

ORDINANCE NO. 1119

AN ORDINANCE OF THE CITY OF ROSWELL, NEW MEXICO REQUIRING UTILITY COMPANIES OPERATING WITHIN PUBLIC RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE CITY OF ROSWELL, NEW MEXICO TO PARTICIPATE IN THE ROSWELL UTILITY COUNCIL ONE CALL UTILITY LOCATE SYSTEM; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND FIXING AN EFFECTIVE DATE.

WHEREAS, buried utility lines have become extensive throughout the City of Roswell rights-of-way, and

WHEREAS, unauthorized excavation resulting in accidental damage to various underground utilities is becoming more prevalent within the City of Roswell, and

WHEREAS, accidental disruption of various underground utilities presents a threat to the welfare and safety of the general public, and

WHEREAS, the Roswell Utility Council One-call Utility Locate System is operating and has reduced the number of underground utility repairs for those utility companies now on the one-call system,

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

1. The City of Roswell does hereby require all utility companies operating within the public rights-of-way within the corporate limits of the City of Roswell, New Mexico to participate in the Roswell Utility Council One-call Utility Locate System and comply with the agreement dated December 14, 1982, as amended, within thirty days after the approval and adoption of this ordinance.

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 All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

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 affect any other part of this ordinance.

4. Effective Date. This ordinance shall be and become effective on or after five days following publication of this ordinance.

PASSED, ADOPTED, SIGNED AND APPROVED on this 10th day of April, 1984.

CITY SEAL

  
PETER R. YORK, Mayor

ATTEST:

  
Sarah L. Carter, City Clerk