

ARTICLE I. IN GENERAL

Sec. 42-1. Improvements governed by state law.

The procedures for the improvement of streets, alleys, sidewalks, curbs, gutters, sewers, etc., of the town shall be as provided in NMSA 1978, § 3-33-1 et seq. (Code 1979, § 26-1; Code 2005, § 95.001)

Sec. 42-2. Specifications.

The construction, repair, etc., of all improvements in the town shall conform to the specifications established therefor by the town engineer, approved by the town council and on file in the town manager's office. (Code 1979, § 26-2; Code 2005, § 95.002)

Sec. 42-3. Sidewalks.

All sidewalks built in the town shall follow the standards established in chapter 22 of the Land Use Code.

Sec. 42-4. Grade change approval.

(a) *Survey and approval required; profile map.* Whenever it shall be deemed advisable to establish a grade on any street where no grade has been theretofore established, or to change any established grade, the town manager or designee shall cause the necessary survey to be made and prepared together with a profile map of such proposed grade. When any such profile map shall have been approved by the manager as a correct map of the grade on such street, the town manager's action shall be endorsed on said map by the town clerk, and said map shall then be filed in the town manager's office and the grade on any such street shall thereafter be considered as established as shown on such profile maps.

(b) *Records and copies.* The town manager shall keep in his office copies of all field notes, maps or profiles, which relate to town

surveys, waterworks, sewers, streets or sidewalks and all other engineering works, and all shall be the property of the town. (Code 1963, § 9.402; Code 1979, § 26-4; Code 2005, § 95.004)

Sec. 42-5. Barbed wire and electric fences prohibited; exceptions.

It shall be unlawful for any person to erect or maintain any fence composed wholly or partly of barbed wire or any fence capable of producing an electric shock upon, along or about any lot or parcel of ground fronting upon or adjoining any street, alley, avenue or public thoroughfare or along or across any irrigation ditch except that jail, prison, industrial or property protection fences may contain one or more strands of barbed wire if such wire is at least six feet above the ground. (Code 1963, § 7.302; Code 1979, § 26-5; Code 2005, § 95.005)

Sec. 42-6. Unlawful to discharge water from downspouts.

It shall be unlawful for any person owning or in charge of any premises in the town, or for any person occupying or in the possession of any premises in the town, which premises abuts in whole or in part upon any of the town's public streets, to build, construct, erect or maintain, or allow to be constructed, erected or maintained any pipe for the free discharge of rainwater connected with the gutters of a roof, from which water flows or is ejected by gravity, or otherwise, the said pipe being commonly known as a waterspout, on, upon, or along any building situated upon such premises, unless such waterspout shall be so built, constructed, erected and maintained that the orifice from which such waterspout discharges or precipitates by gravity the water flowing or conducted therein, shall be not more than one foot from the surface of the street or sidewalk thereunder, the said dis-