

State Laws and Published Ordinances – New Mexico
Current through all legislation of the 54th Legislature's First (2019) Regular Session.

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Chapter 30 – Criminal Offenses
Article 1 – General Provisions

Section 30-1-12. Definitions.

As used in the Criminal Code [30-1-1 NMSA 1978]:

B. “deadly weapon” means any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes, also slingshots, slung shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted;

Article 7 – Weapons and Explosives

Section 30-7-2. Unlawful carrying of a deadly weapon.

A. Unlawful carrying of a deadly weapon consists of carrying a concealed loaded firearm or any other type of deadly weapon anywhere, except in the following cases:

- (1) in the person's residence or on real property belonging to him as owner, lessee, tenant or licensee;
- (2) in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property;
- (3) by a peace officer in accordance with the policies of his law enforcement agency who is certified pursuant to the Law Enforcement Training Act [Chapter 29, Article 7 NMSA 1978];
- (4) by a peace officer in accordance with the policies of his law enforcement agency who is employed on a temporary basis by that agency and who has successfully completed a course of firearms instruction prescribed by the New Mexico law enforcement academy or provided by a certified firearms instructor who is employed on a permanent basis by a law enforcement agency; or
- (5) by a person in possession of a valid concealed handgun license issued to him by the department of public safety pursuant to the provisions of the Concealed Handgun Carry Act [Chapter 29, Article 19 NMSA 1978].

B. Nothing in this section shall be construed to prevent the carrying of any unloaded firearm.

Section 30-7-2.1. Unlawful carrying of a deadly weapon on school premises.

A. Unlawful carrying of a deadly weapon on school premises consists of carrying a deadly weapon on school premises except by:

- (1) a peace officer;
- (2) school security personnel;
- (3) a student, instructor or other school-authorized personnel engaged in army, navy, marine corps or air force reserve officer training corps programs or state-authorized hunter safety training instruction;
- (4) a person conducting or participating in a school-approved program, class or other activity involving the carrying of a deadly weapon; or
- (5) a person older than nineteen years of age on school premises in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property.

B. As used in this section, “**school premises**” means:

- (1) the buildings and grounds, including playgrounds, playing fields and parking areas and any school bus of any public elementary, secondary, junior high or high school in or on which school or school-related activities are being operated under the supervision of a local school board; or
- (2) any other public buildings or grounds, including playing fields and parking areas that are not public school property, in or on which public school-related and sanctioned activities are being performed.

Section 30-7-2.2. Unlawful possession of a handgun by a person; exceptions; penalty.

A. Unlawful possession of a handgun by a person consists of a person knowingly having a handgun in his possession or knowingly transporting a handgun, except when the person is:

- (1) in attendance at a hunter's safety course or a handgun safety course;
- (2) engaging in the use of a handgun for target shooting at an established range authorized by the governing body of the jurisdiction in which the range is located or in an area where the discharge of a handgun without legal justification is not prohibited by law;

- (3) engaging in an organized competition involving the use of a handgun;
- (4) participating in or practicing for a performance by an organization that has been granted exemption from federal income tax by the United States commissioner of internal revenue as an organization described in § 501(c)(3) of the United States Internal Revenue Code of 1954 [26 USCS § 501(c)(3)], as amended or renumbered;
- (5) legal hunting or trapping activities;
- (6) traveling, with an unloaded handgun in his possession, to or from an activity described in Paragraph (1), (2), (3), (4) or (5) of this subsection; or
- (7) on real property under the control of the person's parent, grandparent or legal guardian and the person is being supervised by his parent, grandparent or legal guardian.

C. As used in this section:

- (1) **"person"** means an individual who is less than 19 years old; and
- (2) **"handgun"** means a loaded or unloaded pistol, revolver or firearm which will or is designed to or may readily be converted to expel a projectile by the action of an explosion and the barrel length of which, not including a revolving, detachable or magazine breech, does not exceed 12 inches.

30-7-2.4. Unlawful carrying of a firearm on university premises; notice; penalty.

A. Unlawful carrying of a firearm on university premises consists of carrying a firearm on university premises except by:

- (1) a peace officer;
- (2) university security personnel;
- (3) a student, instructor or other university-authorized personnel who are engaged in army, navy, marine corps or air force reserve officer training corps programs or a state-authorized hunter safety training program;
- (4) a person conducting or participating in a university-approved program, class or other activity involving the carrying of a firearm; or
- (5) a person older than nineteen years of age on university premises in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property.

B. A university shall conspicuously post notices on university premises that state that it is unlawful to carry a firearm on university premises.

C. As used in this section:

- (1) **"university"** means a baccalaureate degree-granting post-secondary educational institution, a community college, a branch community college, a technical-vocational institute and an area vocational school; and
- (2) **"university premises"** means:
 - (a) the buildings and grounds of a university, including playing fields and parking areas of a university, in or on which university or university-related activities are conducted; or
 - (b) any other public buildings or grounds, including playing fields and parking areas that are not university property, in or on which university-related and sanctioned activities are performed.

Section 30-7-7.1. Unlawful sale of a firearm without a background check.

A. Unlawful sale of a firearm without a background check consists of the sale of a firearm without conducting a federal instant background check subject to the following:

- (1) if the buyer of a firearm is not a natural person, then each natural person who is authorized by the buyer to possess the firearm after the sale shall undergo a federal instant background check before taking possession of the firearm;
- (2) a prospective firearm seller who does not hold a current and valid federal firearms license issued pursuant to 18 U.S.C. Section 923(a) shall arrange for a person who does hold that license to conduct the federal instant background check. A federal firearms licensee shall not unreasonably refuse to perform a background check pursuant to this paragraph; and
- (3) a person who holds a current and valid federal firearms license issued pursuant to 18 U.S.C. Section 923(a) may charge a fee not to exceed thirty-five dollars (\$35.00) for conducting a background check pursuant to this section.

B. The provisions of Subsection A of this section do not apply to the sale of a firearm:

(1) by or to a person who holds a current and valid federal firearms license issued pursuant to 18 U.S.C. Section 923(a);

(2) to a law enforcement agency;

(3) between two law enforcement officers authorized to carry a firearm and certified pursuant to federal law or the Law Enforcement Training Act [Chapter 29, Article 7 NMSA 1978]; or

(4) between immediate family members.

