

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 access and includes hallways, lobbies and other parts of apartment houses
2 and hotels that do not constitute rooms or apartments designed for actual
3 residence; highways; streets; schools; places of amusement; parks;
4 playgrounds; open space; places used in connection with public passenger
5 transportation, parking lots, and public ways including sidewalks and any
6 other area between the curb lines or lateral lines of the roadway and the
7 adjacent property lines. This definition does not include or apply to otherwise
8 lawful activities within a licensed cannabis consumption area.

9 (B) Smoking Cannabis in Public Prohibited. No person shall smoke
10 cannabis in public within the City of Albuquerque.]”

11 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
12 clause, word or phrase of this ordinance is for any reason held to be invalid or
13 unenforceable by any court of competent jurisdiction, such decision shall not
14 affect the validity of the remaining provisions of this ordinance. The Council
15 hereby declares that it would have passed this ordinance and each section,
16 paragraph, sentence, clause, word or phrase thereof irrespective of any
17 provision being declared unconstitutional or otherwise invalid.

18 SECTION 3. COMPILATION. Section 1 of this Ordinance shall amend, be
19 incorporated in, and made part of the Revised Ordinances of Albuquerque,
20 New Mexico, 1994, as a new Section 12-4-9 titled “Smoking Cannabis in
21 Public.”

22 SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect five days
23 after publication by title and general summary.
24
25
26
27
28
29
30
31
32