

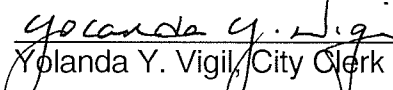
City of Santa Fe, New Mexico

memo

DATE: March 6, 2014

TO: Mayor Gonzales & City Councilors

VIA: 
Brian K. Snyder, City Manager

FROM: 
Yolanda Y. Vigil, City Clerk

ITEM & ISSUE

Request for a Small Brewers Off-Site A Liquor License.

BACKGROUND AND SUMMARY

Marble Brewery Inc. has requested the issuance of a Small Brewers Off-Site A Liquor License to be located at Marble Brewery Tap Room, 505 Cerrillos Road, Unit A105.

This location is not within 300 feet of a church or school. Attached are staff reports regarding litter, noise and traffic. Staff does not anticipate a substantial change in litter and noise or any unacceptable traffic impacts due to the approval of this request.

Staff is recommending that it be noted that Marble Brewery Tap Room is required to comply with all of the city's ordinances as a condition of doing business in the city.

ACTION REQUESTED

I request that the Governing Body indicate its decision on the issuance of Small Brewers Off-Site A Liquor License to be located at Marble Brewery Tap Room, 505 Cerrillos Road, Unit A105.

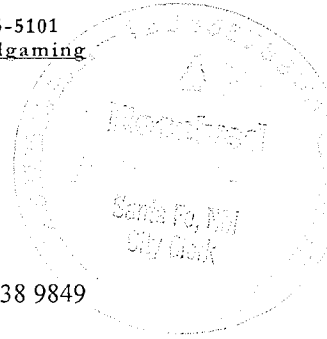
Attachments: Alcohol & Gaming Division Application
Notice of Public Hearing
Staff Reports
§60-6A-26.1 NMSA 1978



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ PO Box 25101 ▪ Santa Fe, New Mexico 87505-5101
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/alcoholandgaming

January 30, 2014



Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

James C. McKay
GENERAL COUNSEL

Mary Kay Root
DIRECTOR

Certified Mail No: 7012 2920 0002 2238 9849

City of Santa Fe
Attn: Yolanda Vigil, Clerk
PO Box 909
Santa Fe, NM 87504-0909

Re: License/Application: 898029
Applicant Name: Marble Brewery Inc.
Doing Business As: Marble Brewery Tap Room
Proposed Location: 505 Cerrillos Rd., Unit A105, Santa Fe, NM

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses. *(Please review the revised instructions for approval or disapproval below.)

Greetings:

The Director of the Alcohol and Gaming Division has granted Preliminary Approval for the referenced application and is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

Within forty-five days after receipt of a notice of preliminary approval from the Alcohol and Gaming Division, the governing body shall hold a public hearing in the question of whether the department should approve the proposed issuance or transfer. Notice of the public hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time and place of the hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, which requires that two weeks of publication must be satisfied before a hearing can be conducted. The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the applicant of the date, time and place of the public hearing. The governing body may designate a hearing officer to conduct the hearing. A record shall be made of the hearing.

The applicant is requesting a Small Brewers Off-site A:

The governing body may disapprove the issuance or transfer of the license if:

The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the applicant/licensee has obtained a waiver from the local option district governing body for the proposed licensed premises.)

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

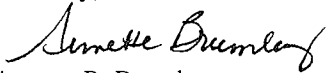
The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a zoning statement from the governing body, this is not a basis for disapproval.

The issuance would be detrimental to the public health, safety or morals of the residents of the local option district. Disapproval by the governing body on public health, safety or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

*Within thirty (30) days after the public hearing, the governing body shall notify the Alcohol and Gaming Division *in writing* as to whether the local governing body has approved or disapproved the issuance of transfer of the license *and* by signing the enclosed original Page 1 of the application. *The letter of approval/disapproval and the Page 1 must be returned together with the notice of publication(s).* If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the public hearing, the director will give final approval to the issuance or transfer of the license.

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the minutes of the public hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (page 1 of the application page noting disapproval).

