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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2022-__

INTRODUCED BY:

Councilor Renee Villarreal

AN ORDINANCE

**AMENDING SECTION 23-5.2 TO PERMIT UP TO TEN (10) SMALL COMMERCIAL
EVENTS ON THE PLAZA.**

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

**Section 1. Section 23-5.2 of SFCC 1987 (being Ord. No. 1981-39, § 1, as
amended) is amended to read:**

23-5.2 – Plaza uses; commercial events; allowed uses.

A. Major Commercial Events.

(1) No more than eight (8) permits per calendar year shall be issued by the
city for major commercial events held in the Plaza. The events permitted are as follows:

([1]a) Challenge New Mexico Arts and Crafts Show;

([2]b) Fourth of July Pancake Breakfast;

([3]c) Spanish Market;

([4]d) Contemporary Hispanic Market;

([5]e) Santa Fe Girls' Inc. Arts and Crafts Show;

1 ([6]f) Indian Market;

2 ([7]g) Santa Fe Fiesta Labor Day Arts and Crafts Market; and

3 ([8]h) Santa Fe Fiesta.

4 [~~B~~](2). Each of the major commercial events noted in paragraph A above shall
5 continue their assigned locations, and the Contemporary Hispanic Market shall be
6 allocated the space along Lincoln Avenue between Palace Avenue and Federal Place.

7 ([+3]) In order to accommodate the Spanish Market's growth requirements, this
8 subsection will allow the Spanish Colonial Arts Society use of East San Francisco Street
9 from Don Gaspar Avenue to Cathedral Place and Palace Avenue from Grant Avenue to
10 Cathedral Place. The Spanish Market will also extend thirty-three feet, six inches (33'
11 6") onto the east side of Lincoln Avenue. This will allow the Spanish Colonial Arts
12 Society the similar configuration as the Southwest Indian Arts' annual Indian Market.

13 ([2]4) This subsection will allow the Contemporary Hispanic Market use of
14 Lincoln Avenue from Palace Avenue intersection starting at thirty-three feet six inches
15 (33' 6") on the east side and twenty feet (20') from the fire hydrant on the west side all
16 the way to Federal Place. This will allow the Contemporary Hispanic Market the ability
17 to provide for their immediate and future growth needs. Depending upon the number of
18 booths, as an alternative to using Lincoln Avenue between Marcy Street and Federal
19 Place, the city may require booths to be located on Marcy Street between Lincoln Avenue
20 and Sheridan Street.

21 [~~C~~](5). Each of the major commercial events noted in paragraph A(1) above
22 shall submit a preliminary site plan for their event to city staff for their review and
23 approval no less than three (3) months prior to the event. Adequate access for public
24 health, safety and welfare shall be maintained. Access to existing businesses shall be
25 considered. The city may require specific booth layouts. The city shall provide written

1 comments to the event sponsor on the preliminary site plan within thirty (30) days of
2 receipt of the plan. A final site plan shall be submitted to city staff no less than one (1)
3 month prior to the event for their review and approval. City staff shall conduct
4 inspections at the time of event setup.

5 B. Small Commercial Events.

6 (1) Ten (10) permits per calendar year for small commercial events held in
7 the Plaza on a first-come, first-permitted basis.

8 (2) Small commercial events are limited to using the Plaza Park.

9 (3) Spaces utilized by plaza artists/artisans pursuant to Section 23-5.3 SFCC
10 1987 and spaces utilized by plaza pushcart vendors pursuant to Section 23-5.5 SFCC
11 1987 shall be reserved for the plaza artists/artisans and plaza pushcart vendors during
12 small commercial events.

13 ~~[D]~~C. Community Days Festival may occur on the Plaza the Friday, Saturday, and
14 Sunday preceding the Memorial Day Weekend.

15 ~~[E]~~D. ~~[No other e]~~Events other than those noted in paragraphs A, B, and C above shall
16 not occur on the Plaza unless ~~[it qualifies]~~they qualify as a noncommercial use. Sponsoring
17 organizations shall comply with the fees as authorized in subsection 23-4.7 SFCC 1987 and
18 established by resolution, unless the event is sponsored by the city.

19 ~~[F]~~E. Except for the authority to issue Plaza Park artist/artisan licenses for sales
20 activity on the Plaza Park pursuant to subsection 23-5.3 SFCC 1987, a permit or authority to use
21 the Plaza Park shall be granted only to a nonprofit organization and not an organization for profit
22 or an individual.

23 ~~[G]~~E. The governing body shall, by resolution, authorize either a committee or city
24 staff to receive, review and approve or deny requests for any function of a commercial or
25 noncommercial use on the Plaza or Plaza Park.

1 ~~[H]~~G. Applicants for use of the Plaza or Plaza Park shall follow and be subject to the
2 procedures, requirements, and restrictions adopted by the governing body.

3 ~~[F]~~H. Any decision by the city manager or the city manager's designee may be appealed
4 to the governing body within thirty (30) days of the decision. This provision does not apply to
5 Plaza Park artist/artisan licenses that shall comply with subsection 23-5.3 SFCC 1987.

6 ~~[F]~~I. The city shall appoint a staff liaison for all major and small commercial events
7 or noncommercial uses on the Plaza to oversee the administration of city regulations as they
8 apply to each event.

9 ~~[K]~~J. Fees for the major and small commercial events shall be established by the
10 governing body by adoption of a resolution. Fees shall not be waived.

11 ~~[L]~~K. Sponsors of special events shall be responsible for ensuring that all participants
12 in their event have special event vendor licenses. Special event sponsor license applications and
13 special event vendor license applications shall include a statement signed by the applicant that
14 the applicant agrees to file and pay applicable gross receipts taxes on receipts from the special
15 event. Sponsors shall file with the city the informational material they distribute to the vendors
16 regarding the vendor's responsibility to file and pay gross receipts taxes on their sales at the
17 special event.

18 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2022.

19 APPROVED AS TO FORM:

20 
21 _____
22 ERIN K. McSHERRY, CITY ATTORNEY

23
24
25 *Legislation/2022/Bills/Small Commercial Events on The Plaza*