C. As used in this section:

(1) **"consideration"** means anything of value exchanged between the parties to a sale;

(2) **"federal instant background check"** means a background check that meets the requirements of 18 U.S.C.

Section 922(t) and that does not indicate that a sale to the person receiving the firearm would violate 18 U.S.C. Section 922(g) or 18 U.S.C. Section 922(n) or state law;

(3) **"firearm"** means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; and includes any handgun, rifle or shotgun; but shall not include an antique firearm as defined in 18 U.S.C. Section 921(16), a powder-actuated tool or other device designed to be used for construction purposes, an emergency flare or a firearm in permanently inoperable condition;

(4) **"immediate family member"** means a spouse, parent, child, sibling, grandparent, grandchild, great-grandchild, niece, nephew, first cousin, aunt or uncle; and

(5) **"sale"** means the sale, delivery or passing of ownership, possession or control of a firearm for a fee or other consideration, but does not include temporary possession or control of a firearm provided to a customer by the proprietor of a licensed business in the conduct of that business.

D. Each party to an unlawful sale in violation of this section may be separately charged for the same sale.

E. Each firearm sold contrary to the provisions of this section constitutes a separate offense under Subsection A of this section.

F. Two or more offenses may be charged in the same complaint, information or indictment and shall be punished as separate offenses.

G. Whoever violates the provisions of this section is guilty of a misdemeanor.

Section 30-7-16. Firearms or destructive devices; receipt, transportation or possession by certain persons; penalty.

A. It is unlawful for the following persons to receive, transport or possess a firearm or destructive device in this state:

(1) a felon;

(2) a person subject to an order of protection pursuant to Section 40-13-5 or 40-13A-5 NMSA 1978; or

(3) a person convicted of any of the following crimes:

(a) battery against a household member pursuant to Section 30-3-15 NMSA 1978;

(b) criminal damage to property of a household member pursuant to Section 30-3-18 NMSA 1978;

(c) a first offense of stalking pursuant to Section 30-3A-3 NMSA 1978; or

(d) a crime listed in 18 U.S.C. 921.

D. As used in this section:

(1) except as provided in Paragraph (2) of this subsection, **"destructive device"** means:

(a) any explosive, incendiary or poison gas: 1) bomb; 2) grenade; 3) rocket having a propellant charge of more than 4 ounces; 4) missile having an explosive or incendiary charge of more than 1/4 ounce; 5) mine; or 6) similar device;

(b) any type of weapon by whatever name known that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, the barrel or barrels of which have a bore of more than 1/2 inch in diameter, except a shotgun or shotgun shell that is generally recognized as particularly suitable for sporting purposes; and

(c) any combination of parts either designed or intended for use in converting any device into a destructive device as defined in this paragraph and from which a destructive device may be readily assembled.

(2) The term "destructive device" does not include any device that is neither designed nor redesigned for use as a weapon or any device, although originally designed for use as a weapon, that is redesigned for use as a signaling, pyrotechnic, line throwing, safety or similar device;

(3) "**felon**" means a person convicted of a felony offense by a court of the United States or of any state or political subdivision thereof and:

(a) less than 10 years have passed since the person completed serving his sentence or period of probation for the felony conviction, whichever is later;

(b) the person has not been pardoned for the felony conviction by the proper authority; and

(c) the person has not received a deferred sentence; and

(4) "**firearm**" means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion; the frame or receiver of any such weapon.

Section 30-7-18. Definitions.

As used in the Explosives Act [30-7-17 NMSA 1978]:

A. "explosive" means any chemical compound or mixture or device, the primary or common purpose of which is to explode and includes but is not limited to dynamite and other high explosives, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord and igniters; and

B. "**explosive device**" or "**incendiary device**" means:

(1) any explosive bomb, grenade, missile or similar device;

Section 30-7-19.1. Possession of explosive device or incendiary device.

A. Possession of an explosive device or incendiary device consists of knowingly possessing, manufacturing or transporting any explosive device or incendiary device or complete combination of parts thereof necessary to make an explosive device or incendiary device. This subsection shall not apply to any fireworks as defined in Section 60-2C-2 NMSA 1978 or any lawfully acquired household, commercial, industrial or sporting device or compound included in the definition of explosive device or incendiary device in Section 30-7-18 NMSA 1978 that has legitimate and lawful commercial, industrial or sporting purposes or that is lawfully possessed under Section 30-7-7 NMSA 1978.

Chapter 40 – Domestic Affairs **Article 13 – Family Violence Protection**

Section 40-13-2. Definitions.

As used in the Family Violence Protection Act [40-13-1 NMSA 1978]:

E. "**firearm**" means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion or the frame or receiver of any such weapon;

Section 40-13-5. Order of protection; contents; remedies; title to property not affected; mutual order of protection.

A. Upon finding that domestic abuse has occurred or upon stipulation of the parties, the court shall enter an order of protection ordering the restrained party to:

(2) if the order is issued pursuant to this section and if the court also determines that the restrained party presents a credible threat to the physical safety of the household member after the restrained party has received notice and had an opportunity to be heard or by stipulation of the parties, to:

(a) deliver any firearm in the restrained party's possession, care, custody or control to a law enforcement agency, law enforcement officer or federal firearms licensee while the order of protection is in effect; and

(b) refrain from purchasing, receiving, or possessing or attempting to purchase, receive or possess any firearm while the order of protection is in effect.

C. The order of protection shall contain notice that violation of any provision of the order of protection is a violation of state law and that federal law, 18 U.S.C. 922, et seq., prohibits possession of firearms by certain persons.

Section 40-13-13. Relinquishment of firearms; penalty.

A. After the court has issued notice that the restrained party is subject to the provisions of Paragraph (2) of Subsection A of Section 40-13-5 NMSA 1978, the restrained party shall relinquish all firearms in the restrained party's immediate possession or control or subject to the restrained party's possession or control in a safe manner to a law enforcement officer, a law enforcement agency or federal firearms licensee within forty-eight hours of service of the order.

B. A law enforcement officer or law enforcement agency shall take possession of all firearms subject to the order of protection that are relinquished by the restrained party or are in plain sight or are discovered pursuant to a lawful search.

