

Ordinance No. 2021-01
Colfax County Rural Addressing Ordinance

AN ORDINANCE RELATING TO THE MAINTENANCE OF RURAL ADDRESSING FOR COLFAX COUNTY, NEW MEXICO TO SUPPORT THE ENHANCED 9-1-1 SYSTEM AS WELL AS PROVIDE RESPONSIBILITIES AND PROCEDURES FOR THE ASSIGNMENT OF RURAL ADDRESSES WITHIN COLFAX COUNTY, NEW MEXICO, AND REPEALING COLFAX COUNTY RURAL ADDRESSING ORDINANCE NO. 2000-1.

WHEREAS, the Colfax County Board of Commissioners (“Board”) is the duly authorized governing body of Colfax County, New Mexico a political subdivision;

WHEREAS, the uniform Countywide addressing system is for consistent and coherent numbering of structures and is needed to facilitate orderly and comprehensive public services such as mail and delivery, utility providers, emergency medical service personnel, fire rescue, and law enforcement services; and

WHEREAS, a uniform Countywide addressing system is needed, which allows for the consistent naming and numbering of roads, residences and structures within Colfax County for public safety and to minimize confusion for citizens and visitors of Colfax County.

WHEREAS, the Colfax County Board of Commissioners has found it to be in the best interest of Colfax County residents to repeal Ordinance No. 2001-1 titled “Colfax County Rural Addressing Ordinance” and to replace it with an updated ordinance that better protects the health, safety, and welfare of Colfax County citizens and visitors.

BE ENACTED BY THE COLFAX COUNTY BOARD OF COMMISSIONERS:

Section 1. Short Title

This ordinance may be cited as the “Colfax County Rural Addressing Ordinance”.

Section 2. Purpose

The purpose and intent of this Ordinance is:

- a. To provide a uniform system of guidelines for maintaining the Rural Addressing System as established by Colfax County for defining policies and procedures related to the naming or renaming of roads, signing of roads, assigning of addresses, ongoing maintenance of the system.

- b. To Enhance 9-1-1 System for easy and rapid location of properties by law enforcement, fire rescue, and emergency medical service personnel within Colfax County, New Mexico thereby protecting the health, safety, and general welfare of the public.
- c. To eliminate the duplication of existing road names and addresses, correct erroneous or unapproved road names and addresses, and to create policies and procedures for properly establishing road names for both private and public roads.

Section 3. Administration and Authority

This ordinance shall be administered by the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee, who are authorized to and shall assign, approve or change, or delete addresses. The Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said designee shall assign road names or numbers and numbers to all properties, both existing and purposed roads, in accordance with the criteria set forth in Sections 4, 5, and 6 below. This Ordinance shall be administered such that the standards herein protect the health, safety, and welfare of Colfax County residents and support orderly development in accordance with any pertinent plans and other adopted land use plans, Zoning Ordinances and Subdivision Ordinances of the County. The Enhanced 9-1-1 Coordinator shall ensure that he/she receives the most up-to-date maps showing each assigned address for subdivided land and un-subdivided parcels from the Assessor's Mapping Department of Colfax County. The Enhanced 9-1-1 Coordinator, The Colfax County Manager, or said manager's designee shall ensure that he/she is provided with a copy of the index of the master street address guide also known as MSAG from the local telephone company Data Base Centers. The Colfax County Rural Addressing Department shall also be responsible for maintaining the following official records of this ordinance:

- a. A community map for official use showing road names and numbers;
- b. An alphabetical list of all property owners as identified by current assessment records, by last name, showing the assigned address numbers; and
- c. An alphabetical list of all roads with property owners listed in order of their assigned address.

Section 4. Naming System

All roads that serve two or more properties shall be named regardless of whether the ownership of such road is public or private. A "road" refers to any highway, road, street, avenue, lane, private right of way, or similar paved, gravel, or dirt thoroughfare. "Property" refers to any property on which a more or less permanent structure has been erected or could be placed. A road name assigned by Colfax County shall not constitute or imply the acceptance of the road as a public road or acceptance of such road for maintenance by the County.

