## CITY of ALBUQUERQUE TWENTY SIXTH COUNCIL

COUNC	IL BILL NO. 0-24-32 ENACTMENT NO. 0-12024-0128
SPONS	ORED BY: Brook Bassan, by request
1	ORDINANCE
2	AMENDING CHAPTER 14, ARTICLE 23 RELATED TO PROCESSES
3	ASSOCIATED WITH THE DEMOLITION OF BUILDINGS OR STRUCTURES.
4	WHEREAS, on March 4 <sup>th</sup> , 2024 the City Council passed Ordinance O-24-1 as
5	amended, entitled the "Administrative Demolition Ordinance"; and
6	WHEREAS, the Administrative Demolition Ordinance was enacted on
7	March 22 <sup>nd</sup> , 2024; and
8	WHEREAS, the intent of the Administrative Demolition Ordinance is to
9	provide for appeals from orders of the Independent Hearing Officer to City
10	Council; and
- New Deletion	WHEREAS, the ordinance, as enacted, erroneously identifies the appeal
Deletic	body as District Court and not the City Council; and
⊒ · 13	WHEREAS, Floor Amendment #1, passed on March 4th, 2024, indicates that
14 E	the City Council is to be the appeal body; and
Underscored Material - rikethrough Material - 1 1 2 1 5 1 6 1 7 8 1 6 1 7 1 8 1 6 1 7 1 9 1 9 1 9 1 9 1 9 1 9 1 9 1 9 1 9	WHEREAS, the references to a District Court appeal process were removed
16 ± 16	in one area of the bill but not the other; and
∑S 2 17	WHEREAS, this ordinance will rectify the conflicting language in the bill,
18	clarifying that the City Council is the appeal body of orders from the
19	Independent Hearing Office related to the demolition of hazardous buildings
20 <del>1</del> 20	and structures.
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23	Section 1. CONFLICTING LANGUAGE REMOVED. In Chapter 14, Article 23,

Section 4, delete the following language:

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	1	[14-23-4(B)(2)(e) A statement that the owner may file an appeal of the
	2	Independent Hearing Officer's order by filing an appeal in District Court,
	3	pursuant to NMSA 1978 § 39-3.1.1.]
	4	Section 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
	5	clause, word or phrase of this ordinance is for any reason held to be invalid or
	6	unenforceable by any court of competent jurisdiction, such decision shall not
	7	affect the validity of the remaining provisions of this ordinance. The Council
	8	hereby declares that it would have passed this ordinance and each section,
	9	paragraph, sentence, clause, word or phrase thereof irrespective of any
	10	provision being declared unconstitutional or otherwise invalid.
	11	Section 3. COMPILATION. Section 1 of this ordinance shall be incorporated
	12	in and made part of the Revised Ordinances of Albuquerque, New Mexico,
	13	1994.
	14	Section 4. EFFECTIVE DATE. This ordinance shall take effect five days after
	15	publication by title and general summary.
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1	PASSED AND ADOPTED THIS <u>19th</u> DAY OF <u>August</u> , 2024
2	BY A VOTE OF: 9 FOR 0 AGAINST.
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10	Dan Lewis, President
11	City Council
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14	APPROVED THIS 27 DAY OF Inglist , 2024
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1 bed 1/2 23	Timothy M. Keller, Mayor
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<del></del> 30	Ethan Watson, City Clerk
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