

PROPOSED ORDINANCE NO. 10-06

AN ORDINANCE OF THE CITY OF ROSWELL PROVIDING THAT THE CODE OF ORDINANCES, FOR THE CITY OF ROSWELL, NEW MEXICO, BE AMENDED BY ADDING FRAUDULENT USE OF A CREDIT CARD AS A MISDEMEANOR OFFENSE IN THE CITY OF ROSWELL.

WHEREAS, the Code of Ordinances for the City of Roswell does not have any offense for the offense of fraudulent use of credit card;

WHEREAS, the charge of fraudulent use of a credit card is a recognized as a criminal offense by the State of New Mexico;

WHEREAS, adoption of fraudulent use of a credit care would enhance the ability of the Municipal Court to serve the ends of justice and of the public.

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

Section 1. The Roswell City Code, is hereby amended to add Section 10-30 to read as follows:

Section 10-30. Fraudulent use of a credit card.

It shall be unlawful for any person to commit fraudulent use of a credit card, consisting of a person obtaining anything of value of two hundred fifty dollars (\$250) or less, with the intent to defraud by using one or more of the following;

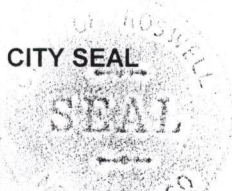
- (1) a credit card while fraudulently representing that the person is the cardholder named on the credit card or an authorized agent or representative of the cardholder named on the credit card; or
- (2) a credit card issued in the name of another person without the consent of the person to whom the card has been issued.

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 All Ordinances or parts of Ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any Ordinance or part of any Ordinance heretofore repealed.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 be affected any other part of this Ordinance.

Section 4. Effective Date. This Ordinance shall be effective five (5) days following its publication.

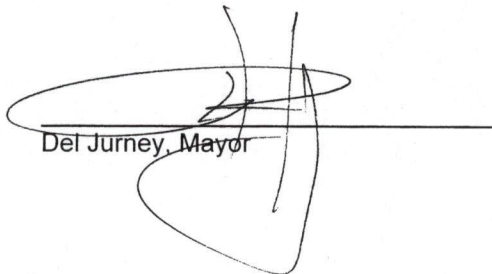
PASSED, ADOPTED, SIGNED AND APPROVED the 11th day of November, 2010.



ATTEST: MEXICO



David Kunko, City Clerk



Del Journey, Mayor