

RESOLUTION NO. 2023-25

A RESOLUTION DECLARING THE BUILDING OR STRUCTURE, OR THE PREMISES LOCATED AT 1703 DEWEY LANE ALAMOGORDO, OTERO COUNTY, NEW MEXICO, TO BE RUINED, DAMAGED, AND DILAPIDATED TO BE A MENACE TO THE PUBLIC COMFORT, HEALTH, PEACE, OR SAFETY, AND ORDERING ITS ABATEMENT

WHEREAS, the governing body of the City of Alamogordo, New Mexico, finds that there is located within the City a certain building, structure, or premises at 1703 Dewey Lane, as more particularly described on the attached Exhibit 1 (the "Property"); and,

WHEREAS, the governing body does further find that the Code Enforcement Manager has investigated the condition of the Property and has found the same to be so ruined, damaged, and dilapidated, or covered with ruins, rubbish, wreckage, or debris, that it constitutes a menace to the public comfort, health, peace or safety so as to warrant abatement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION:

Section 1. That the findings of said Code Enforcement Manager, in regard to the Property, attached hereto as Exhibit 2, are hereby approved and adopted, and that the Property is found to be ruined, damaged, and dilapidated, so as to constitute a menace to the public comfort, health, peace or safety pursuant to Section 3-18-5, NMSA, 1978.

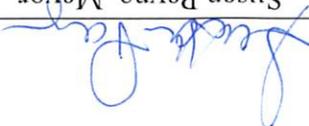
Section 2. That Mr. Rudy Ramos and Mr. Rene Ramos, the record owners of the Property, is hereby ordered to commence removal of the building or structure from the Property within ten (10) days after service of a copy of this Resolution, or within said ten (10) day period, file written objection to findings herein with the City Clerk of the City of Alamogordo, asking for a hearing before the City Commission.

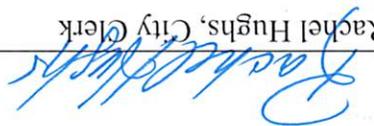
Section 3. That if there is a failure of compliance with the provision of Section 2 herein, the City of Alamogordo shall proceed to remove said building or structure from the Property and abate said unsafe condition, at the cost and expense of said record, with said cost and expense constituting a lien against the building or structure so removed, and against the Property, as allowed by law.

Section 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word, or phrase of this resolution 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 resolution. The Commission hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word, or phrase thereof, irrespective of any provisions being declared unconstitutional or otherwise invalid.

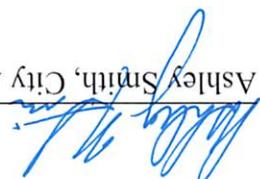
PASSED, APPROVED AND ADOPTED, this 25th day of July 2023.

CITY OF ALAMOGORDO, NEW MEXICO
a New Mexico municipal corporation

By: 
Susan Payne, Mayor


Rachel Hughes, City Clerk

APPROVED AS TO FORM:


Ashley Smith, City Attorney



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Account: R011639

Location

Account Number R011639
Situs Address 1703 DEWEY LN
Previous Parcel ID 01-02009
Parcel Sequence
Neighborhood A8 - Alamo Estates
Tax Area 01_R
Parcel Number 01N4056093365190
Legal Summary Subd: ALAMOGORDO ESTATES Lot: 4 Block: 2
Appraiser STEVE BOYLE

Owner Information

Owner Name RAMOS & RAMOS & RAMOS ET AL
Owner Address 2000 CRESCENT DR ALAMOGORDO, NM 88310

Assessment History

Actual (2023 - Residential Cap applied)		\$109,938
Primary Taxable		\$36,646
Exemption Adjustments:		
Head of Household		(\$2,000)
Veteran		(\$4,000)
Adjusted Taxable Total		\$30,646
Tax Area: 01_R Mill Levy: 26.030000		
Type	Actual	Assessed Acres SQFT
Residential Land	\$13,000	\$4,333 0.185
Residential Improvement	\$96,938	\$32,313 1786.000

