



VILLAGE OF CORRALES

ORDINANCE NO. 12-012

AN ORDINANCE AMENDING CHAPTER 11, SECTION 11-4(18) OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, RELATING TO PROHIBITED ACTIVITIES IN THE CORRALES BOSQUE PRESERVE, AND BEING A PART OF SECTION 2 OF ORDINANCE NO. 234, ADOPTED OCTOBER 23, 1990; PROHIBITING THE POSSESSION OR USE OF SMOKING MATERIALS IN THE CORRALES BOSQUE PRESERVE.

WHEREAS, it is of the utmost importance for the protection of the public health, safety and welfare and the preservation of the bosque habitat that the Corrales Bosque Preserve be protected from potential fire ignition sources to the maximum extent reasonably possible; and

WHEREAS, it has come to the attention of the Village Council, the governing body of the Village of Corrales, that there are now in existence new types of alternative smoking devices, generally described as “electronic cigarettes” or with similar language, which employ electronic or thermal means to release nicotine vapors intended for inhalation as an alternative to traditional smoking materials; and

WHEREAS, such alternative smoking devices have been implicated as possible sources involved in the ignition of fires in Corrales and elsewhere.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that Chapter 11, Section 11-4(18) of the Code of Ordinances of the Village, relating to prohibited activities in the Corrales Bosque Preserve, and being a part of Section 2 of Ordinance No. 234, adopted October 23, 1990, shall be amended to read as follows:

- (18) Possessing or using smoking materials or smoking devices. For purposes of this ordinance, the term “smoking materials or smoking devices” shall include, but shall not be limited to, cigarettes, cigars, tobacco pipes, smoking tobacco, cigarette papers, cigarette lighters, matches, and electronic cigarettes or any other alternative smoking devices designed or intended to release vapors by the application of electricity or heat.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection,

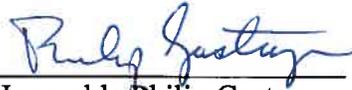
sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: The amended sections of the Village Code adopted pursuant to this Ordinance shall be compiled as a part of the Code of Ordinances of the Village of Corrales, as provided herein.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

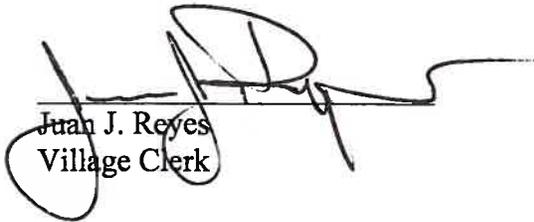
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 28th day of August, 2012.

APPROVED:



The Honorable Philip Gasteyer
Mayor

ATTEST:



Juan J. Reyes
Village Clerk