

# CITY of ALBUQUERQUE

## TWENTY-FIRST COUNCIL

COUNCIL BILL NO. R-14-39 ENACTMENT NO. \_\_\_\_\_

SPONSORED BY: Brad Winter

1 RESOLUTION

2 AMENDING THE CITY OF ALBUQUERQUE CODE OF RESOLUTIONS

3 SECTIONS PERTAINING TO THE CONSUMPTION OF ALCOHOL IN CITY

4 PARKS, RECREATIONAL FACILITIES AND OPEN SPACE LANDS.

5 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
6 ALBUQUERQUE:

7 SECTION 1: The City of Albuquerque Code of Resolutions § 6-5-1

8 (Resolution 257-1978, as amended) designating certain neighborhood parks  
9 where alcohol consumption is prohibited, is hereby repealed and deleted.

10 ~~“[The following parks are hereby designated as neighborhood parks for~~  
11 ~~purposes of the provisions contained in the Criminal Code relating to drinking~~  
12 ~~in public. Only those parks which are developed parks shall be posted.~~

13 NAME ADDRESS

14 Academy Eubank & Layton

15 Alamosa Sunset Garden & Bataan SW

16 Aliso Green Burton & Aliso SE

17 Altura Hannett & Morningside NE

18 Alvarado Hannett & Valencia NE

19 Amherst Green Monte Vista Blvd. & Amherst Dr. NE

20 Arroyo del Oso Park Wyoming and Spain

21 Aztec Moon & Cherokee NE

22 Balduini Bryn Mawr Dr. south of Menaul Blvd. NE

23 Barelvas Playground 801 Barelvas SE

24 Bataan Lomas & Tulane NE

25 Bellrose V.P. 5th & Bellrose NW

26 Beverly Indian School & Louisiana NE

- 1 ~~Bianchetti~~ ~~Granite Ave. & Landman Dr. NE~~
- 2 ~~Burton~~ ~~Carlisle & Kathryn SE~~
- 3 ~~Caida de Agua~~ ~~2nd & Coal SW~~
- 4 ~~Campo Manana~~ ~~Avenidas Estrellita & Manana NE~~
- 5 ~~Cardwell~~ ~~Gomanche & Cherokee NE~~
- 6 ~~Carlos Rey Mini Park~~ ~~Carlos Rey Elementary School~~
- 7 ~~Casa Grande Estates~~ ~~Glenwood Hills South Linear Parks~~
- 8 ~~Chacon~~ ~~Lomas & 17th NW~~
- 9 ~~Chelwood~~ ~~Fruit Ave. & Nakomis Dr. NE~~
- 10 ~~City View Estates~~ ~~Copper Ave. & Jewel Pl. NE~~
- 11 ~~Columbus~~ ~~Guadalupe Tr. & Douglas McArthur NW~~
- 12 ~~Conchas~~ ~~Lexington & Parsifal NE~~
- 13 ~~Colett Mini Park~~ ~~2100 Morris NE~~
- 14 ~~Coronado~~ ~~2nd & 1-40 NW~~
- 15 ~~Grestview Heights, Unit 2~~ ~~West Side of Tramway Blvd. South of Rover~~
- 16 ~~Ave.~~
- 17 ~~Cutler~~ ~~Cutler & Pennsylvania NE~~
- 18 ~~Dale Bellamah~~ ~~Juan Tabo Blvd. North of Marquette Ave. NE~~
- 19 ~~Dennis Chavez~~ ~~Dan & 1-25 SE~~
- 20 ~~Don Juan de Onate~~ ~~Chelwood Park Blvd. NE & Brentwood Hills Blvd.~~
- 21 ~~NE~~
- 22 ~~Duranes Mini Park~~ ~~2436 Zickert NW~~
- 23 ~~East San Jose Center~~ ~~1830 William SE~~
- 24 ~~Ed Leslie Park~~ ~~Montgomery & Maria NE~~
- 25 ~~Eddie Garcia~~ ~~8th St. & Eroy SW~~
- 26 ~~Embudo~~ ~~Rebonita Rd., & Haines Ave. NE~~
- 27 ~~Eubank~~ ~~East of Eubank Blvd & North on Montgomery Blvd NE~~
- 28 ~~Foothills Estates~~ ~~Skyview & Parkview NE~~
- 29 ~~4-H~~ ~~12th & Menaul NW~~
- 30 ~~Forest~~ ~~16th St. & San Cristobal SW~~
- 31 ~~Fox, Marion L~~ ~~Marquette & Alvarado NE~~
- 32 ~~Fred Calkins V.P.~~ ~~Edith & Stadium SE~~
- 33 ~~Glenwood Hills, Unit 3~~ ~~Sunset Canyon Pl. South of Sunset Canyon Dr. NE~~

