

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2013-16

3 INTRODUCED BY:

4
5 Councilor Dominguez

6 Councilor Calvert

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10 AN ORDINANCE

11 RELATING TO THE LAND DEVELOPMENT CODE, AIRPORT ROAD OVERLAY
12 DISTRICT, SECTION 14-5.5(C) SFCC 1987; CREATING A NEW SUBSECTION 14-
13 5.5(C)(6)(l) TO INCLUDE A PROVISION FOR COMMERCIAL RECYCLING
14 CONTAINERS; AMENDING SUBSECTION 14-5.5(C)(12)(c) TO CLARIFY THE
15 APPLICABILITY OF EXISTING BUILDING-MOUNTED OUTDOOR ADVERTISING OF
16 ALCOHOLIC BEVERAGES, TO CLARIFY THE PACKAGING OF ALCOHOLIC
17 BEVERAGES OF EIGHT OUNCES OR LESS AND ESTABLISHING THE EFFECTIVE
18 DATE OF SUCH PACKAGING PROVISIONS; AND MAKING SUCH OTHER STYLISTIC
19 OR GRAMMATICAL CHANGES THAT ARE NECESSARY.

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

22 Section 1. A new Subsection 14-5.5(C)(6)(l) SFCC 1987 (being Ord. #2013-1, §2) is
23 ordained to read:

24 (l) [NEW MATERIAL] Enclosures required for trash receptacles and
25 compactors shall be:

- (i) located to the rear of buildings; and
- (ii) sized to include commercial recycling containers in sufficient quantity to accommodate the commercial recycling generated by a development.

5 **Section 2. Subsection 14-5.5(C)(12)(c) SFCC 1987 (being Ord. #2013-1, §2) is**
6 **amended to read:**

7 (c) Except for paragraph (iv), below, [AH] all alcoholic beverage sales
8 activities shall comply with the following provisions after January
9 26, 2013:

10 (i) No more than thirty-three percent of the square footage of
11 the windows and clear doors of an *alcoholic beverage* retail
12 outlet may bear advertising or signs of any sort, and all
13 advertising and signage shall be placed and maintained in a
14 manner that ensures that law enforcement personnel have a
15 clear and unobstructed view of the interior of the premises,
16 including the area in which the cash registers are maintained,
17 from the exterior public sidewalk or entrance to the
18 premises. This requirement does not apply to premises where
19 there are no windows, or where existing windows are located
20 at a height that precludes a view of the interior of the
21 premises by a person standing outside the premises.

22 (ii) Outdoor advertising of *alcoholic beverages*, including
23 permanent or *temporary signs* visible from outside a
24 *building*, is prohibited within five hundred feet of any of the
25 following:

- A. A public or private elementary, middle, or high school;
- B. A public park, playground or recreational area;
- C. A nonprofit youth facility;
- D. A place of *religious assembly*;
- E. A *hospital*;
- F. An alcohol or other drug abuse recovery or treatment facility; or
- G. A county social service office.

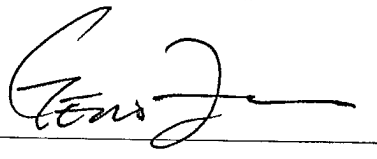
The provisions of this subsection 14-5.5(C)(12)(c)(ii) do not apply to *building-mounted signs* legally permitted prior to January 26, 2013.

(iii) A restaurant with a beer and wine license may post outside its *building* but only on the property occupied by the restaurant, a copy of its menu, including beer and wine offered and their prices, in type no larger than any menu posted or provided to patrons inside the restaurant.

(iv) Unless contained in packages of four or more, as delivered by the distributor, single serving containers of *alcoholic beverages*, in sizes of eight ounces or less, shall not be sold or offered for sale. The provisions of this subsection 14-5.5(C)(12)(c)(iv) shall be effective May 26, 2013.

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APPROVED AS TO FORM:



A handwritten signature in black ink, appearing to read "Geno Zamora", is written over a horizontal line.

GENO ZAMORA, CITY ATTORNEY