

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

2 **ORDINANCE NO. 2012-20**

3
4
5 **AN ORDINANCE**

6 **AMENDING ARTICLE 23-6 SFCC 1987 TO ESTABLISH REGULATIONS FOR EVENT**
7 **SPONSORS WHO HAVE BEEN AUTHORIZED TO USE A CITY PARK WHEN THE SALE**
8 **AND CONSUMPTION OF ALCOHOL IS PERMITTED.**

9
10 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

11 **Section 1. Article 23-6 SFCC 1987 (being Ord. #1981-39, §20, as amended) is**
12 **amended to read:**

13 **23-6 SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY.**

14 **23-6.1 Sale or Consumption of Alcohol Prohibited on City Property.** The sale or
15 consumption of alcoholic beverages on property owned or controlled by the city shall be prohibited
16 except as set forth in Section 23-6.2 SFCC 1987.

17 **23-6.2 Permitted Locations for the Sale and Consumption of Alcohol on City**
18 **Property.** The sale or consumption of alcoholic beverages is permitted at the following locations on
19 city property:

20 A. The Santa Fe community convention center and adjacent outdoor spaces under the
21 center's control;

22 B. That area of the Santa Fe municipal airport main terminal building and adjacent areas
23 operated as a restaurant; and

24 C. The Marty Sanchez Links de Santa Fe (golf course).

25 D. The area of the Fort Marcy Ballpark designated as a beer garden that shall be used for

1 the sale and consumption of only beer and only at professional baseball games.

2 (1) For purposes of this sub-section, beer garden means an area of Fort Marcy
3 Ballpark with restricted entry and exit that shall be comprised of no more than twenty five
4 percent (25%) of the area designated for ballpark seating.

5 (2) A special dispenser permit shall be used to dispense alcohol.

6 (3) No person under the age of twenty-one (21) shall be permitted in the beer
7 garden.

8 (4) The determination of the actual location of the beer garden within the
9 ballpark, along with the requirements for the beer garden, including buffering and public
10 health and safety requirements, shall be adopted by separate resolution of the governing body.

11 (5) Any professional baseball league games subject to this Section, shall not take
12 precedence over the scheduling of local youth baseball leagues using Fort Marcy Ballpark.

13 E. Buildings owned by another party located on land owned by the city.

14 F. On land or buildings owned by the city for which the city has entered into a lease
15 with another party for six (6) months or more except for the Railyard Park, Plaza and Alameda (as
16 defined in the Deed of Conservation Easement dated October 1, 2004) where alcohol is prohibited.

17 G. In or on railroad cars located on railroad tracks except as prohibited by state or
18 federal law.

19 All other applicable approvals required by state or city laws shall be obtained prior to the sale or
20 consumption of alcoholic beverages on the property described in this Section 23-6.2.

21 **23-6.3 Regulations for the Sale and Consumption of Alcohol at City Parks;**

22 **Administration.**

23 A. When the governing body has authorized the sale and consumption of alcohol for an
24 event or events at a city park, pursuant to an amendment to Section 23-6.2 SFCC 1987, the event
25 sponsor shall comply with the following regulations.

1 (1) **Designated Drinking Area.**

2 (a) The designated drinking area, with one main entrance/exit and a
3 mandatory buffer, to prevent the circulation of alcohol outside of the designated
4 drinking area, shall be illustrated on a diagram that shall be submitted to the city
5 manager or his designee, at least thirty (30) days before the event(s). The diagram
6 shall include the dimensions of the drinking area, the location of the main
7 entrance/exit, the height and width of the mandatory buffer, which shall be at least
8 five feet (5') high and five feet (5') wide, and the locations for the placement of the
9 advertising described in Paragraph (4), below.

10 (b) The seating capacity in the designated drinking area shall be
11 comprised of no more than twenty five percent (25%) of the seating capacity of the
12 event. The seating capacity of the designated drinking area shall be posted in the
13 designated drinking area.

14 (2) **Alcohol Provider.** Alcohol providers shall comply with all applicable state
15 and local laws and shall:

16 (a) Obtain a special dispenser permit for beer and wine only that shall be
17 approved by the state of New Mexico and the city of Santa Fe.

18 (b) At the main entrance of the designated drinking area and at the point
19 of sale of alcohol, verify the age of each person so that underage persons are
20 prohibited from entering the designated drinking area or purchasing alcohol.

