

**CITY OF BLOOMFIELD, NEW MEXICO**  
**Notice of Adoption**

The City of Bloomfield, New Mexico, hereby gives notices of the City Council meeting for Monday, October 23, 2017, at 6:00pm at 915 N First Street, Bloomfield, New Mexico. At such meeting the City Council will hold a public hearing concerning and will consider for adoption the Ordinance described below. Complete copies of the proposed Ordinance are available for public inspection during the normal and regular business hours of the City Clerk, 915 N. First Street, Bloomfield, New Mexico. The title to this Ordinance is:

**ORDINANCE NO. 477**

**AN ORDINANCE AMENDING ORDINANCE NUMBER 94 (SECTION 11-51), RELATING TO CRIMINAL TRESPASS.**

**WHEREAS**, Section 11-51 of the Bloomfield Municipal Code governs criminal trespass within the City of Bloomfield; and

**WHEREAS**, the City of Bloomfield desires to revise and update the following provisions contained within Section 11-51 of the Bloomfield Municipal Code.

**THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BLOOMFIELD THAT THE FOLLOWING REVISIONS AND ADDITIONS SECTION 11-51 OF THE BLOOMFIELD MUNICIPAL CODE BE IN FULL FORCE AND EFFECT UPON ADOPTION OF THIS ORDINANCE. OTHER THAN THE CHANGES SET FORTH HEREIN, ALL OTHER PROVISIONS CONTAINED IN CHAPTER ELEVEN (11) REMAIN IN FULL FORCE AND EFFECT:**

“Section 11-51. Criminal Trespass.

- (a) Criminal trespass consists of knowingly entering or remaining upon the lands of another knowing that such consent to enter or remain is denied or withdrawn by the owner or occupant thereof.
- (b) Criminal trespass also consists of knowingly entering or remaining upon lands owned, operated or controlled by the state or any of its political subdivisions, knowing that consent to enter or remain is denied or withdrawn by the custodian thereof. Any person who commits an offense enumerated in Chapter Eleven (11) of the Bloomfield Municipal Code or any New Mexico statutory criminal offense while on any real property owned by the City of Bloomfield shall be trespassed from all real properties owned by the City of Bloomfield for a period of one (1) year from the date the trespass was committed.
- (c) Any person who enters upon the lands of another without prior permission and injures, damages or destroys any part of the realty or its improvements, including buildings, structures, trees, shrubs or other natural features, is guilty of a misdemeanor.

- (d) Any person who enters and remains on the lands of another after having been requested by the owner or authorized agent of the owner to leave is guilty of a misdemeanor.
- (e) Any person who enters upon the lands of another when such lands are posted against trespass is guilty of a misdemeanor.
- (f) Any person who drives a vehicle upon the lands of another except through a roadway or other apparent way of access, when such lands are fenced in any manner, is guilty of a misdemeanor.

The owner, lessee or person lawfully in possession of real property in the city, except property owned by the state or federal government, desiring to prevent trespass or entry unto the real property shall post notices parallel to and along the exterior boundaries of the property to be posted, at each roadway or other way of access in conspicuous places, and if the property is not fenced such notices shall be posted every 500 feet along the exterior boundaries of such land.

The notices posted shall prohibit all persons from trespassing or entering upon the property without permission of the owner, lessee, person in lawful possession or his agent. The notice shall:

- (1) Be printed legibly in English;
- (2) Be at least 144 square inches in size;
- (3) Contain the name and address of the person under whose authority the property is posted or the name and address of the person who is authorized to grant permission to enter the property;
- (4) Be placed at each roadway or apparent way of access into the property, in addition to the posting of the boundaries; and
- (5) Where applicable, state any specific prohibition that the posting is directed against, such as "no trespassing," "no hunting," "no fishing," "no digging," or specific hours during which permission to enter is denied or any other specific prohibition."

Except for the changes set forth above, the provisions of Chapter 11 of the Bloomfield Municipal Code are hereby ratified and confirmed.

Passed, Approved, Signed and Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Scott Eckstein, MAYOR

ATTEST:

\_\_\_\_\_  
Erikka Martinez, CITY CLERK  
(SEAL)