

ORDINANCE NO. 1263

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING SECTION 12-6-13.2 OF THE UNIFORM TRAFFIC ORDINANCE, RELATING TO UNLAWFUL RIDING, AMENDING SECTION 29-1 OF THE ROSWELL CITY CODE TO REFLECT SUCH AMENDMENT, THUS PROVIDING FOR AN ORDINANCE MAKING IT ILLEGAL FOR CERTAIN PERSONS TO RIDE IN AN UNENCLOSED PORTION OF A TRUCK, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

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

Section 1. The Uniform Traffic Code, is amended by inserting the following as a subsection:

C. No person sixteen (16) years of age and under shall ride in the bed of a truck, or in any other part of a truck which is not enclosed by a rigid top or vehicle body. No driver shall allow such a person or persons to ride in a part of a truck that is not enclosed by a rigid top or vehicle body.

The following exemption to this regulation applies:

- a. Persons riding in trucks which are participating in a parade conducted consistent with the City's Parade Ordinance.

The Uniform Traffic Code is further amended by striking that portion of Section B which reads "(or to persons riding within truck bodies in space intended for merchandise.)" These persons are NOT exempted from the provisions of ORDINANCE 1263.


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 All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.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 effective after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED the 11th day of May, 1995.

CITY SEAL


THOMAS E. JENNINGS, Mayor

ATTEST:


Ruth A. May, City Clerk