

STATE OF NEW MEXICO
VILLAGE OF LOS RANCHOS DE ALBUQUERQUE
ORDINANCE NO. 285

AMENDING CHAPTER 3, ARTICLE 1 OF THE VILLAGE OF LOS RANCHOS CODIFIED ORDINANCES REGARDING BUSINESS REGISTRATION AND LICENSING; AMENDING CHAPTER 9, ARTICLE 3 OF THE VILLAGE OF LOS RANCHOS CODIFIED ORDINANCES REQUIRING PERMIT FOR THE SALE, CONSTRUCTION AND REMODELING OF PROPERTY.

WHEREAS, a construction contractor working in a jurisdiction is typically required to obtain a business license within that jurisdiction, and the Village does not allow contractors without a physical office location in Los Ranchos to obtain a business license, instead requiring a parcel permit; and

WHEREAS, the parcel permit requirement for contractors penalizes contractors performing multiple jobs in the Village in a single year, as they pay the equivalent to the annual business license multiple times; and

WHEREAS, after discussion with the Los Ranchos Art Market, the Village has developed a use agreement for use of Village facilities and other partnerships; and

WHEREAS, the language of the business registration fee is not reflective of the sponsorship of the Art Market.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE:

SECTION 1. Chapter 3, Article 1 is hereby amended as follows:

ARTICLE 1. BUSINESS REGISTRATION AND LICENSING

§ 3.1.1 BUSINESS REGISTRATION FEE

(A) There is imposed on each place of business conducted in the Village a business registration fee of thirty-five dollars (\$35.00). Unless a construction contractor has at least one permanent location within the Village, place of business shall include a construction site located within the Village. The fee is imposed pursuant to § 3-38-3 NMSA 1978 as it may be amended and shall be known as the “Business Registration Fee.” The Business Registration Fee may not be prorated for businesses conducted for a portion of the year.

(B) For any business duly registered in another jurisdiction, and which only conducts business within the Village at the Los Ranchos Arts & Crafts Market ~~sponsored by the Village Agriculture Committee~~, and which conducts no other business within the Village, there is imposed a Vendor’s fee of twenty dollars (\$20.00). No other Village business registration shall be required for such a

Vendor at the Los Ranchos Arts & Crafts Market. Businesses registered with the Village shall not be required to pay the Vendor's fee.

Ordinance and State Law References regarding Chapter 3, Article 1 (f/k/a Chapter 5):
Ordinance No.285; February 9, 2022

SECTION 2. Chapter 9, Article 3 is hereby amended as follows:

ARTICLE 3. PERMITS FOR THE SALE, CONSTRUCTION AND REMODELING OF PROPERTY

SECTION 1. Purpose and Intent

SECTION 2. Definitions

SECTION 3. ~~Application~~ Requirements for Permits to Sell, Construct and/or Remodel Real Estate in the Village Limits

§ 9.3.1 PURPOSE AND INTENT

The Village desires to permit the sale, construction and remodeling of all property in the Village limits in an effort to ensure receipt of full gross receipts tax owed to the Village.

§ 9.3.2 DEFINITIONS

(A) **CONSTRUCTION** means the building, altering, repairing or demolishing in the ordinary course of business any building, structure or fencing within the Village limits.

(B) **GROSS RECEIPTS** means the total amount of money or the value of other consideration received from selling, constructing or remodeling property within the Village.

§ 9.3.3 APPLICATION REQUIREMENTS FOR PERMITS TO SELL, CONSTRUCT AND/OR REMODEL REAL ESTATE IN THE VILLAGE LIMITS

(A) ~~All Realtors, Contractors and Developers~~ The following requirements apply to those intending to sell, construct and/or remodel property within the Village ~~are required to:~~

(1) A Realtor must ~~Apply~~ for a permit for each parcel of land to be sold, ~~constructed or remodeled~~. The fee for the permit is thirty-five dollars (\$35.00) per parcel. The Village issued permit shall be attached to the bottom right hand corner of the Realtor's sign located on the property. The Village issued permit shall contain a Permit number for each parcel of land and shall be visible at all times. If the Realtor has no sign posted, they must display the Village issued permit on the property in a prominent spot visible from the street.

(2) A Contractor or Developer must apply for an annual business license per §3.1. The Village issued Zone Review Permit shall be posted on the property in a prominent spot visible from the street.

~~(2) The Village issued permit shall be attached to the bottom right hand corner of all Realtor, Contractor and Remodeler's signs. The Village issued permit shall contain a Permit number for each parcel of land and shall be visible at all times. If the Realtor, Contractor or Remodeler has no sign posted, they must display the Village issued permit on the property in a prominent spot visible from the street.~~

~~(3) Permittee shall file an Affidavit with the Village affirming that the correct tax code number of 02-200 is entered in Realtors, Contractor or Developers CRS-1 form, thereby ensuring that the Village has received all applicable gross receipts revenue from the sale, construction and/or remodeling of all property within the Village.~~

(4-3) The Village ~~reserves the right~~ may request to inspect a permittee's CRS-1 filings at any time to ensure compliance.

(5-4) Any Realtor, developer or contractor in violation of this Article shall not be permitted to sell, construct or remodel any property in the Village of Los Ranchos until they are in compliance with this Article.

(6-5) Violators shall also be subject to any other penalties permitted under New Mexico law.

Ordinance and State Law References regarding Chapter 9, Article 3:

[Ordinance No. 285; February 9, 2022](#)

SEVERABILITY CLAUSE: Should any section, subsection, paragraph, sentence, clause, phrase, provision, or part hereof is for any reason declared unconstitutional or invalid, the validity of the remaining portions hereof shall not be affected since it is the expressed intent of the Board to pass each section, subsection, paragraph, sentence, clause, phrase, provision, and every part thereof separately and independently of every other part.

COMPILING CLAUSE: This Ordinance shall be incorporated in and compiled as a part of the Code of Ordinances of the Village of Los Ranchos de Albuquerque, as provided herein.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED, and ADOPTED by the Governing Body of the Village of Los Ranchos de Albuquerque this 9th day of February 2022.



APPROVED:

Donald T. Lopez, Mayor

ATTEST:

Danielle Sedillo-Molina, Clerk