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P.O. BOX 706 • DEMING, NEW MEXICO 88031
POPULATION 14,000

CDBG PUBLIC HEARING

October 8, 2012

6:00 P.M.

AGENDA

Call to Order / Pledge of Allegiance

1. Open Public Hearing for the 2013 Community Development and Planning Applications
 - A. CDBG Progress Report
 - B. Input - General Community
 - C. Input - Planning Projects
 - C. Close CDBG Hearing

CITY COUNCIL MEETING

October 8, 2012

4:00 P.M. CITY COUNCIL WORKSHOP

6:00 P.M. CITY COUNCIL MEETING

AGENDA

Call to Order

1. Consent Agenda
 - A. Minutes - City Council Workshop and Regular Meeting 09/10/12
 - B. Minutes - City Council Special Meeting 09/27/12
 - C. Minutes - Planning and Zoning Commission Meeting 09/17/12
 - D. Minutes - Airport Commission Meeting (no meeting scheduled)
 - E. Minutes - Tourism Development Committee Meeting 09/?/12
 - F. Minutes - Marshall Memorial Library Board Meeting 09/25/12 (no meeting held)
 - G. Minutes - Parks Commission Meeting 09/11/12
 - H. Minutes - Historic Landmark Commission 09/20/12
2. Public Forum

3. Resolution Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority
4. Resolution of Support for Recurring Funding for Regional Water Plan Updates
5. Resolution to Apply for Funding from the New Mexico Water Trust Board to Replace Existing Water Meters with Units that Provide Electronic Read Capabilities
6. Approval of the City of Deming Donation of Ambulance to the Village of Columbus
7. Approval of Expenses for Service Recognition Award Ceremony
8. Public Hearing to Consider an Ordinance Amending Title 12, Chapter 16, Section 1, of the Municipal Code of the City of Deming "Fences and Walls"
9. Public Hearing to Consider an Ordinance Amending Title 12, Chapter 7, Section 1, of the Municipal Code of the City of Deming "Additional Height, Area and Use Regulations"
10. Public Hearing to Consider an Application for a Club License for Deming Elks #2750 at 3401 Raymond J. Reed Blvd in Deming, New Mexico
11. Quasi-Judicial Public Hearing to Consider a Request for a Parking Variance for Proposed Dollar General Store
12. Quasi-Judicial Public Hearing to Consider an Abandonment of Alley Request in Block 23 of the Orchard Park Addition
13. Closed Session to Discuss the Sale of Agricultural Real Estate Pursuant to NMSA 1978, Sections 10-15-1 (H)(8), of the Open Meetings Act
14. Adjourn Meeting

The next regular City Council Workshop and Meeting are scheduled for 4:00 & 6:00 p.m., November 13, 2012.

CITY COUNCIL WORKSHOP MINUTES October 8, 2012

Council Present: Andres Z. Silva, Mayor
Council Absent: William Shattuck, Councilor
Joe "Butter" Milo, Councilor

Linda Franklin, Mayor Pro Tem
David Sanchez, Councilor

Staff Present:

Lawrence Brookey, Public Works Director
Wesley Hooper, Special Projects Coordinator
Kathleen Schindler, Police Lieutenant
Lila Jasso, Administrative Secretary

Rick Kocab, Assistant Treasurer
Edgar Davalos, Fire Chief
Gina Gentile, City Planner
Patsy Rodriguez, Receptionist

Recording Secretary: Berenda McWright, Assistant Deputy Clerk

City Council and staff members of the City of Deming, New Mexico held a workshop on October 8, 2012 at 4:00 p.m. to discuss items of the City Council Agenda in preparation for the regularly scheduled meeting to be held at 6:00 p.m. the same day. The following items of the agenda were discussed as follows:

Open Public Hearing for the 2013 Community Development and Planning Applications: Mayor Silva stated that Lawrence Brookey would be presenting the progress report for the CDBG public hearing.

Consent Agenda: Mayor Silva asked if the minutes of the Planning and Zoning Commission should be pulled from the consent agenda considering the items which were approved at the P&Z meeting were on the Council agenda for public hearing. Ms. McWright stated that since the motions were not listed separately on the consent agenda, Council's approval of the consent agenda would be only for the minutes.

Resolution Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority: Mr. Brookey stated he would present the resolution authorizing and approving submission of an application for financial assistance to the NMFA. Mr. Brookey stated the funding would be used to perform an efficiency audit on the City's domestic well and pump system.

