

## **ORDINANCE #O-04-02**

**AN ORDINANCE IMPOSING A COUNTY FIRE PROTECTION EXCISE TAX IN THE AMOUNT ONE FOURTH OF ONE PERCENT (.25%) OF THE GROSS RECEIPTS OF ANY PERSON ENGAGED IN BUSINESS IN THE UNINCORPORATED AREAS OF THE COUNTY FOR THE PRIVILEGE OF DOING BUSINESS.**

WHEREAS, the Board of County Commissioners has determined that fire protection, ambulance services, operational expenses and capital outlay costs for independent fire districts are matters of significant concern to the health, safety, public welfare, character and environment of the County and its inhabitants; and

WHEREAS, the Board of County Commissioners has also determined that fire protection, ambulance services, operational expenses and capital outlay costs for independent fire districts provide significant benefits to the County and its inhabitants; and

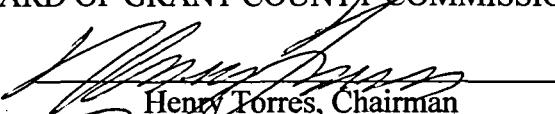
WHEREAS, Section 7-20E-15 NMSA (1978) as amended authorize the County to impose an excise tax of one fourth of one percent (.25%) of the gross receipts on any person engaging in business in the County for the privilege of doing business in the unincorporated areas of the County in order to generate revenue for these purposes; and

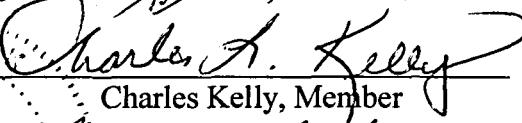
WHEREAS, Section 7-20E-15 (E) NMSA (1978) as amended requires a vote in favor of the tax by a simple majority of the qualified electors of the County;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners imposes an excise tax of one fourth of one percent (.25%) of gross receipts of any person engaged in business in the unincorporated areas of the County effective July 1, 2005.

SIGNED AND APPROVED this 28 of September 2004, in Silver City, Grant County, New Mexico.

**BOARD OF GRANT COUNTY COMMISSIONERS**

  
Henry Torres, Chairman

  
Charles Kelly, Member

  
Joseph Arellano, Member

Attest:

  
Mary Ann Sedillo

Grant County Clerk

**NOTICE OF INTENT TO ADOPT ORDINANCE #O-04-02 A LOCAL  
ORDINANCE TO PROPOSE A COUNTY FIRE PROTECTION  
EXCISE TAX OF ONE FOURTH OF ONE PERCENT.**

WHEREAS, the Board of Grant County Commissioners finds that fire protection, ambulance services, operational expenses and capital outlay costs of independent fire districts are matters of significant concern to the health, safety, public welfare, character and environment of the County and its inhabitants; and

WHEREAS, the County also finds that fire protection, ambulance services, operational expenses and capital outlay costs of independent fire districts provide significant benefit to the County and its residents; and

WHEREAS, the Board of Grant County Commissioners shall conduct a public hearing on September 28, 2004 at 1:00 p.m. to discuss and receive public input regarding Ordinance #O-04-02; and

WHEREAS, the Board of Grant County Commissioners shall approve or disapprove the adoption of Ordinance #O-04-02 at the September 28, 2004 regular County Commission meeting.

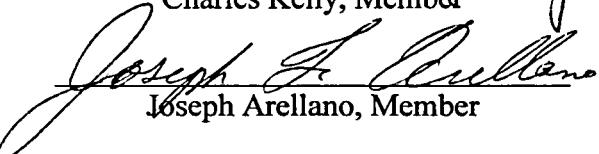
THEREFORE, BE IT RESOLVED, the Board of Grant County Commissioners through the adoption of Resolution #R-04-25 declares its intent to adopt Ordinance #O-04-02, a local ordinance to enact a County fire protection excise tax of one fourth of one percent (.25%).

APPROVED AND SIGNED this 26th day of August 2004 in Silver City, Grant County, New Mexico.

BOARD OF GRANT COUNTY COMMISSIONERS

Henry Torres, Chairman

  
Charles L. Kelly  
Charles Kelly, Member

  
Joseph F. Arellano  
Joseph Arellano, Member

Attest:

  
Mary Ann Sedillo  
Mary Ann Sedillo, Grant County Clerk

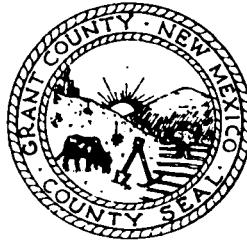
COMMISSIONERS

JOSEPH F. ARELLANO  
DISTRICT 1

CHARLES L. KELLY  
DISTRICT 2

HENRY TORRES  
DISTRICT 3

GRANT COUNTY



COUNTY MANAGER  
HARRY BURGESS

Telephone: (505) 574-0008  
Fax: (505) 574-0073

September 7, 2004

Harry Burgess  
Grant County Manager

It has come to our attention that the recent Notice of Intent to Adopt Ordinance O-04-02 contains a typographical error that, if passed in its present state, would reduce the available funding for independent fire districts in Grant County. Further, to conduct a Special Election for the purpose of funding the Districts will cost the County approximately \$20,000.

Therefore, in order to protect the County against substantial financial loss, we hereby call an Emergency Meeting of the Board of County Commission to be held at 11:00 a.m. on Thursday, September 9, 2004 at the Grant County Administration Center. The Agenda shall include 1) Approve/Disapprove Amendment to Notice of Intent to Adopt Ordinance O-04-02 and 2) Approve/Disapprove Amendment to Resolution R-04-25.

Please direct the proper notices for the purpose of advertising the Emergency Meeting.

Sincerely,

*Joseph F. Arellano*  
Joseph Arellano, Commissioner  
District One

Date & Time 4:02 PM  
9/7/04

*Charles L. Kelly*  
Charles L. Kelly, Commissioner  
District Three  
Two

Date & Time 9-7-04  
4:25 PM