

ORDINANCE NO. 1312

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 street is not and was not intended to function as an avenue for heavy trucks or other vehicles of similar size; and

WHEREAS, the subject street is described as follows:

Poe Street, from the intersection of Poe Street and Southeast Main Street to the intersection of Poe Street and Sunset Avenue;

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

Section 1. Section 29-8 of the Roswell City Code is hereby amended to read as follows:

(a) The entirety of the current text of Section 29-8, Operation of trucks and other commercial vehicles on certain streets, shall be renamed as Section 29- 8(a).

(b) Ordinance No. 1232, the restriction of traffic on Berrendo Road, east of Main Street to Atkinson, and Mescalero Road, East of Main Street to Atkinson, shall be added as Section 29-8 (b).

(c) The following shall be added as Section 29-8(c):

Pursuant to the provisions of Section 66-7-415 NMSA (1978), the portion of Poe Street from the intersection of Poe Street and Southeast Main Street to the intersection of Poe Street and Sunset Avenue is determined to be in a primarily residential area and is hereby made subject to the following restrictions:

Operation of trucks or similar commercial vehicles in excess of two (2) tons (GVW) is prohibited on Poe Street between the intersection of Poe Street and Southeast Main Street and Poe Street and Sunset Avenue.

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

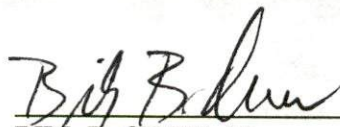
Section 2. Repealer. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such conflict or inconsistency. This repealer shall not be construed to revive any ordinance or part of ordinance heretofore repealed.

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.

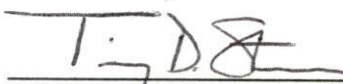
Section 4. Effective date. This ordinance shall be effective five days following its publication or such time later that appropriate signs have been erected indicating the ordinance's provisions.

PASSED, ADOPTED, SIGNED, AND APPROVED on this 13<sup>TH</sup> day of AUGUST, 1998.

CITY SEAL

  
BILL B. OWEN, Mayor

ATTEST:

  
TIMOTHY D. STOESSEL, City Clerk