

VILLAGE OF CORRALES

ORDINANCE NO. 09-007

ADOPTING A MUNICIPAL ENVIRONMENTAL SERVICES GROSS RECEIPTS TAX OF ONE-SIXTEENTH OF ONE PERCENT (0.0625%) OF THE GROSS RECEIPTS OF ANY PERSON ENGAGING IN BUSINESS IN THE VILLAGE OF CORRALES; PROVIDING FOR CERTAIN EXEMPTIONS; AND SETTING AN EFFECTIVE DATE.

WHEREAS, Subsection A of Section 7-19D-10 NMSA 1978 provides that a municipality may impose by ordinance an excise tax at a rate of one sixteenth of one percent (0.0625%) of the gross receipts of any person engaging in business in the municipality, the revenue from which shall be dedicated for acquisition, construction, operation and maintenance of solid waste facilities, water facilities, wastewater facilities, sewer systems and related facilities; and

WHEREAS, the Village Council, the governing body of the Village of Corrales (the "Village") finds that a municipal environmental services gross receipts tax should be imposed in the Village for the purposes authorized by statute.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that:

Section 1. Imposition of Tax. There is imposed on any person engaging in business in the Village of Corrales (the "Village") for the privilege of engaging in business in the Village an excise tax equal to one-sixteenth of one percent (0.0625%) 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 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. 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 environmental services gross receipts tax shall be imposed on the gross receipts arising from:

- A. 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;

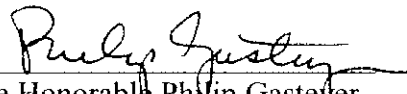
- B. a business located outside the boundaries of the municipality on land owned by that municipality for which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4 NMSA 1978; or
- C. direct broadcast satellite services.

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.

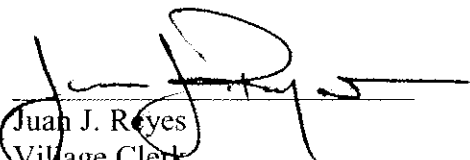
Section 5. Effective Date. The effective date of the municipal environmental services gross receipts tax shall be either January 1, or July 1, whichever date occurs first after the expiration of three months from the date this Ordinance is adopted and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department of the State of New Mexico.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 9th day of June, 2009.

APPROVED:


The Honorable Philip Gasteyer
Mayor

ATTEST:


Juan J. Reyes
Village Clerk