

# 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- 9 where alcohol consumption is prohibited, is hereby repealed and deleted.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 SECTION 2. The City of Albuquerque Code of Resolutions § 6-5-2
- 11 (Resolution 67-1982, as amended) designating public areas where drinking
- 12 alcohol is permitted, is hereby amended as follows:
- 13 “(A) For the purposes of the provisions contained in the Criminal Code
- 14 relating to drinking in public, the consumption of alcohol liquors (“Alcoholic
- 15 Beverages”), as that term is defined in Section 13-2-2 ROA 1994, is prohibited
- 16 in all City parks except for the following public park and recreation areas
- 17 designated as those where the consumption of Alcoholic Beverages is
- 18 permitted:
- 19 (1) Los Altos Park, but only between the hours of 8:00 a.m. and
- 20 10:00 p.m., except that no consumption of Alcoholic Beverages will be allowed
- 21 in the swimming pool and skate park areas;
- 22 (2) U.S.S. Bullhead Park, but only between the hours of 8:00 a.m.
- 23 and 10:00 p.m.;
- 24 (3) Balloon Fiesta Park;
- 25 (4) Isotopes Park;
- 26 (5) New Mexico Veterans Memorial;

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- 1 (6) Los Altos Golf Course;  
2 (7) Arroyo del Oso Golf Course;  
3 (8) Ladera Golf Course;  
4 (9) Puerto del Sol Golf Course;  
5 (10) Jerry Cline Recreation and Tennis Center;  
6 (11) Poblanos Field Open Space;  
7 (12) Barelas Railroad Ballfields;  
8 (13) Vietnam Veterans Memorial Park (no consumption of Alcoholic  
9 Beverages will be allowed during school hours);  
10 (14) Carolino Canyon Open Space;  
11 (15) Elena Gallegos Open Space (Reservation Only); and  
12 (16) Open Space Visitors Center.

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

25 (C) All other developed public parks and recreation areas not designated  
26 in division (A) above will be posted as not permitting the drinking of Alcoholic  
27 Beverages.”

28 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,  
29 clause, word or phrase of this resolution is for any reason held to be invalid or  
30 unenforceable by any court of competent jurisdiction, such decision shall not  
31 affect the validity of the remaining provisions of this resolution. The Council  
32 hereby declares that it would have passed this resolution and each section,

1 paragraph, sentence, clause, word or phrase thereof irrespective of any  
2 provision being declared unconstitutional or otherwise invalid.

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

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