## **CITY of ALBUQUERQUE TWENTY SIXTH COUNCIL**

(	COUNC	IL BILL NO	O-24-46	_ ENACTMENT NO.	0.2024.033			
•	SPONS	ORED BY: Da	n Champine					
	1			ORDINANCE				
	2	2 AMENDING SECTIONS 9-6-10 and 9-6-15 OF THE ALBUQUERQUE FOOD 3 SERVICE AND RETAIL ORDINANCE RELATED TO PERMIT FEES AND						
	3							
	4	ADMINISTR	ATION AND	INTERPRETATION.				
	5	5 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF 6 ALBUQUERQUE:						
	6							
	7	SECTION 1. § 9-6-10 of the Albuquerque Food Service and Retail Ordinance						
	8	is hereby amended as follows:						
7	9	§ 9-6-10 PE	RMIT AND A	DMINISTRATIVE FEES	3.			
	_ 10	(A) Permit	t and adminis	strative fees shall be p	oaid by the Food Establishments			
3	Deletion 12	in accordan	ice with the t	ype of Food Establish	ment, Class, and Risk Category,			
- New	12	as defined i	n the Rules	at the rates in the follo	wing Appendices attached to			
		this Article:						
ater	<b>2</b> 14	(1) App	endix C. Pri	mary Permits;				
Š	Material 15	(2) App	endix D. Sec	condary Permits;				
orec	년 16 전 17	(3) App	endix E. Sta	ndalone Permits;				
Underscored Material	₫ 17	(4) App	endix F. Adr	ninistrative Fees; and				
Jnde	18 19 19	(B) The fo	llowing perm	nit types shall have a (	0.25 multiplier applied to their			
ğ		permit fees.	. This 0.25 m	ultiplier shall only app	ply to the permit types listed			
[Bracketed/	20 21 22 22 22	herein:						
3rac	<u>¥</u> 21	(1) Mobil	le Food Esta	blishments;				
=	22							
	23							
	24	(4) Child Daycare Establishments (Center and Home); and						
	25	(5) Microbusinesses (defined as a company that employs no more than						
	26	seven (7) er	nployees at	any time during the ca	llendar year. Employees include			

1	only those that work full-time or part-time. For startup businesses, the
2	responsible company official shall certify that the business does not expect to
3	employ more than seven (7) employees in the first year of operations. For
4	existing businesses seeking certification as a Microbusiness, the responsible
5	company official shall submit the business's Form ES-903A, Quarterly Wage
6	and Contribution Report, submitted to the New Mexico Department of
7	Workforce Solutions, or Form TRD-31109, Quarterly Wage, Income
8	Withholding and Workers' Compensation Fee Report submitted to the New
9	Mexico Taxation and Revenue Department as proof of meeting the definition of
10	Microbusiness.)
11	SECTION 2. § 9-6-15 of the Albuquerque Food Service and Retail Ordinance
12	is hereby amended as follows:
13	§ 9-6-15 ADMINISTRATION AND INTERPRETATION. The Enforcement
14	Authority shall be responsible for the administration and enforcement of this
15	Ordinance. In the event of a conflict between the provisions of the
16	Albuquerque Food Service and Retail Ordinance and any administrative rules
17	promulgated by the City Administration and/or Environmental Health
18	Department, the provisions of this Ordinance shall prevail.
19	SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause,
20	word or phrase of this Ordinance is for any reason held to be invalid or
21	unenforceable by any court of competent jurisdiction, such decision shall not
22	affect the validity of the remaining provisions of this Ordinance. The Council
23	hereby declares that it would have passed this Ordinance and each section,
24	paragraph, sentence, clause, word or phrase thereof irrespective of any
25	provision being declared unconstitutional or otherwise invalid.
26	SECTION 4. COMPILATION. SECTIONS 1 and 2 of this Ordinance amend,
27	are incorporated in, and are to be compiled as part of the Revised Ordinances

are incorporated in, and are to be compiled as part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 5. EFFECTIVE DATE. This Ordinance takes effect five days after publication by title and general summary.

31 32

28

29

30

X:\CL\SHARE\CL-Staff\\_Legislative Staff\Legislation\26 Council\O-46final.docx

1	PASSED AND ADOPTED THIS7 <sup>th</sup> DAY OF <u>October</u> , 2024						
2	BY A VOTE OF: 7 FOR 1 AGAINST.						
3							
4	FOR: Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers						
5	AGAINST: Sanchez						
6	EXCUSED: Baca						
7							
8							
9	Dan Lewis, President						
10	City Council						
11							
12							
13	15 2911						
14	APPROVED THIS, 2024						
15							
16							
<sub>=</sub> 17							
- New Jeletion	Bill No. Q-24-46						
_	, $M$						
Material +   22   22   22   23   24   25   25   25   25   25   25   25	$\mathcal{O}$ . $\mathcal{O}$						
Materia 72 faterial 72 72 72 72 72 72 72 72 72 72 72 72 72 7	L- MW						
	Timothy M. Keller, Mayor						
23	City of Albuquerque						
24							
P							
[+Bracketed/Underscored Bracketed/Strikethrough N 62 8 2 9 5 7 8 6	ATTEST:						
9 27 27							
28	The feet						
	Ethan Watson, City Clerk						
- 00							
31							
32	•						
33	3						