

Ordinance 00-3

An Ordinance of the City of Roswell amending the noise ordinance to regulate the use of certain truck braking equipment in the City of Roswell.

Whereas, the use of retarders creates excessive noise and that noise is hazardous to other motorists.

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

1. Section 16-10 (b) Roswell City Code is amended to add a subsection (6) as follows:

(6) The sounding of any device or piece of equipment, including but not limited to a retarder, which helps slow a motor vehicle's rate of speed. When activated a retarder creates noise through the vehicles exhaust system. *A retarder* means any exhaust and/or engine device used to slow down a motor vehicle's rate of speed

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 Repealer: All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

3. Severability. If any paragraph, clause, or provision of this ordinance for any reason shall be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any other part of this ordinance.

Passed, adopted, signed, and approved this _____ day of _____, 2000.

Bill B. Owen, Mayor

City Seal

Attest:

Tim Stoessel
City Clerk