Resolution of Support for Recurring Funding for Regional Water Plan Updates: Mr. Brookey stated that he would present the resolution of support for recurring funding for the Regional Water Plan updates which was requested by the Interstate Stream Commission.

Resolution to Apply for Funding from the New Mexico Water Trust Board to Replace Existing Water Meters with Units that Provide Electronic Read Capabilities: Mr. Brookey stated that he would present the resolution to apply for funding from the New Mexico Water Trust Board to replace existing water meters with units that provide electronic read capabilities.

Approval of the City of Deming Donation of Ambulance to the Village of Columbus: Chief Davalos stated that he would present the request for approval of donating an old

ambulance to the Village of Columbus. He explained that a grant was awarded to remount the box of the old ambulance to a new chassis and while executing the grant he was offered a new cost effective ambulance with an aluminum box that can be remounted multiple times over the life of the unit. He stated that donating the ambulance to Columbus would help ensure there are ambulance services in the southernmost area of Luna County.

Approval of Expenses for Service Recognition Award Ceremony: Mayor Silva stated that he would present the request for approval expenses for the award ceremony to be held on December 7, 2012.

Public Hearing to Consider an Ordinance Amending Title 12, Chapter 16, Section 1, of the Municipal Code of the City of Deming "Fences and Walls": Ms. Gentile stated that she would present both of the ordinance amendments concerning the building code which will make them compatible.

Public Hearing to Consider an Ordinance Amending Title 12, Chapter 7, Section 1, of the Municipal Code of the City of Deming "Additional Height, Area and Use Regulations": Ms. Gentile stated that she will be presenting the ordinance amendment concerning building code regulations.

Public Hearing to Consider an Application for a Club License for Deming Elks #2750 at 3401 Raymond J. Reed Blvd in Deming, New Mexico: Mr. Kocab stated that he would present the application for a club license for the Deming Elks.

Quasi-Judicial Public Hearing to Consider a Request for a Parking Variance for Proposed Dollar General Store: Ms. Gentile stated that she would be presenting the request for a parking variance proposed by the Dollar General Store.

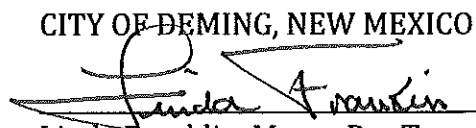
Quasi-Judicial Public Hearing to Consider an Abandonment of Alley Request in Block 23 of the Orchard Park Addition: Ms. Gentile stated that she would be presenting the request for the abandonment and sale of the alley to the proposed Dollar General Store. Ms. Gentile requested the Councilors include in their motion that the buyers pay for the cost of the appraisal and purchase the alley for at least appraised value.

Closed Session to Discuss the Sale of Agricultural Real Estate Pursuant to NMSA 1978, Sections 10-15-1 (H)(8), of the Open Meetings Act: Mr. Brookey stated that he would be presenting the items for closed session.

Adjourn Meeting: Mayor Silva adjourned the Workshop at 4:25 p.m.

ATTEST:


Richard F. McInturff, Clerk

CITY OF DEMING, NEW MEXICO

Linda Franklin, Mayor Pro Tem



CITY COUNCIL MEETING MINUTES

October 8, 2012

Council Present:

Andres Z. Silva, Mayor

Joe "Butter" Milo, Councilor

Linda Franklin, Mayor Pro Tem

David Sanchez, Councilor

William Shattuck, Councilor

Staff Present:

Lawrence Brookey, Public Works Director

Richard Kocab, Assistant Treasurer

Wes Hooper, Special Projects Coordinator

Edgar Davalos, Fire Chief

Kathleen Schindler, Lieutenant

Gina Gentile, City Planner

Recording Secretary: Berenda McWright, Assistant Deputy Clerk

Mayor Andres Z. Silva called the meeting to order and led the pledge of allegiance at 6:00 p.m.

1. Consent Agenda

A. Minutes - City Council Workshop and Regular Meeting 09/10/12

B. Minutes - City Council Special Meeting 09/27/12

C. Minutes - Planning and Zoning Commission Meeting 09/17/12

D. Minutes - Airport Commission Meeting (no meeting scheduled)

E. Minutes - Tourism Development Committee Meeting 09/?/12

F. Minutes - Marshall Memorial Library Board Meeting 09/25/12 (no meeting held)

G. Minutes - Parks Commission Meeting 09/11/12

H. Minutes - Historic Landmark Commission 09/20/12

Upon a motion by Councilor Milo and a second by Councilor Shattuck, the items of the Consent Agenda were approved unanimously.

