

CITY of ALBUQUERQUE

TWENTY FIRST COUNCIL

COUNCIL BILL NO. R-14-39 ENACTMENT NO. R-2014-023

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9 where alcohol consumption is prohibited, is hereby repealed and deleted.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;

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

- 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) Barelmas 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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1 PASSED AND ADOPTED THIS 21st DAY OF April, 2014
2 BY A VOTE OF: 7 FOR 1 AGAINST.

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4 Against: Lewis

5 Excused: Winter

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9 Ken Sanchez, President
10 City Council

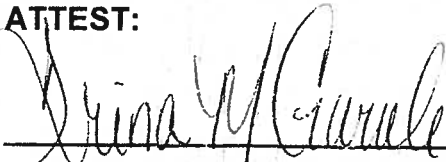
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14 APPROVED THIS 2nd DAY OF May, 2014

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18 Bill No. R-14-39

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21 Richard J. Berry, Mayor
22 City of Albuquerque

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25 ATTEST:

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28 Trina M. Gurule, Acting City Clerk