



**CITY OF ALBUQUERQUE
OLD TOWN PORTAL MARKET ADVISORY BOARD
2018 Biennial Report**

Board Members: Chairperson, Ramona Tafoya – Portal Market Vendor representative
Vise Chairperson, Denise Pepin - Portal Market Vendor representative
Alex Nunnally – Old Town Merchant Representative
Sylvia Ramos – Old Town Property Owner Representative
Betty Panos – At Large Representative

City Representative: James S. de Champlon

This Biennial report consists of:

1. Rules and Regulations Governing Soliciting in the H-1 Historic Old Town Zone, pursuant to Ordinance §13-3-2-18 that was ratified November 22, 2017. Arriving at a consensus and drafting the changes to the Regulations had been a process several years in the making.
2. Old Town Portal Market Materials Quality Guidelines for Labeling (as of 3/21/18), which represents many years of implementation and refinement
3. Handcrafted Jewelry Guidelines (as of 3/21/18), which have been developed over the past few years to assist in setting boundaries for what qualifies as a Handcrafted item.
4. Historic Old Town Portal Market Repairs, completed April of 2018, where the benches and walls along the Portal were repaired and Painted.

Please Direct any Questions or Concerns to:

James S. de Champlon
City of Albuquerque
Old Town Portal Market Manager
400 Marquette NW, 6th Floor/Rm 605
Albuquerque, NM 87102
505-768-3561

RULES AND REGULATIONS GOVERNING SOLICITING IN THE H-1 HISTORIC OLD TOWN ZONE, pursuant to Ordinance §13-3-2-18

These Rules & Regulations are adopted pursuant to the Old Town Solicitations Ordinance (the “Ordinance”), being Ordinance No. 20-1991, as amended, which is compiled as Part 2 of Article 3 of Chapter 13, Revised Ordinances of Albuquerque, New Mexico, 1994 governing all soliciting within the H-1 Historic Old Town Zone, §13-3-2-1, *et seq.* ROA 1994.

In the event that these Rules & Regulations herein are in conflict with the provisions of the Old Town Solicitations Ordinance, the provisions of the Ordinance shall prevail.

Terms and words, which are used but not defined in these Rules & Regulations, shall have the same meaning as defined in the Old Town Solicitations Ordinance. The term MAYOR in these Rules & Regulations, for example, means “The Mayor or the Mayor's designated representative,” as defined in Ord. §13-3-2-4. All hourly times stated within the Rules & Regulations and Ordinance shall be applied reasonably by the Old Town Portal Manager (“Portal Manager”), depending on specific circumstances.

I. GENERAL REQUIREMENTS

A. The terms solicit, soliciting, and solicitation as used in these Rules & Regulations, unless the context otherwise requires, mean selling, offering for sale, bartering, exchanging, peddling or hawking any goods, wares, merchandise, property either real or personal, tangible or intangible, or services, or the making of personal appointments, attempting to procure or the procuring of interviews, or arranging for demonstrations or explanations preliminary to selling, offering for sale, selling and delivering, bartering, exchanging, peddling, or hawking of any of the same.

B. Only those persons holding a valid Old Town Solicitations Permit (“Permit”) issued by the City of Albuquerque may solicit in the H-1 Old Town Historic Zone and then only in the designated area, which is on the porch on the sidewalk along the east side of San Felipe Street, N.W., as designated in the Old Town Solicitations Ordinance. The designated area is divided into fifteen (15) spaces approximately equal in area. All spaces are numbered in sequence beginning with space number one (1) at the south end of the designated area. Spaces numbered one (1) through fourteen (14) are each five (5) feet in width and six (6) feet in depth measured from the building wall. Space fifteen (15) is slightly smaller, to allow for the functioning of the fire door on the western facade of La Placita Restaurant, and so as not to interfere with the business to the north of the vending area. The spaces are marked as shown on Exhibit ‘A’ which is attached hereto.

II. APPLICATION FOR PERMIT

A. As provided in the Old Town Solicitations Ordinance, no more than fifty (50) Craft Units shall be issued Vendor Permits which allow soliciting within the H-1 Historic Old Town Zone. Each Craft Unit may consist of one to three Vendors. Each Vendor Permit issued shall be for a Term of one (1) year commencing on the first day of July of each year and expiring the last day of June the following year; Permits issued after July 1st shall also expire on the same last day of the current Term. Applicants that are not currently participating in the Portal Market program shall complete a studio visit prior to being granted a permit. Applications with applicants that are required to but have not yet successfully completed a studio visit by the application deadline shall be placed on the waiting list.