C. A law enforcement officer or law enforcement agency that takes temporary possession of a firearm pursuant to this section shall:

- (1) prepare a receipt identifying all firearms that have been relinquished or taken;
- (2) provide a copy of the receipt to the restrained party;
- (3) provide a copy of the receipt to the petitioner within seventy-two hours of taking possession of the firearm;
- (4) file the original receipt with the court that issued the order of protection within seventy-two hours of taking possession of the firearm; and
- (5) ensure that the law enforcement agency retains a copy of the receipt.

D. An order of protection issued pursuant to Section 40-13-5 NMSA 1978 shall include:

- (1) a statement that the restrained party shall not purchase, receive, transport, possess or have custody or control of a firearm while the order of protection is in effect;
- (2) a description of the requirements for the relinquishment of firearms as provided in this section;
- (3) a statement that within seventy-two hours of the issuance of the order of protection the restrained party must file with the court issuing the order:
 - (a) a receipt identifying all firearms that have been relinquished or taken by a law enforcement officer or law enforcement agency; or
 - (b) a declaration of non-relinquishment;
- (4) the expiration date of relinquishment;
- (5) the address of the court that issued the order of protection; and
- (6) a statement that violation of any provision of the order of protection is a violation of state law and that federal law, 18 U.S.C. 922, et seq., prohibits possession of firearms by certain persons.

E. If the respondent is present at the hearing on the order of protection, the court shall provide the respondent with a receipt form to identify all firearms to be surrendered or, if the respondent has no firearms to relinquish, a declaration of non-relinquishment. The court shall accept the completed form from the respondent for immediate filing.

F. Evidence establishing ownership or possession of a firearm pursuant to this section shall not be admissible as evidence in any criminal proceeding.

G. The law enforcement agency or federal firearms licensee with custody of a surrendered or seized firearm shall make the firearm available to a formerly restrained party within three business days of receipt of a request from a formerly restrained party who is then currently eligible to own and possess a firearm.

H. A formerly restrained party who has surrendered or had firearms taken by a law enforcement officer or law enforcement agency pursuant to this section who does not wish the firearm returned or who is no longer eligible to possess a firearm may sell or transfer the firearm to a federal firearms licensee. The law enforcement agency shall not release the firearm to a federal firearms licensee until:

- (1) the federal firearms licensee has displayed proof that the formerly restrained party has transferred the firearm to the licensee; and
- (2) the law enforcement agency has verified the transfer with the formerly restrained party.

I. A law enforcement agency holding a firearm relinquished pursuant to this section may dispose of the firearm twelve months from the date of proper notice to the formerly restrained party of the intent to dispose of the firearm, unless another person claiming to be the lawful owner presents written proof of ownership. If the firearm remains unclaimed after twelve months from the date of notice, no party shall assert ownership and the law enforcement agency may dispose of the firearm. For the purposes of this subsection, “**dispose**” means to destroy a firearm or sell or transfer the firearm to a federal firearms licensee.

J. The provisions of this section shall not be interpreted to require a federal firearms licensee to purchase or accept possession of a firearm from a restrained party.

Constitution of the State of New Mexico

Current with all amendments through the latest, approved at the general election held November 5, 2018.

Article II – Bill of Rights

Section 6. [Right to bear arms.]

No law shall abridge the right of the citizen to keep and bear arms for security and defense, for lawful hunting and recreational use and for other lawful purposes, but nothing herein shall be held to permit the carrying of concealed weapons. No municipality or county shall regulate, in any way, an incident of the right to keep and bear arms.

Alamogordo Code of Ordinances

Current through Ordinance 1604, enacted December 3, 2019. (Supplement 42)

Chapter 11 – Criminal Code

Article 11-05 – Offenses Relating to Public Order and Safety

Section 11-05-340. Weapons, definitions.

As used in this section:

Deadly weapon shall mean any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including, but not restricted to, any types of daggers, brass knuckles, switchblade knives, Bowie knives, poniards, butcher knives, dirk knives, and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes, also slingshots, slug shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted.

Firearm shall mean any instrument used in the propulsion of shot, shell or bullets or other harmful objects by the action of gunpowder exploded within it, or by the power of springs.

Section 11-05-380. Weapons, Unlawful possession, transfer or sale of weapons.

(b) Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of eighteen (18) years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing such a weapon or ammunition for his child or ward.

(c) It shall be unlawful for any person to commit the offense defined in this section.

Chapter 17 – Licenses and Miscellaneous Business Regulations

Article 17-02 – Firearms Dealers

Section 17-02-010. Records to be kept.

Each person or firm in the city engaged in the business of purchasing, selling or lending money on secondhand or used firearms shall keep records on the transactions involving the firearms as follows:

- (1) The make, caliber, description and serial number of each firearm purchased or sold or on which money is lent;
- (2) The name and address of the person or firm from whom purchased, to whom sold or to whom money is lent; and
- (3) The date of each transaction.

Section 17-02-020. Exceptions to chapter.

Regularly established businesses within the city engaged in the business of selling, at retail, new firearms which have been procured at wholesale from a manufacturer or jobber shall not be subject to the provisions of this article.

Section 17-02-030. Time of retaining records.

The records required to be kept hereunder shall be preserved and maintained for at least five (5) years from the date of each such transaction and shall be made available at any time upon request to law enforcement agencies.

Section 17-02-040. Transactions with minors.

It shall be the responsibility of each person or firm who buys, sells or loans money on secondhand or used firearms to ascertain whether or not the person with whom the transaction is consummated is a minor under the age of twenty-one (21) years and to report to the director of public safety of the city any transaction with such minor.

Albuquerque Code of Ordinances

Current through Ordinance 2020-001, passed January 22, 2020. (Supplement 90)

**Chapter 12 – Criminal Code
Article 2 – Offenses Relating to Public Order**

Section 12-2-8. Unlawfully carrying deadly weapons.

(B) Deadly Weapon, in this section means any firearm or any weapon which is capable of producing death or great bodily harm, including but not restricted to, any type of dagger, metallic knuckles, switchblade, poniard, dirk knife, sword cane, sharp pointed cane or rod, slingshot, bludgeon, knum chucks, straight razor, or slapper.

Section 12-2-9. Negligent use of weapons.

(A) Negligent use of a weapon consists of either:

(4) Selling, loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of alcohol or other drug or that the person is incompetent.

Section 12-2-10. Unlawful possession, transfer or sale of weapons.

