

ORDINANCE NO. 2009-_____

**AN ORDINANCE AMENDING SECTION 32-2
OF THE CODE OF ORDINANCES, CITY OF
CARLSBAD, NEW MEXICO, ENTITLED
PETTY MISDEMEANORS - ENUMERATED.**

WHEREAS, the City of Carlsbad, in Section 32-2 of the Carlsbad City Code, lists various petty misdemeanors, the commission of which is a violation of law; and

WHEREAS, the state criminal statutes have been amended changing the scope and applicable penalties for several of those offenses; and

WHEREAS, the City wishes to amend Section 32-2 of the Carlsbad City Code to incorporate those changes.

NOW THEREFORE, be it ordained by the Governing Body of the City of Carlsbad, County of Eddy, State of New Mexico, that:

Section 32-2 of the Code of Ordinances, City of Carlsbad, New Mexico is hereby deleted and replaced with the following section:

The following offenses are hereby declared to be petty misdemeanors the commission of which is a violation of this chapter:

- (1) Disorderly conduct;
- (2) Public affray;
- (3) Assault;
- (4) Battery;
- (5) Larceny when the value of the property stolen is two hundred fifty dollars (\$250.00) or less;
- (6) Criminal damage to property when the damage to the property amounts to one thousand dollars (\$1,000.00) or less;
- (7) Falsely obtaining services or accommodations when the value of the service, food, entertainment or accommodations furnished is less than two hundred fifty dollars (\$250.00);
- (8) Criminal trespass;
- (9) Concealing identity;
- (10) Fraud when the value of the property misappropriated or taken is two hundred fifty dollars (\$250.00) or less;
- (11) Issuing a worthless check, draft or order when the amount of the check, draft or order, or the total amount of the checks, drafts or orders, are for more than one dollar (\$1.00) but less than twenty-five dollars (\$25.00);

- (12) Public nuisance;
- (13) Unlawful carrying of a deadly weapon;
- (14) Negligent use of a deadly weapon;
- (15) Unlawful possession of switchblades;
- (16) Embezzlement when the value of the thing embezzled or converted is two hundred fifty dollars (\$250) or less; and
- (17) Littering.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this ____ day of _____,
2009.

BOB FORREST, MAYOR

ATTEST:

CITY CLERK