

ORDINANCE NO. 0002-2223

AN ORDINANCE MODIFYING AND AMENDING CHAPTER 118-5 SECTION A TO INCREASE THE NUMBER OF BRICK-AND-MORTAR, STANDALONE INDOOR GROW FACILITIES TO FOUR.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF TATUM THAT 118-5 SECTION A BE AND HEREBY IS AMENDED AS FOLLOWS:

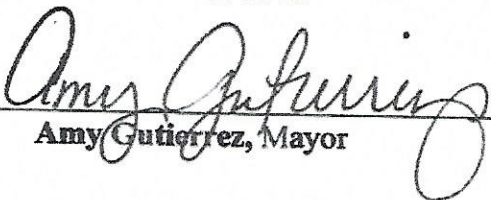
118-5 CANNABIS ESTABLISHMENTS AND LICENSEES: RESTRICTIONS

- A. To protect the health, safety, and welfare of the community, only three cannabis retail establishments and four brick-and-mortar, standalone indoor grow facilities shall be permitted.

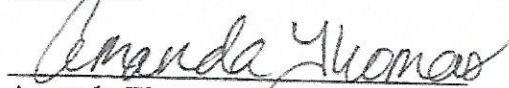
All amendments to this ordinance must be reviewed and approved by the council.

APPROVED, PASSED AND ADOPTED this 11 day of October 2022.

TOWN OF TATUM

By: 
Amy Gutierrez, Mayor

ATTEST:


Amanda Thomas, Clerk/Treasurer

Chapter 118

CANNABIS

ARTICLE I

Possession, Cultivation, Manufacture and Sale of Cannabis

§ 118-1. Title and purpose.

§ 118-2. Definitions.

§ 118-3. Enforcement of federal law.

§ 118-4. Use or possession: restrictions.

§ 118-5. Cannabis establishments and licensees: restrictions.

§ 118-6. Cannabis establishments: security and limited-access area.

§ 118-7. Cannabis establishments: construction or alteration of buildings.

§ 118-8. Noncommercial cultivation.

§ 118-9. Application of fire safety laws.

§ 118-10. Transportation of cannabis.

§ 118-11. Wastage of cannabis or cannabis products.

§ 118-12. Cannabis producers: restrictions.

§ 118-13. Packaging and labeling.

§ 118-14. State law applicable.

§ 118-15. Violations and penalties.

[HISTORY: Adopted by the Town Council of the Town of Tatum as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Possession, Cultivation, Manufacture and Sale of Cannabis

[Adopted 5-10-2022]

§ 118-1. Title and purpose.

This article may be cited as the "Cannabis Regulation Ordinance." This article is set forth to help ensure the safe production, testing, sale, and consumption of commercial and medical cannabis following appropriate time, place, and manner rules for the cultivation, manufacture, and sale of cannabis and cannabis-derived products.

§ 118-2. Definitions.

Unless otherwise defined below, terms used in this article shall have the same meanings as set forth in the Cannabis Regulation Act (NMSA 1978, § 26-2C-1 et seq.) and the Lynn and Erin Compassionate Use Act.¹ The following terms shall have the meanings respectively ascribed to them by this section:

APPLICANT — Any person who is seeking to become licensed pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act,² or rules adopted by the New

1. Editor's Note: See NMSA 1978, § 26-2B-1 et seq.

2. Editor's Note: See, respectively, NMSA 1978, § 26-2C-1 et seq., and NMSA 1978, § 26-2B-1 et seq.

Mexico Regulation and Licensing Department and who is seeking to establish a cannabis establishment within the municipal boundaries of Tatum, New Mexico.

CANNABIS — All parts of the plant genus *Cannabis* containing delta-9-tetrahydrocannabinol concentration of more than 0.3% on a dry weight basis, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin; and does not include:

- A. The mature stalks of the plant; fiber produced from the stalks; oil or cake made from the seeds of the plant; any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil or cake; or the sterilized seed of the plant that is incapable of germination; or
- B. The weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or another product.

CANNABIS CONSUMPTION AREA — An area where cannabis products may be served and consumed.

CANNABIS ESTABLISHMENT —

- A. A cannabis testing laboratory;
- B. A cannabis manufacturer;
- C. A cannabis producer;
- D. A cannabis retailer;
- E. A cannabis research laboratory;
- F. A vertically integrated cannabis establishment;
- G. A cannabis producer microbusiness; or
- H. An integrated cannabis microbusiness.