(B) Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing such a weapon or ammunition for his child or ward.

Angel Fire Code of Ordinances

Current through Ordinance 2019-09, passed September 24, 2019.

**Title 5 – Police Regulations
Chapter 2 – Criminal Code
Article B – Offenses Relating to Public Order and Safety**

Section 5-2B-9. Weapons.

B. Carrying Deadly Weapons:

2. Definition: "**Deadly weapon**", as used in this subsection, means any firearm, or any weapon which is capable of producing death or great bodily harm, including, but not restricted to, any type of dagger, metallic knuckles, switchblade, poniard, dirk knife, sword cane, sharp pointed cane or rod, slingshot, bludgeon, num chucks, straight edge razor, gravity knife, blackjack, bomb, firearm silencer, gas gun, machine gun, short shotgun, or slapper.

C. Negligent Use of a Weapon: "Negligent use of a weapon" consists of:

4. Selling, loaning, or furnishing any deadly weapon to a person with knowledge that the person is under the influence of an intoxicating liquor or drug, or that the person is incompetent.

D. Unlawful Possession, Transfer or Sale of Weapons:

2. Unlawful Sale Of Deadly Weapons: "Unlawful sale of a deadly weapon" consists of giving, selling, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of eighteen (18) years; provided, however, that nothing herein contained shall be construed to prevent any parent or guardian from purchasing such weapon or ammunition for his child or ward.

Artesia Code of Ordinances

Current through Ordinance 1050, passed March 26, 2019.

**Title 5 – Public Peace, Health and Safety
Chapter 1 – Criminal Code; Nuisances
Article B – Offenses Involving Public Order and Safety**

Section 5-1B-11. Deadly weapons.

G. Sales To Minors: It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or BB gun, or ammunition for any firearm to any person under the age of eighteen (18) years; provided, that this subsection shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Belen Code of Ordinances

Current through Ordinance 2018-05, adopted September 4, 2018. (Supplement 24, 1-19)

Title 9 – Public Peace, Morals and Welfare
Appendix 9-04 – Criminal Code Ordinance on General Offenses
Chapter Two – Public Order and Safety

Section 2-1-13. Deadly weapons.

G. Sales to Minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or B-B gun, or ammunition for any firearm to any person under the age of eighteen (18) years provided that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his or her child or ward.

Title 17 – Zoning
Chapter 48 – Allowable Land Uses

Section 17.48.010 Table of allowable land uses.

The following table indicates allowable land uses in specific districts of the city of Belen:

X = Permitted use

C = Conditional use

C* = Conditional use (six-month permit)

A-R = Agricultural/Residential	R-1 = Single-Family Residential
R-1A = Single-Family Mixed	R-2 = Multifamily Residential
R-2A = High Density Residential	R-3 = Small Lot Residential
R-4 = Medium Residential	C-R = Commercial/Residential
C-1 = General Commercial	C-2 = Mixed Use

Allowable Land Uses	A-R	R-1	R-1A	R-2	R-3	C-R	C-1	M-C	SU-1	B-A	R-2A	R-4	C-2	M-1
Guns and gunsmiths							X	X					X	X

Bernalillo County Code of Ordinances

Current through Ordinance 2019-29, enacted October 15, 2019. (Supplement 71)

Chapter 34 – Fire Prevention and Protection
Article III – International Fire Code

Section 34-76 Amendments to the fire code.

International Fire Code, Chapter 33 Section 3305.1 entitled "Explosives and Fireworks, Manufacture, Assembly and Testing of Explosives, Explosive Materials, and Fireworks, General" is hereby amended to read as follows:

3305.1 General. The manufacture, assembly, and testing of explosives, explosive materials, ammunition, blasting agents, and fireworks shall not be conducted within Bernalillo County.

Exceptions:

1. The hand loading of small arms ammunition prepared for personal use and not offered for resale.

Bloomfield Code of Ordinances

Current through Ordinance 482, adopted September 23, 2019. (Supplement 10)

Chapter 11 – Offenses
Article VI – Offenses Against Public Safety
Division 1 – Generally

Section 11-96. Deadly weapons.

(g) Sale to minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or BB gun, or ammunition for any firearm to any person under the age of eighteen (18) years provided that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Bosque Farms Code of Ordinances

Current through July 1, 2018.

Chapter 7 – General Offenses

Section 7-1 – Offenses Relating to Public Order and Safety

Section 7-1-13. Deadly weapons.

A. Deadly weapons defined. "**Deadly weapon**" means any loaded firearm, or any weapon which is capable of producing death or great bodily harm, including, but not restricted to, any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives, and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including sword canes and any kind of sharp, pointed canes, as well as slingshots, bludgeons, and any other instrument when used in such a negligent manner, and/or with intent, that dangerous wounds can be inflicted.

D. Negligent use of weapons. It is unlawful for any person to make negligent use of a weapon, consisting of either:

(4) Selling, loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of alcohol or other drug, or that the person is incompetent.

F. Sales to minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or BB gun or ammunition for any firearm to any person under the age of 18 years, provided that this subsection shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Capitan Code of Ordinances

Current through October 8, 2019.

Chapter 160 – Offenses

Article II – Public Order and Safety

Section 160-13. Deadly weapons.

G. Sales to minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun, or BB gun, or ammunition for any firearm to any person under the age of 18; provided that this subsection shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Cloudcroft Code of Ordinances

Current through Ordinance 383, passed July 9, 2019.

Title 5 – Public Safety and Protection

Chapter 2 – Offenses

Section 5-2-8. Weapons.

A. Carrying Deadly Weapon:

2. "**Deadly weapon**", as used in this subsection, means any firearm or any weapon which is capable of producing death or great bodily harm, including but not restricted to, any type of dagger, metallic knuckles, switchblade knife, poniard, dirk knife, sword cane, sharp pointed cane or rod, slingshot or bludgeon.

B. Negligent Use of Weapons:

1. Specified: Negligent use of a weapon consists of either:

d. Selling, loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of any intoxicant or narcotic or that the person is incompetent;

C. Possession, Transfer or Sale:

2. Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering or exchanging for anything of value any deadly weapon or ammunition for his child or ward.

Cimarron Code of Ordinances

Current through Ordinance 262, passed March 20, 2013.

