

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2021-14

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4
5 AN ORDINANCE

6 AMENDING SECTION 23-6.2 SFCC 1987 TO REMOVE THE SIX-MONTH MINIMUM
7 LEASE DURATION FOR THE SALE AND CONSUMPTION OF ALCOHOL ON CITY
8 PROPERTY.

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

11 Section 1. Section 23-6.2 of SFCC 1987 (being Ord. No. 2012-20, § 1, as
12 amended) is amended to read:

13 23-6.2 Permitted locations for the sale and consumption of alcohol on city property.

14 A. The sale or consumption of alcoholic beverages is permitted at the following
15 locations on city property:

16 (1) The Santa Fe community convention center and adjacent outdoor spaces
17 under the center's control;

18 (2) That area of the Santa Fe regional airport main terminal building and
19 adjacent areas operated as a restaurant;

20 (3) The Marty Sanchez links de Santa Fe (golf course);

21 (4) Buildings owned by another party located on land owned by the city;

22 (5) On land or buildings owned by the city, located within the Santa Fe
23 Railyard, as described in the Railyard Master Plan, for which the city has entered into a
24 lease with another party for six (6) months or more except for the Railyard park, Plaza
25 and Alameda (as defined in the amended and restated Deed of Conservation Easement

1 dated May 30, 2018) where alcohol is prohibited, unless specifically permitted under
2 subsection 23-6.2 SFCC 1987;

3 (6) On land or buildings owned by the city for which the city has entered
4 into a lease with another party;

5 (7) In or on railroad cars located on railroad tracks except as prohibited by
6 state or federal law;

7 (8) During professional baseball games, the area of Fort Marcy ballpark
8 designated for concessions and seating; and

9 (9) The governing body shall review the amendment to paragraph (6) above,
10 removing a six (6) month minimum lease duration, contained in Ordinance 2021-14,
11 three (3) years from the date of adoption.

12 B. The only alcohol sales and consumption permitted at Fort Marcy ballpark are
13 beer and wine.

14 C. The governing body may approve by resolution the sale and consumption of
15 alcohol at all other locations on city property, except within the Plaza as defined by
16 subsection 23-5.1(S). The resolution specifying the event, date, hours, location, number of
17 expected attendees, type of alcohol to be served, required permits, and insurance shall be adopted
18 at least thirty (30) days in advance of the event. The resolution shall be limited to authorization
19 for a single event, unless otherwise stated in the resolution.

20 D. All other applicable approvals required by state or city laws and regulations shall
21 be obtained prior to the sale or consumption of alcoholic beverages on the property described in
22 this subsection 23-6.2.

23 E. As a response to the May 27, 2020, public health order issued by the New Mexico
24 department of health allowing limited outdoor dining service for qualified restaurants, and to
25 enhance physical distancing restrictions due to the COVID-19 pandemic, sale and consumption

1 of alcohol on any city sidewalk, street, right-of-way, or other specified property that has been
2 designated and approved for temporary use by a current liquor licensee may occur pursuant to
3 the following limitations:

4 1. A licensed establishment shall obtain and maintain a general liability
5 policy in the amount of one million dollars (\$1,000,000.00) and a liquor liability policy
6 in the amount of two million dollars (\$2,000,000.00) and must name the city, officers,
7 employees, and agents as additional insureds.

8 2. The licensed establishment must apply for and receive an obstruction
9 permit from the city that includes the requirement to indemnify the city.

10 3. The licensed establishment must also obtain a temporary
11 change/expansion of liquor license premises issued by the alcoholic beverage control
12 division of the New Mexico regulation and licensing department. Proof of the approved
13 temporary change/expansion of liquor license premises must be produced upon request
14 of police, fire, or other authorized city official.

15 4. The sale and consumption of alcoholic beverages on any city property
16 allowed under this subsection shall be subject to the regulations concerning alcoholic
17 beverages contained in SFCC Section 4-2, 1987.

18 5. Unless extended by ordinance or resolution, any license or permit issued
19 pursuant to this subsection shall expire on October 31, 2021.

20 PASSED, APPROVED, and ADOPTED this 11th day of August, 2021.

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24 ALAN WEBBER, MAYOR
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1 ATTEST:

2 *Kristine Mihelcic*
3 Kristine Mihelcic

Kristine Mihelcic (Aug 20, 2021 12:50 MDT)

4 KRISTINE MIHELICIC, CITY CLERK

5 APPROVED AS TO FORM:

6 *Erin McSherry*
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8 ERIN K. McSHERRY, CITY ATTORNEY

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24 *Bill No. 2021-14*

25 *Legislation/2021/Ordinances/2021-14 Alcohol on City Property Amendments*