

ORDINANCE NO. 95-06-15

AN ORDINANCE RESTRICTING TRUCK AND TRUCK
TRAILER TRAFFIC ON THE NORTH HURLEY ROAD

692

NOW THEREFORE BE IT ORDAINED by the Board of County
Commissioners of Grant County, New Mexico:

Section 1. Title.

This Ordinance shall be known and cited as the "North Hurley
Road Traffic Restriction Ordinance."

Section 2. Findings and Purpose.

A. The Grant County Commission hereby finds:

Heavy trucks and truck trailer frequently travel the North
Hurley Road, a residential area, creating unacceptable noise,
safety and pollution problems. In addition, such trucks and truck
trailers have in the past caused property damage, exceeded posted
speed limits, and detracted from the quality of life for residents
living adjacent or near to the North Hurley Road.

B. The purpose of this Ordinance is to restrict heavy truck
and truck trailer traffic on North Hurley Road. A map of the North
Hurley Road, showing the road and its surrounding environs, is made
a part of this Ordinance as an Attachment.

Section 3. Definitions.

A. "AUTHORIZED EMERGENCY VEHICLE" means any fire department
vehicle, police vehicle, ambulance and any emergency vehicles of
municipal departments or public utilities that are designated or
authorized as emergency vehicles by the Grant County Sheriff's
Department or the New Mexico state police division of the
department of public safety.

B. "GROSS VEHICLE WEIGHT" means the weight of a vehicle,
plus the weight of any load thereon.

C. "SCHOOL BUS" means any motor vehicle operating under the authority of the state board of education or private school or parochial school interests that is used to transport children, students or teachers to and from schools or to and from any school activity.

D. "TRUCK" means every motor vehicle designed used or maintained primarily for the transportation of property.

E. "TRUCK TRAILER" means any vehicle, without motive power, designed for carrying persons or property and being drawn by a motor vehicle.

Section 4. Restricted Traffic.

A. Trucks and truck trailers, with a gross vehicle weight of five tons or more, are prohibited from traveling on North Hurley Road, except as set forth in subsections B and C below.

B. Trucks and truck trailers, with a gross vehicle weight of five tons or more, which are delivering to North Hurley Road addresses are permitted to travel on North Hurley Road.

C. Authorized emergency vehicles; any government or utility maintenance, service and transportation vehicles; and school buses, with a gross vehicle weight of five tons or more, are permitted to travel on North Hurley Road.

Section 5. Obligations of Grant County. N.M. Stat. Ann §66-7-415

(1994 Repl. Pamph.) authorizes the governing body of the County of Grant to restrict truck traffic upon the County's public roads in areas which are primarily residential.

A. The County Manager's Office shall forward a copy of this Ordinance to the state Motor Transportation Department.

B. The County Roads Department shall install weight limitation signs appropriately and conspicuously on the affected portion of North Hurley Road.

C. The County Sheriff's office shall increase the frequency of patrols on North Hurley Road to enforce this Ordinance and the speed limitation.

Section 7. Penalties. Violation of this Ordinance shall be a misdemeanor and the penalties for violation shall be punished by a fine of not more than three hundred dollars (\$300) or by imprisonment for not more than ninety days or both. N.M. State Ann. §66-8-7 (1994 Repl. Pam.).

Section 6. Effective Date.

The North Hurley Road Traffic Restriction Ordinance shall take effect thirty (30) days after it has been duly recorded in the book kept for that purpose by the Grant County Clerk.

PASSED, ADOPTED AND APPROVED, by the Grant County Board of Commissioners, this 15th day of June, 1995.

STATE OF NEW MEXICO

County of Grant

I hereby certify that this instrument was filed for record on the 16th day of June A.D., 1995 at 11:30 o'clock A. M. and duly recorded in book 204 of the records of Ordinances at page 692-95

Witness my hand and seal of office June 15, 1995
Rena Madrid-Cope
 COUNTY CLERK, GRANT CO., N.M.
Guillermo Suarez Deputy

ATTEST:

Rena Madrid-Cope
 Rena Madrid-Cope
 Grant County Clerk

Guillermo Suarez
 By: Guillermo Suarez Deputy

GRANT COUNTY BOARD OF COMMISSIONERS

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 Manuel T. Serna, Chairman

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 Carl Scholl, Member

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 Zeke Santa Maria, Member