

D-2015-030

**CITY OF ALBUQUERQUE
CITY COUNCIL**

INTEROFFICE MEMORANDUM

TO: Richard J. Berry, Mayor

FROM: Jon K. Zaman, Director of Council Services

Jon 11/12/15

SUBJECT: Transmittal of Legislation

Transmitted herewith is Bill No. F/S O-15-55 Amending The Health, Safety And Sanitation Ordinance (Harris), which was passed at the Council meeting of November 2, 2015, by a vote of 9 FOR AND 0 AGAINST.

In accordance with the provisions of the City Charter, your action is respectfully requested.

JKZ:dm
Attachment
11/5/15

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1 (E) The 4th of July weekend presents a greatly increased fire risk
2 because of the widespread use of fireworks.

3 (F) The outdoor recreation program for model rocketry is
4 considered a great educational opportunity for city youths. The rocketry
5 program has prepared young participants with lifelong skills such as,
6 persistence, reading instructions, following directions, teamwork and basic
7 science. Model rocket launches under this program are conducted with safety
8 as a priority, under strict adult supervision, and only as permitted by the Fire
9 Department.”

10 SECTION 2. Section 9-20-4 is amended to read as follows:

11 “Section 9-20-4. EXEMPTION.

12 Nothing within this article shall prohibit public displays of fireworks as
13 defined in the Fire Code as adopted in Sections 14-2-1 et seq. ROA 1994, so
14 long as those displays are in strict conformance with the requirements and
15 conditions for public displays as set forth in that code and as approved by
16 the City Fire Chief. Furthermore, nothing within this article shall prohibit the
17 building and launching of model rockets as part of the city summer rocketry
18 program while fire restrictions and bans are issued, provided the launching of
19 rockets is accomplished safely and only as permitted and inspected by the
20 Albuquerque Fire Department.”

21 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
22 clause, word or phrase of this ordinance is for any reason held to be invalid or
23 unenforceable by any court of competent jurisdiction, such decision shall not
24 affect the validity of the remaining provisions of this ordinance. The Council
25 hereby declares that it would have passed this ordinance and each section,
26 paragraph, sentence, clause, word or phrase thereof irrespective of any
27 provision being declared unconstitutional or otherwise invalid.


28 SECTION 4. COMPILATION. This ordinance shall be incorporated in and
29 made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

30 SECTION 5. EFFECTIVE DATE. This ordinance shall take effect five days
31 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 2nd DAY OF November, 2015
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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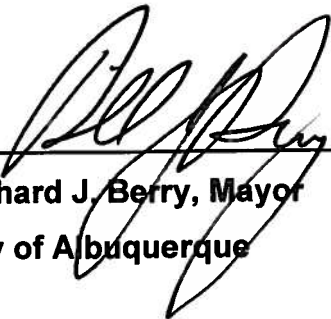


Rey Garduño, President
City Council

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12 APPROVED THIS 19th DAY OF November, 2015

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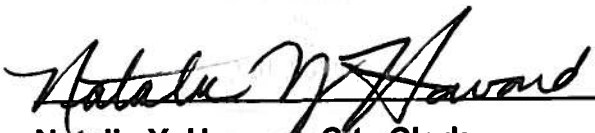
15 Bill No. F/S O-15-55



Richard J. Berry, Mayor
City of Albuquerque

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24 ATTEST:



Natalie Y. Howard, City Clerk

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Health City Sun

AFFIDAVIT OF PUBLICATION

CITY of ALBUQUERQUE
TWENTY-FIRST COUNCIL
COUNCIL BILL NO.
F/S O-15-55
ENACTMENT NO. O-2015-030
SPONSORED BY: Don Harris
ORDINANCE
AMENDING THE HEALTH,
SAFETY AND SANITATION
ORDINANCE.
BE IT ORDAINED BY
THE COUNCIL, THE
GOVERNING BODY OF THE
CITY OF ALBUQUERQUE:
HCS Pub. November 27, 2015

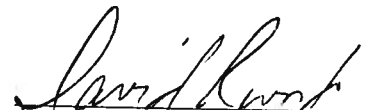
State of New Mexico)
) ss
County of Bernalillo)

David Rivord, being duly sworn declares and says he is the **Publisher** of the Health City Sun, a weekly newspaper published and having a general paid circulation in the State of New Mexico; that the said Health City Sun was entered in the post office at Albuquerque as second class mail matter on September 5, 1930, and has met all requirements of a legal newspaper under the laws of the State of New Mexico.

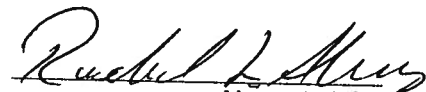
Affiant further states that this newspaper is duly qualified to publish Legal Notices or advertisements within the meaning of Section 14-11-4 of the New Mexico Statutes annotated (1978).

Affiant further states that the publication, a copy of which is hereto attached, was published in said paper in the regular and entire issue of each number of the paper, during the period and time of publication, and that the notice was published in the newspaper proper and not in a supplement thereof for 1 week, the first publication being in the issue of the 27th day of November, 2015, and the last publication being in the issue of the 27th day of November, 2015.

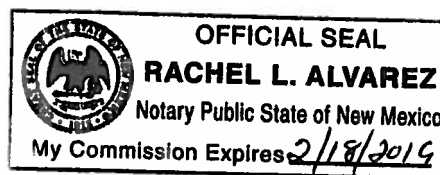
Affiant further states that the costs of publishing said legal notice have been paid, or have been assessed as court costs in the case numbered.


David Rivord, Publisher

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 27th day of November, 2015.


Notary Public

My Commission Expires 2/18/2019



Office Address: 6300 Montano, NW, 2nd floor
Mailing Address: P.O. Box 67560, Albuquerque, NM 87193
Phone: 505-242-3010/Fax: 505-842-5464

Health City Sun

AFFIDAVIT OF PUBLICATION

State of New Mexico)
) ss
County of Bernalillo)

CIUDAD de ALBUQUERQUE
VIGÉSIMO PRIMER CONCEJO
PROYECTO DE LEY
MUNICIPAL NÚM. F/S O-15-55
PROMULGACIÓN NÚM.
O-2015-030

PATROCINADO POR:
Don Harris

ORDENANZA

PARA ENMENDAR LA
ORDENANZA RELATIVA A LA
SALUD, LA SEGURIDAD Y
EL SANEAMIENTO.

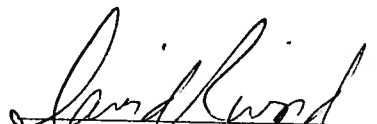
ASÍ LO RESUELVE EL
CONCEJO, ÓRGANO
GOBERNANTE DE LA
CIUDAD DE ALBUQUERQUE:
HCS Pub. November 27, 2015

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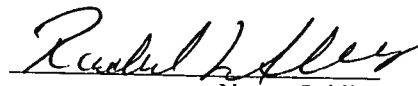
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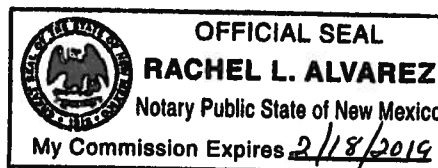
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David Rivord, Publisher

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 27th day of November, 2015.


Rachel L. Alvarez
Notary Public

My Commission Expires 2/18/2019



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