

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2012-48**

3 **INTRODUCED BY:**

4
5 Councilor Calvert

6 Councilor Ives

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10 **A RESOLUTION**

11 **DIRECTING STAFF TO INVENTORY AND ASSESS UNPAID BALANCES CURRENTLY**
12 **OWED TO THE CITY OF SANTA FE AND RECOMMEND OPTIONS FOR THE**
13 **GOVERNING BODY TO CONSIDER RELATING TO CIVIL ENFORCEMENT AND**
14 **COLLECTION OF UNPAID BALANCES.**

15
16 **WHEREAS**, the City mandates through various City ordinances the payment of
17 administrative fees for programs offered by the City; and

18 **WHEREAS**, businesses operating in the city of Santa Fe are mandated to pay a business
19 registration fee or a license fee if the City is required to regulate the business; and

20 **WHEREAS**, the City imposes a lodgers' tax of 7% of gross taxable rent for lodging within
21 the city of Santa Fe which is paid to vendors by lodgers' using commercial lodging accommodations;
22 and

23 **WHEREAS**, the City of Santa Fe enforces various City ordinances through the assessment of
24 administrative fines and civil penalties and the issuance of citations for violations of City ordinances;
25 and

1 **WHEREAS**, because Article 37-1 NMSA 1978, sets the statute of limitations for collection
2 on various types of overdue balances, there is an urgent need to inventory and assess all unpaid
3 balances currently owed to the City and establish a policy to collect such unpaid balances currently
4 owed and which may be owed in the future.

5 **NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
6 **CITY OF SANTA FE** that staff is directed to:


7 **Section 1.** Inventory and assess unpaid balances currently owed to the City for
8 administrative fees, fines, lodgers' tax, citations, penalties and other such collectible money; and

9 **Section 2.** Evaluate the City's legal rights, remedies and options for civil enforcement
10 and collection of unpaid balances; and

11 **Section 3.** Establish when it is necessary for the City to engage in collection activities
12 either through itself or through a contractor.

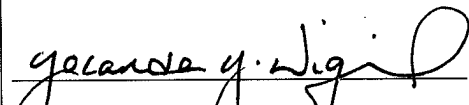
13 **BE IT FURTHER RESOLVED** that within 90 days of adoption of this resolution, staff
14 shall report their findings as they relate to the directives of this resolution to the Governing Body.

15 **PASSED, APPROVED, and ADOPTED** this 9th day of May, 2012.

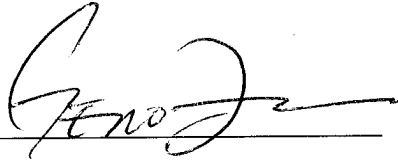
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18 DAVID COSS, MAYOR

19 ATTEST:

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22 YOLANDA Y. VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

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4 GENO ZAMORA, CITY ATTORNEY

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CAO/M/Melissa/Resolutions 2012/2012-48 Civil Enforcement-Collections