21 (c) Prohibit persons from leaving the designated drinking area with
22 alcoholic beverages.

23 (d) Ensure that alcohol servers are at least twenty-one (21) years old and
24 are licensed by the state.

25 (e) Ensure that a manager, who has been identified prior to the event(s)

1 by the event sponsor, is present at all times in the designated drinking area. A
2 photograph of the manager and his or her name shall be posted at the point of sale of
3 alcoholic beverages. At all times, the manager shall wear a nametag that identifies
4 him or her as the manager.

5 (f) Prohibit alcohol servers from drinking alcohol during the event.

6 (g) Place signs in the designated drinking area and outside the
7 designated drinking area that indicate the illegality of selling, serving and providing
8 alcohol to minors and intoxicated persons.

9 (3) **Alcohol Limits.** The only allowable alcoholic beverages at permitted
10 event(s) are beer and wine.

11 (a) During the permitted event, only three (3) alcoholic beverages per
12 person are allowed. One (1) alcoholic beverage is “twelve (12) fluid ounces of
13 regular beer (5% alcohol)” or “four (4) fluid ounces of wine (12% alcohol).”

14 (i) Twelve (12) ounce beverage cups shall be used for beer and
15 four (4) ounce beverage cups shall be used for wine.

16 (ii) For beer and wine tasting events, the total number of tastes
17 shall not exceed the two (2) alcoholic beverage limit described in Paragraph
18 (a), above.

19 (iii) Alcoholic beverage cups shall be distinguishable from non-
20 alcoholic beverage cups.

21 (b) Nontransferable wristbands shall be issued to verify age and to
22 indicate the number of alcoholic beverages purchased.

23 (c) The purchase of alcoholic beverages shall be limited to one (1)
24 purchase per person at one time.

25 (d) Alcohol service shall cease at least one hour before the end of the

1 permitted event or for a baseball game at the end of the sixth inning.

2 (e) In addition to alcoholic beverages, food and non-alcoholic beverages
3 drinks shall be sold. Water shall be provided at no cost.

4 (4) **Security.** Security officers shall be hired and paid for by the event
5 sponsor(s).

6 (a) A minimum of two (2) security officers shall be stationed at the main
7 entrance/exit of the designated drinking area and shall be present at all times the
8 designated drinking area is in operation.

9 (b) A minimum of two (2) security officers shall monitor the parking
10 lots and other areas of the city park to ensure that alcohol is not being consumed
11 outside the designated drinking area.

12 (c) Security guards shall possess a current license issued by the New
13 Mexico Private Investigations Board as a level two security guard pursuant to the
14 Private Investigations Act, Chapter 61, Article 27B NMSA 1978, as may be amended
15 thereafter from time to time.

16 (5) **Advertising.**

17 (a) Advertising of alcohol or tobacco at any city park is prohibited.

18 (b) The event sponsor shall place banners in conspicuous locations in the
19 designated drinking area and throughout the park that:

20 (i) Display phone numbers and names of organizations that
21 provide free rides for intoxicated persons; and

22 (ii) Provide information about the effects of alcohol abuse.

23 (c) The city manager or his designee shall approve the number of, size
24 and locations of the above-described banners.

25 B. **Administration.** The city manager or his designee shall ensure that:

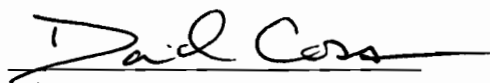
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(a) Authorized event sponsors are in compliance with the requirements of this Section.

(b) Any agreement in effect on the effective date of this Section shall be amended to comply with the requirements of this Section.

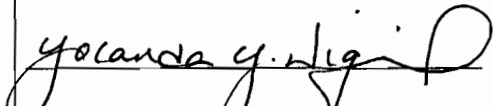
Section 2. Review. This Ordinance shall be reviewed one year from the date of adoption.

PASSED, APPROVED AND ADOPTED this 30th day of May, 2012.



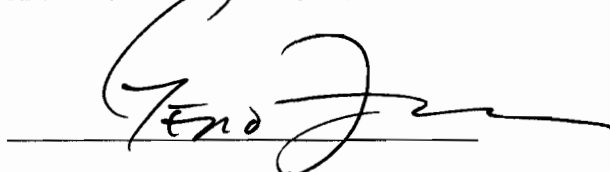
DAVID COSS, MAYOR

ATTEST:



YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY