

ORDINANCE NO. 1224

AN ORDINANCE OF THE CITY OF ROSWELL PROVIDING FOR A NEW AND ADDITIONAL GROSS RECEIPTS TAX INCREMENT OF ONE-SIXTEENTH OF A CENT ON TAXABLE TRANSACTIONS WITHIN THE CITY AND FIXING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF ROSWELL, NEW MEXICO:

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this municipality for the privilege of engaging in business in this municipality an excise tax equal to one-sixteenth of one percent of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the Municipal Infrastructure Gross Receipts Tax Act as it now exists or as it may be amended and shall be known as the "municipal infrastructure gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No municipal infrastructure gross receipts tax shall be imposed on the gross receipts arising from:

- A. the transmission of messages by wire or other means from one point within the municipality to another point outside the municipality;
- B. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the municipality to another point outside the municipality; or
- C. a business located outside the boundaries of a municipality on land owned by that municipality for which a gross receipts tax distribution is made pursuant to Subsection C of Section 7.1.6.1 N.M.S.A. 1978.

Section 4. Dedication. Revenue from the municipal infrastructure gross receipts tax will be used for the purpose(s) listed below:

for repair, replacement, construction and acquisition of infrastructure improvements, including but not limited to sanitary sewer lines, storm sewers and other drainage improvements, water, water rights, water lines and utilities, streets, alleys, rights-of-way, easements and land within the municipality or within the extraterritorial zone of the municipality

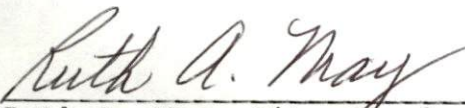
Section 5. Effective Date. The effective date of the municipal infrastructure gross receipts tax shall be either January 1 or July 1, whichever date occurs first after the expiration of at least three months from the date this ordinance is adopted.

PASSED, ADOPTED, SIGNED AND APPROVED the 30th day of March, 1992.

CITY SEAL


WM. F. BRAINERD, Mayor

ATTEST:


Ruth A. May, City Clerk