Sincerely,

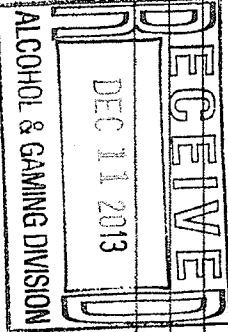


Annette R. Brumley
Hearing Officer

ENCLOSURES: Original Page 1 of Liquor License Application
Copy of page 2 Premises, Location, Ownership & Description of Premises



PO Box 25100 • Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming



LIQUOR LICENSE APPLICATION

Application fee - \$200.00 Fees are non-refundable.

State Liquor License # 1577501, Application Number 898029, Local option (AGD use) 1057501

Application is for: Change of Stock, Type of License being applied for: SMALL BREWERS OFF-SITE FOR LICENSE # 6794, REPLACES # 6805

NAME OF APPLICANT (company or individual): MARBLE BREWERY, INC., ADDRESS (including city, state, zip): 111 MARBLE AVE. NW

D/B/A name to be used: MARBLE BREWERY TAP ROOM, ALBUQUERQUE, NM 87102, Telephone number for licensed premises: (505) 690-0997

Physical location where license is to be used: 505 CERILLOS ROAD, SUIT A105, SANTA FE, NM 87501

Mailing address: 111 MARBLE AVE. NW, ALBUQUERQUE, NM 87102

Are alcoholic beverages currently being dispensed at the proposed location? Yes No [X] If yes, give license number and type

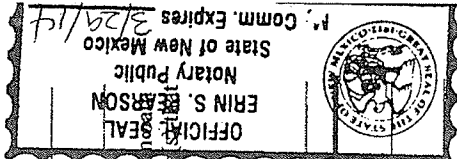
I, (print name) JERRY D. JINNETT, as (title) PRESIDENT, being first duly sworn upon deposition and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations herein are found to be false, the director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date this form in the presence of a notary public. Signature of Applicant: [Signature] Date: 11-6-2013

SUBSCRIBED AND SWORN TO before me this 6 day of November, 2013 by Jeffrey Jinnett, Notary Public Use Only, My Commission Expires 3/29/14

Local Governing Body of: (City or County), Hearing held on: 20 (City or County), (Signature & Title)

Check one: Approved [X] Disapproved, Director Approval, Approved [X] Disapproved, Director Approval



2550 Cerrillos Road • Santa Fe, New Mexico 87505 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION
SS-60-6B-10

1. The land and building which is proposed to be the licensed premises is (check one):

Owned by Applicant _____ Leased by Applicant (attach copy of deed or lease) Other (provide details) _____

If the land and building are not owned by Applicant, indicate the following:

A. Owner(s) MC MOJO, LLC

B. Date and term of lease Dated 12/11/2013 - ONE YEAR TERM

3. Premises location is zoned (example C-1) BCDCER

If the premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

4. Distance from nearest church *(Property line of church to licensed premises—shortest distance).

Miles (feet) 2,050 Name of church SAN MIGUEL CHURCH Address/location of church 401 Old Santa Fe Trail, Santa Fe 87501

5. Distance from nearest school *(Property line of school to licensed premises—shortest distance).

Miles (feet) 1,500 Name of school Wood-Goruley Elem. Address/location of school 141 E. Booth St., Santa Fe, 87501

6. Distance from military installation *(Property line of military installation to licensed premises—shortest distance.)

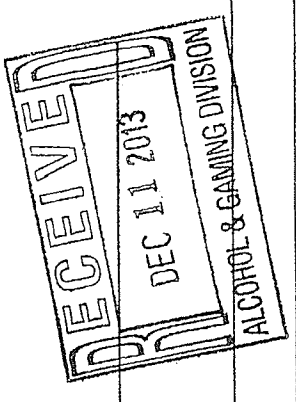
Miles 65 Name of Military Installation, circle one: (Kirtland Air Force Base (Albuquerque)) White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total square footage of premises.

