

PROPOSED ORDINANCE NO. 13-03

AN ORDINANCE OF THE CITY OF ROSWELL PROVIDING THAT THE CODE OF ORDINANCES, CITY OF ROSWELL, NEW MEXICO, BE AMENDED BY REVISING SECTION 22-15 IN THE ROSWELL CITY CODE REGARDING THE REPLACEMENT OF SIDEWALKS.

WHEREAS, the Roswell City Code regulates the maintenance, repairs and reconstruction of all sidewalks within the City of Roswell;

WHEREAS, the removal of sidewalk by a property owner abutting a sidewalk affecting the safety and well-being of the pedestrian and individuals utilizing the sidewalk, and;

WHEREAS, the City of Roswell has determined that sidewalks are being removed without replacement in the City of Roswell.

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 22-15 hereby amended to read as follows:

Section 22-15. Applicability to Sidewalks

Sidewalks on public property shall be governed by the provisions of this Section. Sidewalks on private property shall be subject to the Building Code as adopted by the City. Construction of sidewalk shall require issuance of Building Permit from the City.

Maintenance, repairs, and reconstruction of all sidewalks shall be the responsibility of owner(s) of property which abuts such sidewalks. Property owner(s) shall be responsible for replacement of any removed sidewalk within 30 days of removal. The City shall not be responsible for such maintenance or replacement of sidewalks.

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 All Ordinances or parts of Ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any Ordinance or part of any Ordinance heretofore repealed.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

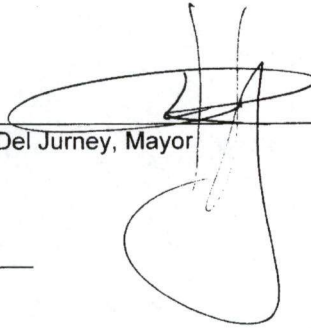
Section 4. Effective Date. This Ordinance shall be effective five (5) days following its publication.

PASSED, ADOPTED, SIGNED AND APPROVED the 10th day of 2013, 2013.

CITY SEAL

ATTEST:

Sharon Coll
Sharon Coll, City Clerk


Del Jurney, Mayor