

ORDINANCE NO. 1315

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING SECTION 29-8 OF THE ROSWELL CITY CODE TO ADD THE RESTRICTION OF THE OPERATION OF TRUCK AND OTHER COMMERCIAL VEHICLES ON A SECTION OF MAIN STREET (US 70-285); PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, downtown Main Street (US 70-285) has experienced substantial heavy truck traffic, and such traffic is considered a hazard to drivers of non-commercial vehicles and to pedestrians; and

WHEREAS, the subject section of Main Street (US 70-285) has become congested with and experienced pavement damage due to traffic of heavy trucks or other vehicles of similar size; and

WHEREAS, the subject section of Main Street (US 70-285) is described as follows:
Main Street, between the intersections of North Main Street (US 70-285) and College Avenue and South Main Street (US 285) and McGaffey Street.

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

Section 1. Section 29-8 of the Roswell City Code is hereby amended to add the following:

Section 29-8(d): Pursuant to the provisions of Section 66-7-415 NMSA 1978, the section of Main Street (US 70-285) between the intersections of North Main Street (US 70-285) and College Avenue and South Main Street (US 285) and McGaffey Street is hereby subject to the following restrictions:

Operation of trucks or similar commercial vehicles in excess of two tons' load capacity is prohibited on Main Street (US 70-285) between the intersections of North Main Street (US 70-285) and College Avenue and South Main Street (US 285) and McGaffey Street.

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

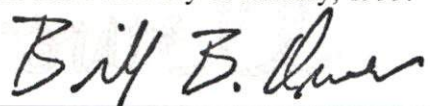
Section 2. Repealer. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

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 time later that appropriate signs have been erected indicating the ordinance's provisions.

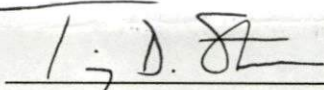
PASSED, ADOPTED, SIGNED, AND APPROVED on this 14TH day of January, 1999.

CITY SEAL



BILL B. OWEN, Mayor

ATTEST:



TIMOTHY D. STOESEL, City Clerk