
   e. One graphic design.

(b) In addition to the combination of signs set forth in subsection (a) above, every motel with an assembly or a meeting room, or a motion picture theater shall be allowed a marquee which shall not be counted in the sign area as measured in section 1-30(b), of this article, but in no event shall the marquee exceed twenty-four (24) square feet in area.

(c) Whenever three (3) or more businesses share the same site or location, unless the land is separately owned by each business, said area may have either one (1) freestanding sign advertising the major business or one (1) joint identification sign, at the discretion of the owner of said area. It is the intention that under the above circumstances not more than one (1) freestanding sign be located upon the premises. Each of said businesses may have one (1) of the following: A wall sign, projecting sign, two (2) single-faced or one (1) double-faced canopy sign or one (1) graphic design.

Sec. 1-32 Design; Trim; Color; Lettering; etc.
(a) All signs erected or maintained in the County shall meet the following design standards:

(1) No sign or part thereof shall contain any shining metal.

(2) All freestanding signs shall have a base, i.e., planter box, wall, banco, trees, bushes or other landscaping material, so long as it is not so large to create a hazard, which shall be compatible in color with the building it advertises. Said base shall be equal in area to at least the length of the sign and may not be less than two (2) feet wide and must extend at least sixteen (16) inches in height. This provision shall not apply to any sign less than twelve (12) feet in height, but such treatment is encouraged.
Applications for permits under this article shall be made on forms supplied by the County and contain or have attached thereto the following:

1. Name, address and phone number of the applicant.
2. Location of the building, structure or lot to which or upon which the sign is to be attached or erected.
3. Position of the sign in relation to nearby buildings or structures.
4. One drawing of the plans and specifications and method of construction and attachment to the building or ground.
5. Name of person erecting or attaching the sign.
6. Written consent of the owner of the building, structure or land to which or on which the sign is to be erected.
7. Such other information the Building Official or Code Enforcement Officer shall require to show full compliance with this chapter and all other County ordinances.

Sec. 1-23 Issuance.
It shall be the duty of the Building Official or Code Enforcement Officer upon the filing of an application for a permit under this article, to examine such plans and specifications, other data and the premises upon which it is proposed to erect the sign, and it shall appear that the sign is in compliance with all requirements of this chapter, is structurally sound and safe, and in compliance with all other ordinances of the County, he/she shall then issue the permit. If work authorized has not been completed within three (3) months of issuance of the permit, the permit shall become null and void.

Sec. 1-24 Fees.
Every applicant, before being granted a permit under this article, shall pay to the Taos County Clerk one dollar ($1.00) per square foot of the total sign area to be maintained on the premises.

Sec. 1-25 Privileges granted under chapter subject to revocation, etc.; Permits issued subject to revocation for violation of chapter.
All rights and privileges granted by the issuance of a permit under this article or any amendment thereto, are mere licenses revocable for violation of this chapter at any time by the county. All permits issued under this article shall be deemed to contain this provision.

Sec. 1-26 Taos County Planning Commission shall have authority.
The Taos County Planning Commission, in addition to other duties set forth in this chapter, shall have the power to grant variances of this chapter as long as the general purpose and intent of this chapter is complied with. The Taos County Planning Commission shall also have the power to recommend extensions of time to comply with this chapter if they are satisfied that the person seeking the extension has put forth good faith effort to comply within the time allowed in the compliance schedule in Sec. 1-4 of this chapter.

Sec. 1-27 Written notice to adjoining and other property owners of a hearing on request for a variance.
In all cases where requests for variances are to be considered by the Taos County Planning Commission, notices by mail will be sent to adjoining property owners, as well as owners of property located directly across the street from the location of the requested variance.

Sec. 1-28 Standard to be considered for granting variances and extensions of time.
Among standards to be considered by the Taos County Planning Commission in the granting of a variance or extension of time under this chapter are economic hardship, circumstances where enforcement would be inequitable and the over all intent of this chapter, the sign regulations, as well as any other matter they may feel has a bearing on the request.
Sec. 1-29 The Taos County Planning Commission shall grant or deny requested variance or extension; Appeal; form of the notice of appeal.

