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ORDINANCE NO. 756

AN ORDINANCE AMENDING ORDINANCE NO. 727 OF THE CITY OF ROSWELL, NEW MEXICO, PROVIDING FOR OCCUPATION LICENSE UNDER THE CITY OF ROSWELL UNIFORM PLUMBING CODE: PROVIDING FOR EVIDENCE OF COMPLIANCE WITH STATE LAWS: PROVIDING FOR REPAIR OF MISCELLANEOUS DEFECTS ON NOTICE THEREOF: REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND, DECLARING THIS ORDINANCE TO BE SEVERABLE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROSWELL, NEW MEXICO:

1. That paragraph one of Ordinance No. 727 of the City of Roswell, amending Section 213 of Ordinance No. 682 of the Uniform Plumbing Code be, and the same hereby is, amended to read as follows, to-wit:

"Section 213: License Fee. There is hereby imposed upon any person, firm or corporation who shall engage in the business of Master Plumber within the City, an Occupation Fee for each calendar year or fractional part thereof, a sum which shall be equal to Fifty (\$50.00) Dollars per annum for the first Fifty-thousand (\$50,000.00) Dollars of gross volume of business done, and One (\$1.00) Dollar per thousand for each additional thousand dollars of gross business to be paid to the City Clerk of said City.

Such Occupation License shall be issued by the City Clerk of said City in compliance with the provisions hereinafter provided upon payment to him of said license fee. The Occupation License so issued shall expire on the 31st day of December of each year. The names of each member of any firm, or the name of the corporation obtaining such Occupation License shall be given to the City Clerk and all such names shall be by him inserted in said license."

2. It shall be unlawful for any person, firm or corporation to engage in such business of Master Plumber within the City, without first having obtained a license therefor. The City of Roswell may for itself, upon the failure or refusal of any person, firm or corporation, to pay any of the fees required by said Code, maintain suit therefor in any Court of competent jurisdiction.

3. Before any Master Plumber's Occupation License shall be issued or renewed, said person, firm or corporation shall produce to the City Clerk of said City, satisfactory evidence of compliance with all requirements of State Law with particular reference to the possession of State License duly issued and, the due execution of bonds to the State as may be by law, in such cases made and provided.

Said person, firm or corporation to whom an Occupation License shall have been issued shall faithfully perform all work entered upon or contracted for in strict accordance and compliance with the terms of said Code, and shall remedy or cause to be remedied any defect therein due to faulty workmanship, improper construction or installation, or due to the faulty material furnished or used by such person, firm or corporation without additional cost to the person for whom such work is done. Such work shall be reconstructed or repaired to the satisfaction of the City Plumbing Official or his assistant, at any time within one year after construction, repair or installation thereof and, after forty-eight (48) hours notice from the City Plumbing Official to reconstruct or repair the same.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Should any section, sub-section, paragraph, provision, clause or phrase of this Ordinance be held invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance, it being the intention of the City Council of the City of Roswell, to enact this Ordinance and each provision thereof, exclusive of any portion or portions thereof which may be declared to be unconstitutional, or otherwise invalid.

PASSED, ADOPTED AND APPROVED THIS _____ DAY OF _____,

1959.

SEAL

ATTEST:

Bert Ballard
Bert Ballard, Mayor

W. M. Foster
W. M. Foster, City Clerk.