

## County commissioners reverse themselves

Written by By Beth Blakeman Associate Editor  
Friday, 01 May 2020 05:16

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## City councilors move forward with convenience store restrictions

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An online McKinley County commissioners' meeting held April 20 addressed an ordinance restricting liquor sales and encouraging people to stay home between 8 pm and 5 am.

Ordinance 2020-April-002, established April 13, called for banning the sale of certain alcohol products and urging citizens to self-curfew between 8 pm and 5 am.

McKinley County Undersheriff James Maiorano III compared the response to the ordinance to a balloon full of water. If you push it, the water just moves to another place. In the case of people looking for alcohol in the county, it means moving from convenience stores to grocery stores and from McKinley County to a neighboring county.

There was a single public oral comment recorded, in which the commissioners heard from a man who said the self-curfew ordinance had no teeth and compared it to suggesting his teenager not use the car.

After the comment was heard, the commissioners took up the topics of restricting liquor sales, imposing a curfew and the issue of wearing masks, and imposing penalties.

District 3 Commissioner Bill Lee brought back the water balloon analogy, saying wherever you squeeze, something's going to come out the other side. He said Cibola County authorities called April 15 to ask what McKinley County was doing.

"I don't think our recommended ban of the hard liquor is working," he said. "If we're forcing people into another county, we're maybe increasing the spread of this virus."

District 1 Commissioner Billy Moore pointed out that the Navajo Nation had implemented a mask rule. He called it common sense.

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“But how are we going to enforce that?” he asked. “We can encourage them to do what’s right, but getting them to do it, that’s another thing.”

County Attorney Doug Decker suggested imposing a mandatory curfew would become an enforcement and an exposure problem.

“Because we have chosen at this particular time to make it a fine only, not jail time, that has the effect of you [not] having to bring them into jail. That [going in to jail] could be more exposure for people in the jail on a petty misdemeanor,” he said.

Decker said enforcement of a curfew would operate more like the seatbelt law. If a law enforcement officer pulled someone over for something else, and saw the seatbelt was not fastened, that charge would be tacked on.

“It becomes quite burdensome,” he said.

Lee agreed with Moore’s assessment that taking precautions amounts to good judgment.

“I think that’s all that we can do, is ask the people [to] do the right thing. We’re already looking at things that have impeded everybody’s way of life,” Lee said. “I’m not sure that enacting any kind of curfew or wearing of masks is going to do any good.”

District 2 Commissioner Tommy Nelson offered no comment.

Lee made a motion that the commission rescind the restrictions in the ordinance and open liquor sales back up.

Nelson seconded the motion.

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The motion passed by a vote of 2-1, with Nelson voting no.

### ***CITY RESTRICTIONS GO INTO EFFECT***

After Gallup City Councilors voted to restrict alcohol sales at area convenience stores, the Gallup Fire Department delivered the news to 10 locations on April 16.

The changes took effect April 20 and Gallup Fire Marshal Jacob LaCroix says every store was cooperative and understanding and complied without any issues.

“There haven’t been any complaints reported to us by anybody selling alcohol,” he said. “I haven’t gotten any feedback as far as anything negative from it.”

LaCroix said fire personnel drive around the area conducting normal duties. He said what he has observed is people visiting the stores for fuel and cigarettes.

“I haven’t seen any increase in people being at the stores,” he said.

By Beth Blakeman  
Associate Editor