

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2017-49**

3 **INTRODUCED BY:**

4
5 Mayor Javier M. Gonzales

6 Councilor Peter N. Ives

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9
10 **A RESOLUTION**

11 **ADOPTING ADMINISTRATIVE PROCEDURES FOR NATIVE AMERICAN ARTS OR**
12 **CRAFTS DISTRICT.**

13
14 **WHEREAS**, on October 26, 2016 the Governing Body adopted Ordinance 2016-38
15 which established a Native American Arts or Crafts District (NAACD) and establishing
16 regulations for sale of arts and crafts advertised as Native American within the District, and
17 voluntary participation outside the District; and

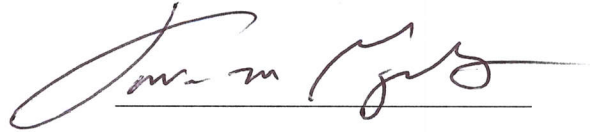
18 **WHEREAS**, city staff has developed administrative procedures for the Native American
19 Arts or Crafts District; and

20 **WHEREAS**, these administrative procedures are designed to streamline and clarify the
21 requirements and procedures for complying with the ordinance as adopted by the Governing
22 Body; and

23 **WHEREAS**, the map of the approved Native American Arts or Crafts District is attached
24 hereto as Exhibit A, the Native American Arts or Crafts District application is attached hereto as
25 Exhibit B, and the proposed administrative procedures are attached hereto as Exhibit C.

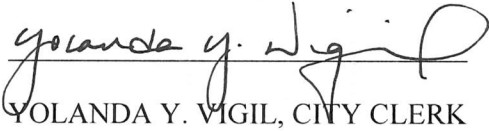
1 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
2 **CITY OF SANTA FE** that the administrative procedures for the Native American Arts or Crafts
3 District are hereby adopted

4 PASSED, APPROVED AND ADOPTED this 28th day of June, 2017.

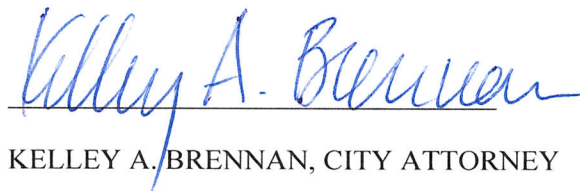
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7 JAVIER M. GONZALES, MAYOR

