

# 84230

P. 1187-1188

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ORDINANCE 84-3  
"SPECIAL DISPENSER'S PERMIT"

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR THE COUNTY OF TORRANCE, STATE OF NEW MEXICO.

SECTION 1: TITLE AND AUTHORITY - This ordinance may be cited as "SPECIAL DISPENSER'S PERMIT ORDINANCE" and is adopted pursuant to Section 60-6A-12 New Mexico Statutes Annotated, 1978.

SECTION 2: DECLARATION OF PURPOSE - To be able to dispense alcohol at a community celebration with a special permit.

SECTION 3: REGULATIONS -

- A. Application must be submitted to the department 15 days prior to the event.
- B. 'Dispenser Licensee' - means any licensee authorized to sell alcoholic beverages by drink (on premise). Does not include Canopy, Restaurant, Club & Governmental.
- C. If location of celebration will be outside of municipal limits, license must be one which is within the county unincorporated area.
- D. No alcoholic beverages may be served within 300 feet of a church or school, unless alcoholic beverages were sold at location prior to July, 1981.
- E. The privilege of permit is not to exceed 12 hours, unless celebration is a community fiesta, artistic, cultural, or athletic competition held in a municipally owned convention center, civic center, or auditorium, then is not to exceed 15 days.
- F. If a Sunday is included, dispenser licensee must have a 'Sunday Sales Permit'.
- G. A group or persons in charge of a function must grant a concession to the holder of a dispenser license to cater alcoholic beverages at the public celebration or function.
- H. The dispenser licensee is the only one allowed to furnish alcoholic liquors for the event.
- I. The dispenser licensee, having received the concession, must then make application to the department, to use his license at the location for the public celebration or function.
- J. Any gross sales proceeds from the sale of liquor shall be reported through the gross receipt number assigned to the dispenser licensee for his regularly licensed location.

- K. The group or person(s) sponsoring the celebration may not benefit from the sale of liquor.
- L. The dispenser licensee may donate the proceeds, or any part thereof, if any, to the organization, but must first remit the applicable gross receipts tax under the number assigned to his regular licensed business.
- M. The licensee may continue to use his license at his licensed location and at the location of the event simultaneously.
- N. Acknowledgement must be obtained from the local governing authority, and person signing must state his title or position.

SECTION 4: FEES - The fee is \$10/day for each day that the permittee dispenses alcoholic beverages. The permittee shall be subject to all state laws and regulations and all local regulations regulating dispenser's privileges and disabilities.

SECTION 5: EFFECTIVE DATE - This Special Dispenser's Permit Ordinance shall take effect thirty (30) days after it has been duly recorded in the book kept for that purpose by the County Clerk, pursuant to Section 60-6A-12, NMSA, 1978.

PASSED, ADOPTED AND SIGNED by the Torrance County Board of County Commissioners as Torrance County Ordinance 84-3 and recorded with the Torrance County Clerk this 29<sup>th</sup> day of August, 1984.

STATE OF NEW MEXICO  
County of Torrance

I hereby certify that this instrument was filed for record on the 6<sup>th</sup> day of Sept. A.D., 1984 at 11:30 o'clock A M. and duly recorded in book 200 at page 1187-1188

Witness my hand and Seal of office  
Linda Riley Warner  
County Clerk, Torrance Co., N.M.  
Maryann C. Anaya Deputy

BOARD OF COUNTY COMMISSIONERS

Chairman \_\_\_\_\_

Shirley Chilton  
Member

Torrence Haral  
Member

ATTEST:

Mrs. D. A. D. [Signature]  
Clerk of the Board