*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation:

Lounge _____ Restaurant _____ Package Grocery _____ Racetrack _____ Hotel _____ Other (specify) Brewery Tasting Room



ALCOHOL & GAMING DIVISION
2550 CERRILLOS ROAD 87505
P.O. BOX 25101
SANTA FE, NEW MEXICO 87504-5101



POSTING CERTIFICATE
(ISSUANCE OF NEW LIQUOR LICENSES)

RESTAURANT (BEER/WINE ONLY) XX WHOLESALE: WINE
MASTER WINEGROWER WINEGROWER OFF-SITE: 1 2 3 (Circle)
MASTER SMALL BREWER SMALL BREWER OFF-SITE: 1 2 (Circle)
OTHER: _____

APPLICATION NUMBER: A-898029

APPLICANT NAME: MARBLE BREWERY INC.

PROPOSED NAME: MARBLE BREWERY TAP ROOM

PROPOSED LOCATION: 505 CERRILLOS RD., SANTA FE, NM

I CERTIFY THAT I HAVE POSTED THE REQUIRED NOTICE OF LIQUOR LICENSE PURSUANT TO SECTION 60-6B-2, NMSA, AND FURTHER CERTIFY AS FOLLOWS:

1. LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: Santa Fe
2. LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: _____
3. DISTANCE FROM NEAREST CHURCH IS APPROXIMATELY: 4 miles
NAME OF CHURCH IS: SAN MIGUEL CHURCH
4. DISTANCE FROM NEAREST SCHOOL IS APPROXIMATELY: 3 miles
NAME OF SCHOOL IS: WOOD-GORMLEY ELEMENTARY SCHOOL
5. DISTANCE FROM NEAREST MILITARY INSTALLATION IS: 65.2 miles

MILES

NAME OF INSTALLATION IS:

- KIRTLAND AIR FORCE BASE (ALBUQUERQUE)
 WHITE SANDS MISSILE RANGE (LAS CRUCES)
 HOLLOWAY AIR FORCE BASE (ALAMOGORDO)
 CANNON AIR FORCE BASE (CLOVIS)

