

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**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;

- 1 (6) Indian Market;
- 2 (7) Santa Fe Fiesta Labor Day Arts and Crafts Market; and
- 3 (8) Santa Fe Fiesta.

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

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

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

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

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

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

7 E. No other event shall occur on the Plaza unless it qualifies as a noncommercial  
8 use. Sponsoring organizations shall comply with the fees as authorized in subsection 23-  
9 4.7 SFCC 1987 and established by resolution, unless the event is sponsored by the city.

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

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

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

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

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

25 K. Fees for the major commercial events shall be established by the governing body

1 by adoption of a resolution. Fees shall not be waived.

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

9 PASSED, APPROVED, and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

10 APPROVED AS TO FORM:

11   
12 \_\_\_\_\_  
13 ERIN K. McSHERRY, CITY ATTORNEY

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25