

ORDINANCE NO. 1178

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING SECTION 12-6-12.2 (B) (1) OF THE 1983 NEW MEXICO TRAFFIC ORDINANCE AS ADOPTED IN THE ROSWELL CITY CODE, SECTION 29-1, TOGETHER WITH ANY AMENDMENTS THERETO; CHANGING THE LIMIT PROVIDED IN SAID SECTION FROM 0.15 PERCENT TO 0.10 PERCENT; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND FIXING AN EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, the present provisions of Section 12-6-12.2 (B) (1) of the City's traffic code do not conform to the requirements of New Mexico law, and

WHEREAS, it is the desire of the City Council to amend the traffic code to conform with State law;

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

Section 1. Section 12-6-12.2 (B) (1) of the 1983 New Mexico Uniform Traffic Ordinance as adopted by the Roswell City Code, Section 29-1, and amended by Ordinance No. 1176, is hereby amended to read as follows:

"(1) the results of a test performed pursuant to the Implied Consent Act discloses that the blood of the person charged contains at least ten one-hundredths of one percent by weight of alcohol; (66-8-102.1 NMSA 1978 as amended), or"

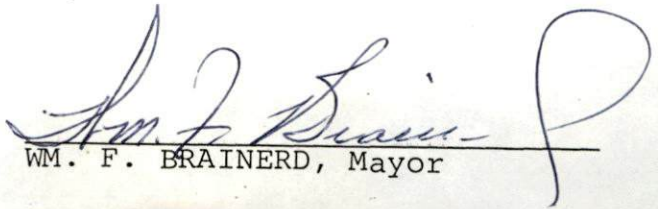
Section 2. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 3. 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.

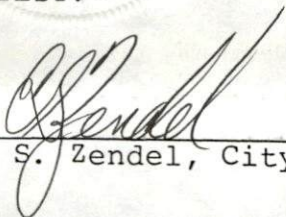
Section 4. This ordinance shall be and become effective on and after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED the 8th day of December, 1987.

CITY SEAL


WM. F. BRAINERD, Mayor

ATTEST:


E. S. Zendel, City Clerk