

City of Albuquerque Code of Ordinances

CHAPTER 14: ZONING, PLANNING AND BUILDING/ARTICLE 8: COMMISSIONS, COUNCILS, AGENCIES AND OTHER BODIES.

§ 14-8-2-1 SHORT TITLE.

Sections 14-8-2-1 et seq. may be cited as the "Neighborhood Association Recognition Ordinance." ('74 Code, § 7-11-1) (Ord. 14-1987)

§ 14-8-2-2 LEGISLATIVE FINDINGS AND PURPOSE.

- (A) Early identification and resolution of potential conflicts involving neighborhoods and the private sector can be of utmost value to all concerned.
 - (B) A standardized recognition policy for Albuquerque neighborhood associations would promote improved communications between neighborhood associations and city government.
 - (C) Due to the potential impact of new development and redevelopment upon neighborhoods, it can be useful if developers coordinate major proposals and plans with neighborhood associations.
 - (D) The purpose of §§ 14-8-2-1 et seq. is to meet the needs specified by the above legislative findings, while not limiting the rights of any other person, including nonrecognized neighborhood groups, to input directly into the city's decision-making processes.
- ('74 Code, § 7-11-2) (Ord. 14-1987)

§ 14-8-2-3 DEFINITIONS.

- (A) For the purpose of §§ 14-8-2-1 et seq., the following definition shall apply unless the context clearly indicates or requires a different meaning.

NEIGHBORHOOD ASSOCIATION. An organized group of people or other legal entities who own or occupy real property within a specified sub area of the city.

- (B) Words not defined herein, but defined in the Zoning Code, are to be construed as defined therein.

('74 Code, § 7-11-3) (Ord. 14-1987)

§ 14-8-2-4 CRITERIA FOR RECOGNITION OF NEIGHBORHOOD ASSOCIATIONS.

A neighborhood association shall be designated a recognized neighborhood association by the Mayor when and so long as all the following criteria are found to be met:

- (A) The association shall file with the City Office of Neighborhood Coordination a current copy of their bylaws. The bylaws shall include the following provisions:
 - (1) The geographic boundaries of the neighborhood association shall be reasonable; boundaries are recommended to include an area of the city not more than one square mile and not less than 15 acres or 4 blocks. The boundaries of any neighborhood association in existence on the effective date of §§ 14-8-2-1 et seq. shall be deemed reasonable.

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- (2) The association shall make full membership open to all persons residing within its boundaries and to all persons and legal entities owning property or having a place of business within its boundaries.
 - (3) The association shall hold at least one meeting per year for which it makes a reasonable attempt to give written notice to every household and place of business within the association's boundaries; mail, delivered handbills, or a number of prominent signs are examples of adequate notice. No election shall be held at a meeting of an association unless the meeting is so advertised.
 - (B) Officers of recognized associations shall annually submit a letter to the Office of Neighborhood Coordination attesting to the number of dues-paying members their records indicate for the previous year. If an association has no dues-paying members, or if dues-paying membership does not adequately reflect an association's size, its officers shall annually submit other evidence of the size of its active membership.
 - (C) No new neighborhood association shall be recognized which has within its boundaries a geographic area already defined within the boundaries of an existing, previously recognized neighborhood association unless the new association demonstrates to the satisfaction of the Mayor that it has more membership in the overlapping area than the first association.
 - (D) The appropriate district City Councilor and the City Office of Neighborhood Coordination shall be furnished with names, addresses and available phone numbers of current neighborhood association officers and/or board members.
 - (E) Evidence of an annual general membership meeting advertised as specified in division (A)(3) above shall be sent to the City Office of Neighborhood Coordination within 60 days of the meeting.
 - (F) Failure to comply with any of the preceding criteria shall result in notification of noncompliance being sent to the recognized neighborhood association officers and/or board members from the City Office of Neighborhood Coordination. Upon receipt of this notice, a recognized neighborhood association must offer evidence of compliance within 60 days; if it does not comply, the association shall be removed from the list of recognized neighborhood associations.
- ('74 Code, § 7-11-4) (Ord. 14-1987)

§ 14-8-2-5 RESPONSIBILITIES OF RECOGNIZED NEIGHBORHOOD ASSOCIATIONS.

Recognized neighborhood associations shall:

- (A) By interaction with their members, residents, and the city, strive to uphold good planning, protect the environment, and promote the community welfare. Communication should be fostered between the recognized neighborhood association and city government on plans, proposals, and activities affecting their area.
- (B) Attempt to inform members and other eligible participants in their neighborhood issues for discussion.

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- (C) Establish an orderly and democratic means for making representative decisions.
 - (D) Establish and follow a clear method for reporting to the city actions which accurately reflect the neighborhood's position. When a neighborhood association presents its official position on an issue to the city, it shall be prepared to identify whether the decision was reached by the board, a poll of the general membership, or by a vote at a general membership meeting, and the vote for and against the position.
 - (E) Comply with its bylaw provisions as specified in § 14-8-2-4 above.
 - (F) Notify the City Office of Neighborhood Coordination and the district City Councilor(s) of general membership meetings at least two weeks in advance, when possible.
 - (G) Notify the City Office of Neighborhood Coordination of two persons' addresses where it wishes notice to be sent pursuant to §§ 14-8-2-1 et seq.; such designation shall be changed by the neighborhood association when appropriate.
- ('74 Code, § 7-11-5) (Ord. 14-1987)

§ 14-8-2-6 RESPONSIBILITIES OF THE CITY.

