

ORDINANCE 16-19

AN ORDINANCE OF THE CITY OF ROSWELL ESTABLISHING THE CRITERIA FOR THE POSTING OF PROPERTY, AND PROVIDING FOR AN EFFECTIVE DATE AND SEVERABILITY.

WHEREAS, The City of Roswell, New Mexico has regulations concerning unauthorized access onto private property; and,

WHEREAS, the City of Roswell City Council has determined that clearly stating the criteria for the proper posting of properties is necessary.

NOW THEREFORE, be it ordained by the governing body of City of Roswell, State of New Mexico:

Section 1. Addition of new Section 10-66 as follows.

Section 10-66. – Posting Requirements

- A. The owner, lessee or person lawfully in possession of real property in New Mexico, except property owned by the state or federal government, desiring to prevent trespass or entry onto the real property shall post notices parallel to and along the exterior boundaries of the property to be posted, at each roadway or other way of access in conspicuous places, and if the property is not fenced, such notices shall be posted every five hundred feet along the exterior boundaries of such land.
- B. The notices posted shall prohibit all persons from trespassing or entering upon the property, without permission of the owner, lessee, person in lawful possession or his agent. The notices shall:
- (1) Be printed legibly in English;
 - (2) Be at least one hundred forty-four (144) square inches in size;
 - (3) Contain the name and address of the person under whose authority the property is posted or the name and address of the person who is authorized to grant permission to enter the property;
 - (4) Be placed at each roadway or apparent way of access onto the property, in addition to the posting of the boundaries; and
 - (5) Where applicable, state any specific prohibition that the posting is directed against, such as "no trespassing," "no digging" or any other specific prohibition.

- C. Any person who posts public lands contrary to state or federal law or regulation is guilty of a petty misdemeanor.

Secs. 10 - 66 67 - 10-70. - Reserved.

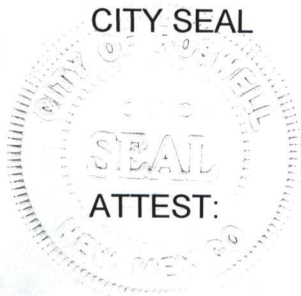
Section 2. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. EFFECTIVE DATE.

This ordinance shall be effective after five (5) days following its publication as required by State law.

PASSED, ADOPTED, SIGNED and APPROVED the 10th day of November, 2016.



Dennis Kintigh, Mayor



Sharon Coll, City Clerk