- a. The criteria governing the naming of roads in Colfax County was established in Resolution No. 2000-15 by the Board of County Commissioners of Colfax County, New Mexico signed April 18, 2000.

- b. The Colfax County Board of Commissioners shall rule on every new or changed name of a street within its jurisdiction. Where a street is or clearly will be both within and outside an incorporated area, the County shall confer with other affected governmental entities and seek a mutually satisfactory name.
- c. Criteria for Name Changes:
 1. A road name shall be changed only if the Colfax County Board of Commissioners find that there will be a public benefit which clearly outweighs the public confusion and cost which would be created by the name change.
 2. When road names are proposed for change, every effort will be made to maintain historically significant road names.
 3. Continuous principal or minor arterial roads should have the same name throughout the area. However, the benefit of this clarity must be weighed against the confusion of changing addresses which are in use.
 4. A petition of 60% of qualified affected property owners, whose properties have principal access from the street or road shall be provided with a list of three choices, listed by preference, for the Colfax County Board of Commissioners to consider.
 5. The NENA Addressing System Guide should be used as a reference for all road names.
- d. For the purpose of Section 4(C-4) to establish 60% of the qualified affected landowners, one person per vacant lot, occupied building, or residence may sign the petition. (i.e., one vacant lot, one vote; one occupied building, one vote; one residence, one vote.) All qualified affected owners of property who maintain updated contact information and can be identified within the Assessors records will be considered contiguous to the proposed road name change. Affected owners must be current on all fees, taxes and late fees due to the County. Once a road has been named, it may not be the subject of a petition for renaming for at least ten (10) years, unless the petitioning landowners can establish a need to rename the road based on public health, safety, or welfare.
- e. Application Requirements:
 1. Application, provided by the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee, shall be filled out and have the following information:
 - a) Name of Applicant;
 - b) Location of roadway by description and/or map;
 - c) Legal status, i.e., ownership of road, if known; (attach map showing area);

- d) Existing road name, if known;
 - e) Proposed road name;
 - f) Reason(s) for request;
 - g) Attached petition from 60% of qualified landowners supporting change;
2. The Enhanced 9-1-1 Coordinator, The Colfax County Manager, or said manager's designee, shall mail certified letters to the record owners of all lots abutting a street segment which is proposed for a name change, informing them of the nature of the proposed change and indicating how a person may file comments. Owner of record means the owner shown in the record of the Colfax County Assessor.
 3. A public hearing shall be scheduled before the Colfax County Board of Commissioners. A resolution of intention to rename the street or road shall be required to set a public hearing to consider such action. The resolution of intention shall be posted at a minimum of three (3) places of general circulation; at least ten (10) days before the day set for the hearing.
 4. At the time of the scheduled hearing or at any time to which the hearing may be continued, the Colfax County Board of Commissioners shall hear and consider proposals to change the name of the subject street or road. Upon approval of the change thereof the Colfax County Board of Commissioners shall adopt a resolution designating the name for the street or road. Thereafter, the street or road shall be known by the name so designated.
 5. The Colfax County Board of Commissioners shall make the decision as to local and collector streets in the following cases:
 - a) An Application or petition is signed by all owners of record of property abutting the street segment in question; or
 - b) No person files a timely written objection to the name change.

Every person filing comments or receiving notification pursuant to the provisions of this section shall receive written notification of the decision. All fees associated with road name changes are the responsibility of the petitioner or petitioners working through the office of the Enhanced 9-1-1 Coordinator Office. All fees are subject to the resolution of the road name disputes.

Section 5. Urban Numbering System

Numbers in the municipalities shall be assigned such that address numbers increase logically by 100 as each street block intersection is crossed. Even numbers addresses shall appear on the south and east sides of streets (southeast quadrant) and odd numbers addresses on the north and west sides of streets (northwest quadrant). Generally, the low address is found where the road intersects another more significant road. Notwithstanding the provisions of this section, street names and numbers assigned by the constituent municipalities shall remain in effect and shall not be altered. Addresses established by Colfax County subsequent to the effective date of this ordinance shall be assigned in accordance with this ordinance.

