CITY OF SANTA FE, NEW MEXICO

BILL NO. 2022--

INTRODUCED BY:

Mayor Alan Webber
Councilor Signe I. Lindell

AN ORDINANCE

AMENDING SECTION 23-5.2 SFCC 1987 TO SPECIFY THAT MAJOR COMMERCIAL EVENT ARE NOT ENTITLED TO USE CITY PROPERTY THAT IS OTHERWISE LEASED BY THE CITY.

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; events; allowed uses.

A. 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) Challenge New Mexico Arts and Crafts Show;
(2) Fourth of July Pancake Breakfast;
(3) Spanish Market;
(4) Contemporary Hispanic Market;
(5) Santa Fe Girls' Inc. Arts and Crafts Show;
(6) Indian Market;
(7) Santa Fe Fiesta Labor Day Arts and Crafts Market; and
(8) Santa Fe Fiesta.

B. Except as otherwise committed to use through a lease by the City, each of the major commercial events noted in paragraph A above shall continue their assigned locations, and the Contemporary Hispanic Market shall be allocated the space along Lincoln Avenue between Palace Avenue and Federal Place.

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

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

C. Each of the major commercial events noted in paragraph A above shall submit a preliminary site plan for their event to city staff for their review and approval no less than three (3) months prior to the event. Adequate access for public health, safety and welfare shall be maintained. Access to existing businesses shall be considered. The city may require specific
booth layouts. The city shall provide written comments to the event sponsor on the preliminary
site plan within thirty (30) days of receipt of the plan. A final site plan shall be submitted to city
staff no less than one (1) month prior to the event for their review and approval. City staff shall
conduct inspections at the time of event setup.

D. Community Days Festival may occur on the Plaza the Friday, Saturday and
Sunday preceding the Memorial Day Weekend.

E. No other event shall occur on the Plaza unless it qualifies as a noncommercial
use. Sponsoring organizations shall comply with the fees as authorized in subsection 23-4.7 SFCC 1987 and established by resolution, unless the event is sponsored by the city.

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

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

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

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

J. The city shall appoint a staff liaison for all major commercial events or
noncommercial uses on the Plaza to oversee the administration of city regulations as they apply
to each event.

K. Fees for the major commercial events shall be established by the governing body
by adoption of a resolution. Fees shall not be waived.

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

PASSED, APPROVED, and ADOPTED this _____day of __________, 2022.

APPROVED AS TO FORM:

[Signature]

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2022/Bills/Leased Space for Commercial Events