- 1 ~~Goodrich ————— Delmar & 2nd NW~~
- 2 ~~Grandview Green South ————— Grandview & Santa Clara SE~~
- 3 ~~Graves, C.L. ————— 9th & Cutler NW~~
- 4 ~~Grisham ————— Shepard & Tiley NE~~
- 5 ~~Guadalupe V.P. ————— Cromwell & William SE~~
- 6 ~~Hahn ————— West of Juan Tabo Blvd. & North of Montgomery Blvd. NE~~
- 7 ~~Hawthorne ————— 420 General Somervell NE~~
- 8 ~~Hazeldine V.P. ————— 3rd & Hazeldine SW~~
- 9 ~~Heights Center ————— 823 Buena Vista SE~~
- 10 ~~Hermosa Green North ————— Laurel Dr. & Parkland Circle SE~~
- 11 ~~Hermosa Green South ————— Laurel Dr. & Parkland Circle SE~~
- 12 ~~Highland ————— Locust & Silver SE~~
- 13 ~~Hoffman ————— Phoenix & General Arnold NE~~
- 14 ~~Holiday ————— 11710 Comanche NE~~
- 15 ~~Hyder ————— Pershing & Richmond SE~~
- 16 ~~Holiday Park, Units 10 & 11 ————— Tramway Blvd. & Mt. Rainier NE~~
- 17 ~~Inez ————— Virginia & Cutler NE~~
- 18 ~~Jack and Jill ————— Bell & Arizona SE~~
- 19 ~~Jeanne Bellamah ————— Summer & Tomasita NE~~
- 20 ~~John Adams ————— 5301 Glenrio NW~~
- 21 ~~Kirtland ————— University & San Jose SE~~
- 22 ~~Kit Carson ————— Kit Carson & Laguna SW~~
- 23 ~~Kiva ————— Palomas & Arvilla NE~~
- 24 ~~Krogh ————— Meadow View Court & Frederick NW~~
- 25 ~~La Luz de Amistad ————— Central & I-40 NE~~
- 26 ~~La Mesa ————— Copper & Charleston NE~~
- 27 ~~La Palomita ————— La Sala Grange & La Camila NE~~
- 28 ~~Lassetter ————— Ridgecrest & Dakota SE~~
- 29 ~~Laurel Circle ————— Ridgecrest & Morningside SE~~
- 30 ~~Lavaland ————— 64th & Avalon NW~~
- 31 ~~Loma del Norte Addition ————— Loma del Norte Rd. & Burke St. NE~~
- 32 ~~Loma del Ray ————— Comanche Rd. & Erbbe St. NE~~
- 33 ~~Los Duranes ————— Gabaldon & Leopoldo NW~~

- 1 Luecking ——— West Of Carlisle Blvd, South of I-25 NE
- 2 Luecking South ——— Lafayette NE at Diversion Ditch
- 3 Lynnewood ——— Los Arboles & Marie Park NE
- 4 Marquette Green ——— Marquette & Luna NW
- 5 Martineztown ——— Roma & High NE
- 6 Martineztown, Ph. 2 ——— Walter St. & Roma NE
- 7 Matheson ——— Morris & Lexington NE
- 8 McClellan ——— 4th & Marble NW
- 9 McDuffie ——— Solano & Mesa Verde NE
- 10 Mitchell ——— 10121 Comanche NE
- 11 Monroe Green ——— Pampas & Monroe Pl. SE
- 12 Montgomery ——— San Mateo & Ponderosa NE
- 13 Morningside ——— Morningside & Lead SE
- 14 Montano West ——— Cochiti Dr. & Flor de Mayo
- 15 Netherwood ——— Princeton & Morrow NE
- 16 New Holiday ——— East Side of Juan Tabo Blvd NE, South of Osuna Rd
- 17 Novella ——— Prairie & Chama NE
- 18 Old Town Mini-Park ——— 2700 Mountain NE
- 19 Old Town Plaza ——— Romero & Church NW
- 20 Onate, Don Juan de ——— Brentwood Hills & Chelwood NE
- 21 Osage ——— Osage & Atrisco SW
- 22 Oxnard ——— Park & 16th SW
- 23 Parkland Green South ——— Pershing & Aliso SE
- 24 Parkland Green North ——— Pershing Ave. & Morningside Dr. SE
- 25 Pat Hurley ——— Yucca & Bluewater NW
- 26 Pete Padilla ——— 1700 Barelaz SW
- 27 Prado del Sol ——— Avenida Manana & Avenida del Sol NE
- 28 Quigley ——— San Pedro & Claremont NE
- 29 Quincy ——— Anderson & Quincy SE
- 30 Redlands ——— Tucson Rd. & Alamagordo Dr. NW
- 31 Richmond Green ——— Roma Ave. & Richmond Pl. NE
- 32 Ridge Green ——— Ridgecrest & Burton SE
- 33 Ridgecrest ——— Ridgecrest & Laurel Circle SE

