

SANTA FE COUNTY

ORDINANCE NO. 2007-7

AN ORDINANCE RELATING TO THE MOVEMENT OF MANUFACTURED HOMES; PROVIDING FOR A PERMIT FROM THE COUNTY TREASURER; PROVIDING PENALTIES FOR FAILURE TO COMPLY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO:

Section One. Short Title. This ordinance may be referred to as "the Santa Fe County Mobile Home Ordinance."

Section Two. Applicability. This Ordinance shall apply to all streets and highways under the jurisdiction of the County of Santa Fe, State of New Mexico, and within the reasonable exercise of the police power of said County. NMSA 1978, § 66-7-9 (1978)(as amended). This Ordinance shall not apply to a Manufactured Home owned by a Pueblo member and located, or to be located, within the exterior boundaries of a federally recognized Indian Tribe or Pueblo.

Section Three. Definitions. A "Manufactured Home" is a home that is a movable or portable housing structure that exceeds either a width of eight (8) 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 Four. Certificate Required. Except as provided in Section Five (5) of this Ordinance, no movement of a Manufactured Home that originates in this County shall be permitted unless the owner of such Manufactured Home or an authorized agent obtains and presents to the Motor Transportation Division of the Department of Transportation of the State of New Mexico proof: (i) that a Certificate of Movement has been issued by the Santa Fe County Treasurer showing that either all property taxes due or to become due on the Manufactured Home for the current tax year or any past tax years have been paid; or (ii) a Certificate of Movement that has been issued by the Santa Fe County Treasurer showing that no liability for property taxes on the Manufactured Home exists for the current tax year or any past tax years.

Section Five. Movement of Manufactured Homes. The movement of a Manufactured Home from the lot or business location of a Manufactured Home dealer to its destination designated by an owner-purchaser is not subject to the requirements of Section Four (4) above if the movement originates from the lot or business location of the dealer and the Manufactured Home was part of his inventory prior to the sale to the owner-purchaser and a manufacturer's certificate of origin has been issued. Provided, however, that the movement of a Manufactured Home by a dealer or the dealer's

SEC CLERK RECORDED 08/09/2007

authorized agent as a result of a sale or trade-in from a non-dealer owner is subject to the requirements of this Ordinance regardless of the destination.

Section Six. Certificate of Movement. The Certificate of Movement required for movement of a Manufactured Home hereunder, issued by the Santa Fe County Treasurer, shall be of a size and color to be prescribed by said County Treasurer, and shall contain an expiration date which shall be no later than thirty (30) days from the date of issuance.

Section Seven. Attachment of Certificate to Manufactured Home. The Certificate of Movement issued by the County Treasurer shall be attached to the Manufactured Home in a conspicuous location on the rear of said Manufactured Home during movement over any streets and highways within Santa Fe County.

Section Eight. Rural Address Required. No Certificate of Movement shall be issued by the County Treasurer in accordance with Section Four (4), above, unless the destination 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 county address is not available, then the person requesting the Certificate of Movement shall give a physical description of the destination sufficient to enable the County Treasurer to identify the actual site or location to which the Manufactured Home is being moved.

Section Nine. Violation. No person who is the owner, purchaser, lessee, renter, or who is the agent or employee of any owner, purchaser, lessee, renter, or who has custody and control of said Manufactured Home shall suffer or permit the movement of said Manufactured Home unless the person shall have first obtained the Certificate of Movement required in Section Four (4) above and shall have affixed said certificate to the Manufactured Home as required by Section Seven (7) above. No person shall move a Manufactured Home unless the Certificate of Movement required by this ordinance shall have been obtained and affixed to said Manufactured Home as required by this Ordinance.

Section Ten. Penalties. Any person violating the terms of this Ordinance shall be punished by a fine not to exceed Three Hundred Dollars (\$300.00) or imprisonment for ninety (90) days, or both such fine and imprisonment.

Section Eleven. Convictions. Prosecution or conviction under this Ordinance shall not discharge the obligation for the payment of any taxes due under the laws of the State of New Mexico.

Section Twelve. Administrative Fee. An administrative fee of \$10 shall be charged for each issuance of a Certificate of Movement pursuant to this Ordinance.

SEC. CLERK RECORDED 08/08/2007

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THIS 31 DAY OF JULY, 2007.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO

By Virginia Vigil
Virginia Vigil, Chair

ATTEST:
Valerie Espinoza
Valerie Espinoza, County Clerk



APPROVED AS TO FORM:

Stephen C. Ross for Stephen C. Ross
Stephen C. Ross, County Attorney

SFC CLERK RECORDED 08/08/2007



COUNTY OF SANTA FE) BCC ORDINANCE
STATE OF NEW MEXICO) ss PAGES: 3
I Hereby Certify That This Instrument Was Filed for
Record On The 8TH Day Of August, A.D., 2007 at 09:29
And Was Duly Recorded as Instrument # 1494896
Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Deputy Marcella [Signature] Valerie Espinoza
County Clerk, Santa Fe, NM