Transfers

Sale Date	Sale Price	Doc Description
		Deed
		Warranty Deed

Tax History

Tax Year	Taxes
*2023	\$953.88
2022	\$926.08

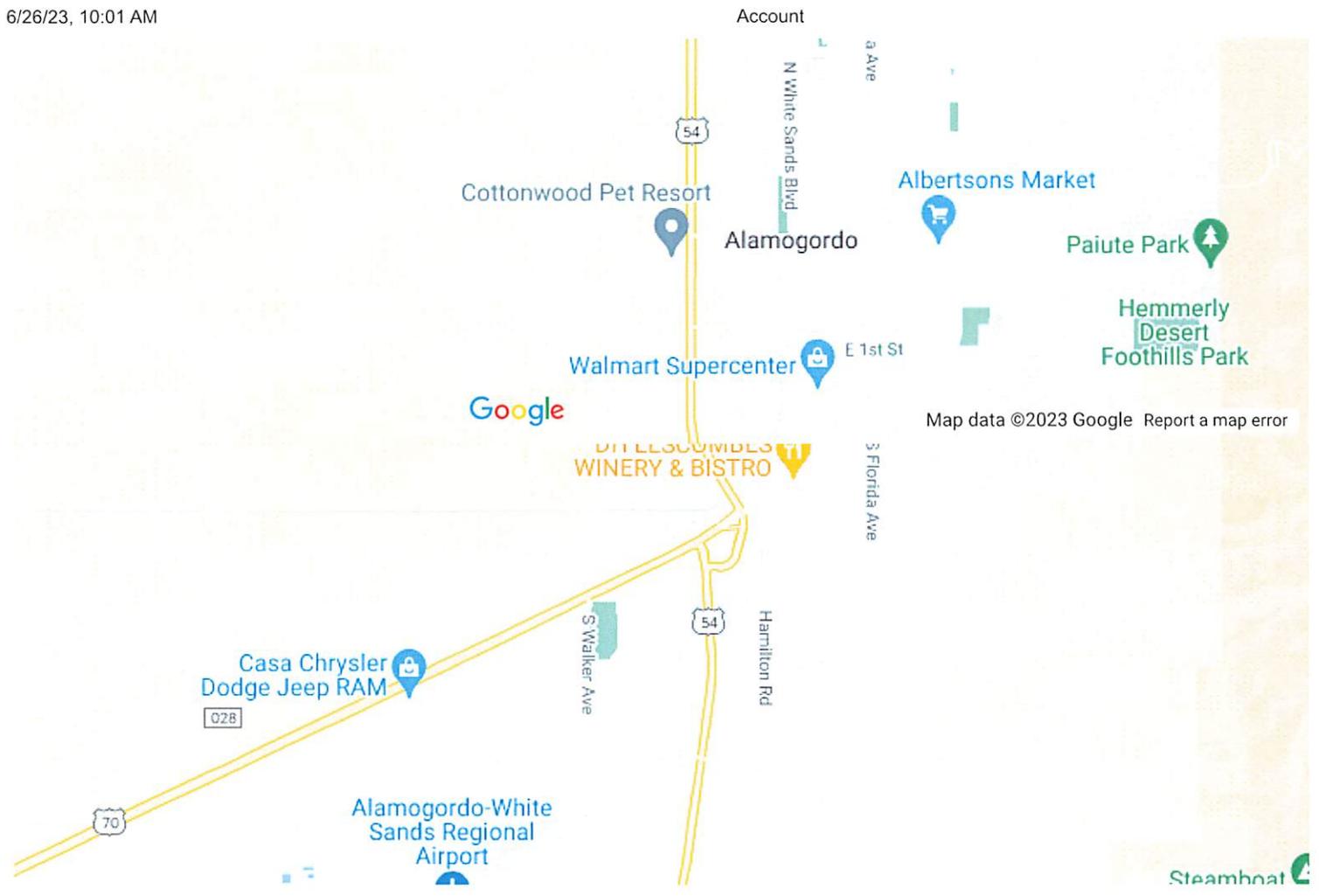
Images

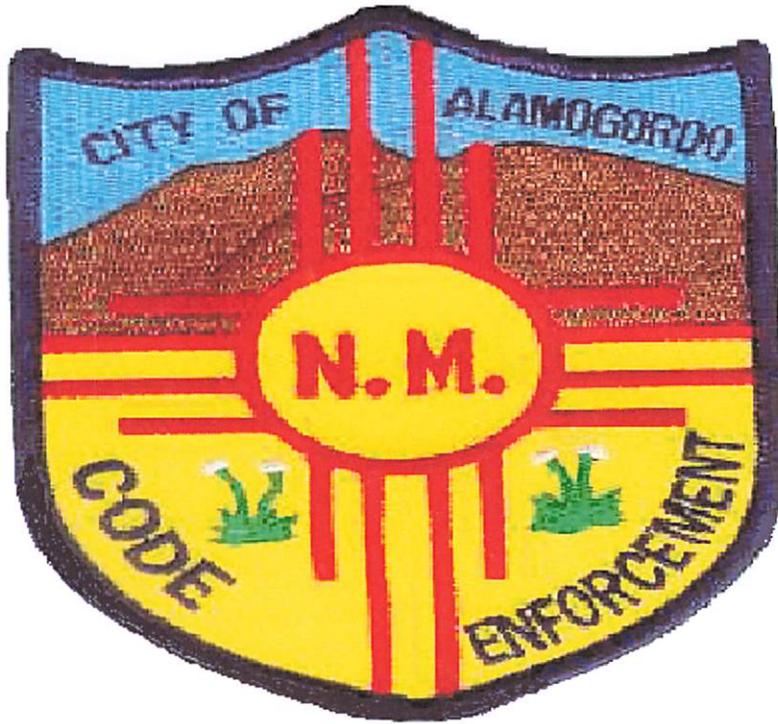
- [Map](#)
- [Sketch](#)
- [GIS](#)

