

ORDINANCE NO. 1204

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING THE ROSWELL CITY CODE BY ADDITION OF A NEW SECTION, 29-7, REQUIRING CLEAR VISIBILITY OF DRIVERS OF MOTOR VEHICLES; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Roswell has found and determined that certain kinds of sunscreens on motor vehicle windows constitute a hazard to the driver of the motor vehicle, to the public at large, and to the investigating police officers.

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

Section 1. A new Section 29-7 of the Roswell City Code is enacted hereby, which shall read as follows:

A. No person shall drive a motor vehicle upon the streets of the City of Roswell if the driver and passengers are not clearly visible to any observer from a distance of fifty feet or closer than fifty feet from the vehicle, through the front windshield and thru the windows in the left and right front doors.

B. A person shall be in violation of this section if the percentage of available light transmitted through the tinting material is less than thirty-five percent (35%).

C. The rear window of any vehicle may be tinted with any material so long as the vehicle is equipped with exterior rear view mirrors on both left and right sides. If a vehicle does not have dual exterior side mirrors, the rear window shall comply with the standards in paragraph B of this section.

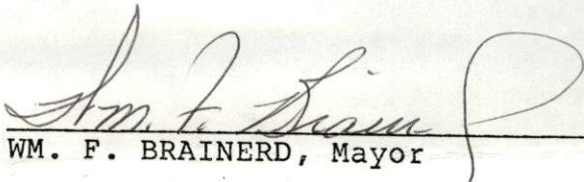
Section 2. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

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.

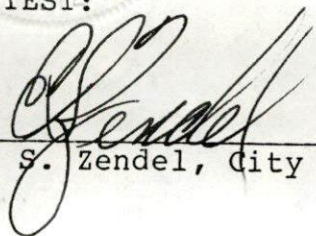
Section 4. This ordinance shall be and become effective on and after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED the 10th day of October, 1989.

CITY SEAL


WM. F. BRAINERD, Mayor

ATTEST:


E. S. Zendel, City Clerk