CANNABIS EXTRACT — A product obtained by separating resins, tetrahydrocannabinols or other substances from cannabis by extraction methods approved by the Division and does not include the weight of any other ingredient combined with cannabis extract to prepare topical or oral administrations, food, drink or another product.

CANNABIS MANUFACTURER — A person that:

- A. Manufactures cannabis products;
- B. Packages cannabis products; and
- C. Has cannabis products tested by a cannabis testing laboratory; or
- D. Purchases, acquires, sells or transports wholesale cannabis products to other cannabis establishments.

CANNABIS PRODUCER — A person that:

- A. Cultivates cannabis plants;
- B. Has unprocessed cannabis products tested by a cannabis testing laboratory;
- C. Transports unprocessed cannabis products only to other cannabis establishments; or
- D. Sells cannabis products wholesale.

CANNABIS PRODUCER MICROBUSINESS — A cannabis producer at a single licensed premises that possesses no more than 200 total mature cannabis plants at any one time.

CANNABIS PRODUCT — A product that contains cannabis or cannabis extract, including edible or topical products that may also contain other ingredients.

CANNABIS RESEARCH LABORATORY — A facility that produces or possesses cannabis products and all parts of the plant genus *Cannabis* for the purpose of studying cannabis cultivation, characteristics or uses.

CANNABIS RETAILER — A person that sells cannabis products to qualified patients, primary caregivers or reciprocal participants or directly to consumers.

CANNABIS TESTING LABORATORY — A person that samples, collects and tests cannabis products and transports cannabis products for the purpose of testing.

CANNABIS WASTE — All parts of the genus *Cannabis* which may or may not contain delta-9-tetrahydrocannabinol concentration of more than 0.3% on a dry weight basis, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin; and the mature stalks of the plant; fiber produced from the stalks; oil or cake made from the seeds of the plant; any other compound, manufacture, salt derivative, mixture or preparation of the mature stalks, fiber, oil or cake; or the sterilized seed of the plant that is incapable of germination which has been designated as no longer usable cannabis.

COMMERCIAL CANNABIS ACTIVITY — The cultivation, production, possession, manufacture, storage, testing, researching, labeling, transportation, couriering, purchase for resale, and sale or consignment of cannabis products and does not include activities related only to the medical cannabis program.

CONSUMER — A person 21 years of age or older who purchases, acquires, owns, possesses or uses a cannabis product for a purpose other than resale.

CULTIVATION — Any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of cannabis.

DEPARTMENT — The Regulation and Licensing Department of the State of New Mexico.

DIRECTOR — The Executive Director of the Cannabis Control Division.

DIVISION — The Cannabis Control Division of the Department.

FACILITY — A building, space or grounds licensed for the production, possession, testing, manufacturing or distribution of cannabis, cannabis extracts or cannabis products.

INTEGRATED CANNABIS MICROBUSINESS — A person that is authorized to conduct one or more of the following:

- A. Production of cannabis at a single licensed premises, provided that the person shall not possess more than 200 total mature cannabis plants at any one time;
- B. Manufacture of cannabis products at a single licensed premises;
- C. Sales and transportation of only cannabis products produced or manufactured by that person;
- D. Operation of only one retail establishment; and
- E. Couriering of cannabis products to qualified patients, primary caregivers or reciprocal participants or directly to customers.

LAW ENFORCEMENT — The Tatum Police Department, the divisions of the Tatum Police Department, and the individual officers and enforcement personnel of the Tatum Police Department.

LICENSED PREMISES — A location that is licensed pursuant to the Cannabis Regulation Act,³ and includes:

- A. All enclosed public and private areas at the location that are used in the business, and includes offices, kitchens, restrooms and storerooms;
- B. All areas outside of a building specifically included in the license for the production, manufacturing, wholesale or retail sale of cannabis products; and
- C. With respect to a location specifically licensed for the production of cannabis outside of a building, the entire unit of land that is created by subsection or partition of land that the licensee owns, leases or has a right to occupy.

LICENSEE — Any person who holds a license issued by the Division pursuant to the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act,⁴ or Division rules.

