

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

2 **RESOLUTION NO. 2012-7**

3 **INTRODUCED BY:**

4
5 Councilor Dominguez
6 Councilor Bushee

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10 **A RESOLUTION**

11 **DIRECTING THE CITY CLERK TO LIMIT THE NUMBER OF SPECIAL DISPENSER**
12 **PERMITS THAT ARE ADMINISTRATIVELY APPROVED AND ISSUED AT THE SAME**
13 **LOCATION, TO THREE PERMITS, PER CALENDAR YEAR; AND REQUIRING THAT**
14 **ANY REQUEST FOR A SPECIAL DISPENSER PERMIT ABOVE THREE, AT THE SAME**
15 **LOCATION, BE CONSIDERED BY THE GOVERNING BODY.**

16
17 **WHEREAS**, Section 60-6A-12 NMSA 1978 regulates the use of special dispenser permits
18 by any person holding an alcohol dispenser's license; and

19 **WHEREAS**, in accordance with Section 4-4.5 SFCC 1987, "Any person granted a special
20 permit under the provisions of Section 60-6A-12 NMSA 1978 for use within the city shall pay in
21 advance a fee of twenty-five dollars (\$25.00) per day for each day or fraction thereof that the
22 permittee is to dispense liquor"; and

23 **WHEREAS**, a special dispenser's permit allows the dispensing of alcoholic beverages at a
24 function catered by the dispenser at a location other than the dispenser's place of business; and

25 **WHEREAS**, the Governing Body has authorized the City Clerk to administratively approve

1 and issue special dispenser permits on behalf of the City with the exception of special dispenser
2 permits that are within 300 feet of a church or school, which require a waiver by the Governing Body;
3 and

4 **WHEREAS**, neither state or local laws limit the number of times special dispenser permits
5 are issued per location and therefore businesses that do not have liquor licenses merely obtain the
6 services of licensed dispensers to dispense alcohol with a special dispenser permit for events that are
7 hosted by the business; and

8 **WHEREAS**, the Governing Body finds that the unlimited use of special dispenser permits
9 can lead to abuse because a business that regularly hosts alcohol related events should apply for its
10 own liquor license and not rely on the services of a licensed dispenser; and

11 **WHEREAS**, the Governing Body desires to limit the number of times special dispenser
12 permits are administratively approved and issued per location and require that the Governing Body
13 consider any request for a special dispenser permit, above three per calendar year, at the same
14 location.

15 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
16 **CITY OF SANTA FE** that the City Clerk is directed to:

- 17 1. Limit the number of special dispenser permits that are administratively approved and
18 issued at the same location, to three special dispenser permits per calendar year; and
- 19 2. Place on the next available City Council agenda any request for a special dispenser
20 permit above three, at the same location, for consideration by the Governing Body.

21 **BE IT FURTHER RESOLVED** that the requirements of this Resolution do not apply to the
22 location exceptions for the sale or consumption of alcoholic beverages on City property, Article 23-6
23 SFCC 1987.

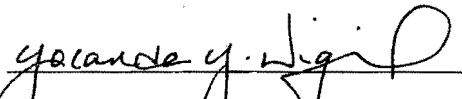
24 **PASSED, APPROVED, and ADOPTED** this 11th day of January, 2012.
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DAVID COSS, MAYOR

ATTEST:



YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY