

First Reading 1-9-62  
Passage 1-9-62  
Publication 1-12-62

*File*

ORDINANCE NO. 798

AN ORDINANCE AMENDING SECTION 23, CHAPTER 14 OF THE CODE OF THE CITY OF ROSWELL, NEW MEXICO 1952; PRESCRIBING THE GRADES OF MILK AND MILK PRODUCTS WHICH MAY BE SOLD: PROVIDING CERTAIN EXCEPTIONS THERETO AND PRESCRIBING CERTAIN DETAILS IN CONNECTION THEREWITH: REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH: PROVIDING FOR SEVERABILITY AND, DECLARING AN EMERGENCY.

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

1. That Section 23, Chapter 14 of The Code of the City of Roswell, New Mexico be, and the same hereby is, amended to read as follows:

Section 23. Grades of Milk and Milk Products which may be sold.

From and after 12 months from the date on which this Ordinance takes effect, no milk or milk products shall be sold to the final customer, or to restaurants, soda fountains, grocery stores, or similar establishments, except certified pasteurized and grade A pasteurized: Provided, That when any milk distributor shall fail to qualify for one of the above grades, the Health Officer is authorized to suspend his permit and/or to institute court action, or in lieu thereof, to degrade his produce and to permit its sale during a temporary period not exceeding 30 days, or in emergencies such longer periods as he may deem necessary.

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 That all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

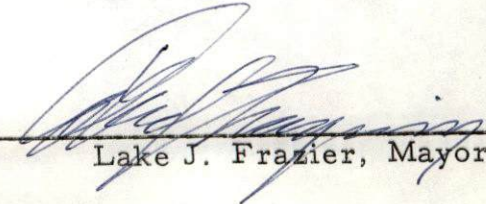
3. That if any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

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 9th day of January, 1962.

CITY SEAL

  
\_\_\_\_\_  
Lake J. Frazier, Mayor

ATTEST: W. M. Foster  
City Clerk