

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, NEW MEXICO

ORDINANCE NO. 07-09-13-MOBILE HOMES

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RELATING TO THE MOVEMENT OF MOBILE HOMES; PROVIDING FOR A PERMIT FROM THE COUNTY ASSESSOR, AND FOR PAYMENT OF AD VALOREM TAXES; PROVIDING PENALTIES FOR FAILURE TO COMPLY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY, NEW MEXICO:

Section 1. Title. This Ordinance shall be known as the San Miguel County Mobile Home Ordinance, the full title of which is and shall be as appears hereinabove.

Section 2. Applicability. This Ordinance shall apply to all streets and highways under the jurisdiction of San Miguel County, and in furtherance of the police power of the County.

Section 3. Definitions. A "manufactured home" is a home that is a moveable or portable housing structure that exceeds either a width of eight (08) feet or a length of forty (40) feet, constructed to be towed on its chassis and designed to be installed with or without a permanent foundation for human occupancy.

Section 4. Certificate Required. Except as provided in Section 5 of this Ordinance, no movement of a manufactured home that originates in this County shall be permitted unless the owner of the manufactured home or an authorized agent obtains and presents to the New Mexico Motor Transportation Division, a Certificate of Movement issued by the San Miguel County Assessor, showing that (i) all property taxes due or to become due on the manufactured home for the current and past tax years have been paid, or that (ii) no liability for property taxes for the manufactured home exists for the current or past tax years.

Section 5. Dealers of Manufactured Homes. The movement of a manufactured home from the lot or business location of a manufactured home dealer to its destination as designated by an owner or purchaser, is not subject to the requirements of this Ordinance if the movement originates from the lot or business location of the dealer and the manufactured home was part of the dealer's inventory and for which a manufacturer's certificate of inventory has been issued; provided that the movement of a manufactured home by a dealer or a dealer's agent as a result of a sale or trade-in from a non-dealer owner is subject to the requirements of this Ordinance.

Section 6. Certificate of Movement. The Certificate of Movement required under this Ordinance shall be issued by the San Miguel County Assessor, shall be of a size and color to be prescribed by the Assessor, and shall contain an expiration date which shall be no later than thirty (30) days from the date of issuance.

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Section 7. Attachment of Certificate to Manufactured Home. The Certificate of Movement issued by the County Assessor shall be attached to the manufactured home in a conspicuous place on the rear of said manufactured home during movement over any street and highway within San Miguel County.

Section 8. Rural Address Required. The County Assessor shall not issue a Certificate of Movement unless the destination of the manufactured home has a municipal address or a county address assigned under the County Rural Addressing System; provided that if the destination is a location within the county for which a rural address is not available, the person requesting the Certificate of Movement shall provide a physical description of the destination sufficient to enable the County Assessor to identify the actual location of the destination of the manufactured home.

Section 9. Violation. No person who is the owner, purchaser, lessee or renter of a manufactured home, or their agent or employee, or who has custody and control of a manufactured home, shall permit the movement of the manufactured home without first obtaining the Certificate of Movement required under this Ordinance, and affixing same to the manufactured home as provided herein.

Section 10. Penalties. Any person violating this Ordinance shall be punished by a fine not to exceed three hundred (\$300.00) dollars, or imprisonment for ninety (90) days, or both such fine and imprisonment, but a conviction hereunder shall not discharge the obligation for payment of taxes due under the laws of New Mexico.

Section 11. Administrative Fee. An administrative fee of twenty (\$20.00) dollars shall be charged and imposed for each issuance of a Certificate of Movement under this Ordinance.

Section 12. Effective Date. This Ordinance shall become effective thirty (30) days after it is filed for record in the office of the San Miguel County Clerk, as by law provided.

MOVED, SECONDED, ADOPTED AND ORDAINED, this 09th day of July, 2013, by the Board of Commissioners of San Miguel County, New Mexico.


Nicolas T. Leger, Chairman

Ron R. Ortega
Ron R. Ortega, Vice Chairman

Marcellino A. Ortiz
Marcellino A. Ortiz, Member

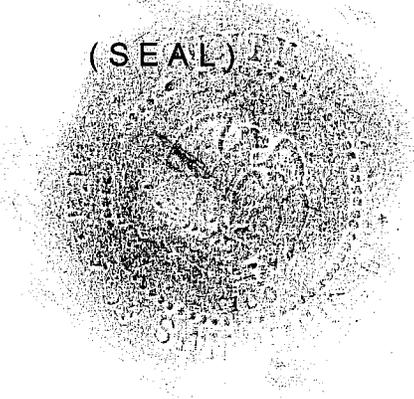
Arthur J. Padilla, Member

Gilbert J. B. Sena, Member

Attest:

Melanie Y. Rivera
Melanie Y. Rivera
San Miguel County Clerk

(SEAL)



COUNTY OF SAN MIGUEL) SAN MIGUEL COUNTY
STATE OF NEW MEXICO) ss PAGES: 3

I Hereby Certify That This Instrument Was Filed for
Record On The 22ND Day Of July, 2013 at 02:45:41 PM
And Was Duly Recorded as Instrument #201302615
Of The Records Of San Miguel

Witness My Hand And Seal Of Office
Melanie Y. Rivera
Deputy Melanie Y. Rivera County Clerk, San Miguel, NM