

UNION COUNTY

UNION COUNTY, NM
JOYCE ANN SOWERS, CLERK
201000895
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BY NOEL

STATE OF NEW MEXICO

ORDINANCE NO. 3

RELATING TO OBSTRUCTION OF PUBLIC HIGHWAYS, DAMAGE TO PUBLIC HIGHWAYS OR BRIDGES, ALLOWING WATER TO FLOW UPON PUBLIC HIGHWAYS, PRESCRIBING PENALTIES AND DAMAGES FOR VIOLATIONS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NEW MEXICO:

Section 1. DEFINITIONS.—As used in this ordinance:

A. “person” means any individual, estate, trust, receiver, partnership, firm, joint venture, syndicate, company, corporation, association, club, institution, political subdivision, government agency, farmer, mayordomo of acequia, or other legal entity.

B. “highway” means all property dedicated or intended for public use for access to abutting lands or subject to public easements therefore, and whether designated as a street, highway, thoroughfare, parkway, throughway, expressway, road, avenue, boulevard, lane, place, circle or however otherwise designated, located within the county.

Section 2. OFFENSES.— No person shall:

A. Dam the waters of any stream so as to cause the same to overflow any highway, or damage or weaken the abutments, walls or embankments of any bridge or highway.

B. Erect any fence, or other structure upon or dig pits or holes in any highway unless authorized by proper authority.

C. Place any house, stone, timber, trees or any obstruction whatsoever upon any highway or in any manner obstruct any highway.

D. Tear down, burn or otherwise damage any bridge of any highway.

E. Cause waste water or the water from any ditch, road, highway, drain, or flume to flow in or upon any highway so as to damage the same.

F. Obstruct any ford, or road leading thereto, or dig down the banks of any ford or erect any dam or any embankment or other obstruction in a stream where a ford is located, or wingdam or erect any other obstruction on the banks of a stream for the purpose of raising the water of such stream upon any ford, so as to render said ford impassable, or more difficult of passage than heretofore.

G. Through neglect, oversight, carelessness or design, allow irrigation or drainage waters to flow upon any highway so as to hinder, delay or obstruct travel thereon.

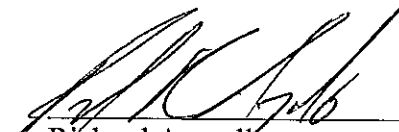
H. Through neglect, oversight, carelessness or design, allow water to flow from any reservoir, tank or watering trough upon any highway so as to hinder, delay or obstruct travel thereon.

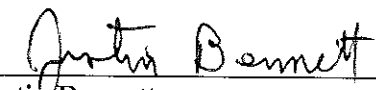
Section 3. PENALTIES.—Any person found violating any provision of Section 2 of this ordinance, shall, upon conviction, be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the County jail for not more than ninety (90) days or both.

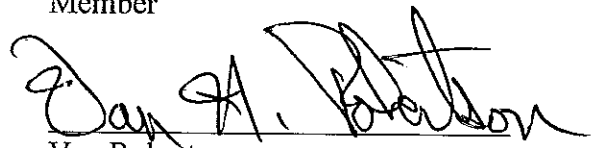
Section 4. DAMAGES.—Any person violating any provision of Section 2 of this ordinance shall be liable to any other person for all personal injuries or property damages caused by reason of such violation.

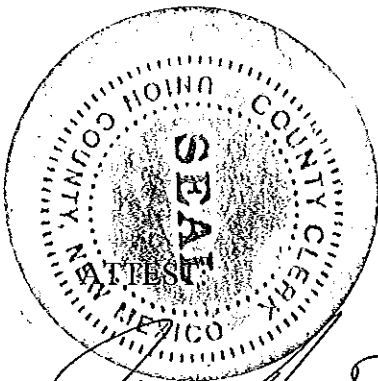
ADOPTING BY THE GOVERNING BODY OF UNION COUNTY THIS 19th DAY OF OCTOBER, 2010.


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Richard Arguello
Commission Chairman


Justin Bennett
Member


Van Robertson
Member




Joyce Ann Sowers
COUNTY CLERK