

ORDINANCE NO. 1309

**AN ORDINANCE OF THE CITY OF ROSWELL PROVIDING THAT THE CODE OF ORDINANCES, CITY OF ROSWELL, NEW MEXICO, BE AMENDED BY REVISING SECTION 29-5 SUBSECTION 2 (ORDINANCE NUMBER 1167), DELETING SUBSECTION 3 AND RENUMBERING SUBSECTIONS 4 AND 5 IN THE ROSWELL CITY CODE; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.**

**WHEREAS**, the Roswell Relief Route--Bypass has been completed which will allow the transportation of hazardous materials to be diverted from the populated areas of the City of Roswell, and

**WHEREAS**, the City Council desires the Roswell Relief Route--Bypass be used for this purpose, and

**WHEREAS**, the City Council has determined that the public interest will best be served by designating the Roswell Relief Route--Bypass as primary and Main Street or Second Street as emergency alternate routes for the transportation of radioactive materials exceeding the "Type A Quantity, established in 10 CFR 71-4 (1986).

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

Section 1. The Roswell City Code Section 29-5(2) is hereby amended to read as follows:

Section 29-5. **Adopted.**

(1) Same

(2) Transportation of quantities of radioactive materials exceeding the Type A quantities shall be, so far as possible, restricted to the Roswell Relief Route--Bypass. The use of other streets shall be permitted only if delivery is to be made to an in-city site away from the bypass, or material is to be removed from such site. In the event there is an emergency on the bypass which renders it impassable, the fire chief or his designee will designate Main Street or Second Street as the alternate route.

(3) Delete

(4) Renumbered to (3).

(5) Renumbered to (4)

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 All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 3. If any section, paragraph, clause or provision of this ordinance for any reason shall be held to be invalid or nonenforceable, the invalidity or nonenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

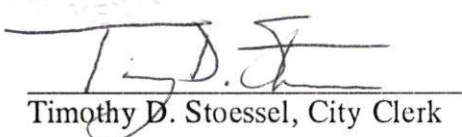
Section 4. This ordinance shall be effective after five (5) days following its publication as required by law.

**PASSED, ADOPTED, SIGNED AND APPROVED** the 11<sup>TH</sup> day of JUNE, 1998.

**CITY SEAL**

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Bill B. Owen, Mayor

**ATTEST:**

  
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Timothy D. Stoessel, City Clerk