

NOTICE OF INTENT
TO ADOPT AN ORDINANCE AMENDING TOWN ORDINANCE NO. 722 THAT WAS PASSED, ADOPTED AND APPROVED BY THE GOVERNING BODY OF THE TOWN OF SILVER CITY, NEW MEXICO ON AUGUST 30, 1984, RELATING TO THE IMPOSITION OF FOURTH INCREMENT OF MUNICIPAL GROSS RECEIPTS TAX.

The Council of the Town of Silver City, Grant County, New Mexico hereby gives notice of its intention to adopt a proposed amendment to the Town of Silver City Code of Ordinances. This notice is given the title as follows:

ORDINANCE NO. 1229
AN ORDINANCE AMENDING TOWN ORDINANCE NO. 722 THAT WAS PASSED, ADOPTED AND APPROVED BY THE GOVERNING BODY OF THE TOWN OF SILVER CITY, NEW MEXICO ON AUGUST 30, 1984, RELATING TO THE IMPOSITION OF FOURTH INCREMENT OF MUNICIPAL GROSS RECEIPTS TAX.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF SILVER CITY, NEW MEXICO:

Section 1. Ratification. All action heretofore taken (not inconsistent with the provisions of this Amendment to Ordinance) by the Governing Body of the Town of Silver City, New Mexico, related to the fourth increment of Municipal Gross Receipts Tax imposed pursuant to Sections 7-19D-9 NMSA 1978, hereby is ratified, approved and confirmed.

Section 2. Description of Amendment. Section 4 of Town Ordinance No. 722, adopted and approved on August 30, 1984, and subsequently amended in Ordinance 1181, relating to the fourth increment of Municipal Gross Receipts Tax, is hereby amended to read as follows:

“Dedication. The revenue derived from the Town’s Municipal Gross Receipts Tax imposed by this Ordinance shall be used for the purposes provided by statute, specifically 25% to street and sidewalk maintenance, repairs, improvements and additions, 25% to the Town’s General Fund, and the remaining 50% of said increment to pay debt service on or to redeem gross receipts tax revenue bonds issued for constructing, purchasing, furnishing, equipping,

rehabilitating, making additions to or making improvements to capital projects in the Town, or to pay costs directly associated with the Town's capital projects consistent with the Municipal Code, Chapter 3 NMSA 1978, and the Municipal Local Option Gross Receipts Taxes Act, Chapter 7 Article 19D NMSA 1978.”

Section 3. Severability Clause. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 4. Repealer Clause. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed.

Section 5. Effective Date. Upon due adoption of this Ordinance, it shall be authenticated by the signature of the Mayor and the Clerk, and the title and general summary of the subject matter contained in this Ordinance shall be published in accordance with law, and shall be in full force and effect thereafter.

PASSED, APPROVED AND ADOPTED this 13th day of May, 2014.

By: _____
Michael S. Morones, Mayor

Attest:

By: _____
Ann L. Mackie, Town Clerk

Consideration of the final adoption of such proposed ordinance will not take place until at least two (2) weeks subsequent to the date of this notice and only at a public meeting called and held in accordance with Section 3-17-3, N.M.S.A. 1978.

Ann L. Mackie, Town Clerk

Date