NOTICE POSTED ON: BUILDING BILLBOARD OTHER: _____

DATE POSTED: 12-12-13

EXPIRATION DATE: 1-5-14

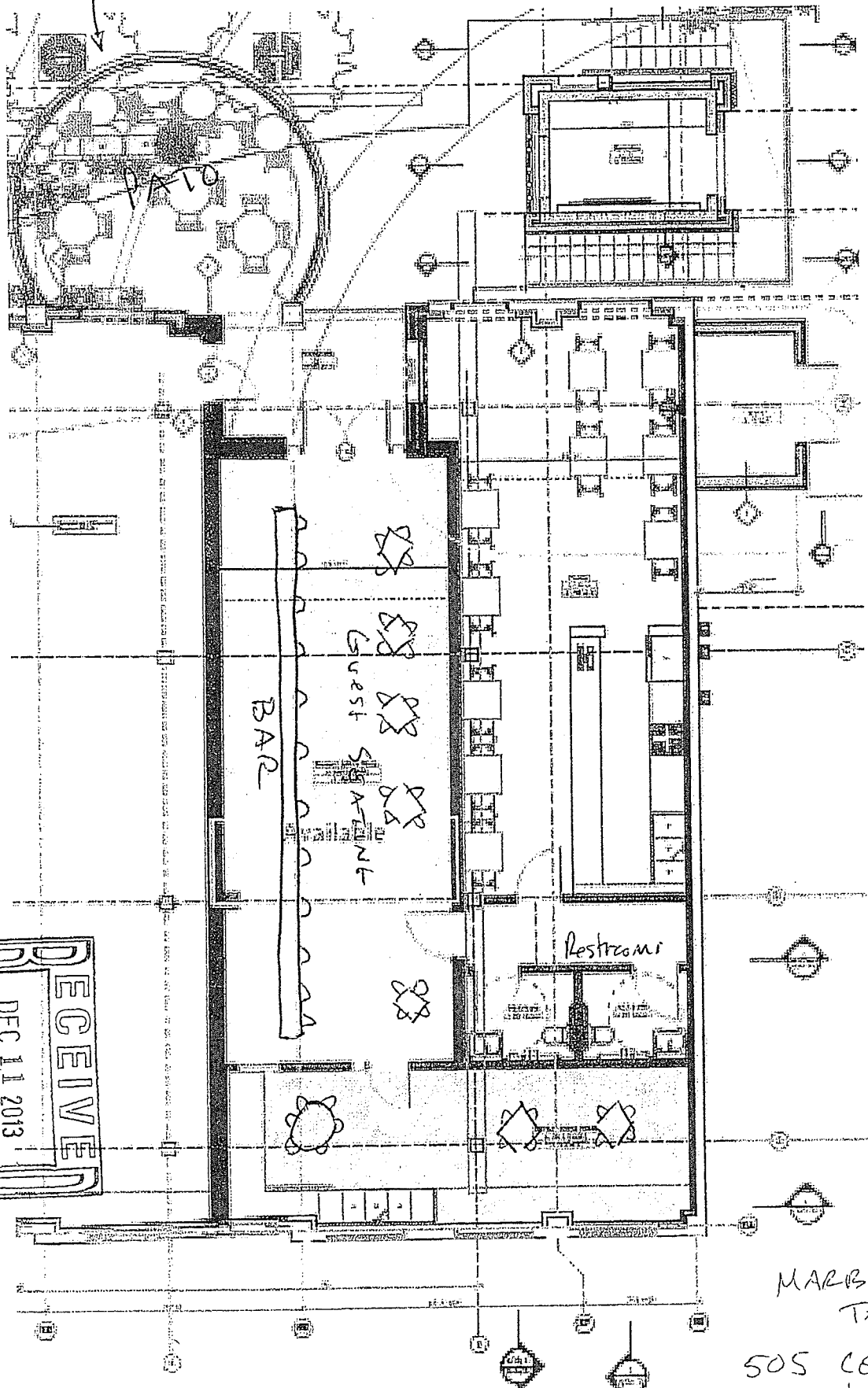
[Signature]
APPLICANT'S SIGNATURE

[Signature]
S.I.D. SPECIAL AGENT

40" HIGH FENCE
AROUND PATIO



COPY

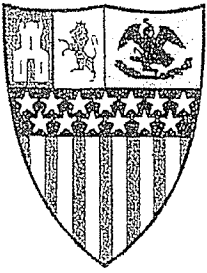


RECEIVED
DEC 11 2013
ALCOHOL & GAMING DIVISION

LICENSED PREMISE

INTERIOR 1100
PATIO 300

MARBLE BREWERY
TAP ROOM
505 CERRILLOS Rd.
UNIT A105
SANTA FE, NM 87501



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, *Mayor*

Councilors:

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Peter N. Ives, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Bill Dimas, Dist. 4

Ronald S. Trujillo, Dist. 4

December 06, 2013

Debora Lopez, Deputy Department Director
Alcohol Beverage & Gaming Division
Regulations & Licensing Department
2550 Cerrillos Rd.
Santa Fe, NM 87505

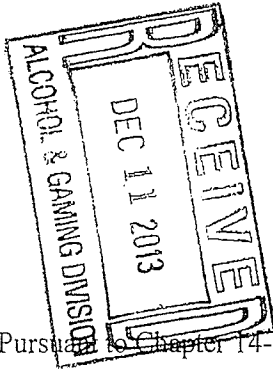


RE: Zoning Verification for 505 Cerrillos Road.

Dear Debora Lopez,

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page I-18 updated May 2001, this property is zoned BCDGER (Business Capitol District Cerrillos Road District).

(E) BCD Business-Capitol District



(1) Purpose

In recognition of the fact that the economic health of the city depends on the economic viability of the BCD, the purpose of the BCD is to provide for a mixture of land uses, including residential uses, designed to promote the district's economic well being while preserving the unique architecture, townscape and aesthetics that foster a strong tourist industry and sustain the quality of life, sense of community and historical identity in the district and the city.

Pursuant to Chapter 14-6.1-1 SFCC the list of uses identified allows for the sale of alcohol.

For additional information, reference City of Santa Fe Chapter 14 SFCC regarding these districts (Chapter 14-4 – Zoning Districts/14-6 Permitted Uses).

