

ORDINANCE NO. 1052

AN ORDINANCE OF THE CITY OF ROSWELL MAKING PROVISION FOR ESTABLISHMENT OF FIRE LANES ON PRIVATE PROPERTY DEVOTED TO PUBLIC USE, AMENDING THE CITY'S FIRE PREVENTION CODE AS ADOPTED BY ORDINANCE NO. 1036; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Roswell has determined that the existence of fire lanes on private property devoted to public use is essential for the well being and safety of the inhabitants of the City of Roswell, and

WHEREAS, the City Council has determined that establishment of said fire lanes should be a function of the City's Fire Department and the enforcement of such provisions should be the joint responsibility of the City's Fire and Police Departments,

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

Section 1. The fire lanes referred to in Section 28-16 of the Fire Prevention Code of the City of Roswell, as adopted by the City in Ordinance No. 1036, shall be established on private property devoted to public use where the parking of motor vehicles or other obstructions can interfere with the ingress and egress of Fire Department vehicles for protection of persons and property. The Chief of the Bureau of Fire Prevention or the Chief of the Fire Department shall establish the location, size, and marking of the fire lanes with due regard for all attendant factors, including risk, location, and access to structures.

Section 2. The fire lanes established under this ordinance shall be indicated on documents maintained to the City of Roswell Fire Department and shall be clearly indicated at site of the fire lanes. The Fire Department shall be responsible for enforcing compliance with the requirements for painting, signing, or otherwise marking such fire lanes.

Section 3. Parking of motor vehicles or otherwise obstructing fire lanes designated under authority of this ordinance shall be prohibited at all times and such prohibitions may be enforced by

issuance of citations by the City's Police or Fire Departments and by removal of the obstructing vehicles or materials when such is reasonably necessary to assure ingress and egress for Fire Department vehicles. In the event vehicles or materials are removed pursuant to this section a citation shall also be issued to the operators of the vehicles or owners of the materials. Citations issued hereunder shall be answerable in the Municipal Court of the City of Roswell.

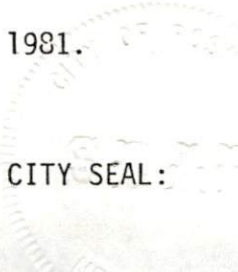
Section 4. Repealer. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 5. Severability. That 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 affect any other part of this ordinance.

Section 6. Effective Date. This ordinance shall be and become effective on and after March 1, 1981.

PASSED, ADOPTED, SIGNED AND APPROVED ON 10 FEBRUARY 1981,
1981.

CITY SEAL:


L.C. Stiles
L.C. STILES, Mayor

ATTEST:

Sarah L. Carter
Sarah L. Carter, City Clerk