

CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. O-25-73 ENACTMENT NO. _____

SPONSORED BY: Renée Grout, Nichole Rogers

1 **ORDINANCE**

2 **AMENDING THE INTEGRATED DEVELOPMENT ORDINANCE REGARDING**
3 **APPEAL COSTS.**

4 **WHEREAS, Policy 4.1.4 states that “Neighborhoods: Enhance, protect and**
5 **preserve neighborhoods and traditional communities as key to our long-term**
6 **health and vitality.”**

7 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
8 **ALBUQUERQUE:**

9 **SECTION 1. The IDO Section 6-4(U)(5) Appeal Costs is amended as follows:**
10 **6-4(U)(5) Appeal Costs:**

11 **(a) For an appeal to the LUHO related to an application that was**
12 **denied, all parties shall be responsible for their own costs.**

13 **(b) For an appeal to the LUHO related to an application that was**
14 **approved, if the appellant loses their appeal, they shall be responsible for**
15 **paying a total of \$1,000 for the costs and fees of the appellee. A finding on**
16 **costs and fees shall be made by the LUHO. The \$1,000 amount shall not apply**
17 **to any individual appellant that demonstrates hardship, low income or indigent**
18 **status, or entity appellant that has a majority of its area within an area that has**
19 **an overall score of 50 or greater on the City of Albuquerque’s Social**
20 **Vulnerability Index, as determined by the LUHO’s discretion.**

21 **SECTION 2. SEVERABILITY. If any section, paragraph, sentence, clause,**
22 **word or phrase of this Ordinance is for any reason held to be invalid or**
23 **unenforceable by any court of competent jurisdiction, such decision shall not**
24 **affect the validity of the remaining provisions of this Ordinance. The Council**
25 **hereby declares that it would have passed this Ordinance and each section,**

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1 paragraph, sentence, clause, word or phrase thereof irrespective of any
2 provision being declared unconstitutional or otherwise invalid.

3 SECTION 3. COMPILATION. SECTION 1 of this Ordinance amends, is
4 incorporated in, and is to be compiled as part of the Revised Ordinances of
5 Albuquerque, New Mexico, 1994.

6 SECTION 4. EFFECTIVE DATE. This Ordinance takes effect five days after
7 publication by title and general summary.

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