8 ATTEST:

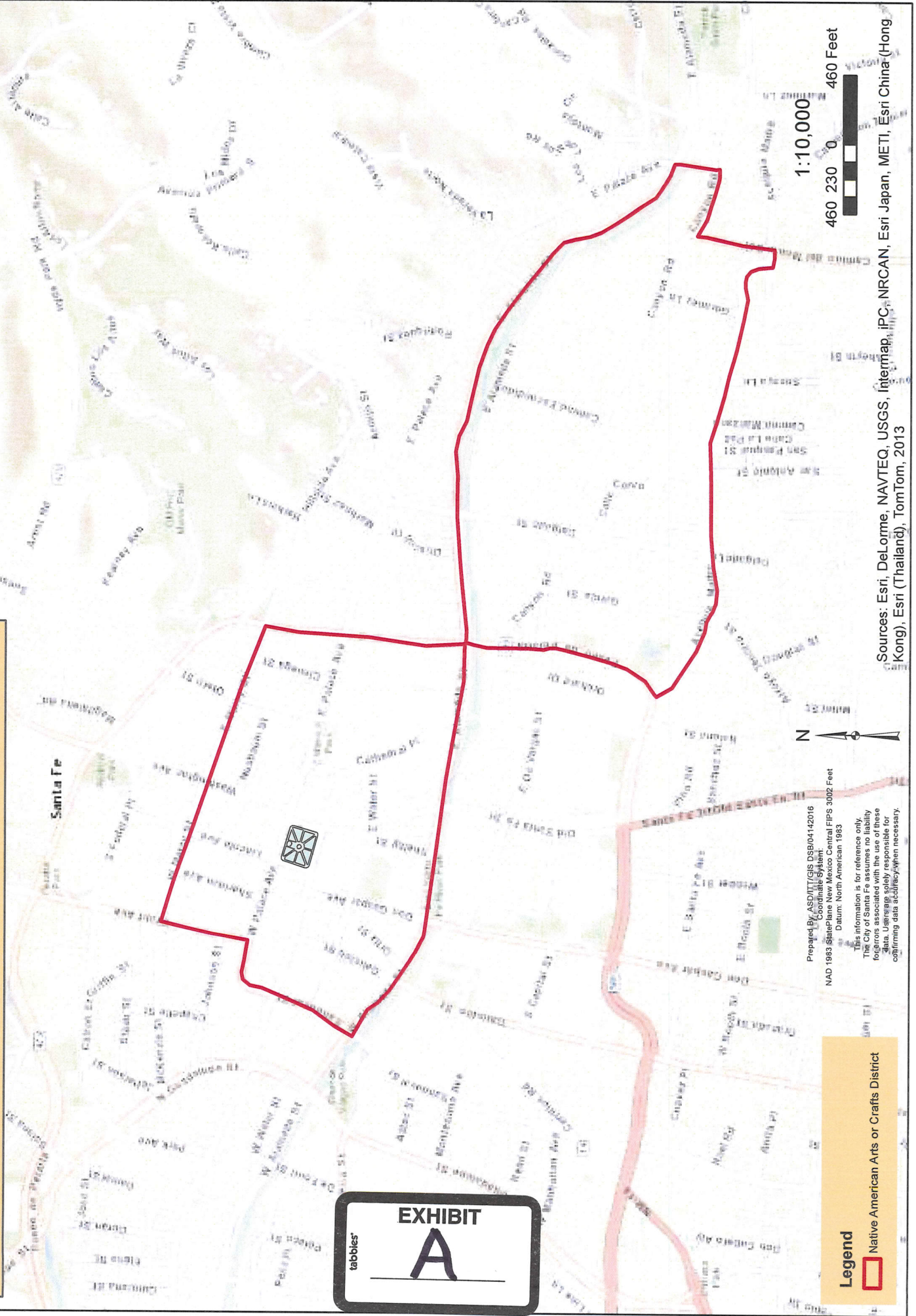
9
10 
11 YOLANDA Y. VIGIL, CITY CLERK

12 APPROVED AS TO FORM:

13 
14 KELLEY A. BRENNAN, CITY ATTORNEY
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City of Santa Fe Native American Arts or Crafts District



1:10,000



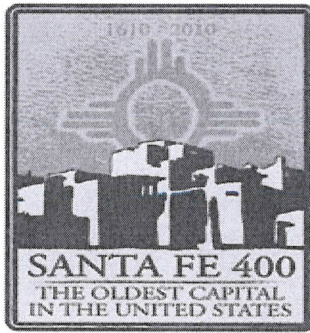
Prepared by: ASD/IT/GIS DSB/04142016
Coordinate System:
NAD 1983 StatePlane New Mexico Central FIPS 3002 Feet
Datum: North American 1983

This information is for reference only.
The City of Santa Fe assumes no liability
for errors associated with the use of these
data. Users are solely responsible for
confirming data accuracy when necessary.

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EXHIBIT
A

Legend
 Native American Arts or Crafts District

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



City of Santa Fe
Native American Arts or Crafts District Application
505.955.6551 Fax 505.955.6401

All information on this form is required to be completed by applicant

Business Name: _____

Address: _____

Owner: _____

City of Santa Fe Native American Arts or Crafts District Guidelines

As a licensed Native American Arts or Crafts District (NAACD) business, I hereby agree to adhere to and abide by the following regulations: (Please check initial in the box to indicate you have read and understand each item.)

