

**City of Aztec
ORDINANCE 2020-503**

**An Ordinance Amending Chapter 1,
Section 12-2-2 *Alcohol*. In Reference to Chapter 4.**

WHEREAS, the City of Aztec approved Resolution 2019-1161 on November 12, 2019 placing the question to “Allow Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees” on the March 3, 2020 Municipal Election ballot; and

WHEREAS, the Citizens of Aztec voted in favor of the question: 542 for and 270 opposed, during the March 3, 2020 Municipal Election; and

WHEREAS, the City of Aztec is amending Chapter 4 to allow for the Sunday Alcohol Sales by the Drink for Consumption on a Licensed Premises of Licensees; and

WHEREAS, in the process of reviewing Chapter 4, it was determined that the City’s Fine Schedule within Section 1-12 for Chapter 4 required updating.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Aztec has amended Section 12, Subsection 2-2 of Chapter 1 of the Aztec City Code (as attached) to be consistent will all other established fees.

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2020.
By the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption: _____

Effective Date of Ordinance: _____

Sec. 1-12. Mandatory Penalty and Fees; Disposition and Use of Fees.

1. Mandatory Penalty. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, the maximum penalty for violation of any municipal ordinance shall be as follows:

- (1) Except for those violations of ordinances described in subsections 1-2 and 1-3 of this section, a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days or both;
- (2) For violations of an ordinance prohibiting driving a motor vehicle while under the influence of intoxicating liquor or drugs, a fine of not more than nine hundred and ninety-nine dollars (\$999.00) or imprisonment for not more than one hundred seventy-nine (179) days or both; and
- (3) For violations of a industrial user waste-water pretreatment ordinance as required by the United States Environmental Protection Agency, a fine of not more than nine hundred and ninety-nine dollars (\$999.00) a day for each violation.
(Code 2007, 1-12-1)

2. Specific Penalty Schedule. A fine and fee schedule for specific penalties.

- (1) *Traffic and Offenses.* In reference to Chapter 12 and 24.
- (2) *Alcohol.* In reference to Chapter 4.

Citing	Title	Appearance Required	Fine Amount	Court Costs	Total Fine
4-9 60-7A-16 60-7A-17 60-7A-18	Persons Unlawful To Serve	Yes	Set at Hearing	\$29	Set at Hearing
4-10 60-7B-1	Minor in Licensed Premises Over 18	Yes	Set at Hearing	\$29	Set at Hearing
4-11 60-7B-10	Purchases by Minor	Yes	Set at Hearing	\$29	Set at Hearing
4-12 60-7B-2 60-7B-7 60-7B-8	False ID of Minor	Yes	Set at Hearing	\$29	Set at Hearing