

**STATE OF NEW MEXICO  
COUNTY OF CURRY  
ORDINANCE #2019-06**

**MANUFACTURED HOME MOVEMENT ORDINANCE**

**AN ORDINANCE REGULATING TO THE MOVEMENT OF MANUFACTURED (MOBILE) HOMES IN THE  
COUNTY OF CURRY; PROVIDING FOR A CERTIFICATE FROM THE COUNTY ASSESSOR AND  
PROVIDING PENALTIES FOR FAILURE TO COMPLY**

**SECTION 1. SHORT TITLE**

This Ordinance will be known as the Curry County Manufactured Home Ordinance.

**SECTION 2. PURPOSE AND INTENT**

The purpose and intent of this Ordinance is to ensure that all State, Federal and Curry County rules, regulations and laws pertaining to the movement of manufactured homes are fully complied with, thereby promoting the protection of the health, safety, and welfare of the residents within the unincorporated areas of Curry County by preventing injury or loss of life resulting from improper movement of manufactured homes.

**SECTION 3. AUTHORITY**

This Ordinance is enacted pursuant to the authority granted to the Board of County Commissioners of Curry County under Sections 3-17-6, 4-37-1, 66-6-10, 66-7-413 NMSA 1978 and NMAC 3.6.5.33 for the purpose or promoting the health, safety, morals, and general welfare of the public. It is also enacted pursuant to NMSA 1978, Section 66-7-9, within the reasonable exercise of the police power of Curry County. In addition, this Ordinance shall support and enhance the section of Housing Division Rules and Regulations, NMAC 14.12.2, which is incorporated herein by reference in its entirety except as otherwise provided for in this Ordinance.

**SECTION 4. APPLICABILITY**

This Ordinance shall apply to and be effective throughout Curry County.

**SECTION 5. DEFINITIONS**

5.1 **Manufactured Home:** A manufactured home, also referred to as a mobile home, is a home which is a moveable or portable housing structure over forty (40) feet in length, over (8) feet in width or eleven (11) feet in height, constructed to be towed on its own chassis and designed to be installed with or without a permanent foundation for human occupancy as a residence and which may include one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or may be two or more units separately towable but designed to be joined into one integral unit, as well as a single unit. Manufactured or mobile home does not include recreational vehicles or modular or pre-manufactured homes, built to Uniform Building home standards, designed to be permanently affixed to realproperty.

**SECTION 6. PROHIBITIONS**

61 Expect as provided in Section 7 of this ordinance, no movement of a manufactured home which originates in this County shall be permitted until the owner of such manufactured home or his authorized agent obtains a certificate that has been issued by the Curry County Assessor showing that either:

6.1.1 All property taxes due or to become due on the manufactured home for the current tax year and any past tax years have been paid: or

6.1.2 No liability for property taxes on the manufactured home exists for the current tax year and any past tax years.

62 Pursuant to Section 18.19.8.63, no person who is the owner, purchaser, lessee, renter, or who is an agent or employee of any owner purchaser, lessee, renter or who has custody and control of a manufactured home shall allow or certificate the movement of a manufactured home unless the person has first obtained the required certificate and has affixed the certificate to the manufactured homes as required in Section 8 below and has obtained any and all necessary permits from the New Mexico Department of Motor Vehicles.

63 No person shall move a manufactured home unless the certificate required in NMSA Section 18.19.8.63 and Section 8 below has been obtained and affixed to the manufactured home as required by this ordinance.

## **SECTION 7. EXEMPTION**

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 6 above if the movement originates from the lot or business location of the dealer and the manufactured home was part of the dealer's inventory prior to the sale to the owner purchaser. This exemption does not include the movement of a manufactured home by a dealer or his authorized agent as a result of a sale or trade-in from a non-dealer owner. Said movement must still comply with all State and Federal laws, regulations and rules pertaining to the same.

## **SECTION 8. CERTIFICATE**

8.1 The certificate from the County Assessor shall be of size and color to be prescribed by the County Assessor and shall contain an expiration date which shall be no later than thirty (30) days from the date of issuance.

8.2 The certificate from the County Assessor shall be attached to the manufactured home in a conspicuous location on the rear of the manufactured home during movement over any streets and highways under the jurisdiction of Curry County.

8.3 No certificate shall be issued by the County Assessor unless the destination has a municipal address or a county address assigned under the County Rural Addressing System except if the destination is a location within the County for which a rural county address is not available. In such cases the person requesting the certificate shall give a physical description sufficient to enable the County Assessor to identify the actual site or location to which the manufactured home is being moved.

## **SECTION 9. ADMINISTRATION AND APPLICATIONS**

This Ordinance shall be administered and enforced by the Curry County Sheriff's Office or designee which is hereby authorized to issue citations under this Ordinance.

**SECTION 10. PENALTIES FOR VIOLATION**

Any violation of this Ordinance shall be subject to a penalty fine not to exceed \$300.00 or imprisonment for up to ninety (90) days, or both, for each infraction.

**PASSED, APPROVED and ADOPTED** on this \_\_\_ day of \_\_\_\_\_, 2019 by the Curry County Board of County Commissioners in an open meeting in Clovis, New Mexico.

**CURRY COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Chairman Chet Spear

\_\_\_\_\_  
Vice-Chairman Robert Thornton

\_\_\_\_\_  
Commissioner Robert Sandoval

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Commissioner Ben McDaniel

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Commissioner Seth Martin

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

By: \_

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Annie Hogland, County Clerk  
Stephen E. Doerr, County Attorney