

1 of a state of emergency, the mayor may, by proclamation, prohibit:

2 A. any person being on the public streets, in the public parks or at any other
3 public place during the hours proclaimed by the mayor to be a period of curfew;

4 B. any designated number of persons from assembling or gathering on the
5 public streets, public parks or other open areas, either public or private, or in any public
6 building;

7 C. the manufacture, transfer, use, possession or transportation of any device
8 or object designed to explode or produce uncontained combustion;

9 D. the transportation, possession or use of combustible, flammable or
10 explosive materials in a glass or uncapped container of any kind except in connection
11 with the normal operation of motor vehicles, normal home use or legitimate commercial
12 use;

13 E. the possession of firearms or any other deadly weapon by a person in any
14 place other than the person's place of residence or business, except for peace officers;

15 F. the sale, purchase or dispensing of alcoholic beverages or other
16 commodities or goods designated by the mayor;

17 G. the use of certain streets or highways by the public; and

18 H. other activities the mayor reasonably believes should be prohibited to help
19 maintain life, property or the public peace.

20 **Section 4. Section 20-1.3 SFCC 1987 (being Ord. #2005-7, §5) is amended to**
21 **read:**

22 **20-1.3 Proclamation of Emergency to Be Effective upon Issuance.**

23 Any proclamation issued under this section becomes effective immediately upon its
24 signing by the mayor, but the mayor shall give public notice of its contents through the public
25 press and other news media. The restrictions may be imposed during times, upon conditions, with

1 exceptions and in areas of the municipality designated by proclamation of the mayor from time to
2 time.

3 **Section 5. Section 20-1.4 SFCC 1987 (being Ord. #2005-7, §5) is amended to**
4 **read:**

5 **20-1.4 Termination of Emergency.**

6 Any state of emergency proclaimed under the Riot Control Ordinance, Article 20-1
7 SFCC 1987, along with any restrictions imposed for control of that emergency, terminates
8 automatically at noon on the third day after it becomes effective unless sooner terminated by
9 proclamation of the mayor.

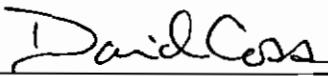
10 **Section 6. Section 20-1.5 SFCC 1987 (being Ord. #2005-7, §5) is amended to**
11 **read:**

12 **20-1.5 Penalty.**

13 Any person who, during a state of emergency, fails to comply with restrictions imposed
14 by proclamation of the mayor under the Riot Control Ordinance, Article 20-1 SFCC 1987, is
15 guilty of a petty misdemeanor, and upon conviction of a second or subsequent offense under this
16 section is guilty of a fourth degree felony, and should be referred to the district attorney's office
17 for prosecution.

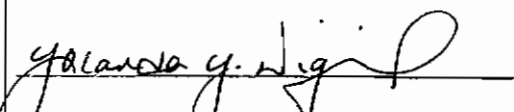
18 **Editor's Note:** For similar state law see §§12-10-16 through 12-10-20 NMSA 1978

19 PASSED, APPROVED and ADOPTED this 10th day of December, 2008.

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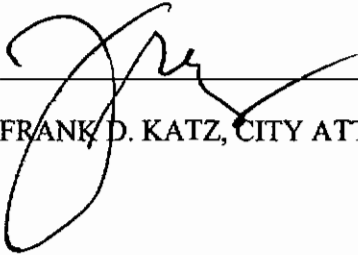
22 DAVID COSS, MAYOR

23 ATTEST:

24 
25 YOLANDA Y. VIGIL, CITY CLERK

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APPROVED AS TO FORM:



FRANK D. KATZ, CITY ATTORNEY

mdb/M/jep&mdb/ordinances2008/Mayors Powers (emergency)