



Legislation Text

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CITY of ALBUQUERQUE
TWENTY FOURTH COUNCIL

COUNCIL BILL NO. R-20-54 ENACTMENT NO. _____

SPONSORED BY: Brook Bassan and Trudy E. Jones

RESOLUTION

Urging The New Mexico Department Of Regulation And Licensing To Provide A Method For Temporary Expansion Of Liquor Service Areas For Restaurants And Bars; Establishing Policy For The City To Similarly Authorize Such Expansions Through Its Local Option Authority (Bassan, Jones)

WHEREAS, on March 11, 2020, Governor Michelle Lujan Grisham issued Executive Order 2020-004, Declaring a Public Health Emergency in New Mexico relating to the spread of COVID-19; and

WHEREAS, in subsequent weeks the New Mexico Department of Health has issued orders limiting public gatherings and requiring non-essential businesses to close or limit business activity; and

WHEREAS, unfortunately, local businesses, including restaurants local breweries, pubs, and bars, together with retail and service employees in the City, have been severely impacted by the public health emergency; and

WHEREAS, after several weeks of mandatory closures, it appears that the state of emergency has improved at least enough to contemplate the re-opening of restaurants and other liquor serving establishments within the foreseeable future at limited capacity and with greater physical distancing and other safeguards in place; and

WHEREAS, the profit margin within restaurants and other liquor-serving establishments with onsite consumption can often be very narrow, and liquor service is an important component to the

success of these businesses; and

WHEREAS, restaurants and similar service-oriented businesses may need to expand their floorplans, perhaps into parking lots and other outdoor areas, in order to offer enough seating space to patrons to stay in business, and to otherwise allow outdoor service; and

WHEREAS, a restaurant or similar licensed liquor establishment can serve alcohol for onsite consumption only within the floor plan approved as part of its liquor license, which usually corresponds with their normal food service area; and

WHEREAS, in addition to the liquor service area authorized for any given license, licensees may also seek approval for temporary special dispenser operations which allows liquor service outside of their normal service area - usually at a remote location; and

WHEREAS, although special dispenser permits are usually reserved for temporary operations at a remote location, the temporary dispenser process may offer a reasonable means for a restaurant, brewery, pub, bar, or similar establishment to temporarily expand their liquor service area at their licensed premise to correspond with any temporary expansion of their general operational footprint.

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

Section 1. The City encourages the State Regulation and Licensing Division to authorize temporary liquor service area expansions to allow businesses to adjust to the current public health emergency through the approval of special dispenser permits for this purpose, or through any other reasonable and expedited means.

Section 2. The City shall, through its local option authority, authorize special dispenser permits or other temporary authorizations approved by the State of New Mexico to temporarily authorize liquor service expansions for license holders at their licensed premises as a means of helping these businesses adjust their operations during the public health emergency.

Section 3. Notwithstanding Section '2' above, nothing herein is intended to alter any process or alter any requirement, or health, safety, and general welfare provision, of the City's Liquor Control Ordinance.