

1 **CITY OF SANTA FE, NEW MEXICO**

2 **BILL NO. 2017-11**

3 **INTRODUCED BY:**

4
5 Councilor Signe I. Lindell Councilor Carmichael Dominguez
6 Councilor Renee Villarreal Councilor Peter Ives
7 Councilor Ron Trujillo
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9
10 **AN ORDINANCE**

11 **AMENDING SUBSECTION 23-5.4 SFCC 1987 TO PROHIBIT SMOKING IN THE**
12 **PLAZA PARK DURING SANTA FE BANDSTAND EVENTS.**

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

15 **Section 1. Subsection 23-5.4 SFCC 1987 (being Ord. #1995-17, as amended) is**
16 **amended to read:**

17 **23-5.4 Plaza Prohibited Uses.**

18 A. No person shall:

- 19 (1) Propel or operate a skateboard on the Plaza, as defined;
20 (2) Ride a bicycle or unicycle within the Plaza Park, as defined; or
21 (3) Project, throw, kick or strike any type of recreational object except as
22 otherwise permitted within the Plaza Park, as defined.

23 (4) Smoke cigarettes, cigars, pipes or any other device that produces smoke
24 and/or odor beginning one (1) hour before Santa Fe Bandstand events until the end of the
25 event within the Plaza Park, as defined.

1 B. During major commercial events, the following activities and uses are prohibited
2 on the Plaza, as defined:

3 (1) Riding bicycles or unicycles, except by assigned city police officers and
4 paramedics;

5 (2) Projecting, throwing, kicking or striking any type of recreational object;

6 (3) Permitting or allowing animals to be present, unless the animals are on a
7 leash or otherwise accompanied by a human or unless one of the following applies:

8 (a) Animals are permitted or allowed as part of a designated
9 event, as sanctioned by the city, such as the Rodeo Parade, the Desfile de
10 los Ninos, and the Fiesta Parade; or

11 (b) The animals are service animals; and

12 (4) Propelling or operating roller skates or in-line skates.

13 C. Any person who violates any of the provisions of this section shall be punished
14 according to the provisions of Section 1-3 of this Code. It shall be the duty of the police
15 department to enforce diligently the provisions of this section by issuing:

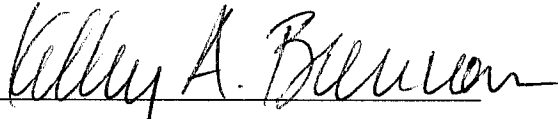
16 (1) A warning for the first offense;

17 (2) A fifty dollar (\$50.) fine for the second offense;

18 (3) A one hundred dollar (\$100.) fine for the third offense.

19 D. Notwithstanding the provisions of this section, the playing of hacky sack in the
20 Plaza Park shall not be prohibited in the southeast grassed quadrant of the Plaza Park as long as
21 due care for the safety of the public is exercised. The playing of hacky sack shall not take place
22 on walkways in the Plaza Park.

1 APPROVED AS TO FORM:

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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M/Legislation/Bills 2017/Bandstand No Smoking