



Legislation Text

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CITY of ALBUQUERQUE
TWENTY FIRST COUNCIL

COUNCIL BILL NO. R-14-39 ENACTMENT NO. _____

SPONSORED BY: Brad Winter

RESOLUTION

Amending The City Of Albuquerque Code Of Resolutions Sections Pertaining To The Consumption Of Alcohol In City Parks, Recreational Facilities And Open Space Lands (Winter)
AMENDING THE CITY OF ALBUQUERQUE CODE OF RESOLUTIONS SECTIONS
PERTAINING TO THE CONSUMPTION OF ALCOHOL IN CITY PARKS, RECREATIONAL
FACILITIES AND OPEN SPACE LANDS.

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

SECTION 1. The City of Albuquerque Code of Resolutions § 6-5-1 (Resolution 257-1978, as amended) designating certain neighborhood parks where alcohol consumption is prohibited, is hereby repealed and deleted.

SECTION 2. The City of Albuquerque Code of Resolutions § 6-5-2 (Resolution 67-1982, as amended) designating public areas where drinking alcohol is permitted, is hereby amended as follows:

“(A) For the purposes of the provisions contained in the Criminal Code relating to drinking in public, the consumption of alcohol liquors (“Alcoholic Beverages”), as that term is defined in Section 13-2-2 ROA 1994, is prohibited in all City parks except for the following public park and recreation areas designated as those where the consumption of Alcoholic Beverages is permitted:

(1) Los Altos Park, but only between the hours of 8:00 a.m. and 10:00 p.m., except that no consumption of Alcoholic Beverages will be allowed in the swimming pool and skate park

areas;

- (2) U.S.S. Bullhead Park, but only between the hours of 8:00 a.m. and 10:00 p.m.;
- (3) Balloon Fiesta Park;
- (4) Isotopes Park;
- (5) New Mexico Veterans Memorial;
- (6) Los Altos Golf Course;
- (7) Arroyo del Oso Golf Course;
- (8) Ladera Golf Course;
- (9) Puerto del Sol Golf Course;
- (10) Jerry Cline Recreation and Tennis Center;
- (11) Poblanos Field Open Space;
- (12) Barelas Railroad Ballfields;
- (13) Vietnam Veterans Memorial Park (no consumption of Alcoholic Beverages will be allowed during school hours);
- (14) Carolino Canyon Open Space;
- (15) Elena Gallegos Open Space (Reservation Only); and
- (16) Open Space Visitors Center.

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

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

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

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

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

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