

LUNA COUNTY-NM
BERENDA MCHWRIGHT, CLERK
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BY TONI

LUNA COUNTY, NEW MEXICO

ORDINANCE 107



AN ORDINANCE ADDRESSING ENERGY PRODUCTION FACILITIES

WHEREAS, the County of Luna (the “County”) acting through its Board of County Commissioners, is a political subdivision duly organized and existing under the laws of the State of New Mexico;

WHEREAS, pursuant to Section 4-37-1, NMSA 1978, the Board of County Commissioners of Luna County are empowered to enact regulations which provide for the safety, preservation of health, and promotion of prosperity and that improve the order, comfort and convenience of the citizens of Luna County;

WHEREAS, the Board of County Commissioners finds that Luna County is a most favorable location for the production of energy, including but not limited to wind, solar, coal, natural gas, nuclear, geothermal and biomass energy production facilities;

WHEREAS, the Board of County Commissioners wishes to promote the responsible development of energy production facilities and also finds that irresponsible and uncontrolled development of energy production facilities can adversely affect the health, safety, public welfare and character of Luna County and its residents;

WHEREAS, the Board of County Commissioners intends to- establish a fair and efficient process overseeing the placement, construction, use, modification and reclamation of energy production facilities in accordance with best practices and the highest industry standards thereby minimizing the potential adverse impact of energy production facilities.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS ON BEHALF OF THE PEOPLE OF LUNA COUNTY, NEW MEXICO:

This Ordinance shall govern the placement, construction, use, modification, decommissioning and reclamation of energy production facilities located within the County, including privately owned land and land owned by the United States, the State of New Mexico and political subdivisions thereof but excluding land located within the limits of any duly incorporated municipality.

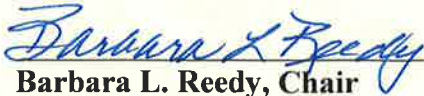
The process for requesting and obtaining a permit for the placement, construction, use, modification, decommissioning and reclamation of an energy production facility and the standards applicable thereto shall be established by a separate policy, as approved by the Board of County Commissioners from time to time, and incorporated herein by reference as if set out herein in its entirety.

BE IT FURTHER ENACTED, that the County Manager, or his designee, is hereby authorized and directed to do all things necessary to implement this Ordinance, including the preparation and presentation of the necessary policies, procedures and forms.

APPROVED AND ADOPTED THIS 12th DAY OF AUGUST, 2021.

BOARD OF COUNTY COMMISSIONERS
LUNA COUNTY, STATE OF NEW MEXICO

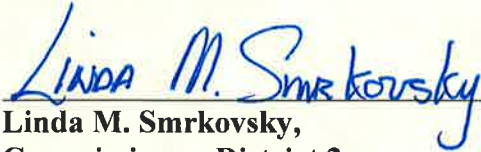
ATTEST:



Barbara L. Reedy, Chair
Commissioner, District 1



Berenda McWright,
County Clerk



Linda M. Smrkovsky,
Commissioner, District 2



John S. Sweetser,
Commissioner, District 3

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