The Taos County Planning Commission, shall either grant or deny the variance or extension requested. Any party aggrieved by the decision of the Taos County Planning Commission may appeal their decision to the Board of County Commissioners by filing a notice of appeal with the Taos County Clerk within ten (10) days of the date of Taos County Planning Commission decision. The notice of appeal form to be used is as follows:

NOTICE OF APPEAL

The undersigned hereby files for appeal from the decision of the Planning Commission entered on the ________________ day of ___________________ 19_____

ARTICLE III - STANDARDS

Sec. 1-30 Area and height.

(a) The maximum area and height for any wall, projecting, canopy or freestanding sign in the County shall be:

<table>
<thead>
<tr>
<th>Lot Frontage</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) For each premise having not more than seventy-five (75) feet of street frontage.</td>
<td>18 feet</td>
</tr>
<tr>
<td>(2) For each premise having at least seventy-six (76) feet and not more than one hundred fifty (150) feet of street frontage.</td>
<td>20 feet</td>
</tr>
<tr>
<td>(3) For each premise having at least one hundred fifty-one (151) feet of street frontage.</td>
<td>20 feet</td>
</tr>
<tr>
<td>(4) In no event will a freestanding, wall, canopy or projecting sign exceed seven (7) per cent of the area of the face of the building it advertises, shall not exceed sixty (60) square feet in size and must have a minimum width of two (2) feet.</td>
<td></td>
</tr>
<tr>
<td>(5) The area of the face of the building shall be measured by multiplying the average height times the total length, including any canopy that may extend beyond the sides of the building; provided that, the canopy length shall be treated as not exceeding twice the length of the building.</td>
<td></td>
</tr>
<tr>
<td>(5) Any person, regardless of the length of frontage or size of building, is entitled to a minimum sign area of twelve (12) square feet.</td>
<td></td>
</tr>
</tbody>
</table>

(b) The maximum area for any joint identification sign in the County shall be seventy (70) square feet.

(c) In calculating the area of signs, the following shall apply:

(1) All faces of a multi-faced designed to be visible simultaneously shall be included.

(2) The area shall be that of the smallest rectangle that will wholly contain the sign. Said rectangle's sides shall be vertical to the ground. Except that, the area of a wall sign of CUTOUT-LETTERING, with no borders or background defined on the building wall, will be considered to be one-half of the area of the smallest rectangle that will wholly contain the letters.
(3) All new signs erected shall contain a decorative trim of wrought iron wood or simulated wood, which trim shall not be counted in measuring the area of the sign. Said trim shall not exceed the following dimensions.

<table>
<thead>
<tr>
<th>Area of Sign</th>
<th>Width of Trim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sixty (60) square feet</td>
<td>Six (6) inch width</td>
</tr>
<tr>
<td>Forty (40) square feet</td>
<td>Five (5) inch width</td>
</tr>
<tr>
<td>Twenty (20) square feet</td>
<td>Four (4) inch width</td>
</tr>
</tbody>
</table>

(4) All new internally-lit signs erected shall have their faces recessed within the decorative trim a minimum of two (2) inches. The trim provided for in paragraph (3) above and the recessing in this paragraph shall not be necessary for existing signs during the time for compliance as set forth in section 1-4 of this chapter, provided they meet all other requirements of this chapter.

(5) No sign or part thereof shall contain any of the following colors:
   a. Blaze Orange
   b. Hot Pink
   c. Fluorescent Colors
   d. Chartreuse
   e. Metal Flake Paints

(6) No sign or parts thereof shall contain a total of more than four (4) colors.

(7) No sign shall contain more than two (2) types of lettering.

Sec. 1-33 Construction of signs.
All signs in the County, except those exempted in section 1-6 of this chapter, shall be designed and constructed to withstand a wind velocity of not less than seventy-five (75) mile per hour, and to receive dead loads as set forth in the County building code.