2. Public Forum: A public comment period was entertained.

3. Resolution Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority: Mr. Brookey recommended approval of the resolution which authorizes and approves the submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority. Mr. Brookey stated the project for which funding is being requested, is to perform an efficiency audit on the City's domestic well and pump system. If granted, the City will receive \$50,000 from the New Mexico Finance Authority in conjunction with \$25,000 which has been awarded by the Bureau of Reclamation. In response to a question from Councilor Milo, Mr. Brookey explained that the motors on the domestic well pump systems are approximately thirty years old and the audit will look at the whole pumping system in order to provide recommendations on improving operating costs. Councilor Shattuck motioned to adopt the resolution authorizing and approving submission

of a completed application for financial assistance and project approval to the New Mexico Finance Authority. The motion was seconded by Councilor Milo and carried unanimously.

4. **Resolution of Support for Recurring Funding for Regional Water Plan Updates:** Mr. Brookey recommended approval of the resolution which urges the State Legislature to pass a budget for the Interstate Stream Commission that includes a recurring budget item of an additional \$400,000 for the update of four regional water plans each year. Mayor Pro Tem Franklin motioned to approve the resolution of support for recurring funding for regional water plan updates. The motion was seconded by Councilor Shattuck and carried unanimously.

5. **Resolution to Apply for Funding from the New Mexico Water Trust Board to Replace Existing Water Meters with Units that Provide Electronic Read Capabilities:** Mr. Brookey recommended approval of the resolution which allows the City to submit a grant application to the New Mexico Water Trust Board for the purpose of replacing existing water meters with units that provide electronic read capabilities. Mr. Brookey stated that if granted the City will receive \$800,000 which will procure a data collection system, receivers, software, hardware, training and provide for replacement of 40% of the meters presently in use. Councilor Milo motioned to adopt the resolution to apply for funding from the New Mexico Water Trust Board to replace existing water meters with units that provide electronic read capabilities.

6. **Approval of the City of Deming Donation of Ambulance to the Village of Columbus:** Fire Chief Davalos reported the Deming Fire Department was recently awarded a grant in the amount of \$65,000 with a City match of \$24,637 for remounting an old ambulance box onto a new chassis, which is a cost effective way to utilize equipment. While executing the grant and speaking with various vendors the Fire Department was offered a new ambulance in the amount of \$110,000 with a box that can be remounted multiple times over the life span of the unit. Chief Davalos stated that the donation of the old ambulance to Columbus Fire Rescue would help ensure that there are ambulances in the southernmost area of Luna County since Columbus was unsuccessful in obtaining a grant for a new ambulance. The Deming Fire Department received permission from Ann Martinez EMS Fund Act Coordinator to amend the grant application to donate the old ambulance and use the funds from the State to purchase a new ambulance. The EMS Bureau will provide over site for the maintenance and proper use of the ambulance by Columbus. Mayor Pro Tem Franklin motioned to approve the City of Deming donation of a 1996 Ford Ambulance Inventory #3109-00 to the Village of Columbus. Councilor Sanchez seconded the motion which carried unanimously.

7. **Approval of Expenses for Service Recognition Award Ceremony:** Mayor Silva presented the memorandum in which management is requesting \$750.00 be authorized for related expenses for the Service Recognition Award Ceremony to be held on December 7, 2012 at 6:00 p.m. at the Special Events Center. Councilor Milo motioned to approve the expenses for the Service Recognition Award Ceremony to be held on December 7, 2012. The motion was seconded by Councilor Sanchez and carried unanimously.

8. **Public Hearing to Consider an Ordinance Amending Title 12, Chapter 16, Section 1, of the Municipal Code of the City of Deming "Fences and Walls:"** Ms. Gentile

recommended approval of the ordinance amendment which states no fence, hedge or wall closer than 30 feet to the front lot line shall exceed a height of 4 feet above ground level. Mayor Silva opened the public hearing and no input was received. Mayor Pro Tem Franklin motioned to approve the Ordinance amending Title 12, Chapter 16, Section 1 of the Municipal Code of the City of Deming. The motion was seconded by Councilor Sanchez and carried unanimously.

9. **Public Hearing to Consider an Ordinance Amending Title 12, Chapter 7, Section 1, of the Municipal Code of the City of Deming "Additional Height, Area and Use Regulations:"** Ms. Gentile recommended approval of the ordinance amendment which is being presented for the purpose of bringing the Code into compliance with the previous ordinance amendment. Mayor Silva opened the floor for public comment of which none were received. Councilor Sanchez motioned to approve Ordinance amending Title 12, Chapter 7, Section 1, of the Municipal Code of the City of Deming. The motion was seconded by Councilor Shattuck and carried unanimously.

