

PROPOSED ORDINANCE NO. 10-08

AN ORDINANCE OF THE CITY OF ROSWELL PROVIDING THAT THE CODE OF ORDINANCES, FOR THE CITY OF ROSWELL, NEW MEXICO, BE AMENDED BY ADDING ISSUANCE OF WORTHLESS CHECK 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 issuance of a worthless check in the amount of two hundred fifty dollars (\$250.00) or less;

**WHEREAS**, the issuance of a worthless check is a recognized criminal offense by the State of New Mexico;

**WHEREAS**, adoption of an ordinance regarding the issuance of worthless check in the amount of two hundred fifty dollars (\$250.00) or less 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 10-32 to read as follows:

**Section 10-32. Issuance of worthless check.**

It shall be unlawful for any person to issue in exchange for anything of value of two hundred fifty dollars (\$250.00) or less, with intent to defraud, any check, draft or order for payment of money upon any bank or other depository, knowing at the time of the issuing that the offender has insufficient funds in or credit with the bank or depository for the payment of such check, draft or order in full upon its presentation.

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 All Ordinances or parts of Ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any Ordinance or part of any Ordinance heretofore repealed.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

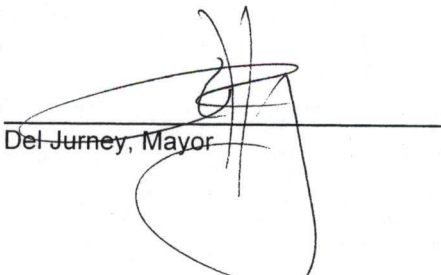
Section 4. Effective Date. This Ordinance shall be effective five (5) days following its publication.

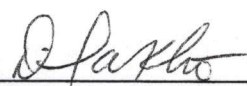
**PASSED, ADOPTED, SIGNED AND APPROVED** the 11th day of November, 2010.

CITY SEAL

SEAL

ATTEST:

  
Del Jurney, Mayor

  
David Kunko, City Clerk