Section 6. Rural Numbering System

The criteria governing the rural numbering system shall be established by resolution of the Board of County Commissioners of Colfax County, New Mexico. Numbers outside of the municipalities shall be assigned such that address numbers increase logically by 105.6 feet along both sides of the road with even number addresses appearing on the south and east sides (southeast quadrant) and odd number addresses appearing on the north and west sides (northwest quadrant) ascending from the number of origin. Generally, the low address is found where the road intersects another, more significant road or where the end of the road is closer to a municipality.

Section 7. Compliance

It is the duty of the owner/owners and/or occupant(s) of structures, by the date set forth in Section 13 below; to place, display, and maintain in a conspicuous location marking on said structure, the assigned numbers in the following manner.

- a. **Number on the Structure:** When the structure can be easily seen from the right of way, the address number shall be displayed on the portion of the structure facing such right of way and, when possible, in the vicinity of the front door or entry.
- b. **Number at the Road:** When the structure cannot be easily seen from the right of way or when the structure is such a distance from the right of way that an address displayed on the structure would be difficult to see, the assigned number shall be displayed on a post, fence, wall, mail box, or on some object at or near the property line adjacent to the walk or access drive to the number structure, so that the number shall be clearly visible from the right of way.
- c. **Size and Color of Number:** An address number shall be a minimum 4 inches high and be of a contrasting color to its background.
- d. **Old number:** Any existing old numbers shall be removed and the new address numbers displayed in order to prevent confusion about the address of the property.

- e. Any street name or lot address that fails to meet the requirements of this Ordinance will be recognized as legal non-conforming preexisting or "grandfathered" name or address. All street names and lot addresses in the unincorporated area of Colfax County must meet the requirements of this ordinance. The lot owner shall be given 365 calendar days to correct a pre-existing but incorrect address after written notice from the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee.
- f. Any preexisting incorrect address shall be removed and replaced with the correct address within 365 calendar days upon written notification by the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee.

Section 8. New Developments and Subdivisions

All new structures and subdivisions shall be named and numbered in accordance with the provisions of this ordinance and as follows:

- a. **New Structures:** Whenever any residence, other structure, firm corporation, or other legal entity is constructing new structures in Colfax County and whenever any trailer, mobile home, or modular home is installed or relocated in Colfax County, it shall be the duty of the owner of such residence or structure to procure an address from the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee. This shall be on or within 30 days after the date of issuance of the building or septic permit from the State of New Mexico.
- b. **New Subdivisions:** Any subdivider or owner of a proposed subdivision and any person seeking a subdivision exemption shall provide all proposed road names and lot numbering system to the County Manager's office, prior to seeking preliminary plan approval or exemption approval from the subdivision review committee or the Board of Commissioners of Colfax County. The Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee shall review the suggested road names and addressing to ensure that they conform with this ordinance and the addressing requirements for the Enhanced 9-1-1 System. Subject to the Subdivision Regulations, the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee shall have final authority on the acceptance of all suggested road naming and address assignment by any subdivider, owner or person prior to preliminary plan or exemption approval. The approved road names and addresses shall be indicated by the owner or subdivider of the new subdivision on the final plat by showing proposed roads, approved road names and approved addresses for all lots. Any owner seeking a subdivision exemption shall indicate the approved road names and addresses for each property or tract shown on any plat to be recorded in the Records of Colfax County, New Mexico.
- c. No utility company operating in Colfax County, shall furnish utility service(s) to any new structure, mobile or manufactured home; including a mobile/manufactured home that is moved from one location to another, until it has been issued a valid address and provided a E-911 Address Assignment/Verification Form from the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee. For the purposes of this paragraph, a "new structure" is defined as a

commercial building, house or apartment, newly constructed, being occupied by the applicant or other persons for the first time and that will require an installation visit to obtain service.

- d. The subscriber will be required to provide a E-911 Address Assignment/Verification Form from the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said designee from Colfax County to ensure that the proper address requirements have been met.