Sec. 1-34 Joint identification signs.
Joint identification signs (directory signs) may be freestanding signs, which shall have two (2) faces. No joint identification sign in the County shall exceed the height as set forth in section 1-5(a) of this article. Of the seventy (70) square feet allowed a joint identification sign, no more than ten (10) square feet may be allowed to the title of said sign, and each of the business sharing such a sign shall each not utilize more than four (4) square feet.

Sec. 1-35 Freestanding signs.
(a) Freestanding signs shall be allowed in the County as long as they have two (2) faces and they meet the following:
   (1) They are on the site of the person or business erecting, employing, or maintaining the same.
   (2) So long as they do not create a hazard and do not extend into the public right-of-way, as determined by the Building Official or Chief Code Enforcement Officer or County Sheriff.
   (3) The bottom of the signs may not be higher then fourteen (14) feet above grade level.

Sec. 1-36 Severability.
The provisions of this ordinance are severable, and if any provision, sentence, clause, section or part thereof, is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, the illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance or
their applications to other persons or circumstances. It is hereby declared to be the intent of the Taos County Planning Commission that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provisions, sentences, clause, section or part had not been included therein, and if the person or circumstances to which the Ordinance or any part thereof had been specifically exempted therefrom.

Sec. 1-37 Interpretation and Conflict.
The provisions of this Ordinance shall be held to be minimum requirements. Where the provisions of this Ordinance impose greater restrictions than those of any other ordinance or resolution the provisions of this Ordinance shall prevail. Where the provisions of any other ordinance, resolution, or covenant impose greater restrictions than those of this Ordinance, the provisions of such other ordinance, resolution, or covenant shall prevail.

Sec. 1-38 Enforcement.
A. Prosecution in Court. Pursuant to Section 3-21-3, NMSA 1978, this Ordinance shall be enforced by prosecution in Magistrate Court and District Court of the County, initiated by the Taos County Planning Director, who shall report violations for enforcement to the officials named in Paragraph B of this section. Before reporting such violations for prosecution, the Taos County Planning Director shall give 30 days written notice to the owner of the property where the violation is located, and shall indicate the intent to prosecute unless the violation is righted within 30 days.

B. Civil Penalties and Enforcing Entities. It shall be unlawful to construct, reconstruct, enlarge or change any sign in violation of any regulation or any provisions of this Ordinance or of any amendment thereto. Any person, firm, corporation or other entity violating this Ordinance or any standards or variances, shall be fined not more than Three Hundred ($300.00) per owner per violation with each violation considered a separate violation. The District Attorney, the Attorney for Taos County, the Taos County Sheriff, and the County Manager (in the absence of a Planning Director) of Taos County shall have the authority to enforce this Ordinance. The Taos County Planning Director shall enforce and levy fines (the County Manager in the absence of the Planning Director). An appeal of an enforcement decision made by the Planning Director may be brought within 30 days of that decision to the Taos County Planning Commission.

C. Injunction, Abatement, and other Remedies. The Board of County Commissioners, the District Attorney or the County Manager may, in addition to other remedies provided by law, may institute injunction, abatement, or any other appropriate action, actions, proceeding, or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.
County of Taos, New Mexico

Taos County Ordinance No. 1996-2

AN ORDINANCE ENACTING THE TAOS COUNTY SIGN REGULATIONS

BE IT ORDAINED BY THE GOVERNING BODY OF TAOS COUNTY, NEW MEXICO, THE TAOS COUNTY BOARD OF COMMISSIONERS THAT THE ATTACHED SIGN REGULATIONS BE ENACTED.

PASSED, ADOPTED AND APPROVED by the Taos County Board of Commissioners This 27 Day of February 1996.

TAOS COUNTY BOARD OF COMMISSIONERS

SOFIO D. ORTEGA, CHAIRMAN

CELESTINO ROMERO, MEMBER

GABRIEL J. ROMERO, MEMBER

ATTEST:

CARMEN M. MEDINA
TAOS COUNTY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

DENNIS MANZANARES
TAOS COUNTY ATTORNEY