

NOTICE OF INTENT

NOTICE OF INTENT TO ADOPT AN ORDINANCE AMENDING CHAPTER 44, TAXATION, ARTICLE III, LODGER'S TAX, SECTION 44-115, EXEMPTIONS TO ARTICLE, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.

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

ORDINANCE NO. 1324

AN ORDINANCE AMENDING CHAPTER 44, TAXATION, ARTICLE III, LODGER'S TAX, SECTION 44-115, EXEMPTIONS TO ARTICLE, OF THE MUNICIPAL CODE OF THE TOWN OF SILVER CITY, NEW MEXICO.

WHEREAS, due to the expansion of Short-Term Rental Units in the Town of Silver City, is has become necessary to amend the Town's Lodger's Tax ordinance to bring said units in conformity with the Town Code and State law; and

WHEREAS, the Community Development Director recommends the amendment to the Town's Lodger's Tax ordinance to assure fairness and uniformity in collection of the Lodger's Tax throughout the Town; and

WHEREAS, the Town Council of Silver City finds that said amendment to the Lodger's Tax ordinance of the Town Code as specified herein is necessary for the health, safety and welfare of the Town and its inhabitants.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CTY, GRANT COUNTY, NEW MEXICO THAT:

1. Section 44-115, Exemption to Article, Article III, Lodger's Tax, of Chapter 10, Taxation, is amended by the deletion of subparagraph (7), and shall now read as follows:

Sec. 44-115. - Exemptions to article.

The occupancy tax shall not apply:

(1) If a vendee:

- a. Has been a permanent resident of the taxable premises for a period of at least 30 consecutive days; or

- b. Enters into or has entered into a written agreement for lodgings at the taxable premises for a period of at least 30 consecutive days;
- (2) If the rent paid by the vendee is less than \$2.00 a day;
- (3) To lodging accommodations at institutions of the federal government, the state or any political subdivision thereof;
- (4) To lodging accommodations at religious, charitable, educational or philanthropic institutions including, without limitation, such accommodations at summer camps operated by such institutions;
- (5) To clinics, hospitals or other medical facilities;
- (6) To privately owned and operated convalescent homes, or homes for the aged, infirm, indigent or chronically ill.

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City,

Grant County, New Mexico, this ____ day of _____, 2023.

TOWN OF SILVER CITY

(Seal)

Ken Ladner, Mayor

Attest:

Alfred Sedillo, 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. Consideration of adoption of said ordinance is currently scheduled for and will not take place prior to September 12, 2023.

/s/ _____
Alfred Sedillo, Town Clerk

Date