LIMITED-ACCESS AREA — An indoor or outdoor area on the premises of a licensed cannabis establishment where cannabis products are cultivated, stored or held, weighed, packaged, manufactured, disposed or wasted, all point-of-sale (POS) areas, and any room or area storing a digital video surveillance system storage device.

MANUFACTURE — To compound, blend, extract, infuse, package or otherwise prepare a cannabis product.

PERSON — An individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, or any other legal or commercial entity.

PRODUCE — To engage in any activity related to the planting or cultivation of cannabis.

PUBLIC PLACE — A place to which the general public has access, and includes hallways, lobbies and other parts of apartment houses and hotels that do not constitute rooms or apartments designed for actual residence; highways; streets; schools; places of amusement; parks; playgrounds; and places used in connection with public passenger transportation.

3. Editor's Note: See NMSA 1978, § 26-2C-1 et seq.

4. Editor's Note: See, respectively, NMSA 1978, § 26-2C-1 et seq., and NMSA 1978, § 26-2B-1 et seq.

RETAIL ESTABLISHMENT — A location at which cannabis products are sold to qualified patients, primary caregivers and reciprocal participants and directly to consumers.

SECURITY ALARM SYSTEM — Any device or series of devices capable of altering law enforcement, including, but not limited to, a signal system interconnected with a radio frequency method such as cellular, private radio signals, or other mechanical or electronic device used to detect or report an emergency or unauthorized intrusion.

VERTICALLY INTEGRATED CANNABIS ESTABLISHMENT — A person that is authorized to act as any of the following:

- A. A cannabis courier;
- B. A cannabis manufacturer;
- C. A cannabis producer; and
- D. A cannabis retailer.

WASTE or WASTAGE — The process for rendering cannabis or cannabis products unusable and unrecognizable, including the destruction of cannabis or cannabis products.

§ 118-3. Enforcement of federal law.

The activities described in the Cannabis Regulations Act, the Lynn and Erin Compassionate Use Act,⁵ the rules and regulations authorized by the Division, and this article may be considered a violation of federal law. Person cultivating, manufacturing, collecting samples of, testing selling, purchasing or otherwise receiving cannabis or cannabis products may be subject to federal prosecution and penalties for what may otherwise be considered authorized conduct in the State of New Mexico, and compliance with the rule does not exempt licensees, their employees or customers from possible federal prosecution. The town of Tatum is not responsible or liable for the actions of licensed cannabis establishments under the Cannabis Regulation Act, the Lynn and Erin Compassionate Use Act, or the rules and regulations authorized by the Division. It should be expressly understood that 21 U.S.C. § 841(a) likely prohibits law enforcement, including any jail staff, from returning any controlled substance back to an alleged offender once the same is placed in the possession of law enforcement, including any jail staff, for any reason.

§ 118-4. Use or possession: restrictions.

- A. It shall be a violation of this article to possess or intentionally distribute any amount of a cannabis product on the premises of a school or day-care center unless the person is a qualified patient, a primary caregiver or a reciprocal participant; provided that this section shall not apply to a person who possesses a cannabis product for authorized purposes on the premises of a licensed cannabis training and education program. A person who violates this section is guilty of a misdemeanor and shall be sentenced pursuant to the provisions of NMSA 1978, § 31-19-1.

5. Editor's Note: See, respectively, NMSA 1978, § 26-2C-1 et seq., and NMSA 1978, § 26-2B-1 et seq.

- B. It shall be a violation of this article to consume a cannabis product in any public place except on private property or in a licensed cannabis consumption area. A person who violates this subsection shall be subject to a penalty assessment of \$500 for the first offense, \$1,000 for the second offense, and \$1,500 for the third offense, pursuant to NMSA 1978, § 31-19A-1.

§ 118-5. Cannabis establishments and licensees: restrictions.

