

ORDINANCE NO. 1232

AN ORDINANCE OF THE CITY OF ROSWELL RESTRICTING OPERATION OF TRUCKS AND OTHER COMMERCIAL VEHICLES ON CERTAIN STREETS WITHIN THE CITY; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, certain residential streets within the City have experienced substantial heavy truck traffic and such traffic is considered a hazard for residents along the streets, and

WHEREAS, the subject streets are not and were not intended to function as avenues for heavy trucks or other vehicles of similar size, and

WHEREAS, the subject streets or portions of streets are:

Berrendo Road, East of Main Street to Atkinson

Mescalero Road, East of Main Street to Atkinson

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

Section 1. Pursuant to the provisions of Section 66-7-415 NMSA (1978) the portions of Berrendo Road and Mescalero Road between Main Street and Atkinson Avenue are determined to be in primarily residential areas and are hereby made subject to the following restrictions:

Operation of trucks or similar commercial vehicles in excess of two (2) tons (GVW) is prohibited on portions of Berrendo Road and Mescalero Road Between Main Street and Atkinson Avenue.

Exceptions: Delivery vehicles, including moving vans, making deliveries to specific addresses, vehicles providing public type services to the public, i.e. local public conveyances, sanitation, telephone, cable, gas, electric, etc., and recreational vehicles.

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 All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 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.

Section 4. Effective Date. This ordinance shall be effective five days following its publication or such time later that appropriate signs have been erected indicating the ordinance's provisions.

PASSED, ADOPTED, SIGNED, AND APPROVED on this 11<sup>th</sup> day of

March, 1993.

CITY SEAL

ATTEST:

Ruth A. May  
Ruth A. May, City Clerk

WM. F. BRAINERD, Mayor