**Title 9 – Public Morals, Peace and Welfare
Chapter 9.40 – Offenses by or Against Minors**

Section 9.40.010. Sales to minors.

It is unlawful to give, sell, trade, barter or exchange anything of value for any deadly weapon, air rifle, air gun or BB gun, or ammunition for any firearm to any person under the age of 18 years; provided, that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms for his/her child or ward.

Deming Code of Ordinances

Current through Ordinance 1279, passed July 8, 2019.

**Title 3 – Business and License Regulations
Chapter 11 – Flea Markets, Swap Meets**

Section 3-11-7. Vendor restrictions.

No vendor shall sell, exchange, or display for the purpose of sale or exchange, any firearm, live ammunition, fresh meat, or any item of contraband as such is defined by federal or state law.

Elephant Butte Code of Ordinances

Current through Ordinance 156, passed September 16, 2015. (Supplement 2)

**Title XIII – General Offenses
Chapter 131 – Offenses Against Public Order and Safety**

Section 131.12. Deadly weapons.

(G) Sales to minors. It is unlawful to give, sell, trade, barter, or exchange for anything of value any deadly weapon, air rifle, air gun, or B-B gun, or ammunition for any firearm to any person under the age of 18 years provided that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his or her child or ward.

Española Code of Ordinances

Current through February 1, 2016.

Chapter 319 – Weapons and Firearms

Section 319-1. Furnishing weapons to minors.

It shall be unlawful for any person to furnish, sell or offer for sale to any person under 16 years of age any firearm, air gun or slingshot within the City.

Section 319-2. Possession of weapons by minors.

It shall be unlawful for any person under 16 years of age to have in his possession any firearm, air gun or slingshot within the City; except that when such person is under the immediate supervision of an adult instructor or teacher, such possession shall not be considered a violation of this section.

Section 319-3. Carrying of deadly weapon on school premises.

A. Unlawful carrying of a deadly weapon on school premises consists of carrying a deadly weapon on school premises except by:

- (1)** A peace officer;
- (2)** School security personnel;
- (3)** A student, instructor or other school-authorized personnel engaged in Army, Navy, Marine Corps or Air Force Reserve officer training corps programs or state-authorized hunter safety training instruction;
- (4)** A person conducting or participating in a school-approved program, class or other activity involving the carrying of a deadly weapon; or
- (5)** A person older than 19 years of age on school premises in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property.

B. As used in this section, the term "**school premises**" means:

(1) The buildings and grounds, including playgrounds, playing fields and parking areas and any school bus of any public elementary, secondary, junior high or high school in or on which school or school-related activities are being operated under the supervision of a local school board; or

(2) Any other public buildings or grounds, including playing fields and parking areas that are not public school property, in or on which public school-related and -sanctioned activities are being performed.

Section 319-4. Handguns.

A. Possession of a handgun; exceptions; penalty.

(1) Unlawful possession of a handgun by a person consists of a person knowingly having a handgun in his possession or knowingly transporting a handgun, except when the person is:

(a) In attendance at a hunter's safety course or a handgun safety course;

(b) Engaging in the use of a handgun for target shooting at an established range authorized by the governing body of the jurisdiction in which the range is located or in an area where the discharge of a handgun without legal justification is not prohibited by law;

(c) Engaging in an organized competition involving the use of a handgun;

(d) Participating in or practicing for a performance by an organization that has been granted exemption from federal income tax by the United States Commissioner of Internal Revenue as an organization described in Section 501(c)(3) of the United States Internal Revenue Code of 1954, as amended or renumbered;

(e) Engaging in legal hunting or trapping activities;

(f) Traveling, with an unloaded handgun in his possession, to or from an activity described in Subsection A(1)(a), (b), (c), (d) or (e) of this section; or

(g) On real property under the control of the person's parent, grandparent or legal guardian and the person is being supervised by his parent, grandparent or legal guardian.

(3) As used in this section:

(a) The word "**person**" means an individual who is less than 19 years old; and

(b) The word "**handgun**" means a loaded or unloaded pistol, revolver or firearm which will or is designed to or may readily be converted to expel a projectile by the action of an explosion and the barrel length of which, not including a revolving, detachable or magazine breech, does not exceed 12 inches.

Eunice Code of Ordinances

Current through Ordinance 432, adopted September 13, 2011. (Supplement 2)

Chapter 38 – Criminal Code Article III – Offenses Against the Public Division 2 – Weapons

Section 38-113. Unlawful possession or sale of weapons.

(b) Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years of age; provided, however, that nothing herein contained shall be construed to prevent any parent or guardian from purchasing such weapon or ammunition for his child or ward.

Section 38-114. Deadly weapons defined.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Deadly weapon means any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives, and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes, also any other weapons with which dangerous wounds can be inflicted.

Farmington Code of Ordinances

Current through Ordinance 2019-1317, enacted May 7, 2019. (Supplement 68)

Chapter 18 – Offenses and Miscellaneous Provisions

Article 5 – Offenses Against Public Health and Safety

Division 2 – Weapons

Section 18-5-45. Furnishing to minors.

No person shall sell, lend or furnish to any minor below the age of 16 any gun, pistol or other firearm within the city, nor shall any person in the city sell or give to any minor below the age of 16 any cartridges of fixed ammunition of which any fulminate is a component part.

Gallup Code of Ordinances

Current through Ordinance C2019-8, passed July 23, 2019.

Title 5 – Police Regulations

Chapter 4 – Firearms and Weapons

Section 5-4-5. Sale of firearms to minors prohibited.

The giving, selling, trading, bartering or exchanging for anything of value of any "firearm" as defined in section 5-4-1 of this chapter, or of any ammunition for any firearm, to any person under the age of eighteen (18) years, within the corporate limits of the city, is hereby prohibited and declared to be a misdemeanor; provided however, that nothing herein contained shall be construed to prohibit any parent or legal guardian from purchasing such a weapon for his child or ward, or from giving such a weapon to his child or ward, subject to the provisions of section 5-4-3 of this chapter.

Hatch Code of Ordinances

Current through Ordinance 403, passed July 9, 2019.

Title 9 – Public Peace, Morals and Welfare

Chapter 9.08 – Public Order and Safety

Section 9.08.120. Deadly weapons.