10. **Public Hearing to Consider an Application for a Club License for Deming Elks #2750 at 3401 Raymond J. Reed Blvd in Deming, New Mexico:** Dave Johnson, Secretary of Deming Elks Lodge #2750 presented the request for a new club liquor license for the Elks Club which is moving from 311 E. Maple to 3401 Raymond J. Reed Blvd. Mayor Silva opened the floor for public input. Bill Duncan spoke in favor of approving the application for a Club Liquor License. Mayor Pro Tem Franklin motioned to approve the application for a Club License for Deming Elks #2750 at 3401 Raymond J. Reed Blvd. in Deming, New Mexico. The motion was seconded by Councilor Sanchez and carried unanimously.

11. **Quasi-Judicial Public Hearing to Consider a Request for a Parking Variance for Proposed Dollar General Store:** Mayor Silva conducted a quasi-judicial public hearing to consider a request for a parking variance for the proposed Dollar General Store. Mayor Silva confirmed that Council had no conflicts of interest; that the public notices were legally posted; and swore in all parties who would be giving testimony. Ms. Gentile recommended approval of the variance request allowing for the number of parking spaces be reduced from 50 to 30. Ms. Gentile reported that the City code requirement based upon the occupancy load is 50 parking spaces. However, based on calculation of the paved area the requirement is 30 parking spaces. The applicant presented a letter stating that based on data collected from over 10,000 Dollar General Stores nationwide that 30 parking spaces are adequate to serve a store of this size. There were no applicants or other interested parties wishing to give testimony. Councilor Shattuck motioned to grant the proposed Dollar General Store a parking variance from 50 parking spaces to 30 parking spaces. The motion was seconded by Councilor Milo and was approved unanimously by a roll call vote.

ROLL CALL

Councilor Sanchez	Aye
Mayor Pro Tem Franklin	Aye
Councilor Shattuck	Aye
Councilor Milo	Aye

12. Quasi-Judicial Public Hearing to Consider an Abandonment of Alley Request in Block 33 of the Orchard Park Addition: Mayor Silva conducted a quasi-judicial public hearing to consider an alley abandonment request in Block 33 of the Orchard Park Addition from the proposed Dollar General Store. Mayor Silva confirmed that Council had no conflicts of interest; that the public notices were legally posted; and swore in all parties who would be giving testimony. Ms. Gentile recommended approval of the request for the abandonment of the alley in Block 33 or the Orchard Park Addition for the Dollar General Store. Ms. Gentile stated the only utility in the alley is sewer which will stay in place and a 16 foot utility easement will be granted back to the City. Also, the northern 175 feet of the alley will be sold to the Dollar General Store and the southern 125 feet will be offered to the adjacent lot property owner. The sales price will be at least at the appraised value and Dollar Store requires that the City replace any pavement as a result of utility work. There were no applicants or other interested parties wishing to give testimony. Mayor Pro Tem Franklin motioned to approve the request for the abandonment of the alley in Block 33 of the Orchard Park Addition under the condition that the buyer will pay for the appraisal and that it must be sold for at least appraised value. The motion was seconded by Councilor Shattuck and was approved unanimously by a roll call vote.

ROLL CALL

Councilor Sanchez	Aye
Mayor Pro Tem Franklin	Aye
Councilor Shattuck	Aye
Councilor Milo	Aye

13. Closed Session to Discuss the Sale of Agricultural Real Estate Pursuant to NMSA 1978, Sections 10-15-1 (H)(8), of the Open Meetings Act: Mayor Silva entertained a motion to go into closed session to discuss the sale of agricultural real estate pursuant to NMSA 1978, Sections 10-15-1 (H)(8), of the Open Meetings Act. Councilor Milo so moved. The motion was seconded by Councilor Sanchez and was approved unanimously by a roll call vote.

ROLL CALL

Councilor Sanchez	Aye
Mayor Pro Tem Franklin	Aye
Councilor Shattuck	Aye
Councilor Milo	Aye

Mayor Silva entertained a motion to come back into open session. Councilor Milo so moved. The motion was seconded by Councilor Sanchez and was approved unanimously by a roll call vote.