* Estimated

Focusing On: 1703 DEWEY LN ALAMOGORDO 88310







Case #: 202300582

Case Date: 03/13/23

Address Number: 1703

Street Name: Dewey

Complainant Phone: 5754394375

Description: Trash and debris and outdoor storage of materials

Complainant Address: 2010 Oregon

Complainant Name: Baca

Reinspection: 03/29/2023

Compliance Inspection :

Property Owners :

Court case number:

DOB:

ID #:

Court Date:

Status: Draft Resolution

Assigned To: JOSH SIDES

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
01N4056093365190	1703 DEWEY LN	Subd: ALAMOGORDO ESTATES Lot: 4 Block: 2	RAMOS, RUDY & RENE		

Activities

Date	Activity Type	Description	Employee	Status
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03/13/2023	Inspection	Observed trash and debris, outside storage of materials.	CHRISTIAN BACA	Assigned
03/29/2023	Re-Inspection	Upon reinspection of this property, some of the violations had been taken care of, but still in non compliance. On 05/11/2023, I, Code Enforcement Manager Josh Sides, was made aware of a dilapidated structure located at 1703 Dewey Lane, Alamogordo, Otero County, New Mexico. Upon arrival to the residence, I observed several violations of the International Property Maintenance Code (IPMC). These violations included: <ul style="list-style-type: none"> • 302.1 Sanitization- Please remove or have removed all debris and junk from the back yard of the property. • 304.1 General- Please repair or have repaired any defects in the walls so they are structurally sound and sanitary so as not to threaten public health, safety, or welfare. • 304.1.1 Unsafe Conditions- Please repair or have repaired the roof of the residence so it will not admit rain into the residence and will support all nominal loads. • 304.2 Protective treatment- Please repair or have repaired all exterior surfaces in good condition and weather resistant with paint or sealant. • 304.3 Premises Identification- Please have the numerics of the residence posted so they are legible from the street, contrast with the background, and are a minimum of 4 inches tall with a stroke width of .5 inches wide • 304.4 Structural members- Please repair or have repaired exterior walls (structural members) so they can support dead and live loads on them. • 304.6 Exterior walls- Please repair or have repaired exterior walls so they are free from cracks, holes, or any other deterioration and are weatherproofed. • 304.7 Roofs and drainage- Please repair or have repaired the roof of the building to include flashing so it is sound, tight, and free of defects that allow rainwater in. • 304.13 Window, skylight, and door frames- Please repair or have repaired all doors and windows to good condition, good repair, and weather tight. • 306.1.1 Unsafe Conditions- Please repair or have repaired all or replace all components of the residence with fire damage. <p>I drafted an IPMC letter and mailed it to the property owners, Identified through the Otero County Accessors Office to be Mr. Rudy Ramos and Mr. Rene Ramos.</p>	CHRISTIAN BACA	Non-Compliance
05/11/2023	Inspection		JOSH SIDES	Non-Compliance
06/05/2023	Inspection	On 06/05/2023, I, Code Enforcement Manager Josh Sides, received the IPMC letter back to Code Enforcement stating it was undeliverable. Per IPMC Code, I posted the IPMC letter to the door of the residence.	JOSH SIDES	Non-Compliance
06/16/2023	Inspection	On 06/16/2023, I, Code Enforcement Manager Josh Sides, applied for and was granted an Administrative Search Warrant for 1703 Dewey by 12th Judicial District Court Judge Jessen.	JOSH SIDES	Completed

06/21/2023	Inspection	<p>On 06/21/2023 at approximately 1330 hours, I, Code Enforcement Manager Josh Sides, along with Code Enforcement Officers Otero and Payan, Facility Maintenance Manager Paul Bennett, Deputy Fire Chief Ramirez, and Sgt. Watts executed the search warrant for 1703 Dewey. Sgt. Watts made contact with the people inside of the residence and informed them of the search warrant. Upon the residence being clear and safe, all members of the search warrant team entered the property to conduct an inspection. Photographs of the residence were collected as evidence. The property and a copy of the search warrant was given to Mr. Rene Ramos who was at the residence.</p>	JOSH SIDES	Closed
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Violations

