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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2021-64**

**INTRODUCED BY:**

Mayor Alan Webber

Councilor Signe I. Lindell

Councilwoman Renee Villarreal

**A RESOLUTION**

**EXTENDING THE TIME PERMITTED FOR THE TEMPORARY USE OF CITY  
SIDEWALKS, STREETS, RIGHTS-OF-WAY, OR OTHER SPECIFIED PROPERTY FOR  
THE SALE AND CONSUMPTION OF ALCOHOL, PURSUANT TO SECTION 23-  
6.1(E)(5), SFCC 1987.**

**WHEREAS**, as a result of the COVID-19 pandemic, increased outdoor seating at  
restaurants became a strategy for social distancing and economic survival;

**WHEREAS**, as a result of the demand for larger footprint alcohol service permits that  
included increased outdoor spaces, the New Mexico Regulation and Licensing Department,  
Alcoholic Beverage Control Division (“RLD/ABC”) began issuing temporary permits to  
restaurants that were scheduled to expire on October 31, 2021;

**WHEREAS**, on June 24, 2020, the Governing Body of the City of Santa Fe also took steps  
to allow the increased use of outdoor areas for alcohol service when it adopted Ordinance No. 2020-  
14, which permitted the use of any City sidewalk, street, right-of-way, or other specified property  
for the sale and consumption of alcohol as a result of restrictions imposed to suppress the spread of

1 COVID-19; and

2       **WHEREAS**, the initial right to use City property for the sale of alcohol was set to expire  
3 on October 31, 2020, but the Governing Body later adopted Ordinance No. 2020-28, which  
4 extended the permitted sales through October 31, 2021, in line with the State’s known timeline;  
5 and

6       **WHEREAS**, the Governing Body also amended its ordinance to allow sales of alcohol on  
7 land that is leased for fewer than six months, in addition to land leased for longer than six months,  
8 with the goal that restaurants interested in continuing outdoor dining would negotiate leases with  
9 the City for either short-term, seasonal, or long-term use of the City’s property;

10       **WHEREAS**, on October 26, 2021, RLD/ABC extended the expiration date of its  
11 temporary increased license program by six months, ending April 31, 2022; and

12       **WHEREAS**, as of October 26, 2021, no leases have been negotiated to replace the short-  
13 term permits, but restaurants desire to continue their use of city property and to continue alcohol  
14 service; and

15       **WHEREAS**, Section 23-6.1(E)(5) states that its term may be extended either by the  
16 adoption of an ordinance or a resolution; and

17       **WHEREAS**, the continued demand for social distancing and outdoor seating, and the  
18 unpredictability of the COVID-19 pandemic and its impact on daily life, necessitates the extension  
19 of the permitted use of City sidewalks, streets, rights-of-way, or other specified property for the  
20 sale and consumption of alcohol.

21       **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
22 **CITY OF SANTA FE** that the expiration date for the use of City sidewalks, streets, rights-of-way,  
23 or other specified property as specified in Section 23-6.1(E) SFCC 1987 is hereby extended to  
24 allow negotiation of leases and shall expire when the RLD/ABC Division ceases to permit the use  
25 of a temporary change/expansion of liquor license premises for the sale and consumption of

1 alcohol.

2 PASSED, APPROVED, and ADOPTED this 10<sup>th</sup> day of November, 2021.

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ALAN WEBBER, MAYOR

7 ATTEST:

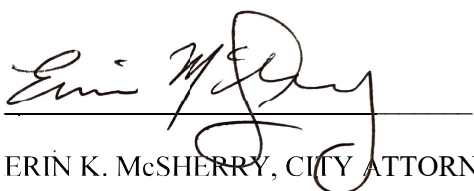
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KRISTINE MIHELICIC, CITY CLERK

11 APPROVED AS TO FORM:

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ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2021/Resolutions/2021-64 Extension for Alcohol Consumption on City Property*