ROLL CALL

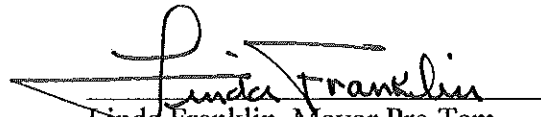
Councilor Sanchez	Aye
Mayor Pro Tem Franklin	Aye
Councilor Shattuck	Aye
Councilor Milo	Aye

Mayor Silva noted for the record that only the item that was noted in the motion to close was discussed. Councilor Shattuck motioned to approve the sale of agricultural land consisting of approximately 2.182 acres of the Marchak Farm, which consists of land and improvements to James and Cass Keeler for appraised value of \$23,000. The motion was seconded by Councilor Sanchez and carried unanimously.


14. **Adjourn Meeting:** Upon a motion by Councilor Milo and a second by Councilor Sanchez the meeting was adjourned at 7:07 p.m.

The next regular City Council Workshop and Meeting are scheduled for 4:00 & 6:00 p.m., November 13, 2012.

CITY OF DEMING, NEW MEXICO


Linda Franklin, Mayor Pro Tem

ATTEST:


Richard F. McInturff, Clerk



RESOLUTION NO. 1234

**AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED
APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT
APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY**

WHEREAS, the City of Deming ("Governmental Unit") is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the City Council ("Governing Body") is authorized to submit an Application (as defined below) for financial assistance for a Planning Document (as defined below) for the benefit of the Governmental Unit; and

WHEREAS, the New Mexico Finance Authority ("Finance Authority") has instituted a program for providing grants to evaluate and estimate the costs of implementing feasible alternatives for meeting water and wastewater public project needs or to develop water conservation plans, long-term master plans or economic development plans and has developed an application procedure whereby the Governing Body may submit an application ("Application") for planning grant financial assistance from the Finance Authority; and

WHEREAS, the Governing Body intends to submit a planning document to perform and efficiency audit on the City's domestic well and pump system ("Planning Document") of the Water Master Plan Update ("Project") for the benefit of the Governmental Unit and its citizens; and

WHEREAS, the application prescribed by the Finance Authority has been completed and submitted to the Governing Body and this Resolution approving submission of the completed Application to the Finance Authority for its consideration and review is required as part of the Application.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY:

Section 1. That all actions previously taken by the Governing Body and the Governmental Unit and their respective officers and employees in connection with the Application and the Project are hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body is hereby approved and confirmed.

Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Finance Authority, and are further authorized to take such other action as may be requested by the Finance Authority in connection with the Application and to proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this Resolution are hereby rescinded, annulled and repealed.

Section 5. This Resolution shall take effect immediately upon its adoption.

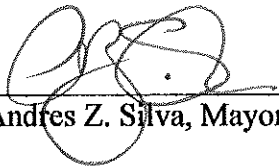
PASSED, APPROVED, AND ADOPTED this 8th day of October, 2012.



(Seal)

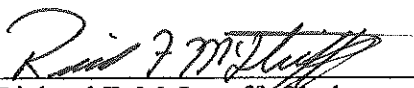
CITY OF DEMING, NEW MEXICO

By



Andres Z. Silva, Mayor

ATTEST:



Richard F. McInturff, Clerk

RESOLUTION NO. 12-35

**RESOLUTION OF SUPPORT FOR RECURRING FUNDING FOR
REGIONAL WATER PLAN UPDATES**

WHEREAS, adequate water resources are a prerequisite to the health and economic wellbeing of New Mexico's communities;

WHEREAS, the New Mexico Legislature in 1987 determined that "the future water needs of New Mexico can best be met by allowing each region of the state to plan for its water future";

WHEREAS, the New Mexico Legislature also determined that "the state can assist the regions in planning future water use by implementing a state appropriation program to ensure an adequate supply of water for each region";

WHEREAS, the first regional water plan was completed and accepted by the Interstate Stream Commission in 1999 and the last regional water plan was completed and accepted by the Interstate Stream Commission in 2008;

WHEREAS, regional water plans were drafted by many local organizations and represent collaborative strategies to address water needs;

WHEREAS, regional water plans were reviewed and approved by many local governments in the state;

WHEREAS, regional water plans outline the alternatives for closing the gap between available water supply and demand;

WHEREAS, regional water plans are tools for better decision-making and water project implementation;

WHEREAS, water is a fragile and finite resource;

WHEREAS, drought and climate change further threaten New Mexico's communities;

WHEREAS, water supply and demand are not static but change continuously;

WHEREAS, a number of changes have occurred since the regional water plans were accepted, such as new regulatory requirements, new hydrologic studies, changing population growth rates, and changes in water supply due to drought and climate change;

WHEREAS, there is a need to develop better and more consistent hydrologic data and increased coordination among regions and associated basins;

WHEREAS, communities in New Mexico need to update their plans and strategies to ensure an adequate water supply for their citizens;

NOW THEREFORE, BE IT RESOLVED, that the City of Deming urges the State Legislature to pass a budget for the Interstate Stream Commission that includes a recurring budget item of an additional \$400,000 for the update of four regional water plans each year.

