



VILLAGE OF CORRALES

ORDINANCE NO. 11- 013

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III, OFFICERS AND EMPLOYEES, OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, BEING A PART OF ORDINANCE NO. 1, ADOPTED SEPTEMBER 17, 1971, AS AMENDED BY ORDINANCE NO. 104, ADOPTED NOVEMBER 10, 1981; PROVIDING FOR THE APPOINTED OFFICER POSITIONS OF VILLAGE ADMINISTRATOR, VILLAGE CLERK, VILLAGE TREASURER, CHIEF OF POLICE; PROVIDING THAT THE VILLAGE ADMINISTRATOR AND VILLAGE TREASURER POSITIONS MAY BE VESTED IN THE SAME PERSON; PROVIDING FOR ADDITIONAL APPOINTED OFFICER POSITIONS; MAKING TECHNICAL AMENDMENTS.

WHEREAS, Section 3-12-4(A), NMSA 1978, provides that the governing body of each municipality shall provide for the offices of clerk, treasurer and police officer, and further provides that one person may be appointed to fill two positions (citing as an example, but not as a requirement, the offices of clerk and treasurer); and

WHEREAS, Section 3-13-3, NMSA 1978, provides that the governing body of any municipality having a population of one thousand or more persons may by ordinance provide for the office of a manager or administrator; and

WHEREAS, Sections 3-12-4(C) and 3-13-4, NMSA 1978, provides that the governing body of a municipality may provide for deputy appointed officers and employees who may exercise the powers granted to the appointed officials as their deputies and as employees of the municipality; and

WHEREAS, the Code of Ordinances of the Village of Corrales (the "Village Code" and the "Village," respectively) and, specifically, Ordinance No. 1 of the Village, as amended, codified in part as Article 2, Section III of the Village Code, does not presently provide for the office of treasurer as required by Section 3-12-4(A), NMSA 1978; and

WHEREAS, the Village Code and, specifically, the said Ordinance No. 1 as so codified does not explicitly provide for the office of administrator of the Village, as permitted by Section 3-13-3, NMSA 1978, although the Village has for many years had an officer with that title to which other provisions of the Village Code assign certain duties and responsibilities, and who has further acted in effect as the treasurer or chief financial officer of the Village; and

WHEREAS, the Village Council, the governing body of the Village ("Governing Body"), finds that Chapter 2, Article III, Officers and Employees, of the Village Code

should be amended to explicitly provide for the offices of Village Treasurer and Village Administrator, along with other elected and appointed officers of the Village; and

WHEREAS, the Governing Body further finds that the offices of Village Treasurer and Village Administrator may, as a matter of efficiency and economy, be combined and filled by the same person.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that Chapter 2, Article III, Officers and Employees, of the Code of Ordinances of the Village shall be amended as follows:

Section 1. The following Section 2-80 is hereby adopted and shall be added to the Village Code in a position immediately preceding the existing Section 2-81:

Section 2-80. Elected and appointed officers and employees

(a) The elected officers of the village are the Mayor, the members of the Governing Body and the Municipal Judge.

(b) The appointed officers of the village are the Village Administrator, the Village Clerk, the Village Treasurer, the Chief of Police, and such other officers as may from time to time be appointed by the Mayor with the approval of a majority of all members of the Governing Body. The offices of Village Administrator and Village Treasurer may be combined and one person appointed to perform both functions.

Section 2. Section 2-83 of the Village Code is amended by **deletion** of the sentence: “The elected officers of the village are the Mayor, the members of the Governing Body and the Municipal Judge.”

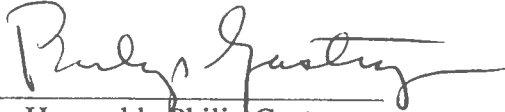
SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: The amended sections of the Village Code adopted pursuant to this Ordinance shall be compiled as a part of the Code of Ordinances of the Village of Corrales, as provided herein.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

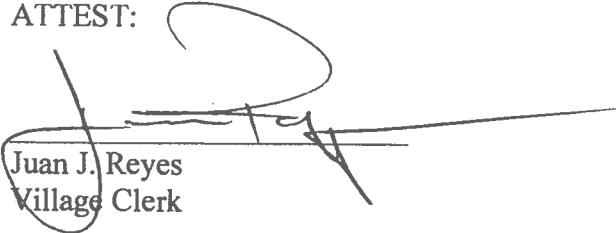
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 16 day of August, 2011.

APPROVED:



The Honorable Philip Gasteyer
Mayor

ATTEST:



Juan J. Reyes
Village Clerk