

GRANT COUNTY RESOLUTION NO. R-13-37

NOTICE OF INTENT TO CONSIDER AN ORDINANCE

WHEREAS, under the New Mexico Tax Code, manufactured homes are subject to valuation and taxation pursuant to NMSA (1978) §§ 7-36-8 and 7-36-26; and

WHEREAS, the “county treasurer has the responsibility and authority for collection of taxes and any penalties or interest due under the Property Tax Code [7-35-1 NMSA 1978] except for the collection of delinquent taxes, penalties and interest authorized to be collected by the department under Section 7-38-62 NMSA 1978”; and

WHEREAS, the Board of Grant County Commissioners (“Board”) finds that it is necessary to make certain requirements of persons who wish to install or relocate a manufactured home within the unincorporated areas of the Grant County to insure that all manufactured homes are properly registered on the County’s tax rolls and that all property taxes have been paid and no tax liability exists for property taxes on a manufactured home prior to relocation of the same; and

WHEREAS, pursuant to NMSA (1978) § 4-37-1, the Board is empowered to enact such regulations regarding manufactured homes within the unincorporated areas of Grant County; and

WHEREAS, NMSA (1978) § 66-7-9 provides that the Motor Vehicle Code shall not be deemed to prevent local authorities from reasonable use of police power with respect to streets and highways under their jurisdiction; and

WHEREAS, the Board finds that an ordinance that creates a system for insuring manufactured homes are properly included on the County’s tax rolls and that all property taxes have been paid is necessary and will serve to promote the public welfare of the residents of Grant County; and

WHEREAS, in order to consider an ordinance, the Commission must publish notice of its intention to do so at least 14 days before the meeting at which the ordinance will be considered, in accordance with section 4-37-7 NMSA 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GRANT COUNTY, NEW MEXICO:

1. That an ordinance, a draft of which is attached hereto, entitled **AN ORDINANCE REQUIRING MOVEMENT CERTIFICATE AND TAX RELEASE PRIOR TO MOVING A MANUFACTURED HOME WITHIN GRANT COUNTY, AND PROVIDING FOR PENALTIES AND ENFORCEMENT FOR FAILURE TO COMPLY**, to be introduced before the Board shall be filed with the County Clerk, and shall be considered by the Board at a regular meeting of the Board on June 27, 2013, at 9:00 a.m. in the Conference Room of the Grant

County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, in the County, being the regular meeting place of the Board.

2. The following notice shall be published one time in the Silver City Daily Press, a newspaper of general circulation in the County, as soon as is practicable following the adoption of this resolution:

(Form of Notice)

**NOTICE OF CONSIDERATION OF ORDINANCE NO. []
GRANT COUNTY, NEW MEXICO**

NOTICE IS GIVEN that the Board of Grant County Commissioners, constituting the governing body of the Grant County, New Mexico, will consider the adoption of an ordinance (the "Ordinance") entitled: AN ORDINANCE REQUIRING MOVEMENT CERTIFICATE AND TAX RELEASE PRIOR TO MOVING A MANUFACTURED HOME WITHIN GRANT COUNTY, AND PROVIDING FOR PENALTIES AND ENFORCEMENT FOR FAILURE TO COMPLY. The purpose of the Ordinance is to provide authorized County Officials with a method to ensure that all manufactured homes are duly included on the Grant County tax rolls and to facilitate the collection of property taxes on manufactured homes within the jurisdiction and authority of the County. The Ordinance will apply to all streets, highways, county roads and public roads within the geographic boundaries of Grant County, but shall not be effective within the limits of any incorporated municipality.

The Ordinance will be considered at a hearing held during a regular meeting of the Commission on Thursday, June 27, 2013, at 9:00 a.m., or as soon thereafter as the matter may be heard, in the Conference Room of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, in the County, being the regular meeting place of the Board.

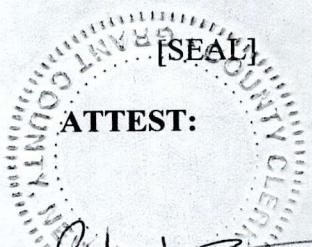
A copy of the Ordinance in draft form is on file and available for inspection during normal business hours at the office of the County Clerk at the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico.

DATED: June 13, 2013.

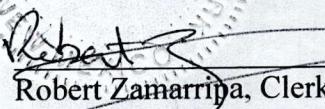
/s/ Brett Kasten
Chairman, Board of County Commissioners
Grant County, New Mexico

(End of Form of Notice)

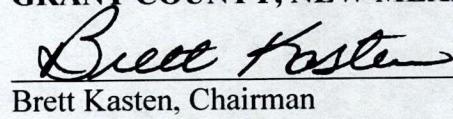
PASSED, ADOPTED, SIGNED AND APPROVED THIS 13th DAY OF June 2013.

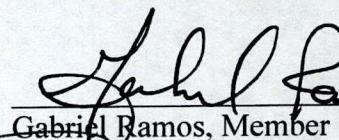


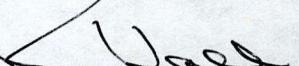
ATTEST:


Robert Zamarripa, Clerk

BOARD OF COUNTY COMMISSIONERS
GRANT COUNTY, NEW MEXICO


Brett Kasten, Chairman


Gabriel Ramos, Member


Ronald Hall, Member

Commissioner Ramos then moved that the resolution be adopted. Commissioner Hall seconded the motion. The question being upon the passage and adoption of said resolution, the motion was voted upon with the following result:

Those Voting Yea: Ramos
Hall
Kasten

Those Voting Nay: 0

Those Absent: 0

The Chairman thereupon declared that at least a majority of all the members of that Commission having voted in favor thereof, the motion was carried and the resolution duly passed and adopted.

After consideration of matters not relating to the Resolution, the meeting on motion duly made, seconded and unanimously carried, was adjourned.

Brett Kasten
Brett Kasten, Chairman,
Board of County Commissioners

[SEAL]

Attest:

Robert Zamarripa
Robert Zamarripa, County Clerk

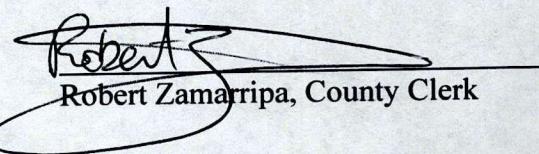
STATE OF NEW MEXICO)
)
COUNTY OF GRANT) ss.
)

I, Robert Zamarripa, County Clerk of Grant County, New Mexico (the "County"), do hereby certify:

1. The foregoing pages are a true, correct and complete copy of the record of the proceedings of the Board of County Commissioners (the "Board") of the County, taken at a duly called, open meeting of the Commission held in the Conference Room of the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico, being the regular meeting place of the Commission on Thursday, June 13, 2013, beginning at 9:00 a.m., insofar as the same relate to consideration of the adoption of Grant County Resolution No. _____ entitled, NOTICE OF INTENT TO CONSIDER AN ORDINANCE, a copy of which is set forth in the official records of the proceedings of the County kept in my office. None of the action taken has been rescinded, repealed, or modified.
2. Notice of such meeting was given in compliance with the permitted methods of giving notice of meetings of the Commission as required by the open meetings standards then in effect, i.e., the Commission's Open Meetings Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Grant County, New Mexico, this 13TH day of June 2013.

Attest:



Robert Zamarripa
Robert Zamarripa, County Clerk