

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 489

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Paul A. Pacheco

AN ACT

RELATING TO MUNICIPALITIES; AMENDING A SECTION OF THE MUNICIPAL
CODE TO PROVIDE FOR THE ADOPTION AND ENFORCEMENT OF ORDINANCES
AND RESOLUTIONS BY THE ALBUQUERQUE-BERNALILLO COUNTY WATER
UTILITY AUTHORITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 3-17-1 NMSA 1978 (being Laws 1965,
Chapter 300, Section 14-16-1, as amended) is amended to read:

"3-17-1. ORDINANCES--PURPOSES.--The governing body of a
municipality, including an entity established pursuant to
Section 72-1-10 NMSA 1978, may adopt ordinances or resolutions
not inconsistent with the laws of New Mexico for the purpose
of:

A. effecting or discharging the powers and duties
conferred by law upon the municipality or entity established

.191324.1

underscored material = new
[bracketed material] = delete

1 pursuant to Section 72-1-10 NMSA 1978;

2 B. providing for the safety, preserving the health,
3 promoting the prosperity and improving the morals, order,
4 comfort and convenience of the municipality and its inhabitants
5 or, in the case of an entity established pursuant to Section
6 72-1-10 NMSA 1978, to protect the welfare, safety and resources
7 of its users and the environment; and

8 C. enforcing obedience to the ordinances by
9 prosecution in the municipal [~~court~~] courts, magistrate courts
10 and metropolitan courts and upon conviction the imposition of:

11 (1) except for those violations of ordinances
12 described in Paragraphs (2) and (3) of this subsection, a fine
13 of not more than five hundred dollars (\$500) or imprisonment
14 for not more than ninety days or both;

15 (2) for a violation of an ordinance
16 prohibiting driving a motor vehicle while under the influence
17 of intoxicating liquor or drugs, a fine of not more than one
18 thousand dollars (\$1,000) or imprisonment for not more than
19 three hundred sixty-four days or both; and

20 (3) for violations of an industrial user
21 wastewater pretreatment ordinance as required by the United
22 States environmental protection agency, a fine of not more
23 than one thousand dollars (\$1,000) a day for each violation."