

ORDINANCE NO. O-95-27ADOPTING A COUNTY ENVIRONMENTAL  
SERVICES GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF EDDY COUNTY:

SECTION 1. IMPOSITION OF TAX. There is imposed on any person engaging in business in the County area outside of the boundaries of any incorporated municipality, for the privilege of engaging in business in this County area, an excise tax equal to one-eighth of one percent ( $1/8$  of 1%) 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 County Environmental Services Gross Receipts Tax Act as it now exists or as it may be amended and shall be known as the "County 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 County Environmental Services Gross Receipts Tax shall be imposed on the gross receipts arising from:

- (a) Transporting persons or property for hire by a railroad, motor vehicle, air transportation or any other means from one point within the County to another point outside the County

SECTION 4. DEDICATION. The revenue from the County Environmental Services Gross Receipts Tax will be used for the purposes listed below:

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 County Environmental Services Gross Receipts Tax shall be January 1, 1996, unless an election is held pursuant to Section 7-20B-3(B) NMSA 1978 on the question of disapproving the ordinance, in which case the effective date shall be either July 1 or January 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption.

APPROVED, PASSED AND ADOPTED by the Board of County commissioners of Eddy County, New Mexico, this 19th day of September 1995.

BOARD OF COUNTY COMMISSIONERS  
OF EDDY COUNTY, NEW MEXICO

By Jay Mobley  
Jay Mobley, Chairman

Fred T. Alvarez  
Fred T. Alvarez

Miranda Darcy  
Miranda Darcy

Nancy Brantley  
Nancy Brantley

Ray Camp  
Ray Camp



ATTEST:

Karen Davis  
Karen Davis, Eddy County Clerk

# Affidavit of Publication

# Copy of Publication

No. 15215

STATE OF NEW MEXICO,

County of Eddy:

Gary D. Scott being duly sworn, says: That he is the Publisher of The Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and state, and that the hereto attached Legal Notice

was published in a regular and entire issue of the said Artesia Daily Press, a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for 1 consecutive weeks on the same day as follows:

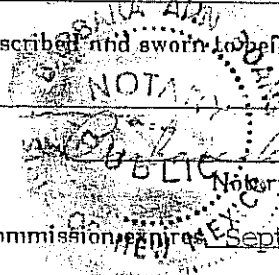
First Publication August 30, 1995

Second Publication \_\_\_\_\_

Third Publication \_\_\_\_\_

Fourth Publication \_\_\_\_\_

Subscribed and sworn to before me this 30th day of August 19 95



Boans  
Notary Public, Eddy County, New Mexico

My Commission expires September 23, 1995

### LEGAL NOTICE

### NOTICE OF PUBLIC HEARING

The Eddy County Board of Commissioners will hold a public hearing for the proposed Eddy County Ordinance #27, "COUNTY ENVIRONMENTAL SERVICES GROSS RECEIPTS TAX", on Tuesday, September 19, 1995 at 8:30 a.m. at the Eddy County Commission Chambers, Gaffney/Mitchell Building, 101 S. Canal, Carlsbad, NM 88220, prior to consideration of adoption of said ordinance. Ordinance 27, if enacted, would increase the County Gross Receipts Tax by one-eighth of one percent (1/8 of 1%) for the privilege of engaging in business in this county area based on 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, if imposed, would be used for the acquisition, construction, operation and maintenance of solid waste facilities, water facilities, wastewater facilities, sewer sys-

tems and related facilities. If approved, the effective date of the ordinance will be January 1, 1996, unless an election is held pursuant to Section 7-20B-3(B) NMSA 1978 on the question of disapproving the ordinance. Copies of proposed Ordinance #27 may be obtained from the office of the County Manager, Room 107, Eddy County Courthouse, 102 N. Canal, Carlsbad, NM 88220, (505) 887-9511, from 8:00 a.m. to 4:30 p.m., Monday through Friday. All interested parties are invited to attend this public hearing and make oral or written presentation regarding the adoption of this ordinance. Written comments can be mailed to the Eddy County Manager, P.O. Box 1139, Carlsbad, NM 88220. EDDY COUNTY BOARD OF COMMISSIONERS By: Stephen Massey, County Manager s-Stephen Massey Published in the Artesia Daily Press, Artesia, N.M. August 30, 1995.

Legal 15215

STATE OF NEW MEXICO, County of Eddy, ss. I hereby certify that this instrument was filed for record on the 20 day of September, A.D. 1995 at 2:25 o'clock P. M., and duly recorded in BOOK 1 PAGE 371 of the Ordinance Records.

KAREN DAVIS, County Clerk

By Ineidy Urquidez Deputy