SANTA FE COUNTY

ORDINANCE NO. 2005- 3

ORDINANCE RESTRICTING THROUGH TRUCK TRAFFIC ON CAJA DEL RIO ROAD IN SANTA FE COUNTY

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO:

Section 1. Short Title.

This ordinance may be referred to as the "Caja Del Rio Truck Traffic Restriction Ordinance."

Section 2. Definitions. As used in this Ordinance:

A. *Authorized Emergency Vehicle* means any fire department vehicle, police vehicle, ambulance and any emergency vehicles operated by the State of New Mexico, a municipality or County or operated by a public utility.

B. *Gross vehicle weight* means the weight of a vehicle inclusive of any load.

C. *School bus* means any motor vehicle operating under the authority of a Board of Education or private or parochial school interests that is used to transport children, students or teachers to or from schools or to and from any school activity, but not including any vehicle:

(1) operated by a common carrier, subject to and meeting all requirements of the public regulation commission but not used exclusively for the transportation of pupils;
(2) operated solely by a government-owned transit authority, if the transit authority meets all safety requirements of the public regulation commission but is not used exclusively for the

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transportation of pupils; or
(3) operated as a per capita feeder as defined in NMSA 1978, §22-16-6.

D. *Truck* means every motor vehicle designed, used or maintained primarily for the transportation of property.

E. *Trailer* means any vehicle, without motive power, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no significant part of its weight rests upon the towing vehicle.

F. *Solid Waste Truck* means any vehicle specifically designed to collect and transport solid waste or recyclables.

Section 3. Restricted Traffic.

A. Solid waste trucks and truck trailers, with a gross vehicle weight of five (5) tons or more, are prohibited from using Caja del Rio Road to travel between US 285 and SR 599 or to use Caja del Rio Road between Las Campanas Drive and Wildlife Way.

B. Trucks and truck trailers with a gross vehicle weight of 5 tons or more are prohibited for through traffic between US 285 and SR 599.

C. This Ordinance shall not apply to travel of a solid waste truck or truck trailer which is delivering to a local resident.

D. This Ordinance shall not apply to authorized emergency vehicles, government or utility vehicles, service and transportation vehicles, a school bus.

Section 4. Obligations of Santa Fe County.

A. The Santa Fe County Public Works Department shall forward a copy of this Ordinance to the New Mexico State Motor Transportation Division of the Department of Public Safety.

B. The Santa Fe County Public Works Department shall install weight limitation signs appropriately and conspicuously on the affected portion of Caja Del Rio Road.

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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
BCC ORDINANCE
PAGES: 3
I Hereby Certify That This Instrument Was Filed for Record On The 25TH Day Of May, A.D., 2005 at 14:34
And Was Duly Recorded as Instrument # 1381425
Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy Marcella Lozar
County Clerk, Santa Fe, NM

Section 5. Saving Clause.

If any of the sections, subsections, sentences, clauses, or phrases, of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be hereby affected since it is the express intent of the County Commission to pass each section, phrase, paragraph and word separately.

Section 6. Penalties.

Penalty for violation of this Ordinance shall be imposed in accordance with NMSA 1978, §4-37-3 (1993), and as may be amended.

Section 7. Effective Date.

This Ordinance shall become effective as of the date provided by law.

PASSED, APPROVED AND ADOPTED THIS 24 DAY OF May, 2005.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

MICHAEL D. ANAYA, CHAIRMAN
By: Harry Montoya, Vice Chairman

ATTEST:

Valerie Espinoza
VALERIE ESPINOZA, COUNTY CLERK
By: Shirley Cooper-Salazar

APPROVED AS TO FORM:

Sophia Collard
by **STEPHEN C. ROSS, COUNTY ATTORNEY**

COUNTY CLERK SEAL
VALERIE ESPINOZA
SANTA FE COUNTY NEW MEXICO

COUNTY CLERK RECORDED 05/25/2005