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**CITY OF SANTA FE, NEW MEXICO**  
**ORDINANCE NO. 2007-9**

**AN ORDINANCE**

**AMENDING SECTION 14-2.8 SFCC 1987 REGARDING THE ARCHAEOLOGICAL  
REVIEW COMMITTEE; QUALIFICATIONS FOR ARCHAEOLOGISTS,  
HISTORICAL ARCHAEOLOGISTS AND HISTORIAN; AND MAKING SUCH OTHER  
CHANGES AS ARE NECESSARY.**

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

**Section 1. Section 14-2.3(C)(8) SFCC 1987 (being Ord. #2001-38, §2 as  
amended) is amended to read:**

(8) Other Recommendations to Governing Body

The Planning Commission is the principal City administrative board  
reviewing and making recommendations to the Governing Body  
regarding:

- (a) The adoption of the General Plan and proposed revisions and  
amendments thereto;
- (b) Annexations;
- (c) Rezoning; and
- (d) Proposed amendments to this chapter, except for proposed  
amendments to §14-5.2, on which the Historical Design Review  
Board shall review and issue a recommendation, to §14-2.8, §14-  
3.13, and §14-5.3, on which the Archaeological Review

1 Committee shall review and issue a recommendation and to §14-  
2 8.13 on which the Public Utilities Committee shall review and  
3 issue a recommendation.

4 **Section 2. Section 14-2.3(C)(8) SFCC 1987 (being Ord. #2001-38, §2 as**  
5 **amended) is amended to read:**

6 **14-2.8 ARCHAEOLOGICAL REVIEW COMMITTEE**

7 **(A) Powers and Duties**

8 The Archaeological Review Committee shall have the review and decision-making  
9 responsibilities set forth in Table 14-2.1-1, to be carried out in accordance with the terms  
10 of this chapter. In addition, the Committee shall have the following additional  
11 responsibilities under this chapter:

- 12 (1) In accordance with §14-3.13, the Committee shall hold hearings to review  
13 reconnaissance reports, the recommended significance status of archaeological  
14 sites, the recommended treatment plan of cultural remains and final reports. The  
15 Committee may review and act on stages or portions of on-going archaeological  
16 studies. The Committee shall vote to approve, conditionally approve or  
17 disapprove requests for archaeological clearance permits.
- 18 (2) The Committee shall hold hearings to qualify or disqualify individuals for  
19 inclusion on the city's list of approved archaeologists, historical archaeologists  
20 and historians upon review of resumes and related documents as set forth in §14-  
21 2.8(C).
- 22 (3) The Committee may advise the Historic Design Review Board in regard to  
23 applications to the Board for new construction, exterior alteration, demolition, or  
24 on other matters relating to archaeology within the Historic Districts.
- 25 (4) The Committee shall establish a City register of recognized archaeological sites

1 and shall establish criteria for such a register.

2 (5) The Committee may direct applicants to the state historic preservation division  
3 for information regarding federal or state regulations on the tax benefits of  
4 donating archaeological properties or easements.

5 (6) The Committee may recommend to the Governing Body that land containing  
6 sites of major interest to the City, be purchased as part of the City's parks,  
7 recreation, and open space system.

8 (7) When both the Historic Design Review Board and the Archaeological Review  
9 Committee review are required of a single project, the reviews may occur at the  
10 same time.

11 (8) The Committee may recommend the expenditure of money from the City  
12 archaeological fund for projects meeting the criteria for archaeological fund  
13 projects as set forth in §14-3.13(D)(5). Expenditures of \$1000 or less may be  
14 approved by the Planning Division. Expenditures over \$1,000 shall be approved  
15 by the Governing Body.

16 **(B) Creation; Membership**

17 (1) There is created an Archaeological Review Committee that shall consist of five  
18 members appointed by the Mayor with the advice and consent of the City  
19 Council. One member shall be a historian and three members shall be  
20 professional archaeologists or historical archeologists all meeting the  
21 requirements set forth in §14-2.8(C). One member shall be a representative of  
22 the construction, development, or real estate community.

23 (2) The initial term of two of the five members shall expire one year after the initial  
24 appointment date, and the initial term of the other three members shall expire two  
25 years after the initial appointment date. Following the initial terms, the terms of

1 all members shall be two years. An appointment to fill an unexpired term shall  
2 be only for the remainder of the existing term.

3 (3) A quorum shall consist of three members. The Committee shall follow Robert's  
4 Rules of Order.

5 (4) The Committee shall meet at least twice a month and upon the call of the chair or  
6 vice chair.

7 **(C) Qualifications for Committee Members; Qualifications for Archaeologists,**  
8 **Historical Archaeologists and Historians**

9 (1) Committee Members

10 All archaeologists, historical archaeologists and historians appointed as  
11 Committee members shall meet the qualifications set forth in this paragraph (C).

12 (2) Archaeologists

13 All archaeologists in actual direct charge of archaeological reconnaissance or  
14 treatment required for an archaeological permit shall meet the minimum  
15 qualifications set forth below, as provided in a résumé and by other means.

16 (a) Hold a master's degree in archaeology, anthropology, or a closely related  
17 field with a specialization in archaeology, or equivalent training or field  
18 experience the sufficiency of which to be determined by the Committee;

19 (b) Have at least two years experience in directing archaeology projects  
20 including at least six months of field experience in the southwestern  
21 United States and

22 (c) Be listed in the State Historic Preservation Office directory of  
23 archaeologists as a principal investigator or supervisory archaeologist.

