

# FORESTRY DEPARTMENT FINAL NOTICE TO REMOVE

01-15-06

Mr. Jimmy Jones  
2323 Somewhere Street  
Someplace, NM 88888

Ref: Property(s) located at 2334 Wingfield Street

## **Correspondence sent via US mail AND US Certified mail**

Dear Mr. Jones,

The Village of Ruidoso enacted Ordinances in June 2002 as part of its **Community Forest Management Plan**. This Plan, through forest management on public and private lands, will help protect and maintain this community's values at risk to wildfire. For more information, visit [www.voruidoso.com](http://www.voruidoso.com) then click Forestry.

Ordinance 2004-04 **requires** property owners to reduce fire hazard. Section 42-70 states: "It shall be the duty of every owner, occupant, and person in control of any land or interest therein or premises which are located within the jurisdictional limits of the Village, to control and/or abate there from all flammable vegetation that constitutes a fire hazard which may endanger or damage neighboring property." Section 42-80 provides the specifications necessary for compliance.

In November of 2004, you were sent an introduction letter, a copy of the Fuels Management Standards (Section 42-80), a courtesy contractor list and a Response Form as tools to enable you to achieve compliance with the required ordinances. Our records indicated the above property(s) was not yet in compliance.

In November of 2005, you were sent a certified NOTICE TO REMOVE letter, another copy of the Fuels Management Standards (Section 42-80), and an updated courtesy contractor list to enable you to achieve compliance. To date, our records indicate the above property(s) are not yet in compliance.

**If compliance has not been accomplished or a signed contract with a reputable contractor to do the work in a reasonable time frame is not on file (time extension) with the Forestry Department by February 15, 2006, the Village of Ruidoso will pursue judicial enforcement according to the provisions of sections 54-38 and 42-78**

**of the Municipal Code. “The Village may, upon court order, provide for abatement and control to be performed by public officers or employees of the Village, or may cause the removal to be carried out by a private contractor selected by the Village in accordance with applicable purchasing procedures and in the manner and under the terms specified by the Village. The costs of such removal accompanied by a reasonable administrative charge may be imposed as a Special Assessment upon the property, and such property shall be subject to a Special Assessment Lien for said purpose.** The costs so assessed shall be limited to the actual costs incurred by the Village in enforcing abatement and control upon the parcels, including payment to the contractor, costs of investigation, boundary determination, measurement, clerical, personnel, consultant, legal and an administrative cost to be set by the Village on those properties where such hazardous vegetation has not been removed by the property owner at his or her expense.”

Please call the Forestry Department (505) 257-5544 by 5:00 PM February 15, 2006 to avoid judicial enforcement. Thank you.

Sincerely,

Rick Delaco  
Director of Forestry

Encl: Courtesy contractor list  
Sect. 42-80 Fuels Management Standards