

ORDINANCE NO. 1255

An ordinance of the City of Roswell requiring Mandatory School Attendance for any child who has attained the age of five years and has not yet attained the age of eighteen years and is enrolled and required by law to attend school; providing for severability; providing for repeal of all ordinances or parts of ordinances in conflict herewith; and providing an effective date.

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

Section 1. No person under the age of 18 years shall be upon or about public streets, public places of amusement and entertainment within the City during the hours when said person is required to be in attendance at either a public or private school as required by state law.

Section 2. It shall be unlawful for a person to encourage or assist a student not to attend or return to school unless said absence is excused by a school official or such absence is excused under one of the exceptions found in the ordinance or such excuse is recognized by law.

Section 3. Parent(s) or legal guardian of school children who violate this ordinance will be given a warning on the first violation, a \$50 fine on the second violation, and a \$100 fine on each subsequent violation.

Section 4. Students who violate this mandatory school attendance will be identified and the proper school officials and the parent or legal guardian of the student shall be notified and summoned to Court for a hearing on the matter.

Section 5. This ordinance is in no way intended to replace the "New Mexico Compulsory School Attendance Law" found at ARTICLE 12 Sections 22-12-1 through 22-12-7 NMSA 1978.

Section 6. This ordinance is in no way intended to replace any truancy supervision by the school districts, private schools or any other school recognized by law.

Section 7. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

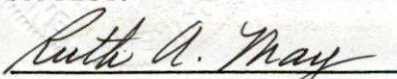
Section 8. If any section, paragraph, clause or provision of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

Section 9. This ordinance shall be effective after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED the 10th day of Nov., 1994.

CITY SEAL

ATTEST:


Ruth A. May, City Clerk


THOMAS E. JENNINGS, Mayor