24 This requirement shall not apply to archeologists who are currently on  
25 the city's list of approved archaeologists as of the effective date of this

1 ordinance (April 23, 2007) or to archaeologists appointed as members of  
2 the Committee.

3 (3) Historical Archaeologists

4 All historical archaeologists in actual direct charge of excavation of historic  
5 period sites shall:

- 6 (a) Meet the minimum qualifications for an archaeologist set forth in  
7 paragraph (C)(2) above;
- 8 (b) Have a minimum of one year experience in directing historical  
9 archaeology projects or equivalent training or field experience the  
10 sufficiency of which to be determined by the Committee;
- 11 (c) Have demonstrated experience in the Historic Downtown Archaeological  
12 District; and
- 13 (d) Hold a current New Mexico state burial permit for any location where  
14 human remains of historic age are found.

15 (4) Qualifications for archaeologists and historical archaeologists as set forth in  
16 paragraphs (C) (2) and (3) above may be waived by the Committee at their  
17 discretion.

18 (5) Historians

19 All historians in actual direct charge of archival research, and analyses of land  
20 titles or historic maps shall meet the minimum qualifications set forth below as  
21 provided in a résumé or by other means:

- 22 (a) Hold a master's degree in history or have equivalent professional  
23 experience or demonstrate equivalent training the sufficiency of which is  
24 to be determined by the Committee; and
- 25 (b) Demonstrate the ability to carry out archival research.

1 (6) Archaeologists, historical archaeologists and historians qualified by the  
2 Committee as meeting the above criteria shall be placed on a list maintained by  
3 the Planning Division. Guidelines for documenting applicable experience and  
4 education for meeting the requirements of paragraph (C) above are available  
5 from the Planning Division. Qualified archaeologists, historical archaeologists  
6 and historians who wish to remain on the list shall provide a current resume and  
7 related documents upon request of the Planning Division.

8 (7) Archaeologists, historical archaeologists and historians are responsible for  
9 reports and performance that exhibit a high standard of professionalism and  
10 competence.

11 (a) Reconnaissance reports, treatment plans and final reports that are  
12 accepted by the Committee with minor typographical, formatting, or  
13 content errors for which an archaeological clearance permit is approved  
14 shall be returned with corrections to the Planning Division within 45  
15 days of the date the permit was approved. Failure to meet this  
16 requirement shall result in refusal by the Division of any new application  
17 for an archeological clearance permit until a corrected report has been  
18 submitted.

19 (b) Reconnaissance reports, treatment plans and final reports that are not  
20 approved by the Committee and resubmitted to the Planning Division  
21 without the necessary corrections shall be rejected by the Division and  
22 no new application for an archaeological clearance permit shall be  
23 accepted by the Division until a corrected report has been accepted and  
24 an archaeological clearance permit has been approved by the Committee.

25 (c) Rejection of three or more reconnaissance reports, treatment plans or

1 final reports in a 12 month period may result in the removal by the  
2 Committee of the archaeologist, historical archaeologist or historian from  
3 the list of qualified archaeologist, historic archaeologist or historian for  
4 12 months.

5 (d) Failure to submit a final report within the one year time limit, or as may  
6 be extended by the Committee, as set forth in §14-3.13(C) may result in  
7 the removal by the Committee of the archaeologist, historic archaeologist  
8 or historian from the city list of qualified archaeologists, historic  
9 archaeologists and historians.

10 (e) The Planning Division shall notify the following, in writing, of the  
11 actions taken in paragraphs (7)(a), (b), (c) or (d) above:

12 (i) The State Historic Preservation Officer;

13 (ii) The affected archaeologist, historical archaeologist or historian;  
14 and

15 (iii) The property owner and the applicant.

16 (f) The affected archaeologist, historical archaeologist or historian may  
17 submit an appeal in writing of the actions taken by the Division in  
18 paragraphs (7)(a) or (b), above to the Committee within 30 days of the  
19 notice.


20 (g) Decisions of the Committee may be appealed as set forth in §14-3.17(A).

21 **(D) Planning Division**

22 The Planning Division shall provide administrative and advisory assistance to the  
23 Committee, conduct site inspections, carry out reviews of permit applications for  
24 construction, utility and grading work proposed in archaeological districts and provide  
25 information to the public. The division shall maintain the list of approved archeologists,

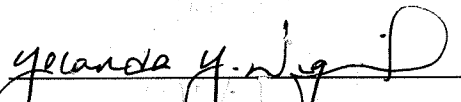
1 historical archaeologists and historians.

2 PASSED, APPROVED and ADOPTED this 11<sup>th</sup> day of April, 2007.

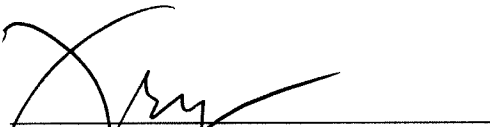
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5 DAVID COSS, MAYOR

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7 ATTEST:

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10 YOLANDA Y. VIGIL, CITY CLERK

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12 APPROVED AS TO FORM:

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15 FRANK D. KATZ, CITY ATTORNEY

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