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2 AMENDING SECTION 14-19-4-12 R.O.A. 1994, THE IMPACT FEE ORDINANCE
3 FOR PARKS, RECREATION, TRAILS AND OPEN SPACE FACILITIES, TO
4 PROVIDE FOR A 100% REDUCTION OF IMPACT FEES FOR GREEN PATH
5 DEVELOPMENTS AND A 50% REDUCTION OF IMPACT FEES FOR ALL OTHER
6 DEVELOPMENTS; AMENDING SECTION 14-19-4-3 R.O.A. 1994, TO ADD
7 GREEN PATH DEVELOPMENTS DEFINITION.

SECTION 1. Section 14-19-4-3 R.O.A. 1994, is amended to add the following
definition in proper alphabetical order:

12 **“GREEN PATH DEVELOPMENTS. Consists of amendments to the Uniform**
13 **Administrative Code or other local codes that reduce energy use or encourage**
14 **sustainable buildings, certain levels of LEED certified buildings, Build Green**
15 **New Mexico certified residential buildings and other sustainable building**
16 **programs that are nationally recognized.”**

19 “(J) For a period of one (1) year ending July 1, 2010, impact fees
20 assessed for Green Path Developments pursuant to § 14-19-4-1 et seq. shall
21 be reduced by 100%.

22 (K) For a period of one (1) year ending July 1, 2010, impact fees
23 assessed on all other developments pursuant to § 14-19-4-1 et seq. shall be
24 reduced by 50%.”

SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or

1 unenforceable by any court of competent jurisdiction, such decision shall not
2 affect the validity of the remaining provisions of this ordinance. The Council
3 hereby declares that it would have passed this ordinance and each section,
4 paragraph, sentence, clause, word or phrase thereof irrespective of any
5 provision being declared unconstitutional or otherwise invalid.

6 SECTION 4. COMPILATION. This ordinance shall be incorporated in and
7 made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

8 SECTION 5. EFFECTIVE DATE. This ordinance shall take effect five days
9 after publication by title and general summary.

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