NAACD businesses must comply with the following regulations:

- Display the NAACD sticker on the main public entrance to the establishment.
- Clearly indicate to the consumer items that are being offered for sale as authentic native American arts items, authentic Native American crafts item or otherwise claimed to be Native American handmade. Vendors may determine the method of presenting this disclosure, but it must be clear to the average consumer. Methods may include labeling individual items, specific display cases or racks, designated areas and/or other mean.
- At the point of sale, clearly display signage informing the consumer of their rights under both existing Federal and State law. This disclosure must include the following language:
The Federal Indian Arts and Crafts Act of 1990 and New Mexico's Indian Arts and Crafts Sales Act provide consumers with certain protections. It is illegal to falsely suggest an any art or craft item is Native American produced when it is not. Sellers must provide certain disclosures, including if any treated material, such as synthetic turquoise. For more information or to file a complaint, visit www.iacb.doi.gov and www.nmag.gov.

I have read and understand the above regulations and have received a copy of the NAACD Ordinance.

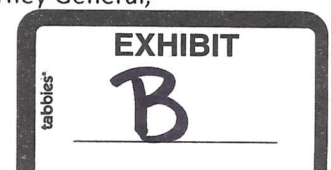
Printed Name: _____

Signature: _____

Date: _____

Notice of Federal and State Laws:

I understand that both Federal and State laws affect the sale of Native American arts and crafts. I am aware that I can contact either the Indian Arts and Crafts Board, 1-888-278-3253, and New Mexico Office of the Attorney General, 1-800- 678-1508, for more information.



CITY OF SANTA FE, NEW MEXICO

**ADMINISTRATIVE PROCEDURES FOR
NATIVE AMERICAN
ARTS OR CRAFTS DISTRICTS
(Section 18-5.29 SFCC 1987)**

As of May 5, 2017



I. Introduction

In 2016, the Governing Body of the City of Santa Fe adopted the Native American Arts or Crafts District Ordinance establishing a Native American Arts or Crafts District and establishing regulations for sale of Native American arts and crafts within the District as well as voluntary participation outside of the District. These administrative procedures reflect the Ordinance as originally passed by the Governing Body.

II. Licensing

A. Any Business selling goods represented as Native American within the established Native American Arts and Crafts District (NAACD), attached hereto as Exhibit “A” must obtain a NAACD business license. Vendors operating outside of the established district may obtain a NAACD license on a voluntary basis. Businesses will apply for and receive a NAACD license through the Business Registration Office. The license will serve as the business license for the establishment. In addition to providing the information and attestation required under §18-1.4(A), business will complete a NAACD Application, which will serve as a written certification that the business will comply with the requirements of §18-5.29. The application is attached hereto as Exhibit “B”.

B. Upon adoption of Policies and Procedures by the Governing Body, all businesses within the NAACD will be required to come into compliance within 90 days. Vendors possessing a current City of Santa Fe Business Registration will be provided the NAACD at no additional cost. New businesses will be required to obtain the NAACD upon registration.

III. Requirements

Businesses operating with a Native American Arts and Crafts District (NAACD) must comply with three requirements under §18-5.29.

A. Upon obtaining a NAACD License, vendors will be provided a NAACD license sticker that must be clearly displayed on the main public entrance to the establishment.

B. Clearly disclose in writing to the consumer items that are being offered for sale as authentic Native American arts items, authentic Native American crafts item or otherwise claimed to be Native American handmade. Vendors may determine the method of presenting this written disclosure, but it must be clear to the average consumer which items meet the requirements of §18-5.29. Methods may include labeling individual items specific display cases or racks, designated areas and/or other means.

C. At the point of sale, clearly display signage informing the consumer of their rights under both existing Federal and State law. This disclosure must include the following language:

“The Federal Indian Arts and Crafts Act of 1990 and New Mexico’s Indian Arts and Crafts Sales Act provide consumers with certain protections. It is illegal to falsely suggest any art or craft item is Native American produced when it is not. Sellers must provide certain disclosures, including if any treated material, such as synthetic turquoise. For more information or to file a complaint, visit www.iacb.doi.gov and www.nmag.gov.”

IV. Violations

If a person required to secure a NAACD business license fails to do so, or a person holding a NAACD license is in violation of this section, or any provision of SFCC 1987, or is operating in a manner contrary to the public welfare, the city shall follow the process set forth in §18-1.5 to 1.11.