Note: The information provided in this letter is solely derived from the Official Zoning Map and the minimum requirements set forth in Chapter 14, SFCC 1987. It is the intent of this letter to advice of the ordinances pertaining to the zone districts. It is not the intent to state that the subject property complies with zoning requirements. Occupancy is determined based on zoning compliance at the time of building permit or certificate of occupancy, whichever applies. Additionally, it is not the intent to interfere with or to abrogate or annual any official document including conditions or safeguards made a part of the subject property at the time of any public hearings. Applicants are advised to pursue an independent search of official documents.

If you have any questions, please call me at 505-955-6587.

Daniel A. Esquibel
Land Use Planner Senior

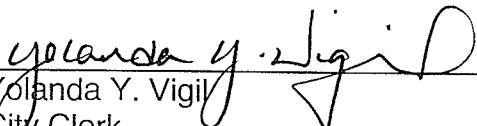
CITY OF SANTA FE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Governing Body of the City of Santa Fe will hold a public hearing on Wednesday, March 12, 2014 at its regular City Council Meeting, 7:00 p.m. session, at City Hall Council Chambers, 200 Lincoln Avenue.

The purpose of this hearing is to discuss a request from Marble Brewery Inc. for a Small Brewers Off-Site A Liquor License to be located at Marble Brewery Tap Room, 505 Cerrillos Road, Unit A105, Santa Fe.

All interested citizens are invited to attend this public hearing.



Yolanda Y. Vigil
City Clerk

Received by The New Mexican on

Date 2-21-14

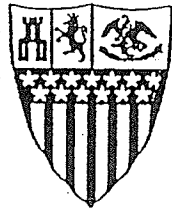
To Be Published On 2-26-14

and 3-5-14

By  _____

The New Mexican (Signature)

City of Santa Fe



PUBLIC WORKS DEPARTMENT
TRAFFIC DIVISION
Post Office Box 909
Santa Fe, NM 87504-0909
Phone: 984-6619 (volca)
984-6627 (fax)

Liquor License Request Supplemental Information

Instructions:

The following information is needed regarding this request. Please type or print clearly.
Complete this form and leave with the City Clerk while picking up the newspaper publication notice.

Thank you.

1. Name of owner of business MARBLE BREWERY
Name of business where proposed license is to be used MARBLE BREWERY TAP ROOM
Business street address 505 Corvilles Rd Santa Fe 87501
Telephone number 505-243-2739
2. Indicate the type of liquor license this request entails.
 issuance of new license (indicate type: Small Brewer off-site)
 transfer of location of existing license (indicate type: _____)
 transfer of ownership of existing license (location to remain the same)
3. Is this an existing business?
 yes
 no
4. Does the location where this license will be used currently sell liquor?
 yes
 no

5. If the answer to question #3 is yes, indicate the current hours of operation of the business.

If the hours of operation will change due to the sales of liquor, indicate the revised hours.

6. If this is a new business, indicate the anticipated hours of operation of the business.

2pm - 11pm

7. If the answer to question #3 is yes, indicate the anticipated change in business volume due to the sales of liquor.

Business is expected to increase (number of customers per day _____)

Business is expected to decrease (number of customers per day _____)

Business is expected to remain the same

8. If the answer to question #3 is no, indicate the number of customers anticipated per day at the business.

100 - 200

9. Estimate the number of customers per day who currently drive (or will drive) to the business versus the number who walk.

50-60 - 50-100 number of customers who drive

50-60 - 50-100 number of customers who walk

10. Has liquor ever been sold at this business site?

Yes

No

11. If the answer to question #10 is yes, indicate the name of the establishment and the year(s) that liquor sales occurred.

Name CLUB LUNA -

Year(s) Mid 1990's

12. Indicate which of the following statements best reflects your opinion regarding traffic impacts if this request is approved.

traffic can be expected to increase on adjacent streets if this request is approved

traffic will not increase on adjacent streets if this request is approved

Name of person completing this form Jeff Juvett

Telephone number 505 - 690 - 0997

Date 2 - 26 - 14

(For City Use Only)

Based upon the information provided above, staff has the following comments:

It does not appear that the approval of this request will create any unacceptable traffic impacts.