G. Sales To Minors: It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or BB gun, or ammunition for any firearm to any person under the age of eighteen (18) years; provided, that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Hobbs Code of Ordinances

Current through Ordinance 1115, adopted April 16, 2018. (Supplement 8)

Title 9 – Public Peace, Morals and Welfare

Chapter 9.23 – Weapons

Section 9.36.040. Deadly weapons defined.

"Deadly weapon" means any firearm, whether loaded or unloaded, or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given or with which dangerous thrusts can be inflicted, including sword canes and any kind of sharp pointed canes, and any other weapons with which dangerous wounds can be inflicted.

Section 9.36.070. Deadly weapon, Unlawful possession by felon.

It is unlawful for any convicted felon to possess a deadly weapon, as defined in section 9.36.040, within the City.

Section 9.36.080. Deadly weapon, negligent use.

No person in the City shall commit negligent use of a weapon.

"Negligent use of a weapon" consists of:

- D.** Selling, loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of any intoxicant or narcotic or that the person is incompetent.

Las Cruces Code of Ordinances

Current through Ordinance 2910, adopted January 21, 2020. (Supplement Number 23)

Chapter 16 – Licenses, Taxation and Miscellaneous Business Regulations
Article V – Flea Markets

Section 16-267. Responsibilities of vendors.

No flea market vendor shall sell, exchange, or display for the purpose of sale or exchange any firearm, live ammunition, fresh meat, or any item of contraband as such is defined by federal or state law. Any vendor who sells food, which is defined in section 16-256, shall possess a valid and unsuspended permit issued by the department of environment. The vendor shall provide this permit upon demand by any city codes officer. Each vendor shall display such permit in full public view.

Las Cruces Land Development Code

Current through Ordinance 2882, adopted December 17, 2018. (Supplement 22)

Chapter 38 – Zoning
Article VI – Special Provisions

Section 38-52. Home occupation business registration.

4. There shall be no direct sale of products off display shelves or racks. Retail sales shall only be conducted if product orders are placed earlier by telephone/fax, mail, computer or at a sales party. Sales or service to customers shall be arranged by appointment and scheduled so that not more than one customer vehicle is at the dwelling. This requirement shall include the sale of firearms, but does not apply to a sales party or babysitting service.

Las Lunas Code of Ordinances

Current through Ordinance 445, passed July 15, 2019. (Supplement 26)

Title 9 – Public Peace, Morals and Welfare
Chapter 9.08 – Offenses Against Public Order and Safety

Section 9.08.120. Deadly weapons.

G. Sales to Minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or B.B. gun, or ammunition for any firearm or any person under the age of eighteen years provided that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Las Vegas Code of Ordinances

Current through April 18, 2018.

Chapter 192 – Criminal Code
Article I – Title; Definitions; Penalty

Section 192-4. Definitions and word usage.

Deadly Weapon. Any firearm, whether loaded or unloaded, or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including sword canes, and any kind of sharp pointed canes, also slingshots, slungshots, bludgeons, or any other weapons with which dangerous wounds can be inflicted.

Article II – Offenses Relating to Public Order and Safety

Section 192-18. Unlawful possession, transfer or sale of weapons.

B. Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years; provided, however, that nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing such a weapon or ammunition for his child or ward.

Lovington Code of Ordinances

Current through Ordinance 553, passed June 26, 2017. (Supplement 16)

**Title 9 – Public Peace, Morals and Welfare
Chapter 9.28 – Weapons**

Section 9.28.070. Sale to minors prohibited.

It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or BB gun, or ammunition for any firearm to any person under the age of eighteen years; provided, that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Mesilla Code of Ordinances

Current through Ordinance 2019-03, passed June 26, 2019.

**Title 9 – Public Peace, Morals and Welfare
Chapter 9.10 – Public Order and Safety**

Section 9.10.130. Deadly weapons.

A. Definition. In this section, “**deadly weapon**” means any firearm, whether loaded or unloaded, or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp-pointed canes, also slingshots, slungshots and bludgeons, or any other weapons with which dangerous wounds can be inflicted.

G. Sales to Minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or BB gun, or ammunition for any firearm to any person under the age of 18 years; provided, that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Pueblo of Laguna Tribal Code

Current through Resolution 86-18, enacted December 15, 2018. (Supplement 12)

**Title VII – Children, Families and Elderly
Chapter 4 – Family Protection, Domestic Violence**

Section 7-4-5. Definitions.

The definitions in this section shall be liberally construed so as to protect all persons who are subjected to abuse and violence. As used in this chapter the following terms shall have the following meanings:

Domestic violence or abuse means the occurrence of or any attempt to cause one (1) or more of the following acts by the perpetrator:

- (1) Any act that causes any bodily injury to or physical harm to another person;
- (2) Engaging in a course of conduct, physically or verbally, that is intended to cause a person to feel terrorized or seriously threatened that death, bodily harm, sexual assault, confinement or restraint may result;
- (3) Inflicting severe emotional distress through the use of threats, intimidation, or extreme ridicule to inflict humiliation and emotional suffering upon another person;
- (4) Causing another person to engage involuntarily in sexual activity by force, threat of force or duress;
- (5) Harassing or stalking another person through repeated actions or communications, by phone or by any other means, intended to intimidate, humiliate, shame, degrade or cause fear in another person;
- (6) Coercing a person through force, intimidation, threatening words, actions, or CI weapon to force a person to:
 - (a) Engage in conduct which the person has a right to abstain from; or
 - (b) Abstain from conduct which the person has a right to engage in.
- (7) Causing damage to property for the purpose of intimidating or attempting to control the behavior of another person; and
- (8) Engaging in any conduct that constitutes an offense under the Laguna Law and Order Code towards a person defined as a victim in this chapter.

Victim means any of the following persons who have been affected by domestic violence or abuse as defined in this section:

- (1) Any current or former family or household member of the abuser;

- (2) Any person involved in, or formerly involved in, an intimate relationship with the abuser, including:
- (a) Persons who are current or former spouses or domestic partners;
 - (b) Persons who have a child, including an unborn child, in common;
 - (c) Persons who are living together or have lived together; and
 - (d) Persons who are involved or have been involved in a sexual or otherwise intimate, ongoing dating relationship including persons who are identified in the community as boyfriend and girlfriend regardless of age or sexual orientation.
- (3) Any children of a person in a relationship that is described herein;
- (4) Any person who is related by blood, or formerly related by law to the abuser by marriage as recognized by the Pueblo of Laguna.

