



Legislation Text

File #: O-11-3, Version: 2

CITY of ALBUQUERQUE
TWENTIETH COUNCIL

COUNCIL BILL NO. O-11-3 ENACTMENT NO. _____

SPONSORED BY: Trudy Jones and Brad Winter

ORDINANCE

Amending Sections 14-19-1-12(J) And (K) ROA 1994; 14-19-2-12(J) And (K) ROA 1994; 14-19-3-12(J) And (K) ROA 1994; 14-19-1-12(J) And (K) ROA 1994 To Expand From Twelve To Eighteen Months The Time Between Issuance Of A Building Permit And The Project Being Deemed Complete In Order To Have The Benefit Of Reduced Impact Fees (Jones, Winter)

AMENDING SECTIONS 14-19-1-12(J) AND (K) ROA 1994; 14-19-2-12(J) AND (K) ROA 1994; 14-19-3-12(J) AND (K) ROA 1994; 14-19-1-12(J) AND (K) ROA 1994 TO EXPAND FROM TWELVE TO EIGHTEEN MONTHS THE TIME BETWEEN ISSUANCE OF A BUILDING PERMIT AND THE PROJECT BEING DEEMED COMPLETE IN ORDER TO HAVE THE BENEFIT OF REDUCED IMPACT FEES.

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

SECTION 1. Sections 14-19-1-12(J) and (K) ROA 1994 are amended to read as follows:

“(J) For building permits deemed complete subsequent to but within 30 months of September 23, 2009, impact fees collected for green path developments pursuant to §14-19-1-1 et seq. shall be calculated at 0% if (1) a certificate of occupancy for the development is issued by the city within eighteen months of the date of the building permit being deemed complete, and (2) prior to the issuance of the city's certificate of occupancy, a New Mexico registered architect shall certify that the development has been constructed in accordance with the city approved building permit in order to qualify as a green path development.

(K) For building permits deemed complete subsequent to but within 30 months of September 23, 2009, impact fees collected on all developments pursuant to § 14-19-1-1 et seq., other than those listed in division (J), shall be calculated at 50% if a certificate of occupancy for the development is issued by the city within eighteen months of the date of the building permit being deemed complete.”

SECTION 2. Sections 14-19-2-12(J) and (K) ROA 1994 are amended to read as follows:

“(J) For building permits deemed complete subsequent to but within 30 months of September 23, 2009, impact fees collected for green path developments pursuant to §14-19-2-1 et seq. shall be calculated at 0% if (1) a certificate of occupancy for the development is issued by the city within eighteen months of the date of the building

permit being deemed complete, and (2) prior to the issuance of the city's certificate of occupancy, a New Mexico registered architect shall certify that the development has been constructed in accordance with the city approved building permit in order to qualify as a green path development.

(K) For building permits deemed complete subsequent to but within 30 months of September 23, 2009, impact fees collected on all developments pursuant to § 14-19-2-1 et seq., other than those listed in division (J), shall be calculated at 50% if a certificate of occupancy for the development is issued by the city within eighteen months of the date of the building permit being deemed complete.”

SECTION 3. Sections 14-19-3-12(J) and (K) ROA 1994 are amended to read as follows:

“(J) For building permits deemed complete subsequent to but within 30 months of September 23, 2009, impact fees collected for green path developments pursuant to §14-19-3-1 et seq. shall be calculated at 0% if (1) a certificate of occupancy for the development is issued by the city within eighteen months of the date of the building permit being deemed complete, and (2) prior to the issuance of the city's certificate of occupancy, a New Mexico registered architect shall certify that the development has been constructed in accordance with the city approved building permit in order to qualify as a green path development.

(K) For building permits deemed complete subsequent to but within 30 months of September 23, 2009, impact fees collected on all developments pursuant to § 14-19-3-1 et seq., other than those listed in division (J), shall be calculated at 50% if a certificate of occupancy for the development is issued by the city within eighteen months of the date of the building permit being deemed complete.”

SECTION 4. Sections 14-19-4-12(J) and (K) ROA 1994 are amended to read as follows:

“(J) For building permits deemed complete subsequent to but within 30 months of September 23, 2009, impact fees collected for green path developments pursuant to §14-19-4-1 et seq. shall be calculated at 0% if (1) a certificate of occupancy for the development is issued by the city within eighteen months of the date of the building permit being deemed complete, and (2) prior to the issuance of the city's certificate of occupancy, a New Mexico registered architect shall certify that the development has been constructed in accordance with the city approved building permit in order to qualify as a green path development.

(K) For building permits deemed complete subsequent to but within 30 months of September 23, 2009, impact fees collected on all developments pursuant to § 14-19-4-1 et seq., other than those listed in division (J), shall be calculated at 50% if a certificate of occupancy for the development is issued by the city within eighteen months of the date of the building permit being deemed complete.”

SECTION 5. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

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

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect five days after publication by title and general summary.

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