

# VILLAGE OF CORRALES

## ORDINANCE NO. 06-05

AN ORDINANCE AMENDING SECTION 34-42 OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES; AMENDING ORDINANCE NO. 310, ADOPTED FEBRUARY 24, 1998, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 04-386, ADOPTED JULY 27, 2004, AND AMENDING THE NORTHWEST SECTOR PLAN AS ADOPTED BY ORDINANCE NO. 243 ADOPTED JULY 28, 1993; PROVIDING THAT THE SPEED LIMIT ON LOMA LARGA ROAD FROM CABEZON ROAD TO CAREY ROAD SHALL BE THIRTY (30) MILES PER HOUR; CLARIFYING THAT THE POSTED SPEED LIMIT ON A PAVED STREET, AS DULY ESTABLISHED BY THE VILLAGE OF CORRALES, MAY BE OTHER THAN TWENTY-FIVE MILES PER HOUR; AMENDING REFERENCES TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, FORMERLY THE STATE HIGHWAY DEPARTMENT.

WHEREAS, Section 34-42 of the Code of Ordinances (the "Code") of the Village of Corrales (the "Village"), being Ordinance No. 310, adopted February 24, 1998, as subsequently amended by Ordinance No. 04-386, adopted July 27, 2004, establishes the criteria for establishment and enforcement of speed limits on streets in the Village, in accordance with New Mexico law; and

WHEREAS, Ordinance No. 243 adopted July 28, 1993, adopting the Northwest Sector Plan of the Village, provides for a speed limit of twenty-five (25) miles per hour on that portion of Loma Larga Road that is within the Northwest Sector; and

WHEREAS, Ordinance No. 04-386, adopted July 27, 2004, provides for a speed limit of thirty (30) miles per hour on a limited portion of Loma Larga Road; and

WHEREAS, the Village Council has caused to be prepared and delivered by Taschek Environmental Consulting an engineering study and traffic investigation, known as the "Village of Corrales Transportation Study" and dated August 10, 2004, which suggests that a speed limit as high as thirty-five (35) miles per hour would be appropriate and reasonable on Loma Larga Road; and

WHEREAS, the Village Council finds that it is in the best interests of the Village and its residents to provide more efficient motor vehicle access by setting a uniform speed limit on Loma Larga Road, between Cabezon Road and Carey Road, of thirty (30) miles per hour; and

WHEREAS, the administrative body formerly known as the New Mexico State Highway Department is now the New Mexico Department of Transportation, and language relating to that body should be amended to reflect the change in name.

**NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that:**

**(1) Subsection 34-42 of the Code of Ordinances of the Village of Corrales, being a portion of Ordinance No. 310, Section 3, adopted February 24, 1998, as amended by Ordinance No. 04-386, adopted July 27, 2004, is hereby amended to read as follows:**

**Sec. 34-42. Speed limits.**

- (a) No person shall drive a vehicle on any street at a speed greater than:
  - (1) Twenty-five miles per hour on paved streets not otherwise posted with a lower speed limit duly established by the Village or other governing authority.
  - (2) Thirty miles per hour on Loma Larga Road between Cabezon Road and Carey Road.
  - (3) Fifteen miles per hour on dirt roads.
  - (4) Fifteen miles per hour on all streets when passing a school while children are going to or leaving school and when the school zone is properly posted.
  - (5) The lawfully posted speed limit when signs are erected giving notice of the speed limit.
  - (6) The lawful posted speed limit, as determined by an engineering study and traffic investigation conducted by the Village or the New Mexico Department of Transportation, pursuant to NMSA § 66-7-303 or § 12-2-9 of the Uniform Traffic Ordinance or local ordinance as provided by state statutes.
- (b) In every event, speed shall be so controlled as may be necessary:
  - (1) To avoid colliding with any person, vehicle or other thing on or entering the street;
  - (2) To comply with legal requirements as may be established by the Village, the New Mexico Department of Transportation, of the State Police, and the duty of all persons to use due care; and
  - (3) To protect workers in a construction zone.

**(2) Any part of Ordinance No. 243, adopted July 28, 1992, or of the Northwest Sector Plan therein adopted, which is inconsistent with the provisions of this Ordinance, is hereby repealed only to the extent of such inconsistency.**

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: The amendment adopted by this Ordinance shall be incorporated in and compiled as Section 34-42 of the Code of Ordinances of the Village of Corrales, or under such

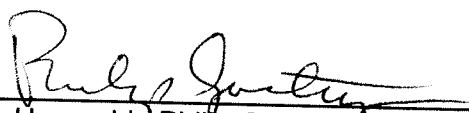
other designation as may be appropriate upon re-codification of the Code of Ordinances as authorized by the Governing Body.

**EFFECTIVE DATE AND PUBLICATION:** This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

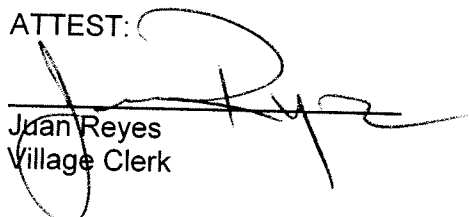
**ADOPTED** by the Governing Body of the Village of Corrales, New Mexico as Ordinance No. 06-05 this 23 day of May 2006.

APPROVED:

**VILLAGE OF CORRALES**

  
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The Honorable Philip Gasteyer  
Mayor, Village of Corrales

ATTEST:

  
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Juan Reyes  
Village Clerk