- 1    ~~Rio Grande~~                    ~~14th & Stover SW~~
- 2    ~~Robinson~~                    ~~8th & Central NW~~
- 3    ~~Roosevelt~~                    ~~Coal & Sycamore SE~~
- 4    ~~Ross~~                    ~~Ross & Crest SE~~
- 5    ~~Ross Enchanted~~                    ~~Phoenix & Algodones NE~~
- 6    ~~San Mateo~~                    ~~San Mateo & Constitution NE~~
- 7    ~~Sandia Vista~~                    ~~Chico & Jane NE~~
- 8    ~~Santa Barbara~~                    ~~Edith & Rosemont NE~~
- 9    ~~Sasser Green~~                    ~~Lead & Aliso SE~~
- 10   ~~Sister Cities~~                    ~~Harper & McKinney NE~~
- 11   ~~Snow~~                    ~~9501 Indian School NE~~
- 12   ~~Snow Heights~~                    ~~Pennsylvania & Constitution NE~~
- 13   ~~Soldiers & Sailors~~                    ~~Central & 13th NW~~
- 14   ~~S. Broadway Swimming Pool~~                    ~~Galena St. & Anderson Ave. SE~~
- 15   ~~South San Jose~~                    ~~San Jose & Mechem SE~~
- 16   ~~Spruce~~                    ~~Roma & Spruce NE~~
- 17   ~~Stardust Skies~~                    ~~Bellrose & Pennsylvania NE~~
- 18   ~~Summer Hills~~                    ~~Summer & Algodones NE~~
- 19   ~~Summit~~                    ~~Richmond & Constitution NE~~
- 20   ~~Supper Rock~~                    ~~Monte Alto Pl. & Turner Dr. NE~~
- 21   ~~Taylor~~                    ~~Indian School & Pennsylvania NE~~
- 22   ~~Tiguex~~                    ~~19th & Mountain NW~~
- 23   ~~Tingley Beach~~                    ~~Tingley Drive, south of Central Bridge~~
- 24   ~~Tingley Field~~                    ~~10th and Atlantic, S.W.~~
- 25   ~~Trumbull~~                    ~~Trumbull & Pennsylvania SE~~
- 26   ~~Vail~~                    ~~Washington & Pampas SE~~
- 27   ~~Valley Haven~~                    ~~Headingly & Manchester NW~~
- 28   ~~Valley Gardens~~                    ~~Apple Valley & Sorrel Lane SW~~
- 29   ~~Valley Neighborhood~~                    ~~San Isidro & Cherokee NW~~
- 30   ~~Valley Park School~~                    ~~Candelaria Rd. West of 13th St. NW~~
- 31   ~~Vista Verde~~                    ~~Hannett Pl. & Hannett Ave. NE~~
- 32   ~~Wade Circle~~                    ~~Wade St. & Wade Circle NE~~
- 33   ~~Wells~~                    ~~5th & Mountain NW~~

1 ~~Wellesley~~ ~~Lead & Wellesley SE~~  
2 ~~Westgate Addition~~ ~~Sonya Ave. & Sapphire St. SW~~  
3 ~~West Mesa~~ ~~Fortuna & Glenrio NW~~  
4 ~~Whittier~~ ~~1110 Quincy SE~~  
5 ~~Zia~~ ~~440 Jefferson NE~~  
6 ~~Zuni~~ ~~Prospect & Mesilla NE-~~

