

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 2025 - 141

**A RESOLUTION FINDING 4,7, 11 CEDAR GROVE CT A PUBLIC NUISANCE AND
AUTHORIZING ADMINISTRATIVE ENFORCEMENT CODE ENFORCEMENT CASE
25-8025 PURSUANT TO ORDINANCE 2023-04**

WHEREAS, on July 25, 2023, the Board of County Commissioners of Santa Fe County ("BCC") adopted Ordinance 2023-04, An Ordinance Repealing and Replacing Ordinance Nos. 1989-2 and 1993-6 and Amending No 2009-11 to Update and Define Property Nuisance Abatement and Provide for a Clean and Lien Enforcement Process, establishing the Property Nuisance Abatement Ordinance ("Ordinance"); and

WHEREAS, on July 30, 2024 direct observations made by Santa Fe County Code Enforcement Officers ("SFCEE") revealed significant trash and debris scattered throughout the yard, abandoned/inoperable vehicles and a dilapidated manufactured home; and

WHEREAS, additional inspections were conducted by SFCCE on June 30, 2025, February 19, 2025 and May 16, 2025, which confirmed numerous violations and that no action had been taken to fix the violations; and

WHEREAS, the property owner of record, is John Raschel; and

WHEREAS, a Notice of Written Order has been posted at the property and a copy was sent to the property address; and

WHEREAS, on September 25, 2025, a public evidentiary hearing was held pursuant to the rules established in the Ordinance and Santa Fe County Resolution 2024-156; and

WHEREAS, a notice of the hearing was mailed to the property the owner, John Raschel appeared on behalf of the property owner; and

WHEREAS, the Nuisance Hearing Officer has issued a decision finding the existence of a nuisance and that the state of property endangers the health, safety and welfare of the residents of Santa Fe County; and

WHEREAS, the violations of the County's Property Nuisance Abatement Ordinance include:

SECTION 3. NUISANCE DEFINED AND PROHIBITED.

B. Unless the conditions of a property appearing to be a nuisance occur as part of a permitted use of a property under the Sustainable Land Development Code (SLDC), and only to the extent that such use is in compliance with the requirements of all County ordinances and the development permit for the property, each of the following conditions existing on any parcel of real property

SFC CLERK RECORDED 12/04/2025

within the County shall be deemed and declared to constitute a public nuisance and is prohibited:

(1) Abandoned or Inoperable Motor Vehicle – Abandoned, inoperable or extensively damaged motor vehicles which are located within the County on any private lot, tract, or parcel of land, or portion thereof, occupied or unoccupied, improved or unimproved, which are visible from any public place, including but not limited to, public rights-of-way, parks, public buildings and their grounds, and private business or commercial property open to the public in the normal course of business, unless the vehicles are located on the premise of a business where an activity is within the contemplated purposes of a licensed business with the appropriate zoning or permitted use, such as a licensed salvage yard or vehicle demolisher. Vehicles that are at least thirty-five (35) years old and are being actively restored for their historic value are not included in the definition of abandoned or inoperable motor vehicles. Non-antique vehicles that are either inoperable or extensively damaged and are being actively repaired with repairs completed within 180 days are not included in the definition of inoperable vehicles.

- a. A motor vehicle will be considered “abandoned” if it has been determined by a New Mexico law enforcement agency: (a) to have been left unattended on either public or private property for at least thirty (30) days; (b) not to have been reported stolen; (c) not to have been claimed by any person asserting ownership; and (d) not to have been shown by normal record-checking procedures to be owned by any person.
- b. A motor vehicle will be considered “inoperable” if it cannot be safely operated or if it is incapable of being moved under its own power or if it may not be legally operated due to lack of any legal requirement, including, but not limited to, a current license tag.

(5) General Nuisances – The accumulation, collection, dumping or stockpiling of any garbage, trash, litter, debris, rubbish, tires, appliances, junk, or other material.

SECTION 4. SUBSTANDARD BUILDING CONDITIONS WHICH CONSTITUTE A NUISANCE.

