

RESOLUTION NO. 2417

A RESOLUTION DECLARING THE GOVERNING BODY OF THE CITY OF ROSWELL'S ENDORSEMENT OF MUNICIPAL LEAGUE ACTION TO LOBBY FOR LEGISLATIVE CHANGES TOWARD THE SIMPLIFICATION AND EXPEDIENCY OF WEED REMOVAL PROCEDURES.

WHEREAS the current statutory process enabling a municipality to remove weeds from any property when those weeds become a menace to public comfort, health, peace or safety is a lengthy and cumbersome process requiring the posting and publication of a resolution, a ten-day wait for action by the property owner, the approval of the City's Planning and Zoning Committee, the approval of the City Council, and further wait for action by the property owner (see 1978 NMSA § 3-18-5);

AND WHEREAS this slow process means that weeds which have already grown beyond the allowance of City ordinance remain and continue to flourish on the property until this process concludes, which may take from thirty to seventy-five days if the property owner is known or from ninety to one-hundred twenty days if the property owner cannot be immediately located;

AND WHEREAS complaints about weeds from the citizens of Roswell are numerous and ongoing, and the City is frustrated with the burdensome nature of the current statutory process;

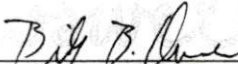
AND WHEREAS this same statutory process allows that a municipality, having cut the weeds on a property, may attempt to collect the money spent on cutting the weeds only by filing a lien against that property and then initiating a foreclosure proceeding against that property (see 1978 NMSA § 3-36-1 to -6);

AND WHEREAS the City wishes to have greater flexibility in its means of removal of weeds and of the collection process for the removal of weeds;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROSWELL:

That the City of Roswell and its Governing Body endorse the efforts of the Municipal League to lobby the legislature for changes in the statutory procedures regarding the cutting of weeds and collection of money for the work of cutting the weeds.

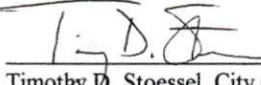
PASSED, SIGNED, APPROVED AND ADOPTED this 11TH day of JUNE, 1998.



Bill B. Owen, Mayor

SEAL

ATTEST:



Timothy D. Stoessel, City Clerk