- (A) The Mayor shall make reasonable attempts to give mailed notice to recognized neighborhood associations of rank one, two, and three plan applications, which plans would cover areas within or contiguous to the recognized neighborhood association's boundaries; notification shall be when the application is filed. Recognized neighborhood associations shall be notified of new plans and plan amendments upon initiation of such a project by city departments and within five days of application filing by others. The Mayor shall make reasonable attempts to mail such associations notice concerning all subsequent public hearings of city boards, commissions, and task forces concerning such plan proposals, except hearings which have been deferred to a specific time announced at the prior hearing.
- (B) The Mayor shall make reasonable attempts to give directly affected recognized neighborhood associations prior mailed notification of pending major city development and redevelopment projects and changes in services by the city which will have a direct, significant impact on that neighborhood; street construction and major repair, total closing of streets, changes in size or type in city parks, building of new city facilities, or rerouting of bus service are examples. With regard to permanent and temporary street construction and major repair, the Mayor shall give mailed prior notification to the recognized neighborhood associations within one mile of the street construction and/or major repair. When new speed humps, speed tables or traffic circles are planned, the Mayor shall make reasonable attempts to mail notification of the pending changes to recognized neighborhood associations located within 500 feet of the new traffic control device prior to their installation.
- (C) The Mayor shall require written affirmation of prior notice to recognized neighborhood associations at the time of filing applications, as specified in § 14-8-2-7. Not less than 15 days prior to the first public hearing on applications specified in § 14-8-2-7, the Mayor shall mail notices of the hearing to such recognized neighborhood associations.

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- (D) For the purpose of divisions (A), (B), and (C) of this section, first class letters mailed to two contact addresses submitted by a neighborhood association shall constitute reasonable attempt to notify.
- (E) The city shall mail initial response within seven days of receipt of any correspondence received from any recognized neighborhood association that requests an answer, definition, or status of any city project within their boundaries.
- (F) The City Office of Neighborhood Coordination shall:
- (1) Notify all known neighborhood associations and prospective associations of the requirements for recognition, and advise such groups on how to meet the requirements;
 - (2) Review its files on neighborhood associations to verify if each association has met the requirements for recognition with current information;
 - (3) At least annually notify each known neighborhood association of its current recognition status; city agencies shall also be advised of associations' status;
 - (4) Encourage individuals to cooperate with their existing neighborhood association;
 - (5) Work with City officials and recognized neighborhood associations to develop appropriate processes for neighborhood review and comment on city plans and policies;
 - (6) Supply to all recognized neighborhood associations a current list of all city government agencies, their department heads, and corresponding phone numbers;
 - (7) Advise recognized neighborhood associations of self-help projects which could enhance the quality of life within their neighborhoods;
 - (8) Along with the district Councilor, serve when appropriate as a liaison between a recognized neighborhood associations and city agencies;
 - (9) Provide for the sharing of information with recognized neighborhood associations by furnishing, upon request, available pertinent information;
 - (10) Provide to recognized neighborhood associations a city newsletter to inform them about happenings in city government and to increase communications between such neighborhood associations;
 - (11) Provide to neighborhood associations workshops on appropriate topics concerning city procedures and actions as well as the effective operation of neighborhood associations; such workshops shall be free for two representatives of each recognized neighborhood association, while a fee may be charged to others; fees may be charged for materials;
 - (12) Upon request, assist the district Councilor and/or neighborhood associations in the formation of alliances of neighborhood associations; and;

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(13) Supply to the public and to city officials the names and addresses of the two designated recipients of notices, as most recently specified by each recognized neighborhood association.

(G) Neighborhood groups which are not recognized neighborhood associations will upon request be placed on the mailing list of the City Office of Neighborhood Coordination to receive its newsletter and notices of neighborhood association workshops.

(H) With the advice and consent of the Council, the Mayor may promulgate rules and guidelines necessary to implement §§ 14-8-2-1 et seq.

('74 Code, § 7-11-6) (Ord. 14-1987)

§ 14-8-2-7 RESPONSIBILITIES OF APPLICANTS AND DEVELOPERS.

Applicants for approval of amendments of the zone map, zoning site development plans (except houses and accessory buildings), major subdivisions, vacations of public right-of-way, mapping historic districts, land marking sites, and issuance or transfer of liquor licenses shall, prior to filing the application, make a reasonable attempt to give written notification of their proposal to any recognized neighborhood association which covers, abuts, or is across public right of way from the site of their plans. Certified letters, return receipt requested, mailed to the two designated neighborhood association representatives on file at the City Office of Neighborhood Coordination constitutes a reasonable attempt to notify an association. Failure by an applicant to show proof of either notification in person or a reasonable attempt to give written notification of its proposal to such designated association representatives shall be grounds for a neighborhood association to request deferral of a hearing. The application for such hearing shall include a signed statement that such notification has been sent.

('74 Code, § 7-11-7) (Ord. 14-1987)