A. Any building or portion thereof, including any dwelling unit, guest room or suite of rooms, and the real property on which the same is located, in which there exists any of the following listed conditions to an extent and degree that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof, shall be deemed and declared to constitute a nuisance under this Ordinance:

- (1) Lack of, or not properly operative water closet, lavatory, bathtub or shower in a dwelling unit.
- (2) Lack of, or not properly operative water closets, lavatories and bathtubs or showers in a motel.
- (3) Lack of, or not properly operative kitchen sink.

- (4) Lack of hot and cold running water to plumbing fixtures in a motel.
- (5) Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
- (6) Lack of adequate heating facilities.
- (7) Lack of, or improper operation of required ventilating equipment.
- (8) Dampness of habitable rooms because of faulty weather protection.
- (9) General dilapidation or inadequate maintenance.
- (10) Lack of connection to a required, adequate and functioning sewage disposal system.
- (11) Structural hazards shall include, but are not limited, to the following:
 - a. Deteriorated or inadequate foundations.
 - b. Defective or deteriorated flooring or floor supports.
 - c. Flooring or floor supports of insufficient size to carry imposed loads with safety.
 - d. Members of walls, partitions or other vertical supports that spilt, lean, list or buckle.
 - e. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
 - f. Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle.
 - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
 - h. Fireplaces or chimneys which list, bulge or settle.
 - i. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
 - j. Inside or outside stairs, porches, and appurtenance thereto which are incapable of supporting the load that normal use may cause to be placed thereon and unsafe to use.
 - k. Interior walls and ceilings with holes or large cracks, loose plaster and other structural materials, the collapse of which might constitute an accident hazard.

B. In addition to the conditions deemed to constitute a nuisance in other sections of this Ordinance, any building, including a structure, shall be deemed and declared to constitute a nuisance under this Ordinance if any of the following conditions exist:

(1) The building has broken windows or doors constituting hazardous conditions and inviting trespassers or malicious mischief;

(2) The building is boarded up, partially destroyed, not properly secured or partially constructed or incomplete after a building permit authorizing its construction has expired;

(3) The building is not maintained to the extent that it is dilapidated or decrepit so as to cause substantial diminution in the enjoyment and use of adjacent or nearby properties;

(4) The building is uninhabited and in an unsecured state, so as to invite trespassers, criminals or others unauthorized to enter for the purpose of committing a nuisance or unlawful act, or the building constitutes an attractive nuisance for children; or

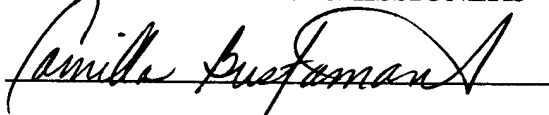
WHEREAS, when the Santa Fe County Board of County Commissioners finds that a property is a public nuisance and a threat to the public health, safety or wellbeing, the Board can adopt a resolution holding that a building, structure or property to be a public nuisance which must be abated by removal or other corrective action in accordance with this Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Santa Fe County Board of County Commissioners hereby:

1. Finds the property is a public nuisance and a threat to the public health, safety or wellbeing which must be abated by removal or other corrective action in accordance with the Ordinance.
2. Authorize County Staff to place a lien for all costs associated with the entry and securing, as well as costs to maintain the property in its clean and secured state, at the cost and expense of the owner.
3. Authorize County Staff to abate the public nuisance and place a lien for all costs associated with the removal and or remediation of said nuisances. The lien shall be foreclosed in the manner provided under the law.

PASSED, APPROVED, AND ADOPTED ON THIS 2nd DAY OF DECEMBER, 2025.

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS**

By: 
Camilla Bustamante, Chair

ATTEST:

Katharine E. Clark

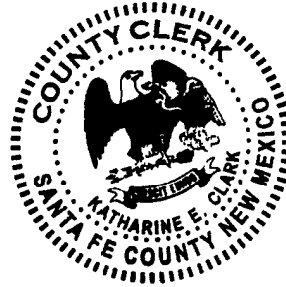
Katharine E. Clark
Santa Fe County Clerk

Date: 12/2/25

Approved as to form:

Peter Valencia for

Walker Boyd
Santa Fe County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 5

I Hereby Certify That This Instrument Was Filed for
Record On The 4TH Day Of December, 2025 at 03:30:08 PM
And Was Duly Recorded as Instrument # 2072757
In The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy *[Signature]* County Clerk, Santa Fe, NM

SFC CLERK RECORDED 12/04/2025