

NOTICE OF PUBLIC HEARING

The Eddy County Board of Commissioners will hold a meeting on September 25, 1978 at 2:00 o'clock P.M. in the Eddy County Commissioners' Courtroom, Room 201, Eddy County Courthouse, Carlsbad, New Mexico for the purpose of considering the adoption of an Ordinance prohibiting the obstruction of County property:

ORDINANCE NUMBER 7

AN ORDINANCE PROHIBITING THE OBSTRUCTION OF ANY COUNTY RIGHT-OF-WAY, ROAD, OR HIGHWAY; PROHIBITING THE OPERATION OF ANY PRIVATE BUSINESS ACTIVITY IN OR ON ANY COUNTY RIGHT-OF-WAY, ROAD, HIGHWAY, OR PROPERTY; PROVIDING THE PENALTIES FOR VIOLATIONS.

Section 1. Title and Purpose - This Ordinance shall be known as and shall be cited as "Obstruction of County Property Ordinance". The purpose of this Ordinance is to prohibit any obstruction from being placed in or upon any right-of-way, road, and/or highway belonging to Eddy County and to prohibit the operation of any private business activity in or upon any right-of-way, road, highway, or any other property belonging to Eddy County, unless said activity is determined by the County Commission to be a benefit to the citizens of Eddy County, to be in the best interests of the citizens, and to present no danger or threat to public safety and welfare.

Section 2. Definitions - As used in the Obstruction of County Property Ordinance:

- A. "Obstruction" means any sign, structure, vehicle, fence, obstacle, or barrier.
- B. "Private Business Activity" means any sale or offering for sale of privately owned manufactured goods, fruits, vegetables, materials, services, prepared foods, hand crafted goods, or real property by any person or persons.

Section 3. Obstruction of County Property - Penalties -

A. It shall hereinafter be unlawful for any person or persons to, in any manner,:

- (1) Obstruct any right-of-way, road, or highway lying in and belonging to Eddy County, by putting therein or thereon any obstruction;
- (2) Conduct any private business activity in or upon any right-of-way, road, highway, or property lying in and belonging to Eddy County.

B. All persons convicted of a violation of this Ordinance shall, upon conviction before any court of competent jurisdiction, be fined not more than \$300.00 or imprisoned in the Eddy County Jail for not more than ninety (90) days, or both fine and imprisonment.

ENACTED AND APPROVED this 11th day of September, 1978.

Arnold Crabb  
CHAIRMAN

ADOPTED, PASSED, SIGNED AND APPROVED ON:

BOARD OF COUNTY COMMISSIONERS

By Arnold Crabb  
Chairman



ATTEST:

Geraldine Mahaffey  
County Clerk

STATE OF NEW MEXICO, County of Eddy, ss. I hereby certify that this instrument was filed for record on the 26 day of September 1978, at 4:00 o'clock P.M., and duly recorded in Book 1 page 33 of the Records of Ordinance

GERALDINE MAHAFFEY, County Clerk  
By Thelma D. Deluna Deputy