

**This bill is moot because the requirements for this type of ordinance changed through the adoption of Ordinance 2017-3.**

**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2017-6**

**INTRODUCED BY:**

Councilor Signe I. Lindell

Councilor Peter N. Ives

Councilor Joseph M. Maestas

**AN ORDINANCE**

**AMENDING SUBSECTION 23-6.2 SFCC 1987 TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOL AT FORT MARCY PARK FOR THE WINE AND CHILE FIESTA.**

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

**Section 1. Subsection 23-6.2 SFCC 1987 (being Ord. #2012-20, as amended) is amended to read:**

**23-6.2 Permitted Locations for the Sale and Consumption of Alcohol on City Property.**

The sale or consumption of alcoholic beverages is permitted at the following locations on city property:

A. The Santa Fe community convention center and adjacent outdoor spaces under the center's control;

B. That area of the Santa Fe municipal airport main terminal building and adjacent areas operated as a restaurant; and

1 C. The Marty Sanchez links de Santa Fe (golf course).

2 D. The area of the Fort Marcy ballpark designated for concessions and seating shall  
3 be used for the sale and consumption of only beer and only at professional baseball games.

4 (1) A special dispenser permit shall be used to dispense alcohol. The alcohol  
5 dispenser shall comply with all state and local laws and regulations for dispensing  
6 alcohol pursuant to the special dispenser permit.

7 (a) Persons desiring to consume beer shall be required to wear a  
8 wristband that restricts consumption to a maximum of three (3) twelve (12)  
9 ounce beers during the course of a professional baseball game.

10 (i) The wristband shall be nontransferable and shall be  
11 issued to verify age and to indicate the number of alcoholic beverages  
12 purchased.

13 (ii) The purchase of alcoholic beverages shall be limited to  
14 one (1) purchase per person at one (1) time.

15 (iii) Twelve (12) ounce beverage containers shall be used for  
16 beer.

17 (iv) Alcoholic beverage containers shall be distinguishable  
18 from nonalcoholic beverage containers.

19 (b) The sale of beer shall terminate at the end of sixth inning of the  
20 professional baseball game.

21 (c) In addition to alcoholic beverages, food and non-alcoholic  
22 beverage drinks shall be sold. Water shall be provided at no cost.

23 (d) A manager of the alcohol vendor shall be present at all times in  
24 the concession area. A photograph of the manager and his or her name shall be  
25 posted at the point of sale of alcoholic beverages. At all times, the manager shall

1 wear a nametag that identifies him or her as the manager.

2 (e) Alcohol servers shall not drink alcohol during baseball games.

3 (f) The vendor shall place signs in the concession area and outside  
4 the concession area that indicate the illegality of selling, serving and providing  
5 alcohol to minors and intoxicated persons.

6 (2) Any professional baseball league games subject to this section, shall not  
7 take precedence over the scheduling of local youth baseball leagues using Fort Marcy  
8 Ballpark.

9 E. An area of Fort Marcy ballpark, designated as a beer, wine and margarita garden,  
10 and permitted in accordance with all city and state requirements, may be used for the sale and  
11 consumption of beer and wine during the fiesta council mariachi extravaganza concert, if a valid  
12 permit is acquired from the city of Santa Fe. The event sponsor shall comply with the  
13 requirements of subsection 23-6.3 SFCC 1987, except that alcohol content may exceed the  
14 allowable limit to permit the sale of margaritas. Margaritas must contain no more than one and  
15 one-half (1.5) ounces of alcohol per drink, and shall be served in six (6) ounce beverage cups.  
16 Any alcoholic beverage served shall not be greater in size or alcohol content than the generally  
17 accepted standard drink. Purchases of margaritas are limited to two (2) per person, and shall be  
18 regulated by all conditions provided in subsection 23-6.3 SFCC 1987. Consumers shall either  
19 consume only margaritas, or wine and beer, but shall not consume a combination of margaritas  
20 and wine or beer. Alcohol providers shall follow best practices at all times. This section shall be  
21 reviewed by the governing body within one (1) year from the date of adoption.

22 F. An area of Fort Marcy ballpark designated as a beer garden and permitted in  
23 accordance with all city and state requirements, may be used for the sale and consumption of beer  
24 and wine, during the wine and chile fiesta if a valid permit is acquired from the city of Santa Fe.

1 For this event, maximum alcohol content for beer shall not exceed seven percent (7%). This  
2 section shall be reviewed by the governing body within one (1) year from the date of adoption.

3 G. An area of Fort Marcy ballpark designated as a wine tasting area may be used for  
4 the consumption of wine during the Santa Fe wine and chile fiesta if a valid permit is acquired  
5 from the city of Santa Fe. Admission shall be a presold and ticketed event at which no alcohol  
6 will be offered for sale, and no tastes of wine in excess of one-half (1/2) ounce shall be served.  
7 Authorized permit holders who provide attendees with alcoholic beverages shall adhere to the  
8 rules regarding alcohol service established by the director of the alcohol and gaming division of  
9 the New Mexico regulation and licensing department, and shall be educated on the subjects  
10 specified in 60-6E-5(B) NMSA 1978.

11 G. Buildings owned by another party located on land owned by the city.

12 H. On land or buildings owned by the city for which the city has entered into a lease  
13 with another party for six (6) months or more except for the Railyard park, Plaza and Alameda (as  
14 defined in the Deed of Conservation Easement dated October 1, 2004) where alcohol is  
15 prohibited, unless specifically permitted under subsection 23-6.2 SFCC 1987.

16 I. In or on railroad cars located on railroad tracks except as prohibited by state or  
17 federal law.

18 All other applicable approvals required by state or city laws and regulations shall be  
19 obtained prior to the sale or consumption of alcoholic beverages on the property described in this  
20 subsection 23-6.2.

21  
22 APPROVED AS TO FORM:

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25 KELLEY A. BRENNAN, CITY ATTORNEY

*M/Legislation/Bills 2017/Wine and Chile Fort Marcy*