ORDINANCE NO. 1086

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING ARTICLE V SECTION 3 OF ORDINANCE NO. 1035; PROVIDING FOR LIMITED FAMILY DAY CARE ACTIVITIES IN R-1 ZONED AREAS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PRO-VIDING FOR SEVERABILITY; AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council desires to make reasonable provision for family day care in residential areas and has determined such provision to be in the public interest.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL, OF ROSWELL, NEW MEXICO AS FOLLOWS:

Section 1. That Section 3 of Article V in Ordinance No. 1035 is hereby amended by addition of the following paragraph:

Family day care homes in private residences in which care, services, and supervision are provided for no more than 6 children. The care giver's own children, grandchildren, nieces or nephews under the age of 6 years shall be counted in determining the number of children allowed. No display of signs advertising the day care home shall be permitted on the premises and no nonresident persons shall be employed in the day care home.

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 All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 3. Severability. If any section, paragraph, clause, or provision of this ordinance for any reason shall 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.

Section 4. Effective Date. This ordinance shall be and become effective on and after five days following publication of this ordinance.

PASSED, ADOPTED, SIGNED AND APPROVED ON November 9, 1982

CITY SEAL

ATTEST:

AFFIDAVIT OF PUBLICATION

County of Chaves
State of New Mexico,
I, R.M. Higginbotham
Manager -
Of the Roswell Daily Record, a daily newspaper published at Roswell, New Mexico, do solemnly swear that the clipping hereto attached was published once a week in the regular and entire issue of said paper and not in a supplement thereof for a period

CITY OF RUSWELL NOV 1 7 1982

of One -ime beginning with the issue dated November 15 , 1932 and ending with the issue dated Manager Sworn and subscribed to before me day of November 1982 Notary Public My commission expires, 19...... (Seal)

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Publish November 15, 1982

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OF ORDINANCE NO. 1035; 44
PROVIDING FOR LIMITED C. FAMILY DAY CARE AC 3.47
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PASSED, ADOPTED, SIGNED, AND APPROVED ON A NOVEMBER 9, 1982.

CITY SEAL

Peter R. York to Mayor

ATTEST: Das uson printed