- A. To protect the health, safety, and welfare of the community, only three cannabis retail establishments and three brick-and-mortar, standalone indoor grow facilities shall be permitted.
- B. To protect the health, safety and welfare of the community, cannabis outdoor, hoop house or temporary structures will not be permitted within Town limits. Any cannabis establishment is required to be a brick-and-mortar or standalone building. Cannabis establishments must possess a heating, cooling and ventilation system that is sufficient to abate odor and prevent odor from escaping the establishment.
- C. To protect the health, safety and welfare of the community cannabis establishments shall not be permitted within 300 feet of all school property and all day-care center property.
- D. To protect the health, safety and welfare of the community, cannabis consumption areas shall not be permitted within 300 feet of all day-care center property and all school property.
- E. Cannabis establishments shall be allowed to operate daily only between the hours of 8:00 a.m. and 9:00 p.m. MDT.
- F. Cannabis establishments shall prohibit the consumption of cannabis or cannabis products on or within the licensed premises unless a cannabis consumption area has been approved by the Town of Tatum.
- G. Cannabis establishments shall not engage in the sale of alcoholic beverages.
- H. Cannabis establishments shall not begin licensed cannabis activity in Tatum, New Mexico, under a provisional license.
- I. Cannabis establishments shall not conduct cannabis establishment operations outside of the licensed premises boundaries as approved by the Town of Tatum.
- J. Cannabis establishment shall display a current valid Town of Tatum issued license in a conspicuous place on the licensed premises, and said license must be made available upon request by relevant Town of Tatum personnel. If the licensed premises is open to the public, the cannabis establishment shall display the current valid Division-issued license in an area within plain sight of the public.
- K. Cannabis establishments and licensed shall comply with all adopted Town of Tatum ordinances, including, but not limited to, ordinances governing food and product safety, environmental impacts, natural resource protection, construction and building codes, operation of cannabis establishments, building and fire codes, water use and water

quality, water supply and restrictions, hazardous materials, waste, including solid waste, and business and professional licensing.

- L. Licenses shall notify law enforcement of any attempted theft, assault of employees or patrons, robbery or attempted robbery, break-in, or security breach that occurs on the licensed premises, no later than 24 hours after the licensee first became aware of the event. Licensees shall submit a request to the Town under the Inspection of Public Records Act (NMSA 1978, § 14-2-1 et seq.), in order to access any law enforcement records.
- M. Licensees must notify the Town Clerk's office and have approval from the Town Council before any one of the following occurs:
 - (1) Ownership of the licensed premises changes;
 - (2) Location of the licensed premises changes;
 - (3) The discontinuance of operation at a licensed premises; or
 - (4) Suspension or revocation of the license by the Division.
- N. Licensees must provide a physical mailing address and an email address upon application for a business registration with the Town Clerk's office. General correspondence from the Town of Tatum will be sent to the licensee's email address of record. Licensees must inform the Town of Tatum in writing of any change to their physical mailing address and/or email address within 10 days of the change. A licensee's failure to notify the Town of Tatum of a change in physical or email address does not relieve the licensee from the obligation of responding to a Town of Tatum communication.
- O. Licensees that anticipate permanently ceasing their business operations shall notify the Town Clerk's office no later than 30 days prior to closure. The cannabis establishment shall post public notice of the anticipated closure at all licensed premises that are accessible to the public at least 14 days prior to the closure. Licensees shall also abide by all rules related to closure of a licensed cannabis establishment as set forth by the Town of Tatum.
- P. Licensees shall abide by all applicable state laws and regulations promulgated thereunder, and any specific additional operating procedures or requirements which may be imposed as a condition of approval of the cannabis business permit.

§ 118-6. Cannabis establishments: security and limited-access area.

- A. All phases where cannabis or cannabis products are cultivated, stored or held, weighed, packaged, manufactured, disposed or wasted, all point-of-sale (POS) areas, and any room or area storing a digital video surveillance system storage device shall take place in a designated limited-access area where cannabis and cannabis products are not visible from a public place without the use of binoculars, aircraft, or other optical aids.
- B. All limited-access areas must be securely locked using commercial-grade, nonresidential door locks that meet applicable building and fire codes. All points of entry and exit to the licensed premises and access points to areas where cannabis and

cannabis products are stored must also be securely locked using commercial-grade, nonresidential door locks that meet applicable building and fire codes.

- C. A limited-access area shall only be accessible to a cannabis establishment and its authorized employees, authorized vendors, contractors or other individuals conducting business that requires access to a limited-access area, Division staff or authorized designees, state and local law enforcement authorities acting within their lawful jurisdictions, fire departments and emergency medical services acting in the course of their official capacity.
- D. Any gate or perimeter entry point of a cannabis establishment must have lighting sufficient for observers to see, and cameras to record, any activity within 20 feet of the gate or entry; and a motion detection lighting system may be employed to light required areas in low-light conditions.
- E. All external entrances to indoor facilities at the cannabis establishment must be able to be locked, and all perimeter doors and windows or indoor facilities must be in good condition and lockable.

