

AN ORDINANCE AMENDING SECTION 94 (d), DIVISION 2 - PARKING METERS, ARTICLE V OF CHAPTER 15 OF THE CODE OF THE CITY OF ROSWELL, NEW MEXICO 1952; 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 94 (d), Division 2 - Parking Meters, Article V of Chapter 15 of the Code of the City of Roswell, New Mexico 1952 be, and the same hereby is, amended to read as follows, and, that subparagraph (e) is added to said Section 94, to-wit:

Section 94. Report of violations by police, payment of fines citation.

(d) Any other facts the knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

Each officer shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of this division and instructing the owner or operator to report to the municipal judge of the city in regard to such violation. Each such owner or operator shall, within seventy-two hours of the time when such notice is attached to such vehicle, either pay the municipal judge as a penalty for, and in full satisfaction of, such violation, the sum of One Dollar or, make his appearance before said Court, and answer thereto. The failure of such owner or operator in violation to make such payment or enter his appearance therein within seventy-two hours shall be deemed a misdemeanor.

Upon the failure of such owner or operator in violation to make such payment or enter his appearance before the municipal court and answer thereto, as aforesaid, the Chief of Police shall thereafter, with all diligence, ascertain the name and address of such parking meter violator, and cause a citation to be issued against him, citing him to be and appear before the municipal court within five (5) days from the date of service thereof, then and there to show cause, if any there be, why he failed to make such payment or appear as above provided. Upon conviction in such case, the municipal court, within its discretion, may impose a fine not to exceed the sum of Five (\$5.00) Dollars.

(e) The fact that an automobile or vehicle which is unlawfully parked is registered in the name of a person shall be deemed to be prima facie proof or evidence that such person was in control of the automobile or vehicle at the time of such unlawful parking.

2. Repealer. That Section 94 (d) - Division 2 - Parking Meters, Article V of Chapter 15 of the Code of the City of Roswell, New Mexico, 1952, be and the same hereby is repealed in its entirety and, 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 parts of any ordinance heretofore repealed.


3. 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,

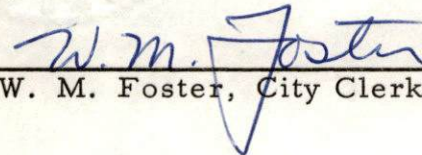
and is hereby declared to be an emergency measure on the ground of urgent public need; and therefore, immediately upon its final passage, shall be recorded in the book of ordinances of said City kept for that purpose, authenticated by the signatures of the Mayor and City Clerk, shall be published in 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 AND APPROVED THIS 5th day of February, 1963.

SEAL

ATTEST:

  
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Lake J. Frazier, Mayor

  
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W. M. Foster, City Clerk