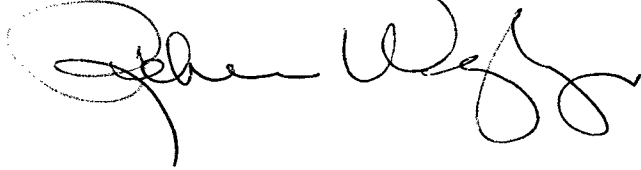


CITY OF SANTA FE, NEW MEXICO

BILL NO. 2008 - 21

INTRODUCED BY:



AN ORDINANCE

AMENDING ARTICLE 23-5.2 SFCC 1987 TO REQUIRE VENDORS PARTICIPATING
IN THE MAJOR COMMERCIAL EVENTS ON THE PLAZA TO PROVIDE CRS TAX
RETURNS TO THE CITY INDICATING INCOME RECEIVED DURING THE EVENT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. Section 23-5.2 SFCC 1987 (being Ord. #1981-39, §16, as amended) is
amended to read:

23-5.2 Plaza Uses; Events; Allowed Uses.

A. No more than eight (8) permits per calendar year shall be issued by the city for
major commercial events held in the Plaza. The events permitted are as follows:

- (1) Challenge New Mexico Arts and Crafts Show;
- (2) Fourth of July Pancake Breakfast;
- (3) Spanish Market;
- (4) Contemporary Hispanic Market;
- (5) Santa Fe Girls' Inc. Arts and Crafts Show;

1 (6) Indian Market;

2 (7) Santa Fe Fiesta Labor Day Arts and Crafts Market; and

3 (8) Santa Fe Fiesta; and

4 B. Each of the major commercial events noted in paragraph A. above shall continue
5 their assigned locations, and the Contemporary Hispanic Market shall be allocated the space
6 along Lincoln Avenue between Palace Avenue and Federal Place.

7 (1) In order to accommodate the Spanish Market's growth requirements, this
8 subsection will allow the Spanish Colonial Arts Society use of East San Francisco Street
9 from Don Gasper to Cathedral Place and Palace Avenue from Grant Avenue to Cathedral
10 Place. The Spanish Market will also extend thirty-three feet, six inches (33' 6") onto the
11 east side of Lincoln Avenue. This will allow the Spanish Colonial Arts Society the
12 similar configuration as the Southwest Indian Arts' annual Indian Market.

13 (2) This subsection will allow the Contemporary Hispanic Market use of
14 Lincoln Avenue from Palace Avenue intersection starting at thirty-three feet six inches
15 (33' 6") on the east side and twenty feet (20') from the fire hydrant on the west side all the
16 way to Federal Place. This will allow the Contemporary Hispanic Market the ability to
17 provide for their immediate and future growth needs. Depending upon the number of
18 booths, as an alternative to using Lincoln Avenue between Marcy Street and Federal
19 Place, the city may require booths to be located on Marcy Street between Lincoln Avenue
20 and Sheridan Street.

21 C. Each of the major commercial events noted in paragraph A. above shall submit a
22 preliminary site plan for their event to city staff for their review and approval no less than three
23 (3) months prior to the event. Adequate access for public health, safety and welfare shall be
24 maintained. Access to existing businesses shall be considered. The city may require specific
25 booth layouts. The city shall provide written comments to the event sponsor on the preliminary

1 site plan within thirty (30) days of receipt of the plan. A final site plan shall be submitted to city
2 staff no less than one (1) month prior to the event for their review and approval. City staff shall
3 conduct inspections at the time of event setup.

4 D. commUNITY DAYS FESTIVAL may occur on the Plaza the Friday, Saturday
5 and Sunday preceding the Memorial Day Weekend.

6 E. No other event shall occur on the Plaza unless it qualifies as a noncommercial
7 use. Sponsoring organizations shall comply with the fees as authorized in subsection 23-4.7
8 SFCC 1987 and established by resolution, unless the event is sponsored by the city.

9 F. Except for the authority to issue Plaza Park artist/artisan licenses for sales
10 activity on the Plaza Park pursuant to subsection 23-5.3 SFCC 1987, a permit or authority to use
11 the Plaza Park shall be granted only to a nonprofit organization and not an organization for profit
12 or an individual.

13 G. The governing body shall, by resolution, authorize either a committee or city
14 staff to receive, review and approve or deny requests for any function of a commercial or
15 noncommercial use on the Plaza or Plaza Park.

16 H. Applicants for use of the Plaza or Plaza Park shall follow and be subject to the
17 procedures, requirements and restrictions adopted by the governing body.


18 I. Any decision by the city manager or the city manager's designee may be
19 appealed to the governing body within thirty (30) days of the decision. This provision does not
20 apply to Plaza Park artist/artisan licenses that shall comply with Section 23-5.3 SFCC 1987.

21 J. The city shall appoint a staff liaison for all major commercial events or
22 noncommercial uses on the Plaza to oversee the administration of city regulations as they apply to
23 each event.

24 K. Fees for the major commercial events shall be established by the governing body
25 by adoption of a resolution. Fees shall not be waived.

1 L. Sponsors shall obtain a special event sponsor license and special event sponsor
2 certificate of approved use. Sponsors shall be responsible for insuring that all vendors in their
3 event have individual special event licenses and that all food vendors in their event have
4 individual certificates of approved use, special event food vendor licenses, and temporary food
5 certificates from the state health and environment department. Sponsors shall obtain from each
6 vendor a copy of the vendor's New Mexico Taxation and Revenue Department Combined
7 Reporting System (CRS) tax return for the period during which the vendor sold at the major
8 commercial event with an indication of what portion of the gross receipts reported were received
9 during the event. The copy of the CRS tax return shall be in a sealed envelope. Any vendor who
10 fails to deliver the CRS tax return to the sponsor shall not be granted an individual special event
11 license the following year. Sponsors shall deliver the sealed envelopes with the CRS tax returns
12 to the city manager or designee. It is unlawful for any employee of the city of Santa Fe to reveal
13 to any individual other than another employee or elected official of the city of Santa Fe any
14 information contained in a vendor's CRS return except in such manner, for statistical purposes,
15 that the information revealed is not identified as applicable to any individual taxpayer.

16 APPROVED AS TO FORM:

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19 FRANK D. KATZ, CITY ATTORNEY

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25 Jp/ndrive/2008 bills/plaza event CRS tax