

# CITY OF ALBUQUERQUE



**Planning Department**  
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Richard J. Berry, Mayor

January 29, 2014

Dear Albuquerque Neighborhood Association Members,

Prolonged or repetitive zoning violations in residential areas – such as junk cars, accumulation of trash and litter, and similar property maintenance problems – cost taxpayers a great deal of money every year, and frequently leave neighborhoods feeling as though their concerns have been ignored, despite continued enforcement action from City code inspectors.

To improve the City's ability to achieve compliance for these common issues, the Planning Department is seeking the support of Albuquerque residents in our efforts to amend existing State statutes to allow municipalities and counties the option of utilizing civil administrative remedies to enforce zoning code regulations. Because the city's zoning code is considered a criminal code, only the Metropolitan or District court systems may impose penalties for continued violations. This process is often time consuming and ineffective. Our departmental history has shown that criminal court judges are often reluctant to impose fines and jail time upon zoning violators, even for repeat code offenders.

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[www.cabq.gov](http://www.cabq.gov)

Over the past several months, we have been working with Senator Jacob Candelaria and Senator Sander Rue to draft and submit amendments to the current session of the New Mexico Legislature to add civil administrative remedies and the right to conduct administrative hearings to enforce zoning code regulations. These proposed amendments would not take away any rights currently held by other municipalities or counties, nor would the State be asked to provide funding. Rather, by adding civil administrative remedies as an enforcement option, local governments across the state will have the option of dealing more quickly and effectively with ongoing land use and property maintenance problems, without tying up the court system. This proposed legislation has been pre-filed by Senator Jacob Candelaria as Senate Bill 61.

Please join our office and Senators Candelaria and Rue in support of this requested legislative change by contacting the committee members at this link  
[http://www.nmlegis.gov/lcs/committee\\_display.aspx?CommitteeCode= SXCC](http://www.nmlegis.gov/lcs/committee_display.aspx?CommitteeCode= SXCC).

Sincerely,

Suzanne Lubar  
Planning Director