

MIXED EMOTIONS

Written by By Molly Adamson Sun Correspondent
Friday, 04 June 2021 04:25



Gallup City Council takes up masks; marijuana

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The pandemic isn't quite over, but the end is in sight. On May 14, the New Mexico Department of Health announced that the state would be adhering to the Centers for Disease Control and Prevention's updated guidelines that say that individuals who are fully vaccinated no longer have to wear masks.

During the May 25 Gallup City Council meeting, Gallup's City Attorney Curtis Hayes shared an ordinance that would allow vaccinated Gallup citizens to take off their masks starting July 1. Hayes explained that the city will drop its own ordinance and begin following the New Mexico Department of Health's rules and regulations.

Hayes expressed his concerns that enforcing the rule that unvaccinated people have to keep wearing their masks in public may prove difficult.

"... [The] last public health order basically says that there's going to be different rules for folks [who] have been fully vaccinated and those who haven't," Hayes stated.

"I think that's going to be real difficult to enforce, so our ordinance will remain enforced for another month, which would require face coverings in the City of Gallup for all individuals."

But come July 1, that all will change. The council approved the ordinance.

Mayor Louis Bonaguidi spoke for everyone when he expressed his joy over not having to wear a mask much longer.

"... [Everybody's] tickled to death we're repealing the mask order," he said.

MORE CHANGES ON THE WAY

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The late-spring-summer months will bring more adjustments for Gallupians. It won't be long before people over the age of 21 will be able to consume marijuana in Gallup.

Governor Michelle Lujan Grisham signed a bill legalizing marijuana in New Mexico on April 12. The bill will become law on June 29, 90 days after she signed it. However, selling the drug won't be legal until April 1, 2022

Hayes acknowledged the difficult situation that could arise where someone will be legally allowed to have marijuana in their possession starting June 29, but it won't be legal for someone to buy it in New Mexico until April of next year.

He suggested that the penalty for having marijuana in your possession should be limited. If someone is caught smoking or vaping marijuana in public, they will be charged a \$50 fine, and it will only be a civil offense. He explained that smoking and vaping will only be allowed in dispensaries once they become legal in April 2022. Before that time they will be considered a public disturbance.

A special case will be made for people between 18 and 20 because they are no longer minors, but are still under the legal age of 21. Hayes stated that these people will be given a choice to either serve four hours of community service or take a four-hour class on marijuana.

As for which courts will handle the situation, Hayes said he believed the situation would be handled more effectively in municipal court rather than in magistrate court.

"We decided it simply wasn't worth dealing with sending those cases to magistrate court," Hayes said. "It wasn't worth the expenditure that it was going to cost the city."

Councilor Fran Palochak, Dist. 4, asked Hayes what the law said about eating a marijuana brownie in public since it does not cause the same possible public disturbance that vaping and smoking do. Hayes said eating a brownie is not against the law.

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“I guess we’ll just have to see how it works out,” Palochak chuckled. “It’s going to be different.”

The council decided to repeal the original ordinance that makes possession of marijuana illegal and adopt the new rules for smoking it in public.

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