ORDINANCE 2-2021

AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 28
OF THE BAYARD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BAYARD, NEW MEXICO, that

Sec. 28-6. Possession of up to eight ounces of marijuana prohibited; penalty be rescinded in its entirety.

Language to be removed from the City of Bayard Code of Ordinances reads as follows:

Sec. 28-6. Possession of up to eight ounces of marijuana prohibited; penalty.

(a) It is unlawful for any person intentionally to possess up to eight ounces of marijuana as defined in the Controlled Substances Act (NMSA 1978, §§ 30-31-1—30-31-40) unless it was obtained pursuant to a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the Controlled Substances Act.

(b) Any person who violates subsection (a) of this section with respect to one ounce or less of marijuana is, for the first offense, guilty of a misdemeanor and shall be punished by a fine of not less than $50.00 nor more than $100.00 and by imprisonment for not more than 15 days, and, for the second and subsequent offenses, guilty of a misdemeanor and shall be punished by a fine of not less than $100.00 nor more than $300.00 or by imprisonment for a definite term of less than 90 days or both.

(c) Any person who violates subsection (a) of this section with respect to more than one ounce and less than eight ounces of marijuana is guilty of a misdemeanor and shall be punished by a fine of not less than $100.00 nor more than $300.00 or by imprisonment for a definite term less than 90 days or both.

(Ord. No. 11-87, § 1, 11-2-1987)

EFFECTIVE DATE

This ordinance shall take effect on the _____day of _____.

PASSED, APPROVED AND ADOPTED this _____ day of _____.

_____
Chon S. Fierro
Mayor

ATTEST:

_____
Kristina Ortiz, MMC
Clerk Treasurer