

1 SENATE BILL 457

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 William E. Sharer

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10 AN ACT

11 RELATING TO STREET DEVELOPMENT; ALLOWING A MUNICIPALITY BY  
12 ORDINANCE TO IMPOSE CHARGES AND ASSESSMENTS FOR MAINTAINING,  
13 ENLARGING, CONSTRUCTING, REPAIRING AND EXTENDING STREETS;  
14 ESTABLISHING LIEN PRIORITY.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. A new section of the Municipal Code is enacted  
18 to read:

19 "[NEW MATERIAL] STREET DEVELOPMENT--CHARGES AND  
20 ASSESSMENTS FOR MAINTENANCE AND EXTENSION--LIENS.--

21 A. A municipality, for the purpose of maintaining,  
22 extending, enlarging, constructing and repairing streets and  
23 for paying the interest and principal on revenue bonds issued  
24 for the acquisition, condemnation or construction of streets,  
25 may levy by general ordinance a just and reasonable service

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1 charge upon a front-foot, volume-of-street or other equitable  
2 basis on:

3 (1) an improved or unimproved lot or land that  
4 adjoins a street or that is accessible to such a street; and

5 (2) premises and improvements otherwise  
6 situated but connected to a street.

7 B. Any charge authorized in Subsection A of this  
8 section is a lien co-equal with a similar lien and superior to  
9 all other liens except general property taxes upon the property  
10 so charged and is a personal liability of the owner of the  
11 property so charged. The lien shall be enforced as provided in  
12 Sections 3-36-1 through 3-36-7 NMSA 1978."