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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2019-30**

**INTRODUCED BY:**

Councilor Mike Harris

Councilor JoAnne Vigil Coppler

Councilor Christopher M. Rivera

Councilor Peter N. Ives

**AN ORDINANCE**

**AMENDING SECTIONS 10-6.5 AND 12-2.4 SFCC 1987 TO CONSISTENTLY IDENTIFY  
THE AIRPORT AS THE SANTA FE REGIONAL AIRPORT.**

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

**Section 1. Section 10-6.5 of SFCC 1987 (being Ord. #1999-47, § 5, as amended)**

**is amended to read:**

**10-6.5 Smoking prohibited in public places.**

Smoking shall be prohibited in all enclosed public places within the city of Santa Fe including, but not limited to, the following places:

A. The Santa Fe ~~[Municipal Airport]~~ regional airport, and ticket, boarding and waiting areas of public transit depots.

B. Elevators and stairwells.

C. Restrooms, lobbies, reception areas, waiting rooms, hallways and any other common-use areas in all buildings open to the public.

1 D. Buses, taxicabs and other means of public transit under the authority of the  
2 city of Santa Fe.

3 E. Service lines.

4 F. Retail stores and enclosed shopping malls.

5 G. All areas available to and customarily used by the general public in all  
6 businesses and nonprofit entities patronized by the public, including but not limited to, banks,  
7 hotels and motels, and convention halls.

8 H. Restaurants and other eating establishments.

9 I. Public telephone booths, stalls and phone bank areas.

10 J. Aquariums, galleries, libraries and museums.

11 K. Any facility which is primarily used for exhibiting any motion picture, stage  
12 performance, drama, lecture, musical recital or other similar performance, except performers  
13 when smoking is part of a stage production.

14 L. Enclosed sports arenas including bowling facilities.

15 M. Health care facilities.

16 N. Every room, chamber, place of meeting or public assembly, including school  
17 buildings under the control of any board, council, commission, committee, including joint  
18 committees or agencies of the city or any political subdivision of the state during such time as  
19 a public meeting is in progress, to the extent such place is subject to the jurisdiction of the  
20 city.

21 O. Lobbies, party rooms, common rooms, hallways, and other areas used for  
22 social events in apartment houses, condominiums, trailer parks, retirement facilities, nursing  
23 care facilities, group homes, transitional living facilities, shelters, halfway houses and other  
24 multiple-unit residential facilities.

25 P. Polling places.

- 1 Q. Bingo games.
- 2 R. Schools, academies and institutions of learning instruction.
- 3 S. Bars.
- 4 T. Private clubs when being used for a function to which the general public is
- 5 invited.
- 6 U. Licensed child care and adult day care facilities.
- 7 V. Outdoor patios of restaurants and bars.

8 Notwithstanding any other provision of this section, any owner, operator, manager or  
9 other person who controls any establishment or facility may declare that entire establishment or  
10 facility as a nonsmoking establishment.

11 **Section 2. Section 12-2.4 of SFCC 1987 (being Ord. #2004-53, § 8, as amended)**  
12 **is amended to read:**

13 **12-2.4 Storage of flammable liquids; additional limits.**

14 A. No aboveground tanks for storage of flammable liquids which exceed one  
15 thousand (1,000) gallons capacity shall be constructed in the city except as set forth in this  
16 subsection. All designs and installations of aboveground storage tanks shall be in compliance  
17 with the fire code of the city of Santa Fe adopted as set forth in subsection 12-2.1 SFCC 1987.

18 B. Temporary permits must be received for any storage of flammable liquids  
19 outside of I-1 and I-2 industrial zones. Such permits shall be issued only for construction  
20 projects and shall limit the use of such storage to a time not to exceed sixty (60) days.

21 C. Nothing in paragraphs A and B of this subsection shall prohibit aboveground  
22 tanks for storage of flammable liquids in excess of one thousand (1,000) gallons utilized in  
23 conjunction with aircraft refueling operations within the boundaries of the Santa Fe  
24 [~~Municipal Airport~~] regional airport. All designs and installations of aboveground storage  
25 tanks shall be in compliance with the fire code of the city of Santa Fe adopted as set forth in

1 subsection 12-2.1 SFCC 1987.

2 D. Nothing in paragraphs A and B of this subsection shall prohibit the  
3 installation or construction of aboveground tanks in the city for the storage of liquefied  
4 petroleum gas at a distribution point. Tanks shall not exceed one thousand (1,000) gallon tank  
5 capacity. For the purposes of this subsection "liquefied petroleum gas" (also referred to as "lp  
6 gas" or "lpg") means and includes any material which is composed predominantly of any of  
7 the following hydrocarbons or mixtures of them: propane propylene, butanes (normal butane  
8 or iso-butane) and butylenes. "Distributing point" means a facility other than a distributing  
9 plant or industrial plant, which normally receives gas by tank truck and which fills small  
10 containers or the engine fuel tank of motor vehicles on the premises. An lp gas service station  
11 is one (1) type of distributing point. All equipment, tanks, and installations shall comply with  
12 the fire code of the city of Santa Fe adopted as set forth in subsection 12-2.1 SFCC 1987.

13 APPROVED AS TO FORM:

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16 ERIN K. McSHERRY, CITY ATTORNEY  
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25 *Legislation/2019/Bills/Regional Airport Consistency*