7 SECTION 2. The City of Albuquerque Code of Resolutions § 6-5-2  
8 (Resolution 257-1978, as amended) designating public areas where drinking  
9 alcohol is permitted, is hereby amended as follows:

10 “(A) For purposes of the provisions contained in the Criminal Code  
11 relating to drinking in public, the consumption of alcohol liquors (“Alcoholic  
12 Liquors”) or beer (“Beer”), as those terms are defined in Section 4-5-2 ROA  
13 1994, is prohibited in all City parks except for the following public park and  
14 recreation areas [are] designated as those [public areas] where the [drinking  
15 consumption] of [alcoholic beverages will be Alcoholic Liquors or Beer is  
16 permitted:

17 (1) Los Altos Park, but only between the hours of 8:00 a.m. and  
18 10:00 p.m., except that no consumption of alcoholic beverages will be allowed  
19 in the swimming pool and skate park areas];

20 (2) U.S.S. Bullhead Park, but only between the hours of 8:00 a.m.  
21 and 10:00 p.m.;

22 (3) ~~[Only the fenced off northernmost area of San Gabriel Park~~  
23 ~~which is designated for use by reservation and payment of permit fee to the~~  
24 ~~Cultural and Recreational Services Department~~ Balloon Fiesta Park];

25 (4) ~~[Sports Stadium~~ Isotopes Park];

26 (5) ~~[Sunport Swimming Pool~~ New Mexico Veterans Memorial];

27 (6) Los Altos Golf Course;

28 (7) Arroyo del Oso Golf Course;

29 (8) Ladera Golf Course;

30 (9) Puerto del Sol Golf Course;

31 (10) ~~[Albuquerque Tennis Complex~~ Jerry Cline Recreation and  
32 Tennis Center];

33 (11) ~~[Sierra Vista West Complex~~ Poblanos Field Open Space];

1 (12) Barelás Railroad Ballfields;

2 (13) Vietnam Veterans Memorial Park (no consumption of alcoholic  
3 beverages will be allowed during school hours);

4 (14) ~~[Civic Plaza and the Crossroads Pedestrian Mall, provided,~~  
5 ~~however, that the drinking of alcoholic liquors at Civic Plaza and the~~  
6 ~~Crossroads Pedestrian Mall is permitted only during special events at which~~  
7 ~~the drinking of alcoholic liquors is allowed by a permit approved by the Mayor~~  
8 ~~or designee. Drinking of alcoholic beverages at the Crossroads Pedestrian~~  
9 ~~Mall shall also be permitted pursuant to the liquor license held by~~  
10 ~~Albuquerque Plaza Partners d/b/a Hyatt Regency Albuquerque upon execution~~  
11 ~~by Albuquerque Plaza Partners of a revocable permit with the city. Carolino~~  
12 ~~Canyon Open Space;~~

13 (15) Elena Gallegos Open Space (Reservation Only); and

14 (16) Open Space Visitors Center.]

15 (B) [Notwithstanding the provisions of Subsection ‘(A)’ above, Alcoholic  
16 Liquors or Beer may be sold, served or consumed at any park, open space, or  
17 other city recreation location, including but not limited to Civic Plaza or any  
18 park hosting Summerfest, during special events if specifically permitted  
19 pursuant to the terms of any Special Event Permit, Park Use Agreement, or  
20 other valid permit issued by the City.] Alcoholic liquors may be sold, served or  
21 consumed at ~~[the Civic Auditorium, the Albuquerque Sports Stadium and]~~  
22 such other municipal facilities where the city in the future obtains  
23 governmental liquor licenses, only in accordance with the laws applicable to  
24 governmental liquor licenses, the terms of any lease agreements between the  
25 city and its tenants or facility users and such others reasonable rules,  
26 regulations, and policies regarding said facilities as the city may adopt from  
27 time to time.

28 (C) All other [developed] public park[s] and recreation areas not  
29 designated in division (A) above will be posted as not permitting the drinking  
30 of alcoholic beverages.”

31 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
32 clause, word or phrase of this resolution is for any reason held to be invalid or  
33 unenforceable by any court of competent jurisdiction, such decision shall not

1 affect the validity of the remaining provisions of this resolution. The Council  
2 hereby declares that it would have passed this resolution and each section,  
3 paragraph, sentence, clause, word or phrase thereof irrespective of any  
4 provision being declared unconstitutional or otherwise invalid.

5 SECTION 4. EFFECTIVE DATE. This resolution shall take effect five days  
6 after publication by title and general summary.

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