B. Each applicant shall sign a declaration stating that if the Vendor should become subject by notice from the City of a suspension or revocation of vending privileges due to acts by any member within the Craft Unit of a violent, threatening, menacing or peace disturbing nature, that each member of the Craft Unit agrees to immediately honor any City notice of ban (prohibited presence) from the vicinity (within 100

feet) of Portal Market operations in Old Town and scheduled Vendor lottery meetings at the South Broadway Cultural Center until such time that the resulting suspension or revocation is no longer in effect, or if appealed until the Hearing Officer makes a final determination in the case and any subsequent suspension or revocation is no longer in effect.

C. Craft Unit applications shall be filed with the City of Albuquerque as prescribed by the application. If any of the requirements, as stated in §13-3-2-9 and §V(R) of these Rules & Regulations, have not been met by any of the prospective members within the Craft Unit, then those prospective members shall be removed from the application and the remainder of the Craft Unit may move forward with the application process. The Mayor shall notify each member of the prospective Craft Unit in writing stating the finding of facts that led to the removal of the individual applicant from the application. Any prospective member of a Craft Unit thus affected by such an action shall have all of the rights of appeal as stated in §13-3-2-11. Such appeal shall be filed directly with the Independent Office of Administrative Hearings. Only natural persons may be issued a Permit. Craft Unit members may cooperate in making and selling hand-crafted items. No person may hold more than one active Permit at any given time. Vendors may surrender his or her Permit at any time during the Permit period. Persons that do not hold a current Permit and are not restricted by the previous suspension or revocation of a Permit are eligible to apply for a Permit. A Vendor may be issued a duplicate Permit to replace a valid Permit, which has been lost or destroyed. A fee of five dollars (\$5.00) will be charged for duplicate Permits. In the event that more than (fifty) 50 Craft Units apply, by a cut-off date to be announced by the Mayor, a drawing will be held by the City Clerk to determine the (fifty) 50 Craft Units that shall be granted Permits. Each prospective Craft Unit will be placed into a container and the first (fifty) 50 Craft Units that are drawn will receive Permits upon meeting all other Permit requirements. All other Craft Units drawn will be placed on a waiting list in the order in which they are drawn. In the event that there are fewer than (fifty) 50 Craft Unit applications submitted for Old Town Permits, applicants will be awarded a Permit upon meeting all other Permit requirements. Permits will be awarded on a first-come, first-served basis during the permit period, until (fifty) 50 permits are awarded. After (fifty) 50 permits have been awarded, applicants will be placed on a waiting list in the order in which the applications are received by the City.

D. If a Craft Unit permit is revoked or is surrendered prior to June 30 of any year, the first Craft Unit application in numbered order on the waiting list will be notified in writing that the application for a permit has been granted.

E. Prospective Craft Units that have been accepted into the program shall receive a written notice of acceptance; each such notification shall contain a statement to be signed by the primary member of the Craft Unit. The statement shall contain a declaration that the Craft Unit still desires to participate in the Portal Market program and understands that each of the prospective members within the Craft Unit if issued a Permit will be subject to the provisions of the Old Town Solicitations Ordinance and the Rules & Regulations Governing Soliciting in the H-1 Historic Old Town Zone. Each Craft Unit shall designate upon the application for permit a primary member for that Craft Unit, if a member of a Craft Unit drops out of the Craft Unit during the Permit period, the primary member of the Craft Unit shall give written notification to the Portal Manager of the change in the Craft Unit prior to such change. The Portal Manager shall delete the names of the members of the Craft Unit who have left the Craft Unit. The Primary member of a Craft Unit may dissolve the craft unit at any point in the Permit cycle by notifying the Portal Market manager in writing that the permit is abandoned as of the signed date of such notice. No substitutions or additions may be made to a Craft Unit during the Permit period. If the primary member of a Craft Unit leaves the Craft Unit, the remaining members of the Craft Unit shall choose a primary member between themselves and shall provide the name and current address of the new primary member to the Portal Manager.

F. Prospective Craft Units that receive a Letter of Acceptance to be a Permit Holder shall file with the City within six (6) days the following:

- 1) the signed declaration, accompanied by a nonrefundable payment in the amount of one hundred dollars (\$100) for the Craft Unit Permit fee;
- 2) two (2) photographs of each Vendor in the Craft Unit, that meet the general guidelines of passport photographs: taken within the last six months, 2x2 inches in size, the photographs must be in color, be clear, with a full front view of your face as the primary image, without a hat, head covering, or dark glasses. Photographs which do not meet this standard will not be accepted. ; and
- 3) a copy of his/her valid city business registration for each Vendor in the Craft Unit.

If any of these requirements have not been met by any of the prospective members within the Craft Unit, then those prospective members may be removed from the application and the remainder of the Craft Unit may move forward with the remainder of the application process.

