

SIERRA COUNTY

CODIFYING THE NEW MEXICO ENABLING ACT

ORDINANCE NO: 23-004

PASSED: _____

EFFECTIVE DATE: 30 DAYS

SIERRA COUNTY
BOARD OF COUNTY COMMISSIONERS
ORDINANCE № 23-004

CODIFYING THE NEW MEXICO ENABLING ACT

PREAMBLE:

WHEREAS, the Sierra County Board of Commissioners met upon notice of a Business Meeting, duly published, at the Sierra County Administration Building, 444 Luna Avenue, Los Lunas, New Mexico 87031 on November 14, 2023, at 10:00 AM as required by law; and,

WHEREAS, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), have the power to “protect generally the property of its municipality and its inhabitants” and to “preserve peace and order”; and,

WHEREAS, NMSA 1978, Section 4-37-1 *et seq.* (1975) provides that counties may adopt ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants.

NOW, THEREFORE, BE IT ORDAINED by the Sierra County Board of Commissioners that Sierra County will not recognize nor enforce any State Law, Mandate or Order that violates or is contrary to, the provisions of the Enabling Act for New Mexico. The ratification of the “Compact with the United States” and Proclamation Admitting New Mexico as a State into the Union on January 6, 1912, established the State of New Mexico is an inseparable part of the federal union and the Constitution of the United States as the supreme law of the land.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Sierra County Board of Commissioners that any Law, Mandate or Order issued by the Government of the State of New Mexico or agent thereof that is contrary to the Constitution of the United States is void and not enforceable within the boundaries of this County.

ADOPTED, APPROVED AND ORDAINED on this ___ day of _____ 2023.

BOARD OF COMMISSIONERS OF SIERRA COUNTY

Travis Day, Chairman

James Paxon, Vice-Chairman

Hank Hopkins, Commissioner
Attest:

Shelly K. Trujillo
Sierra County Clerk