

ORDINANCE NO. 727

AN ORDINANCE AMENDING SECTION 213 OF ORDINANCE NO. 682 OF THE CITY OF ROSWELL, NEW MEXICO, ENTITLED "UNIFORM PLUMBING CODE"; PROVIDING FOR OCCUPATION LICENSE, PROVIDING FOR SURETY BOND UNDER CERTAIN CONDITIONS; PROVIDING FOR PAYMENT OF CERTAIN FEES; PROVIDING FOR EVIDENCE OF COMPLIANCE WITH STATE LAW; PROVIDING FOR REPAIR OF MISCELLANEOUS DEFECTS ON NOTICE THEREOF; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, DECLARING AN EMERGENCY, AND DECLARING THIS ORDINANCE TO BE SEVERABLE.

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

1. That Section 213 of Ordinance No. 682 of the City of Roswell be, and the same hereby is amended to read as follows, to-wit:

"Section 213. Occupation License. Bond. Before any Master Plumber's Occupation License shall be issued or renewed, said person, firm or corporation shall have executed and delivered to the City Clerk of the City of Roswell, a good and sufficient bond, running to the benefit of said City, in the sum of Five Hundred (\$500.00) Dollars, having thereon two or more sureties approved by the City Clerk, one of which said sureties shall be a surety company duly authorized to do business in the State of New Mexico, said bond to be conditioned for the due payment to said City of any and all charges or fees required by said Code for repairing damage to paving, to streets and/or alleys by reason of cuts in the paving, or other damage to such streets or alleys, accruing from or by virtue of any and all construction, reconstruction, improvement, repair or work entered upon or contracted for by such plumber under said Plumbing Code in accordance with Schedule of Fees or charges for paving cuts in Section 305 of Ordinance 682 provided.

The City of Roswell may for itself, upon the failure or refusal of any person, firm or corporation to pay any of the fees required by said Code, maintain suit therefor and further, the City may likewise maintain suit on said bond in any court having jurisdiction thereof by reason of any breach of the conditions therein. The bond herein required shall expire on the 31st day of December, next, following the date of approval of such bond by the City Clerk, and thereafter on the 1st day of January, a new bond in form and substance, as herein required, shall be given by any person, firm or corporation to cover the payment of fees or charges due and accruing to said City as aforesaid, during the year commencing on January 1st.

Before any Master Plumber's Occupation License shall be issued or renewed, said person, firm or corporation shall produce to the City Clerk of said City, satisfactory evidence of compliance with all the requirements as provided by State law, with particular reference to possession of current State License duly issued and, the due execution of such bonds to the State as may be by law in such case made and provided.

Said person, firm or corporation shall faithfully perform all work entered upon or contracted for in strict accordance and compliance with the terms of said Code and, shall remedy or cause to be remedied, any defect therein due to faulty workmanship, improper construction or installation, or due to the faulty material furnished or used by such person, firm or corporation without additional cost to the person for whom such work is done. Such work shall be reconstructed or repaired to the satisfaction of the City Plumbing

Official, or assistant, at any time within one year after construction, repair or installation thereof and, after forty-eight (48) hours notice from the City Plumbing Official to reconstruct or repair the same.

The Occupation License so issued shall run to the first day of January of each year. The names of each member or representative of any firm or corporation obtaining such occupation license shall be given to the City Clerk of the City of Roswell and, all such names shall be by him inserted in said license. The person, firm or corporation obtaining such license shall pay, as an occupation license fee for each calendar year or fractional part thereof, the sum of Fifty (\$50.00) Dollars for the first fifty thousand (\$50,000.00) Dollars of gross business and, One (\$1.00) Dollar per thousand for additional gross business, to the City Clerk of said City.

✓ All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. This Ordinance is hereby declared to be an emergency measure on the grounds of urgent public need and therefore, upon its final passage, adoption and approval shall forthwith be recorded in the Book of Ordinances of said City kept for that purpose, shall be authenticated by the signatures of the Mayor and City Clerk of said City, shall be published in the Roswell Daily Record, and shall be in full force and effect five (5) days after such publication.

3. Should any section, sub-section, paragraph, provision, clause, or phrase of this Ordinance be held invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance, it being the intention of the City Council of the City of Roswell, to enact this Ordinance and each provision thereof, exclusive of any portion or portions thereof which may be declared to be unconstitutional, or otherwise invalid.

PASSED, ADOPTED AND APPROVED THIS 5th DAY OF February, 1957

SEAL

ATTEST:

E. C. Tucker
E. C. Tucker, Mayor

L. G. Link
L. G. Link, City Clerk.