

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-28_

Mayor Alan Webber

Councilor Signe I. Lindell

AN ORDINANCE

AMENDING SECTION 23-6.2 SFCC 1987 TO EXTEND THE TIME PERIOD FOR WHICH ESTABLISHMENTS THAT HAVE OBTAINED AN OBSTRUCTION PERMIT FROM THE CITY AND A TEMPORARY CHANGE/EXPANSION OF LIQUOR LICENSE PREMISES FROM THE NEW MEXICO ALCOHOLIC BEVERAGE CONTROL DIVISION MAY SERVE ALCOHOL ON CITY SIDEWALKS, STREETS, RIGHTS-OF-WAY, OR OTHER PROPERTY THAT HAS BEEN SPECIFICALLY AUTHORIZED FOR TEMPORARY USE DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY AND ITS EFFECTS.

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

Section 1. Section 23-6.2 of SFCC 1987 (being Ord. No. 2012-20, as amended) is amended to read:

23-6.2 Permitted locations for the sale and consumption of alcohol on city property.

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

1 (1) The Santa Fe community convention center and adjacent outdoor
2 spaces under the center's control;

3 (2) That area of the Santa Fe regional airport main terminal building and
4 adjacent areas operated as a restaurant;

5 (3) The Marty Sanchez links de Santa Fe (golf course);

6 (4) Buildings owned by another party located on land owned by the city;

7 (5) On land or buildings owned by the city, located within the Santa Fe
8 Railyard, as described in the Railyard Master Plan, for which the city has entered into
9 a lease with another party for six (6) months or more except for the Railyard park, Plaza
10 and Alameda (as defined in the Deed of Conservation Easement dated October 1, 2004)
11 where alcohol is prohibited, unless specifically permitted under subsection 23-
12 6.2 SFCC 1987;

13 (6) On land or buildings owned by the city for which the city has entered
14 into a lease with another party for six (6) months or more;

15 (7) In or on railroad cars located on railroad tracks except as prohibited by
16 state or federal law; and

17 (8) During professional baseball games, the area of Fort Marcy ballpark
18 designated for concessions and seating.

19 B. The only alcohol sales and consumption permitted at Fort Marcy ballpark are
20 beer and wine.

21 C. The governing body may approve by resolution the sale and consumption of
22 alcohol at all other locations on city property, except within the Plaza as defined by
23 subsection 23-5.1(S). The resolution specifying the event, date, hours, location, number of
24 expected attendees, type of alcohol to be served, required permits, and insurance shall be
25 adopted at least thirty (30) days in advance of the event. The resolution shall be limited to

1 authorization for a single event, unless otherwise stated in the resolution.

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

5 E. As a response to the May 27, 2020, public health order issued by the New Mexico
6 department of health allowing limited outdoor dining service for qualified restaurants, and to
7 enhance physical distancing restrictions due to the COVID-19 pandemic, sale and consumption of
8 alcohol on any city sidewalk, street, right-of-way, or other specified property that has been
9 designated and approved for temporary use by a current liquor licensee may ~~[serve alcohol]~~ occur
10 pursuant to the following limitations:

11 1. A licensed establishment shall obtain and maintain a general liability
12 policy in the amount of one million dollars (\$1,000,000.00) and a liquor liability policy in
13 the amount of two million dollars (\$2,000,000.00) and must name the city, officers,
14 employees, and agents as additional insureds.

15 2. The licensed establishment must apply for and receive an obstruction
16 permit from the city that includes the requirement to indemnify the city.

17 3. The licensed establishment must also obtain a temporary
18 change/expansion of liquor license premises issued by the alcoholic beverage control
19 division of the New Mexico regulation and licensing department. Proof of the approved
20 temporary change/expansion of liquor license premises must be produced upon request of
21 police, fire, or other authorized city official.

22 4. The sale and consumption of alcoholic beverages on any city property
23 allowed under this subsection shall be subject to the regulations concerning alcoholic
24 beverages contained in SFCC Section 4-2, 1987.

25 5. Unless extended by ordinance or resolution, any license or permit issued

1 pursuant to this subsection shall expire on October 31, [~~2020~~] 2021.

2 APPROVED AS TO FORM:

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5 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2020/Bills/Sale of Alcohol on City Property Extension*