

CHAPTER 7

CRIMINAL CODE

ARTICLE 1.	Graffiti Vandalism
ARTICLE 2.	Animal Control
ARTICLE 3.	Antifreeze Safety
ARTICLE 4.	Nuisances, Misconduct, and Common Offenses
ARTICLE 5.	Penalties for Violation of Ordinances

ARTICLE 1. GRAFFITI VANDALISM

SECTION 1.	Purpose
SECTION 2.	Definition
SECTION 3.	Prohibition
SECTION 4.	Jurisdiction
SECTION 5.	Penalties and restitution

§ 7.1.1 PURPOSE

Graffiti is a form of vandalism that injures the Village and its residents and businesses. It is the purpose of this Article to require the perpetrators of graffiti to eradicate this visual blight.

§ 7.1.2 DEFINITION

Graffiti means unauthorized painting, writing or inscription with any substance, material, or object.

§ 7.1.3 PROHIBITION

Placing graffiti on the real or personal property of another, including public property, is prohibited within the Village.

§ 7.1.4 JURISDICTION

Pursuant to Section 30-15-1.1(B), NMSA 1978 (1995 Repl.), the municipal court shall have jurisdiction over offenses and complaints under this Article only where the damage resulting from the graffiti amounts to one thousand dollars (\$1,000) or less.

§ 7.1.5 PENALTIES AND RESTITUTION

In addition to the mandatory terms set forth in Section 30-15-1.1(B), NMSA 1978, violation of this Article is punishable by the maximum fine and imprisonment permitted by state law; however:

(A) Upon a defendant's first conviction, the court shall suspend any fine or imprisonment it imposes for six months on the condition that the offender satisfy the mandatory terms set forth in Section 30-15-1.1(B), NMSA 1978.

(B) The second conviction will be punishable by at least a fifty dollar (\$50.00) fine that is not suspended.



(C) The third and subsequent convictions will be punishable by at least a one hundred dollar (\$100.00) fine that may not be suspended.

Ordinance and State Law References regarding Chapter 7, Article 1 (f/k/a Chapter 13):

Ordinance # 122, July 13, 1994;

Ordinance #134, enacted February 14, 1996, codified ORD #122 as Chapter 13 with modifications;

Unauthorized graffiti on personal or real property, § 30-15-1.1, NMSA 1978.

