

VILLAGE OF CORRALES

ORDINANCE NO. 08-004

AN ORDINANCE AMENDING SECTION 34-42 OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES; AMENDING ORDINANCE NO. 06-05, ADOPTED MAY 23, 2006, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 310, ADOPTED FEBRUARY 24, 1998, AS AMENDED BY ORDINANCE NO. 04-386, ADOPTED JULY 27, 2004, PROVIDING THAT THE SPEED LIMIT ON LOMA LARGA ROAD FROM CAREY ROAD TO CAMINO TODOS LOS SANTOS SHALL BE THIRTY (30) MILES PER HOUR TO TAKE EFFECT UPON COMPLETION AND APPROVAL OF PHASE V OF THE LOMA LARGA ROAD IMPROVEMENT PROJECT.

WHEREAS, Section 34-42 of the Code of Ordinances (the "Code") of the Village of Corrales (the "Village"), being Ordinance No. 06-05, adopted May 23, 2006, amending 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, Ordinances No. 06-05 and No. 04-386, adopted May 23, 2006 and July 27, 2004, respectively, provide for a speed limit of thirty (30) miles per hour on a limited portion of Loma Larga Road extending at present from Cabezon Road to Carey 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 Camino Todos los Santos of thirty (30) miles per hour when the final, Phase V, of the Loma Larga Improvement Project is completed; and

WHEREAS, contracts have been executed and work is beginning to complete Phase V of the Loma Larga Improvement Project, including the final segment from Carey Road to Camino Todos los Santos; and

WHEREAS, upon completion and approval it is desirable to promptly install and place signage stating the appropriate speed limit of Loma Larga Road as thirty (30) miles per hour.

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

(1) Section 34-42 of the Code of Ordinances of the Village of Corrales, being a portion of Ordinance No. 06-05, adopted May 23, 2006, amending 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 Camino Todos Los Santos.
 - (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.

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.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico as Ordinance No. 08-004 this 22ND day of April 2008.

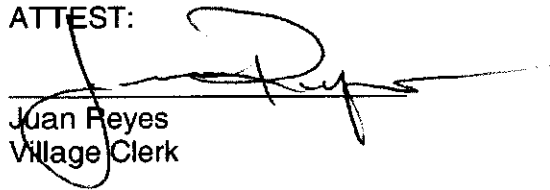
APPROVED:

VILLAGE OF CORRALES



The Honorable Philip Gasteyer
Mayor, Village of Corrales

ATTEST:



Juan Reyes
Village Clerk