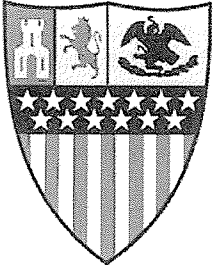
It appears that the approval of this request will create unacceptable traffic impacts (see comments below).

Other comments _____

By [Signature]

Title TRAFFIC ENGINEER

Date 5/6/15



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, *Mayor*

Councilors:

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Patti J. Bushec, Dist. 1

Chris Calvert, Dist. 1

Peter N. Ives, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Bill Dimas, Dist. 4

Ronald S. Trujillo, Dist. 4

DATE: March 6, 2014 for the City Council Meeting of March 12, 2014

TO: Mayor and City Council Members

VIA: Brian Snyder
Brian Snyder, City Manager
Matthew O'Reilly, Director, Land Use Department *MJO*

FROM: Antoinette Padilla, Code Enforcement Specialist *A.P.*

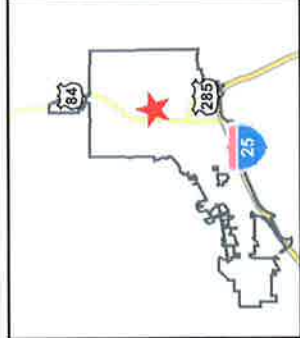
ITEM AND ISSUE

Litter and noise impact assessment, due to a request from Marble Brewery Inc. for a Small Brewers Off-Site A Liquor License to be located at Marble Brewery Tap Room, 505 Cerrillos Road, Unit A105, Santa Fe, New Mexico.

BACKGROUND AND SUMMARY

A substantial change in litter and noise due to this request is not anticipated.

505 Cerrillos Road, Unit A105



- ### Legend
- City Limits
 - Full Address Labels
 - Parcels
 - Airport Clear Zones
 - Zoning**
 - RR Rural Residential
 - R1, (PUD) Single - Family 1du/ac
 - R2, (DT), (PUD), (AC) Single - Family 2du/ac
 - R3, (PUD) Single - Family 3du/ac
 - R4 Single - Family 4du/ac
 - R5, (DT), (PUD), (AC), R6 Single - Family 5-6du/ac
 - R7, (P), (PUD), R8 Single - Family 7-8du/ac
 - RC5, RC5AC Compound 5du/ac
 - RC8, RC8AC Compound 8du/ac
 - R10, (PUD) Multiple - Family 10du/ac
 - R12, (PUD) Multiple - Family 12du/ac
 - R21, (PUD) Multiple - Family 21du/ac
 - R28, (PUD), (AC) Multiple - Family 29du/ac
 - RAC Residential Arts & Crafts
 - MHP Mobile Home Park

Scale: 1:566



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Map center: 1730942, 1703669

CATEGORY	RR	R-1	R-7	R-7 - R-9	R-7 - R-9 - J	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU	Use-Specific Regs 14-6.2
Arts and crafts schools									P	P	P	P	P		P	P			P	P	P	P ²	
Dance studios									P	P	P	P			P	P			P	P	P	P ²	
Photographers' studios									P	P	P	P			P	P			P	P	P	P ²	
Assembly																							
Private clubs and lodges	S	S	S	S	S	S	S		S	S	P*	P*	P*	P*	P*	P*			P*	P*	P*	P* ²	
Financial Services																							
Banks, credit unions (without drive-through)											P	P			P	P			P	P	P	P ²	
Banks, credit unions (with drive-through)											P*	P*			P	P*			P*	P*	P*	P ²	
Food and Beverages																							
Bar, cocktail lounge, nightclub, no outdoor entertainment									S ³	S ³		P			P	P			P	P	P	P ²	
Bar, cocktail lounge, nightclub, with outdoor entertainment									S* ³	S ³		P*			P*	P*			P*	P*	P*	P* ²	
Restaurant - full service, with or without incidental alcohol service									S ³	S ³		P			P	P			P	P	P	P	

