

**LEA COUNTY  
ORDINANCE NO. 2019-XXX**

**MOBILE HOME MOVEMENT ORDINANCE**

**AN ORDINANCE RELATING TO THE MOVEMENT OF MANUFACTURED  
(MOBILE) HOMES IN THE COUNTY OF LEA; PROVIDING FOR A PERMIT FROM  
THE COUNTY TREASURER AND PROVIDING PENALTIES FOR FAILURE TO  
COMPLY**

**SECTION 1. SHORT TITLE**

This Ordinance will be known as the Lea County Mobile Home Ordinance.

**SECTION 2. PURPOSE AND INTENT**

The purpose and intent of this Ordinance is to regulate the movement of manufactured homes, thereby promoting the protection of the health, safety, and welfare of the residents within the unincorporated areas of Lea County by:

- 2.1 Preventing injury or loss of life resulting from improper movement of manufactured homes; and
- 2.2 To ensure compliance with all Lea County regulations and ordinances.

**SECTION 3. AUTHORITY**

This Ordinance is enacted pursuant to the authority granted to the Board of County Commissioners of Lea County by NMSA 1978, Sections 3-17-6, 3-18-7, and 4-37-1, 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 Lea County. This Ordinance shall support and enhance the section of Housing Division Rules and Regulations, NMAC 14.12.2, incorporated herein by reference in its entirety except as otherwise provided for in this Ordinance.

**SECTION 4. APPLICABILITY**

This Ordinance shall apply to all unincorporated areas of Lea County.

**SECTION 5. DEFINITIONS**

5.1 **Mobile Home:** A mobile home is a manufactured home which is a moveable or portable housing structure over thirty-two (32) feet in length or over (8) feet in width, 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 real property.

## **SECTION 6. PROHIBITIONS**

6.1 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 and presents to the Motor Transportation Division proof that a certificate has been issued by the Lea County Treasurer 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.

6.2 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 permit 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.

6.3 No person shall move a manufactured home unless the certificate required in Section 8 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.

## **SECTION 8. CERTIFICATE**

8.1 The certificate from the County Treasurer shall be of size and color to be prescribed by the County Assessor or County Treasurer 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 Treasurer 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 Lea County.

8.3 No certificate shall be issued by the County Treasurer 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 Treasurer 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 Lea County Environmental Department 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 THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

**LEA COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Rebecca Long (District 2), Chair

Voted: Yes No Abstain

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Dean Jackson (District 1), Vice Chair

Voted: Yes No Abstain

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Gary G. Eidson (District 3), Member

Voted: Yes No Abstain

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Jonathan Sena (District 4), Member

Voted: Yes No Abstain

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Richard Don Jones (District 5), Member

Voted: Yes No Abstain

**ATTEST:** Keith Manes  
Lea County Clerk

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

By: \_\_\_\_\_

\_\_\_\_\_