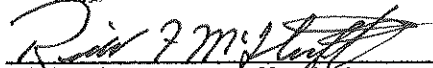
PASSED, ADOPTED, AND APPROVED this 8th day of October 2012



CITY OF DEMING, NEW MEXICO



Andrés Z. Silva, Mayor



Richard F. McInturff, Clerk

RESOLUTION NO. 12-36

A RESOLUTION TO APPLY FOR FUNDING FROM THE NEW MEXICO WATER TRUST BOARD TO REPLACE EXISTING WATER METERS WITH UNITS THAT PROVIDE ELECTRONIC READ CAPABILITIES

WHEREAS, the City's 40 Year Water Plan identifies the need to meter the domestic water provided to the City's customers; and

WHEREAS, accurate metering documenting actual water used by the City's customers results in voluntary water conservation practices; and

WHEREAS, the City's existing domestic water metering system needs to be replaced due to age; and

WHEREAS, electronic read water meters will reduce the time required to record the City's monthly water usage; and

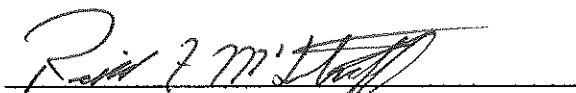
WHEREAS, The Water Trust Board is soliciting applications from entities that have valid projects that demonstrate water storage, conveyance and delivery applications.

NOW, THEREFORE, BE IT RESOLVED, that the City of Deming City Council affirms that a resolution be passed that affirms the City's intent to apply for funding from the New Mexico Water Trust Board to replace existing water meters with units that provide electronic read capabilities.

PASSED, APPROVED AND ADOPTED THIS 8th day of October, 2012.



ATTEST:


Richard F. McInturff, Clerk

CITY OF DEMING, NEW MEXICO



Mayor Andres Z. Silva

ORDINANCE NO. 1227

AN ORDINANCE AMENDING TITLE 12, CHAPTER 16 "FENCES AND WALLS"
OF THE MUNICIPAL CODE OF THE CITY OF DEMING, NEW MEXICO

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
DEMING, NEW MEXICO:

1. Title 12, Chapter 16 of the City of Deming Municipal Code is hereby amended by deleting sections 12-16-1, C "Height Limitation" in its entirety and replace with the following:

12-16-1: Height Limitation:

- C. Height Limitation: No Fence, Hedge or wall closer than thirty (30) feet to the front lot line shall exceed a height of four (4) feet above ground level, other than above, no fence, hedge or wall, exceeding six (6) feet, above ground level shall be allowed.

PASSED, ADOPTED, AND APPROVED, this 8th day of October, 2012.

CITY OF DEMING, NEW MEXICO



Andres Z. Silva, Mayor

ATTEST:



Richard F. McInturff, Clérk



ORDINANCE NO. 1228

AN ORDINANCE AMENDING TITLE 12, CHAPTER 7 "ADDITIONAL HEIGHT, AREA AND USE REGULATIONS" OF THE MUNICIPAL CODE OF THE CITY OF DEMING, NEW MEXICO

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEMING, NEW MEXICO:


1. Title 12, Chapter 7 of the City of Deming Municipal Code is hereby amended by deleting sections 12-7-1, F in its entirety and replace with the following:

12-7-1: ADDITIONAL REGULATIONS:

- F. Every part of a required yard or interior court shall be open to the sky unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed twelve inches (12"). This requirement shall not prevent the construction of fences and walls not exceeding six (6) feet in height, except fences, hedges and walls closer than thirty (30) feet to the front lot line, which shall not exceed four (4) feet in height and on that portion of lots within thirty (30) feet of the intersection of two (2) or more streets in which cases fences and walls shall not be higher than three feet (3').

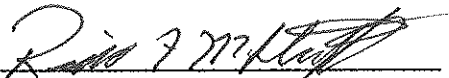
PASSED, ADOPTED, AND APPROVED, this 8th day of October, 2012.

CITY OF DEMING, NEW MEXICO



Andres Z. Silva, Mayor

ATTEST:



Richard F. McInturff, Clerk

