

ORDINANCE NO. 631

AN ORDINANCE AMENDING SECTION X, ORDINANCE NO. 605, BY PROVIDING THAT NO CANCELLATION OF SAID ORDINANCE SHALL RESULT FROM FAILURE TO USE SAID FRANCHISE WHERE SUCH FAILURE RESULTS FROM STRIKES, RIOTS, EARTHQUAKES, WAR, GOVERNMENTAL ACT, OR INABILITY TO OBTAIN NECESSARY EQUIPMENT, SUPPLIES, OR PERSONNEL TO OPERATE SAID FRANCHISE, OR ANY OTHER CAUSE BEYOND CONTROL OF GRANTEE WHETHER SIMILAR TO THE AFOREMENTIONED CAUSES OR NOT.

BE IT ORDAINED BY THE CITY COUNCIL OF ROSWELL, NEW MEXICO:

SECTION 1. That Section X, Ordinance 605, be amended to read as follows:

SECTION X. Non-use of the franchise granted herein or failure on the part of the grantee thereof to use or exercise the rights, privileges and franchise herein granted or to comply with the conditions herein or to perform the duties herein provided for a period of thirty (30) days shall ipso facto operate as a cancellation of said franchise and said franchise shall thereupon become null and void and of no effect, provided that no termination of this franchise pursuant to the provisions of this section shall result from failure of operations by grantee in whole or in part resulting from strikes, riots, earthquakes, war, governmental acts (whether foreign or domestic, federal, state, county, or municipal, either lawful or unlawful), or inability to obtain necessary supplies or equipment or personnel, or any other cause beyond control of grantee, whether similar to the aforementioned causes or not.

ADOPTED AND APPROVED this 27th day of January, 1949.

W. H. Harrison
Mayor of the City of Roswell, New Mexico

ATTEST:

Brad G. Hays
City Clerk