CATEGORY	RR	R-1 -	R-7 -	R-7 R-9	R-7 -I	RC-5, RC-8	R-10 -R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU	Use-Specific Regs 14-6.2
Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area.									S* ³	S* ³		P*			P*	P*			P*	P*	P*	P* ²	
Restaurant - Fast service/take-out, no drive-through/drive-up									S	P ⁴	P	P	P ⁴		P	P	S		P	P	P	P	
Restaurant - with drive-through/drive-up												P*			P*	P*			P*	P*	P*	P* ²	
Medical																							
Apothecary shops or pharmacies										P	P	P	P		P	P			P	P	P	P ²	
Medical and dental offices or clinics									S	S	P	P	P		P	P			P	P	P	P ²	
Offices, Business and Professional																							
Business and professional offices excluding medical and dental and financial services									S	S	P	P	P		P	P			P	P	P	P ²	
Public Accommodation																							
Bed and breakfast houses and inns												P			P	P							
Conference and extended stay lodging facilities											P				P	P							

60-6A-26.1. Small brewer's license.

A. In any local option district, a person qualified under the provisions of the Liquor Control Act [60-3A-1 NMSA 1978], except as otherwise provided in the Domestic Winery and Small Brewery Act [60-6A-21 to 60-6A-28 NMSA 1978], may apply for and be issued a small brewer's license.

B. A small brewer's license authorizes the person to whom it is issued to:

- (1) become a manufacturer or producer of beer;
- (2) package, label and export beer, whether manufactured, bottled or produced by him or any other person;
- (3) sell only beer that is packaged by or for him to a person holding a wholesaler's license or a small brewer's license;
- (4) deal in warehouse receipts for beer;
- (5) conduct beer tastings and sell for consumption on or off premises, but not for resale, beer produced and bottled by, or produced and packaged for, the licensee or produced and bottled by or for another New Mexico small brewer on the small brewer's premises;
- (6) be deemed a manufacturer for purposes of the Gross Receipts and Compensating Tax Act [Chapter 7, Article 9 NMSA 1978];
- (7) at public celebrations off the small brewer's premises, after the small brewer has paid the applicable fee for a small brewer's public celebration permit, conduct tastings and sell by the glass or in unbroken packages, but not for resale, beer produced and bottled by or for the small brewer;
- (8) at no more than two other locations off the small brewer's premises, after the small brewer has paid the applicable fee for a small brewer's off-premises permit, after the director has determined that the off-premises locations meet the requirements of the Liquor Control Act [60-3A-1 NMSA 1978] and department rules for new liquor license locations and after the director has issued a small brewer's off-premises permit for each off-premises location, conduct beer tastings and sell by the glass or in unbroken packages for consumption off the small brewer's off-premises location, but not for resale, beer produced and bottled by or for the small brewer or beer produced and bottled by or for another New Mexico small brewer; and
- (9) allow members of the public, on the licensed premises and under the direct supervision of the licensee, to manufacture beer for personal consumption and not for resale using the licensee's equipment and ingredients.

C. At public celebrations off the small brewer's premises in any local option district permitting the sale of alcoholic beverages, the holder of a small brewer's license shall pay ten dollars (\$10.00) to the alcohol and gaming division of the regulation and licensing department for a "small brewer's public celebration permit" to be issued under rules adopted by the director. Upon request, the alcohol and gaming division of the regulation and licensing department may issue to a holder of a small brewer's license a public celebration permit for a location at the public celebration that is to be shared with other small brewers and winegrowers. As used in this subsection, "public celebration" includes any state or county fair, community fiesta, cultural or artistic event, sporting competition of a seasonal nature or activities held on an intermittent basis.

D. Sales and tastings of beer authorized in this section shall be permitted during the hours set

forth in Subsection A of Section 60-7A-1 NMSA 1978 and between the hours of noon and midnight on Sunday and shall conform to the limitations regarding Christmas and voting-day sales found in Section 60-7A-1 NMSA 1978 and the expansion of Sunday sales hours to 2:00 a.m. on January 1, when December 31 falls on a Sunday.

History: 1978 Comp., § 60-6A-26.1, enacted by Laws 1985, ch. 217, § 5; 1993, ch. 68, § 9; 1997, ch. 229, § 1; 1998, ch. 111, § 1; 1999, ch. 160, § 1; 2001, ch. 248, § 2; 2001, ch. 260, § 2.