Date	Violation	Description	Notes	Status
03/13/2023	<p>*14-01-020. - Accumulation of garbage, refuse and debris; removal.</p>	<p>(a)No person shall permit to accumulate upon premises owned, leased or occupied by him, any garbage or refuse, except in covered watertight containers made of metal or plastic.(b)No person shall throw, place, dump or dispose of any debris on any street, gutter, sidewalk or alley, nor shall any person allow the accumulation upon his property, of any debris for a longer period than five (5) days. Sites subject to an active building permit may accumulate these items for longer than five (5) days, but such items must be maintained in an orderly fashion so as not to impede on the property of others or create a hazard or attractive nuisance. Materials must be removed upon the completion of the permitted construction.(c)No person shall dump, deposit, place or dispose of any trash, debris, junk, or other matter on public property or upon the property of another without the written consent of the property owner.(d)No person shall cause or permit to remain upon any property, private or public, any dead animal, animal waste or vegetable or mineral matter or any composition or residue thereof which is in an unsanitary condition or is hazardous to public health.(e)Any unauthorized accumulation of garbage, refuse or debris is declared to be a nuisance and is prohibited.(f)No person shall cast, place, sweep or deposit anywhere within the city any garbage, refuse or debris in such a manner that it may be carried or deposited by the elements upon the street, sidewalk, alley, sewer, parkway or other public place, or into any occupied premises within the city.</p>		*Open
03/13/2023	<p>*14-01-030. - Garbage and refuse; precollection practices.</p>	<p>(a)Garbage and refuse shall be placed and maintained in containers of a type approved by the code enforcement officer.(b)No person shall burn refuse unless it is burned in an incinerator approved by the code enforcement officer. These containers shall be separate and apart from containers used for depositing garbage and refuse.(c)It shall be the responsibility of all persons to dismantle and/or flatten all boxes or packing crates, regardless of construction, and to bundle all tree clippings, before placing the same in garbage containers.(d)The following items of solid waste shall not be placed in regular collection containers, and the producers of such solid waste will be required to individually contract with the contractor or hauler for the disposal of such solid waste: Poisons, acids, caustics, chemicals, explosives, waste contaminated by infectious diseases, radioactive waste, dead animals, live pests, rocks, sand, dirt, concrete, bricks and building materials.(e)Garbage disposed of in containers provided by the contractor shall be first deposited in closed flyproof containers.(f)Motor oil and similar liquid material shall be disposed of only in sealed containers, or by arrangement with the contractor or a hauler. All such disposal shall be done in accordance with environmental protection agency standards. (Ord. No. 700, § 2, 9-24-85)</p>		*Open

Junk means any manufactured good, appliance, fixture, furniture, machinery, vehicle, personal property or any other thing or part thereof, whether of value or valueless, that is demolished, discarded, dismantled, or in such a condition as to be generally unusable and/or inoperable in its existing state. This shall include by way of illustration only and without limitation wood, used lumber, paper, glass, bottles, rags, rubber, scrap metal, tin cans, scrap material, waste, concrete, rubble, boxes, crates, building materials, or machinery parts. (b)Declared nuisance. The presence of junk on any street, occupied or unoccupied land within the city limits in violation of the terms of this section is a public nuisance. (c)Prohibited acts. It is unlawful for any person, firm, or corporation to store, or permit to be stored or placed, or allow to remain on any public or private property or street or highway within the city limits any junk unless such junk is in an enclosed fence or wall and such junk is not visible from adjoining or surrounding property or from the street or streets or public ways. It shall be unlawful for any person to allow any vehicle regardless of condition to be left unattended on jacks or blocks for any length of time. Such activity shall be considered a public nuisance and a danger to the public welfare.

03/13/2023 *14-01-150. - Outdoor storage.

*Open

Attached Letters

Date	Letter	Description
03/13/2023	Notice of Violation	

Notes

Date	Note	Created By:
2023-06-05	Certified IPMC letter returned as "Return to Sender. UNCLAIMED. Unable to forward" Address is correct according to the Otero County website.	Jessica Wing

Uploaded Files

Date	File Name
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06/05/2023	15651015-Dewey, 1703. Returned Certified IPMC letter.pdf
05/15/2023	15407331-DEWEY 1703 IPMC POSTED.pdf
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03/29/2023	14885634-IMG_6657.JPG
03/29/2023	14885635-IMG_6658.JPG
03/29/2023	14885636-IMG_6659.JPG
03/29/2023	14885631-IMG_6654.JPG
03/29/2023	14885632-IMG_6655.JPG
03/29/2023	14885633-IMG_6656.JPG
03/13/2023	14718370-1703 Dewey (3).JPG
03/13/2023	14718371-1703 Dewey (4).JPG
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03/13/2023	14718364-1703 Dewey (10).JPG
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03/13/2023	14718368-1703 Dewey (1).JPG
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