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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2020-14**

**INTRODUCED BY:**

Mayor Alan Webber

**AN ORDINANCE**

**AMENDING SECTION 23-6.2 SFCC 1987 TO ALLOW RESTAURANTS THAT HAVE OBTAINED A TEMPORARY LIQUOR LICENSE MODIFICATION FROM THE NEW MEXICO ALCOHOLIC BEVERAGE CONTROL DIVISION TO SERVE ALCOHOL ON CITY SIDEWALKS, STREETS, RIGHTS-OF-WAY, OR OTHER PROPERTY THAT HAS BEEN SPECIFICALLY AUTHORIZED BY THE CITY FOR TEMPORARY BUSINESS USE DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY.**

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

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

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

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

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

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

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

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

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

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

25 D. All other applicable approvals required by state or city laws and regulations

1 shall be obtained prior to the sale or consumption of alcoholic beverages on the property  
2 described in this subsection 23-6.2.

3 E. As a response to the May 27, 2020, public health order of the New Mexico  
4 department of health allowing limited outdoor dining service for qualified restaurants and to  
5 enhance physical distancing restrictions due to the COVID-19 pandemic, sale and consumption of  
6 alcohol on any city sidewalk, street, right-of-way, or other specified property that has been  
7 designated and approved for temporary use by a permitted business may serve alcohol pursuant to  
8 the following limitations. Before alcohol may be sold or consumed on the designated and approved  
9 city property, a permitted business shall have a valid temporarily modified liquor license issued by  
10 the alcoholic beverage control division (“ABC”) of the New Mexico public regulation department.  
11 Proof of the temporary liquor license issued by ABC must be produced upon request of a city code  
12 enforcement officer, police, or fire official. The sale and consumption of alcoholic beverages on  
13 any city property allowed under this subsection shall be subject to the regulations concerning  
14 alcoholic beverages contained in SFCC Section 4-2, 1987. Unless extended by ordinance or  
15 resolution, any license or permit issued pursuant to this subsection shall expire on October 31,  
16 2020.

17 APPROVED AS TO FORM:

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20 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2020/Bills/2020-14 Temporary Sale of Alcohol on City Property*