

Read 9-29-60  
Passed 9-29-60  
Published 10-3-60

ORDINANCE NO. 776

AN ORDINANCE AMENDING SECTION 7 OF ORDINANCE NO. 770; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH AND, DECLARING AN EMERGENCY.

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

1. That Section 7, 1. of Ordinance No. 770 of the City of Roswell be, and

~~the same hereby is amended to read as follows, to-wit:~~

Section 7: Any and all applications for permit for the moving of any such house, building or structure hereunder shall be made to and filed with the City Building Inspector, and, prior to the issuance of such permit by the City Building Inspector shall be approved by the City Manager. It shall be the duty of the City Building Inspector to recommend to the City Manager approval or disapproval of such application for permit.

Where such building or structure is to be moved to a location within an area zoned for residential purposes, any applicant for permit for such moving shall submit together with such application a petition bearing the bona fide signatures of all property owners within a radius of two hundred (200) feet in all directions from the proposed new location of such house, building or structure to be moved. Such petition shall evidence upon its face the approval or disapproval of each such respective property owner as to such proposed moving.

Anything to the contrary herein notwithstanding, no permit shall be issued for the moving of any such house, building or structure in the event that the moving or placing of such structure at its new location will in any respect violate the City Building Code, Fire Code Zoning Ordinance or other applicable city ordinances, nor shall such permit be issued if the placing of such structure at its new location will violate the provisions of any contractual building restrictions existing in the particular subdivision or area to which such structure is proposed to be moved.

In the event of disapproval or denial of application for such permit by the City Manager as above provided, applicant may within thirty (30) days appeal such decision to the City Council sitting as a board of appeals. In considering such application, said City Council may prescribe such reasonable requirements,

conditions or limitations as conditions precedent or conditions subsequent to the issuance of such permit for the moving of any such house, building or structure as may be deemed reasonable, necessary and proper under the circumstances and, the decision of the City Council shall be final.

2. That 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 such section, paragraph, clause or provision shall not affect any other part of this ordinance.

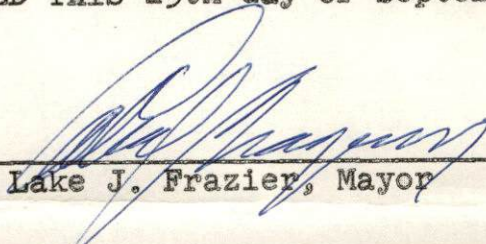
3. That all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

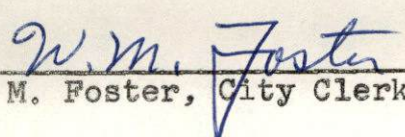
4. That this ordinance is necessary for the preservation of the public health, peace, safety and welfare of the inhabitants of the City of Roswell, Chaves County, New Mexico, and is hereby declared to be an emergency measure on the ground of urgent public need; and therefore, immediately upon its final passage, shall be recorded in the book of ordinances of said City kept for that purpose, authenticated by the signatures of the Mayor and City Clerk, shall be published in the Roswell Daily Record, a legal newspaper, published and of general circulation in said City, and this ordinance shall be in full force and effect five days after such publication.

PASSED, ADOPTED, SIGNED AND APPROVED THIS 29th day of September, 1960.

SEAL

ATTEST:

  
Lake J. Frazier, Mayor

  
W. M. Foster, City Clerk