

ORDINANCE NO. 1206

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING SECTION 31-17 OF THE ROSWELL CITY CODE, PERMITTING DISCONTINUANCE OF WATER SERVICE TO PROPERTIES WHEREON A HEALTH HAZARD ASSOCIATED WITH WATER OR SEWER SERVICE EXISTS, PERMITTING DISCONTINUANCE OF WATER SERVICE FOR DELINQUENT SEWAGE CHARGES OR FOR VIOLATION OF PRETREATMENT REQUIREMENTS; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, public health and economic necessity may require that water service to a property be stopped in order to mitigate damages and to achieve compliance with city regulations, and

WHEREAS, provisions for halting water service are in the public interest for preservation of public health and maintaining the integrity of the city water system,

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

Section 1. In the Roswell City Code Section 31-17 is hereby amended to read as follows:

Section 31-17. Authority to shut off water.

(a) The city reserves the right at any time, without notice, to shut off water in the mains for the purpose of repairs, or for violation of any of the rules of the water and sewer department.

(b) The City Manager may direct that water service to a customer be shut off when in the Manager's opinion continued service would directly contribute to a public health hazard existing in connection with the water or sewer service to a property. Such interruption of service may be continued until the hazardous condition is remedied.

(c) The City Manager may direct that water service to a customer be shut off in the event of a failure to pay required utility charges or for failure to comply with sewage pretreatment requirements. Such interruption of service may be continued until the required payments together with any penalties are made to the city or until the pretreatment requirements have been met.

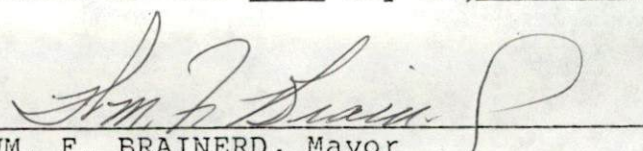
Section 2. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

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.

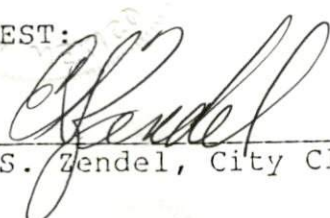
Section 4. This ordinance shall be and become effective on and after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED the 14th day of November 1989.

CITY SEAL


WM. F. BRAINERD, Mayor

ATTEST:


E. S. Zendel, City Clerk