§ 118-7. Cannabis establishments: construction or alteration of buildings.

- A. Licensees shall ensure that all licensed premises are in compliance with the Construction Industries Licensing Act (NMSA 1978, § 60-13-1 et seq.) and the LPG and CNG Act (NMSA 1978, § 70-5-1 et seq.), including associated rules, as well as applicable codes, standards, licensing laws, and fire codes. Licensees shall also ensure that each structure obtains a certificate of occupancy from the Town of Tatum prior to occupancy and use of the structure.
- B. Licensees shall comply with all ordinances and regulations adopted by the Town of Tatum related in any way to construction, alterations, demolition, and maintenance of all buildings owned or operated by the licensee in Tatum, New Mexico.

§ 118-8. Noncommercial cultivation.

Pursuant to the Cannabis Regulation Act,⁶ an individual may cultivate homegrown cannabis, provided the cannabis producer acts within the regulations of the Act. The Act limits home cultivation to a maximum of six mature and six immature cannabis plants with a maximum allowance of 12 plants per household. All cannabis cultivation operations, including all cannabis plants, at any stage of growth, harvest, or processing, shall not be visible from the exterior of any structure, facility, building, or greenhouse, within the Town limits. All cultivation operations must take place indoors, within a permanent structure that is enclosed on all sides. Outdoor cultivation is prohibited within Town limits. Portable greenhouses, hoop houses, and/or nonpermanent enclosures shall not be used for cannabis cultivation.

6. Editor's Note: See NMSA 1978, § 26-2C-1 et seq.

§ 118-9. Application of fire safety laws.

Licensees shall ensure all licensed premises are compliant with Article 52 of the New Mexico Statutes Annotated⁷ and any associated rules, including rules governing: posting of address, exit signs, emergency lighting, egress paths, evaluation plan, electrical wiring and lighting, exits and exit access, doors, egress hardware, aisle width, chemical storage, fire extinguishers, fire alarm, sprinkler system and fire suppression system, firewalls, combustible waste and housekeeping, storage, access from the exterior, and weeds, grass, vines or other growth capable of igniting.

§ 118-10. Transportation of cannabis.

The following apply when disposing of wasted cannabis or cannabis plants or transporting cannabis or cannabis products between licensees or licensed premises.

- A. Transportation of cannabis or cannabis products shall only be conducted by persons holding a cannabis establishment license under the Cannabis Regulation Act⁸ or designated employees, or contractors, of a licensee.
- B. Prior to transporting any cannabis or cannabis products to another licensee, the licensee shall have a completed transfer or sales invoice or receipt and a chain of custody form, the licensee shall only transport cannabis or cannabis products listed on the invoice or receipt and chain of custody form, and the invoice or receipt and chain of custody form may not be altered or changed once transport begins.
- C. The driver of the vehicle used to transport cannabis or cannabis products must be prepared to show proper identification, including a licensee's employee badge, driver's license, vehicle registration and proof of insurance, and the appropriate shipping manifest and chain of custody form to law enforcement when requested.
- D. A shipping manifest and chain of custody form, on forms approved by the Division, shall accompany every transport of cannabis products.

§ 118-11. Wastage of cannabis or cannabis products.

- A. Licensees that waste cannabis or cannabis products shall do so by rendering the cannabis or cannabis products unusable and unrecognizable prior to removal from a licensed premises. The wastage of cannabis or cannabis products shall be documented, tracked by batch, and recorded in an electronic track and trace system specified by the Division. Wastage of cannabis products shall occur only within the licensee's ordinary business hours. Licensees shall dispose of wasted cannabis or cannabis products and shall not attempt to incorporate wasted cannabis or cannabis plants into any product intended for human consumption.
- B. Wastage of cannabis or cannabis plants shall be accomplished by grinding and incorporating the cannabis into other ground material, such as soil, compost material,

7. Editor's Note: So in original; chapter number not indicated.

8. Editor's Note: See NMSA 1978, § 26-2C-1 et seq.

or leaf and yard waste, so that the resulting mixture is at least 50% noncannabis material by volume.

- C. Licensees shall not discharge any wasted cannabis or cannabis plants into the Town of Tatum's publicly owned treatment works (POTW) at any time.

§ 118-12. Cannabis producers: restrictions.

