

ORDINANCE NO. 1260

AN ORDINANCE OF THE CITY OF ROSWELL RESTRICTING OPERATION OF TRUCKS AND OTHER VEHICLES ON RESIDENTIAL STREETS WITHIN THE CITY; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, residential streets in residential districts within the City have experienced substantial heavy truck traffic and such traffic is considered a hazard for residents along the streets, and

WHEREAS, the subject streets are not and were not intended to function as avenues for heavy trucks or other vehicles of similar size.

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

Section 1. Pursuant to the provisions of Section 66-7-415 NMSA (1978) the residential streets in residential districts are determined to be in primarily residential areas and are hereby made subject to the following restrictions:

Operation of trucks or similar commercial vehicles in excess of two (2) ton capacity is prohibited on residential streets in residential districts.

Exceptions: Delivery vehicles, including moving vans making deliveries to specific addresses, vehicles providing public services, i.e. local public conveyances, sanitation, telephone, cable, gas, electric, etc., and recreational vehicles.

Section 2. Repealer. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.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 effective five days following its publication or such later time that appropriate signs have been erected indicating the ordinance's provisions.

PASSED, ADOPTED, SIGNED, AND APPROVED on this 13th day of April, 1995.

CITY SEAL


THOMAS E. JENNINGS, Mayor

ATTEST:


Ruth A. May, City Clerk