



# City of Albuquerque

City of Albuquerque  
Government Center  
One Civic Plaza  
Albuquerque, NM 87102

## Legislation Details (With Text)

**File #:** EC-22-51

**Type:** Executive Communication      **Status:** Enacted

**File created:** 4/4/2022      **In control:** City Council

**Final action:** 4/4/2022

**Enactment date:**      **Enactment #:**

**Title:** Veto of O-22-3, Repealing Enactment No. O-2019-008 (Council Bill No. O-19-48) Which Enacted Article 17, Chapter 13, ROA 1994, "The Albuquerque Clean & Green Retail Ordinance" Which Limited The Use Of Plastic Single-Use Carryout Bags, Created A Clean & Green Business Program, And Provided For Administrative Enforcement Regulations

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. EC-51.pdf

| Date     | Ver. | Action By    | Action                                    | Result |
|----------|------|--------------|---|--------|
| 4/4/2022 | 1    | President    | Immediate Action Pursuant to City Charter |        |
| 4/4/2022 | 1    | City Council | Immediate Action Pursuant to City Charter |        |
| 4/4/2022 | 1    | City Council | Override                                  | Pass   |



TIMOTHY M. KELLER, MAYOR

CITY OF ALBUQUERQUE

OFFICE OF THE MAYOR/ CHIEF ADMINISTRATIVE OFFICE

## INTEROFFICE MEMORANDUM

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**TO:** CITY COUNCIL  
**FROM:** TIMOTHY M. KELLER, MAYOR  
**SUBJECT:** VETO OF O-22-3, REPEALING ENACTMENT NO. O-2019-008 (COUNCIL BILL NO. O-19-48) WHICH ENACTED ARTICLE 17, CHAPTER 13, ROA 1994, "THE ALBUQUERQUE CLEAN & GREEN RETAIL ORDINANCE" WHICH LIMITED THE USE OF PLASTIC SINGLE-USE CARRYOUT BAGS, CREATED A CLEAN & GREEN BUSINESS PROGRAM, AND PROVIDED FOR ADMINISTRATIVE ENFORCEMENT REGULATION  
**DATE:** MARCH 25, 2022

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Veto of O-22-3, Repealing Enactment No. O-2019-008 (Council Bill No. O-19-48) Which Enacted Article 17, Chapter 13, ROA 1994, "The Albuquerque Clean & Green Retail Ordinance" Which Limited The Use Of Plastic Single-Use Carryout Bags, Created A Clean & Green Business Program, And Provided For Administrative Enforcement Regulations

As a former legislator, I write to you not taking lightly the Executive Veto power and also with the acknowledgement that this action may not ultimately stand. I am communicating my action and my reasoning to ask that City Council consider sustaining this action and postpone a wholesale repeal of the Clean and Green ordinance to allow proper study of its impact research alternatives that may better help our city achieve our sustainability goals and keep our city clean.

I also want to note that discourse on this issue has become unnecessarily divisive for our community, and resulted in some completely inappropriate personal attacks from some members of the public. These words and actions are to be condemned outright by myself, are never acceptable in our city from anyone regardless of broader political persuasion, and I trust are similarly condemned by all Councilors.

Rather than an outright repeal, there are multiple paths we can take to improve the existing ordinance, and I am committed to working with the City Council to do just that. My Administration supports the Clean and Green Ordinance and I am executing my veto authority against O-22-3, because of the current flexibility it allows for the department to best determine how it will benefit Albuquerque.

For decades the dedicated staff at Solid Waste led the recycling efforts in New Mexico. The City of Albuquerque started curbside recycling in 2012, and the sustainable innovations that started at Solid Waste continue to this day. Our employees at Solid Waste have made Albuquerque greener and we thank them.

Additionally, the Administration supports related and important policies reflected in Councilor Pena's recent resolution that will establish a framework to inform City leaders on how to increase residential recycling by 36,000 tons and a 5% commercial recycling expansion by 2025. Rather than end our Clean and Green work, our Administration finds it better to support and work with Councilor Pena, and any others who wish to further refine and improve all polices to help us be more 'clean and green.'