Pursuant to the Tatum Municipal Code, the Town of Tatum operates and maintains the public water distribution system in Tatum, New Mexico. It has been a matter of public policy that water conservation is of high importance to the Town of Tatum as the geographical location of Tatum, New Mexico, is situated in an area with no natural surface water. Pursuant to NMSA 1978, § 26-2C-7B(3), the Town of Tatum municipal water supply is not designed to sustain agricultural activity, and depletion of the municipal water supply presents a substantial risk to the health, safety and welfare of the residents of Tatum, New Mexico.

- A. Cannabis producers engaged in indoor cultivation of cannabis plants shall connect to the Town of Tatum water service at the cannabis establishment wherein the cultivation activity shall occur.
- B. Upon review of the required cultivation plan, the Town of Tatum may approve or deny a request to connect to the Town of Tatum water service from a cannabis producer microbusiness, integrated cannabis microbusinesses, and vertically integrated cannabis establishments. Within 10 business days after the request, the Town of Tatum governing body shall state in writing the basis of their decision to approve or deny the request.
- C. The written decision of the Town Council shall be final.
- D. Cannabis producer microbusinesses, integrated cannabis microbusinesses, and vertically integrated cannabis establishment that connect to the Town of Tatum water service, as set forth herein, shall abide by all requirements. Cannabis producers engaged in the cultivation of cannabis plants shall constitute commercial consumers and pay the applicable water and sewer service rates.
- E. For cannabis producer microbusinesses, integrated cannabis microbusinesses, and vertically integrated cannabis establishments that connect to the Town of Tatum water service, as set forth herein, commercial water rates will apply.
- F. Cannabis producer microbusinesses, integrated cannabis microbusinesses, and vertically integrated cannabis establishments that connect to the Town of Tatum water service, as set forth herein, shall submit, and have approved by the governing body, a cultivation plan as contemplated by 16.8.2.27B NMAC.
- G. Cannabis producer microbusinesses, integrated cannabis microbusinesses, and vertically integrated cannabis establishments that connect to the Town of Tatum water service, as set forth herein, shall submit, and have approved by the Utilities Director, cannabis waste procedures as contemplated by 16.8.2.27E NMAC.

- H. It shall be unlawful for any person who is less than 21 years of age to intentionally produce cannabis. A person that violates this subsection shall be subject to penalties as outlined in the Cannabis Regulation Act.⁹
- I. It shall be unlawful for any person 21 years of age or older, unless licensed under the Act and permitted as required by Town of Tatum, to intentionally produce cannabis or any cannabis product in excess of those amounts permitted by the Cannabis Regulation Act. A person that violates this subsection shall be subject to penalties as outlined in the Cannabis Regulation Act.

§ 118-13. Packaging and labeling.

- A. Pursuant to NMSA 1978, § 26-2C-16, before the sale or transport via cannabis courier of a cannabis product, cannabis establishments shall label and package the cannabis product as provided in Section 17 of the Cannabis Regulation Act.¹⁰
- B. Town of Tatum logos and symbols are registered marks and are thus protected by state and federal law. Cannabis establishments shall not utilize the Town of Tatum logos or symbols in packaging, labeling, or promoting their cannabis products, goods, or businesses without written consent of the Town Council.

§ 118-14. State law applicable.

Nothing contained in this article is intended in any way to nullify or otherwise render unenforceable any of the provisions outlined in the Cannabis Regulation Act (NMSA 1978, §§ 26-2C-1 through 26-2C-42). Any violation of the Cannabis Regulation Act shall be enforceable through the Department and Division as well as state and local law enforcement, where applicable. Furthermore, a violation of the Cannabis Regulation Act shall subject the violator to any penalties outlined therein.

§ 118-15. Violations and penalties.

- A. Pursuant to the Tatum Municipal Code, the penalty for violation of any municipal cannabis ordinance is a fine of \$500 or imprisonment for not more than 90 days or both, unless a lesser maximum penalty or a specific penalty is established for a particular offense.
- B. Pursuant to the Tatum Municipal Code, the Mayor and Town Council or their designee shall have the authority to assess charges, discontinue services, and place and enforce liens on the property and the tract or parcel of land being serviced.

9. Editor's Note: See NMSA 1978, § 26-2C-1 et seq.

10. Editor's Note: See NMSA 1978, § 26-2C-17.