Section 9. Authorizations

- a. Only persons authorized by the County may install or erect road signs, except as otherwise permitted by the County for subdivisions or developments.
- b. Only County authorized persons may remove, alter, or change a road name sign or physical address installed or maintained in accordance with this Ordinance.
- c. No person shall install or cause to be installed any utility service, including, but not limited to electric, gas, water, sewer, telephone, cable or satellite television or any building required by this Ordinance to be assigned an address without first receiving a building permit from the State of New Mexico and an address from the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee for that location. Utility companies must obtain from the lot owner an E-911 Address Assignment/Verification Form provided by the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee.
- d. Colfax County has the discretion to reject any submitted road names. Within sixty (60) days of receipt of a completed application and any supplementary material in the office of the Enhanced 9-1-1 Coordinator, the Commission shall issue their decision on the request. During that time, the Commission may ask for further information from the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee if he/she believes such information is necessary to his/her deliberations. Any decision on a variance request shall be made in writing and shall be mailed to the applicant with copies transmitted to the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manager's designee. In making their decision, the Commission may either; (1) Approve the request, (2) Approve the request with conditions, or (3) Deny the request. Findings of Fact shall be set out by the Commission supporting their decision. The decision of the Commission shall be the final administrative remedy available under this Ordinance.
- e. To request an Address Change Form, Road Name Change Form, Petition Form, or Address Assignment/Verification Form applicants should contact Colfax County or forms can be found on the Colfax County website located at www.co.colfax.nm.us.

Section 10. Addressing and Fees

There will be a fee imposed to applicants requesting an Address Verification or New Address according to the Fee Schedule for Colfax County Charges to cover processing costs including research and inspection by the office of the Enhanced 9-1-1 Coordinator, the Colfax County Manager, or said manger's designee.

- a. Request for Address Assignment/Verification forms can be found on the Colfax County website located at www.co.colfax.nm.us. or by contacting Colfax County.
- b. All original forms along with the required fee can be returned to Colfax County Manager's Department and allow 14 days (working days) for all completed address returns.
- c. Address Verifications and New Addresses will be completed on a Colfax County Address Assignment/Verification Form and will be sent to the requestee who completed the form.

Section 11. Penalties

- a. Any person, partnership, association, corporation, public utility, private utility, or other legal entity purposefully who installs or causes to be installed any utility service, including, but not limited to electricity, gas, water, sewer, telephone, or cable television service to any location required by this Ordinance to be assigned an address without first receiving a development permit and an address for that location shall be guilty of a misdemeanor punishable by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment for a term not to exceed ninety (90) days, or both.
- b. Any person who purposefully fails to properly place and maintain assigned address numbers on property owned or occupied by that person as required by this Ordinance shall be guilty of a misdemeanor punishable by a fine not to exceed fifty dollars (\$50.00).
- c. Any person who intentionally installs a road sign or assigned address number in violation of this Ordinance or who intentionally removes, alters, defaces, changes, or conceals a road sign or assigned address number erected or installed pursuant to this Ordinance shall be guilty of a misdemeanor punishable by a fine not to exceed three hundred dollars (\$300.00) or by imprisonment for a term not to exceed ninety (90) days, or both.

Section 12. Savings Clause

The provisions of this Ordinance are severable. If any provision, sentence clause, section, or part hereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstance, the illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance or its application to other persons or circumstances. It is hereby declared to be the intent of the County that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, sentence, clause, section, or part had not been included

herein, or if the person or circumstances to which this Ordinance or any part thereof are inapplicable had been specifically exempted therefrom.

Section 13. Enforcement

The Colfax County Commission shall be responsible for enforcing and provisions of this ordinance. Adopted this 14th day of June 2021. This ordinance shall become effective thirty (30) days after filing in the Office of the Clerk of Colfax County, New Mexico.



**BOARD OF COMMISSIONERS OF
COLFAX COUNTY, NEW MEXICO**

Bobby LeDoux, Chairman

Roy Fernandez, Vice-Chair

Brett Wier, Member

ATTESTED:

Rayetta Trujillo, Colfax County Clerk