Section 7-4-8. Criminal procedures and penalties.

H. Conditions of release.

(6) Before releasing a person arrested for or charged with a crime involving domestic violence or a violation of an order for protection, the court shall make findings on the record, if possible, concerning the determination made in accordance with subsection 7-4-8H.(1) and may impose conditions of release or bail on the person to protect the alleged victim of domestic violence and to ensure the appearance of the person at a subsequent court proceeding. The conditions may include, but are not limited to:

- (c) An order prohibiting the respondent from using or possessing a firearm or other weapon specified by the court.

Section 7-4-9. Civil orders of protection.

D. Temporary ex parte orders of protection.

- (2) The court may grant the following relief without notice and hearing in an order for protection issue ex parte:
- (c) Prohibit the respondent from using or possessing a firearm or other weapon specified by the court;

Section 7-4-11. Firearms disqualification.

A. Purpose. The purpose of this section is to prohibit any person from possessing a firearm who has been convicted of a felony or misdemeanor offense of domestic violence/abuse, as defined under section 7-4-5 of this Family Protection Code, or under Pueblo, state or federal law, including any person who is subject to an order of protection based upon a finding that the person represents a credible threat of violence to the victim, under Pueblo, state or federal law.

B. Unlawful possession of a firearm. It shall be unlawful for any person to possess a firearm who:

- (1) Is subject to any court order from a court of competent jurisdiction that restrains such person from harassing, stalking or threatening any person defined in section 7-4-5, or engaging in any other conduct that would place any person defined in section 7-4-5 in reasonable fear of bodily injury, and provided that the order:
- (a) Was issued after a hearing of which such person received actual notice and had the opportunity to participate;
 - (b) Includes a finding that such person represents a credible threat to the physical safety of such household or family member; or
 - (c) By its terms explicitly prohibits the use, attempted use or threatened use of physical force against such person defined in section 103(4).

(2) Has been convicted in state, federal or Pueblo Court of any crime involving domestic violence/abuse, as defined in section 7-4-5 of this chapter, which involved the use or attempted use of physical force, or the threatened use of physical force; or the threatened use of a deadly weapon against any person defined in section 7-4-5.

C. Violations. Violation of this chapter shall result in a sentence of not less than one hundred twenty (120) days of mandatory jail, and a maximum fine of seven hundred fifty dollars (\$750.00). Any related domestic violence sentences for a violation of this section and any other section of the Family Protection Code shall be served consecutively.

Title XV – Criminal Code Chapter 10 – Weapons

Section 15-10-1. Definitions.

As used in this chapter, the following definitions shall apply:

Carrying of a deadly weapon means being armed with a deadly weapon by having it on the person, or in close proximity thereto, so that the weapon is readily accessible for use.

Deadly weapon means any firearm including a pistol or revolver, or other weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or is intended to be used is known to be capable of producing death or serious bodily injury. Examples of such weapons include, but are not limited to, any type of dagger, brass knuckles, switchblades knives, bowie knives, poniards, butcher knives, dirk knives and bludgeons.

Section 15-10-4. Unlawful carrying of a deadly weapon on school premises.

A. Offense. It shall be unlawful for any person to carry a deadly weapon on school premises, except by:

(1) A peace officer; or

(2) A student, instructor or other school-authorized personnel engaged in Army, Navy, Marine Corps or Air Force Reserve Officer Training Corps Programs or Tribally-authorized hunter safety training instruction.

B. Definitions. As used in this chapter, "**school premises**" means:

(1) The buildings and grounds, including playgrounds, playing fields and parking areas and any school bus of any Tribal, federal, or state head start, elementary, secondary, junior or senior high school or school-related activities that are being operated under the supervision of a local school board; or

(2) Any other public buildings or grounds, including playing fields and parking areas that are not public school property, in or on which public school-related and sanctioned activities are being performed.

Raton Code of Ordinances

Current through Ordinance 1005, passed May 28, 2019.

**Title XIII – General Offenses
Chapter 130 – General Offenses
Weapons and Explosives**

Section 130.135. Definitions.

For the purpose of §§ 130.135 *et seq.*, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Deadly Weapon. Any loaded firearm, any unloaded firearm, any weapon which is capable of producing death or great bodily harm, including, but not restricted to, any types of daggers, brass knuckles, switchblade knives, Bowie knives, poniards, dirk knives, and all the weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including sword canes, and any kind of sharp pointed cane, also slingshots, slung shots, bludgeons, or any other weapon with which dangerous wounds can be inflicted.

Section 130.139. Unlawful sale of a deadly weapon.

(A) Unlawful sale of a deadly weapon consists of giving, selling, trading, bartering, or exchanging for anything of value any deadly weapon or ammunition for any firearm to any person under the age of 18 years. Nothing herein contained shall be construed to prevent any parent or legal guardian from purchasing the weapon for his or her child or ward.

(B) Whoever commits unlawful sale of a deadly weapon is guilty of violating this section.

Roswell Code of Ordinances

Current through Ordinance 18-11, adopted December 13, 2018. (Supplement 7)

**Appendix A – Zoning
Article 19 – Home Occupations**

Section 4. Prohibited home occupations.

The following uses, by nature of the investments or operations involved, have a pronounced tendency once started, to rapidly increase beyond the limits intended for home occupations, and thereby impair the use and value of a residential zoning district. Therefore, the uses specified below shall not be permitted as either minor or major home occupations:

16. Sale of firearms or ammunitions of any kind.

Santa Fe Code of Ordinances

Current through Ordinance 2019-29, adopted October 30, 2019. (Supplement 8)

**Chapter 14 – Land Development
Article 14-6 – Permitted Uses and Use Regulations**

Section 14-6.3. Multiple principal uses; accessory uses or structures.

(D) Standards for Specific Accessory Uses

(2) Home occupations

(c) General Standards

(v) ...The storage of firearms, ammunition, fireworks or similar explosives for sale or service is prohibited. Mechanical or electrical equipment that is incidental to the home occupation may be used if it does not create visible or audible interference in radio, computer or television receivers or cause fluctuation in voltage of the premises or neighboring premises. Depending upon the nature of the home occupation, the land use director may require proof of compliance with these restrictions prior to issuance of a business registration.

