

1 CITY OF ELEPHANT BUTTE
2 ORDINANCE NUMBER 228

3
4 AN ORDINANCE ADOPTING A MUNICIPAL GROSS RECEIPTS TAX

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6 NOW THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Elephant Butte that:

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8 **Section 1. Imposition of Tax.** There is imposed on any person engaging in business in this municipality
9 for the privilege of engaging in business in this municipality an excise tax equal to .4375% of the gross
10 receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and
11 Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance
12 is pursuant to the Municipal Local Option Gross Receipts Taxes Act as it now exists or as it may be
13 amended and shall be known as the "unrestricted municipal gross receipts tax."

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

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

- 20 • transporting persons or property for hire by railroad, motor vehicle, air transportation or any other
21 means from one point within the municipality to another point outside the municipality.
- 22 • a business located outside the boundaries of a municipality on land owned by that municipality for
23 which a state gross receipts tax distribution is made pursuant to Subsection C of Section 7-1-6.4
24 NMSA 1978; or
- 25 • direct broadcast satellite services.

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27 **Section 4. Dedication.** General Fund

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29 **Section 5. Effective Date.** The effective date of the municipal gross receipts tax shall be either July 1,
30 three months from the date this ordinance is adopted, unless an election is held on the question of
31 approving the ordinance, in which case the effective date shall be July 1, three months from the date when
32 the results of the election are certified to be in favor of the ordinance's adoption and the adopted
33 ordinance is delivered or mailed to the Taxation and Revenue Department.

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35 **PASSED, APPROVED AND ADOPTED** by the Governing Body of the City of Elephant Butte, New
36 Mexico, this 20 day of March 2026.

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39 _____
Richard Holcomb, Mayor

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41 Attest:

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45 Lindsey Cobleigh, City Clerk
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