

ORDINANCE 17-16

AMENDING ORDINANCE 17-04 WHICH IMPOSED A MUNICIPAL ENVIRONMENTAL SERVICES GROSS RECEIPTS TAX

WHEREAS, the City Council as the Governing Body of the City of Roswell on February 9, 2017 passed Ordinance 17-04 which imposed a one-sixteenth of one percent (0.0625%) tax of the gross receipts reported pursuant to the New Mexico Gross Receipts and Compensating Tax Act; and

WHEREAS, the City Council wishes to amend Ordinance 17-04 to change the dedication of the Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL AS THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

SECTION 1. The final sentence of Section 1 of Ordinance 17-04 is amended to read: "The tax imposed under this ordinance is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the 'municipal environmental services gross receipts tax.'"

SECTION 2. The first sentence of Section 3 of Ordinance 17-04 is amended to read: "No municipal environmental services gross receipts tax...."

SECTION 3. The dedication listed as Section 4 of Ordinance 17-04 is replaced in its entirety to read as follows:

"Section 4. Dedication. Revenue from the municipal environmental services gross receipts tax will be used for the acquisition, construction, operation and maintenance of solid waste facilities, water facilities, wastewater facilities, sewer systems and related facilities."

SECTION 4. The first sentence of Section 5 of Ordinance 17-04 is amended to read: "The effective date of the municipal environmental services gross receipts tax shall be...."

SECTION 5. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

SECTION 6. If any section, paragraph, clause or provisions of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

SECTION 7. This ordinance shall be effective after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED and APPROVED the 13th day of July, 2017.



Dennis Kintigh, Mayor



Sharon Coll, City Clerk