**Chapter XVI – Criminal Code
16-5 – Crimes with a Deadly Weapon**

Section 16-5.1 Definitions.

As used in this section:

Deadly weapon means any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including but not restricted to any type of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives, blow darts and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes, also slingshots, slung shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted.

Section 16-5.3. Unlawful possession of a handgun by a person.

A. Definitions as used in this subsection:

(1) Person means an individual who is less than nineteen (19) years old; and

(2) Handgun means a loaded or unloaded pistol, revolver or firearm which will or is designed to or may readily be converted to expel a projectile by the action of an explosion and the barrel length of which, not including a revolving, detachable or magazine breech, does not exceed twelve (12) inches.

B. Unlawful possession of a handgun by a person consists of a person knowingly having a handgun in his possession or knowingly transporting a handgun, except when the person is:

(1) In attendance at a hunter's safety course or a handgun safety course;

(2) Engaging in the use of a handgun for target shooting at an established range authorized by the governing body of the jurisdiction in which the range is located or in an area where the discharge of a handgun without legal justification is not prohibited by law;

(3) Engaging in an organized competition involving the use of a handgun;

(4) Participating in or practicing for a performance by an organization that has been granted exemption from federal income tax by the United States commissioner of internal revenue as an organization described in Section 501c(3) of the United States Internal Revenue Code of 1954, as amended or renumbered;

(5) Legal hunting or trapping activities;

(6) Traveling, with an unloaded handgun in his possession, to or from an activity described in paragraph, (1), (2), (3), (4) or (5) of this subsection; or

(7) On real property under the control of the person's parent, grandparent or legal guardian and the person is being supervised by his parent, grandparent or legal guardian.

C. A person who commits unlawful possession of a handgun by a person is guilty of a petty misdemeanor.

Section 16-5.8. Barter or exchange of deadly weapons.

A. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or B-B gun, or ammunition for any firearm to any person under the age of nineteen (19) years provided that this section shall not be construed to prevent any parent or legal guardian from purchasing *firearms* or ammunition for his child or ward.

B. Whoever violates this section shall be deemed guilty of a petty misdemeanor.

Silver City Code of Ordinances
Current through Ordinance 1285, adopted September 24, 2019. (Supplement 9)

Chapter 34 – Offenses and Miscellaneous Provisions
Article V – Offenses Involving Public Safety
Division 2 – Weapons

Section 34-150. Sales to minors.

It shall be unlawful for any person to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, airgun or BB gun, or ammunition for any firearm to any person under the age of 18 years; provided that this section shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Socorro Code of Ordinances
Current through May 20, 2019.

Chapter 179 – Offenses
Article I – Offenses Relating to Public Order and Safety

Section 179-8. Deadly weapons.

G. Sales to minors. It is unlawful to give, sell, trade, barter or exchange for anything of value any deadly weapon, air rifle, air gun or B-B gun, or ammunition for any firearm to any person under the age of 18 years, provided that this subsection shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his child or ward.

Tatum Code of Ordinances
Current through August 27, 2019.

Chapter 182 – Offenses
Article IV – Weapons and Explosives

Section 182-11. Deadly weapons.

G. Sales to minors. It is unlawful to give, sell, trade, barter or exchange anything of value for any deadly weapon, air rifle, air gun or B-B gun, or ammunition for any firearm to any person under the age of 18 years, provided that this subsection shall not be construed to prevent any parent or legal guardian from purchasing firearms or ammunition for his/her child or ward.

Truth or Consequences Code of Ordinances
Current through Ordinance 684, enacted July 12, 2017. (Supplement 100)

Chapter 7 – Licenses, Taxation and Miscellaneous Business Regulations
Article IV – Firearms

Section 7-81. Records to be kept.

Each person in the City engaged in the business of purchasing, selling or lending money on secondhand or used firearms shall keep records on the transactions involving the firearms as follows:

- (1) The make, caliber, description and serial number of each firearm purchased or sold or on which money is loaned;
- (2) The name and address of the person from whom purchased, to whom sold, or to whom money is loaned; and
- (3) The date of each transaction.

Section 7-82. Exceptions to article.

Regularly established businesses within the City engaged in the business of selling, at retail, new firearms which have been procured at wholesale from a manufacturer or jobber, shall not be subject to the provisions of this article.

Section 7-83. Time of retaining records.

The records required to be kept pursuant to this article shall be preserved and maintained for at least five years from the date of each such transaction and shall be made available at any time, upon request, to law enforcement agencies.

Section 7-84. Transactions with minors.

It shall be the responsibility of each person who buys, sells or loans money on secondhand or used firearms to ascertain whether or not the person with whom the transaction is consummated is a minor under the age of 21 years and to report to the Chief of Police of the City any transaction with such minor.

Chapter 8 – Offenses and Miscellaneous Provisions
Article II – Offenses Relating to Public Order and Safety

Section 8-38. Carrying concealed deadly weapons.

(b) Deadly weapon means any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives, and all such weapons with which dangerous cuts can be given; or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes; also slingshots, slung shots, bludgeons, or any other weapons with which dangerous wounds can be inflicted.

Section 8-39. Negligent use of weapons.

(a) Negligent use of a weapon consists of either:

(4) Selling, loaning or furnishing any deadly weapon to a person with knowledge that the person is under the influence of an intoxicant, narcotic, drug, stimulant, depressant, or to one who is incompetent.

Valencia County Code of Ordinances

Current through Ordinance 2017-01, passed April 5, 2017. (Supplement 7)

Title IX – General Regulations

Chapter 93 – Fire Regulations; Fireworks

Section 93.06. Amendments to the fire code.

The Fire Code is amended and changed in the following respects:

International Fire Code, Chapter 33 Section 3305 entitled “Explosives and Fireworks, Manufacture, Assembly and Testing or Explosives, Explosive Material, and Fireworks” is hereby deleted in its entirety, to be replaced with a new section 3305, to read as follows:

Section 3305 Manufacture, Assembly and Testing or Explosives, Explosive Materials, and Fireworks.

3305.1 General: The manufacture, assembly and testing of explosives, ammunition, blasting agents, explosive materials, and fireworks shall not be conducted within Valencia County.

Exceptions:

1. The hand loading of small arms ammunition prepared for personal use and not offered for resale.