The Mayor, or his designee, shall notify each member of the prospective Craft Unit in writing stating the findings of fact that led to the removal of the individual Vendor from the application. Any applicant thus affected by such an action shall have all of the rights of appeal as stated in §13-3-2-11. Such appeal should be filed directly with the Independent Office of Administrative Hearings. If the signed declaration, accompanied by the Permit fee, the photograph(s), and valid city business registration(s) are not received in the Treasurer's Office within six (6) days of the Craft Unit having received such notification, the Craft Unit will be deemed to have abandoned the Craft Unit's application for a permit.

G. Prospective applicants shall provide to the Portal Manager written notice of any change in name or address as shown on the application within ten (10) days of such change.

III. DAILY VENDING SPACE SELECTION

A. A lottery will be conducted each Wednesday (unless the Vendors are notified otherwise by the Mayor) for a seven day vending period. Whenever possible, the lottery will be conducted at least seven (7) days prior to the beginning of each seven-day vending period.

1. Craft Units, represented by at least one (1) member of the Craft Unit, shall check in for the lottery by 7:45 a.m., Craft Units not present by 7:45 a.m. may still check in and then participate in subsequent days of the lottery following the day that is currently being called. Craft Units that have not checked in by 7:45 a.m. may not participate in the first day to be called. If it is determined by the Portal Manager that any individual Vendor is disturbing the process of the lottery then that Vendor may be asked to leave the immediate area where the lottery is being held so that the lottery may continue undisturbed. In such cases the Craft Unit that the Vendor is representing may remain active in the lottery process. If further effort is required to mitigate any such disturbance by a Vendor during the lottery then the Craft Unit that Vendor is representing may be withdrawn from the lottery process for the remainder of the lottery. Lottery shall commence at 7:45 a.m.

2. For each day covered by the lottery, the Old Town Portal Market Manager shall, using a random number generating device of the Mayor's choosing, enter the numbers of the Craft Units that are present and are seeking solicitation spaces for that day.

3. The device shall select one number at a time until all of the numbers are selected for each day. The Craft Unit number that matches the first number selected shall be assigned to solicitation space number one (1). The Craft Unit number that matches the second number selected shall be assigned to solicitation space number two (2), and so on until fifteen (15) numbers are selected and fifteen (15) spaces are filled.

The process shall continue in order to create a reassignment list. The Craft Unit number that is the sixteenth number selected shall be placed first on the reassignment list, and so on, until all of the Craft Units that wish to vend on that day have received a solicitation space or placement on the reassignment list. The Portal Manager shall repeat this procedure for each day covered by the lottery.

4. The Portal Manager shall determine each day at 9:30 a.m. and 1:00 p.m. if any solicitation spaces are available for assignment or reassignment. If any spaces are available at such times, they shall be available in the following manner for assignment to any Craft Unit that is listed on the reassignment sheet. At 9:30 a.m. and 1:00 p.m., all assignments and reassignments shall be by numerical order on the reassignment list. All 9:30 a.m. and 1:00 p.m. reassignments shall be made only to an empty space, and if more than one space is empty, reassignments shall be made to the spaces in their numerical order beginning with the space with the lowest number. To be considered an empty space, all items from the previous Vendor must be removed from the space prior to the designated time for reassignment.

5. To be assigned to a spot at the 9:30 a.m. and 1:00 p.m. assignment times, the Vendor must be listed on the reassignment list. Placement on the reassignment list after the lottery has taken place may occur by the Vendor wishing to be placed on the list finding the Portal Manager during the day and requesting such placement.

6. A third reassignment may be called at 4:30 p.m. at the discretion of the Portal Manager.

IV. MINIMUM PARTICIPATION REQUIREMENTS FOR CRAFT UNITS

A. Craft Units that claim a space prior to or as part of the 9:30 a.m. reassignment shall be in the process of setting up in the assigned space by 9:45 a.m.;

B. Craft Units that claim a space at the 1:00 p.m. reassignment shall be in the process of setting up in the assigned space by 1:15 p.m.;

C. Craft Units that have not returned to a “nominally set up” space by 12:30 p.m. and have not contacted the Portal Market Manager, may be considered to have abandoned their space for the day and may have their cloth removed from their assigned space; Exceptions for this rule will be documented cases of inclement weather, including but not limited to days where all 15 spaces of the Portal Market have not been assigned by the conclusion of the 9:30 a.m. reassignment;

D. Craft Units absent from the Portal for up to 15 minutes shall display a 5” X 11” or larger sign indicating “Closed” along with a “Will Return” time, for periods of absence in excess of 15 minutes all merchandise shall be covered completely and said sign shall be displayed.

E. Vendors that will be participating in the upcoming permit cycle are required to attend one of two orientation meetings to be held in June leading up to the new permit cycle. The Old Town Solicitations Ordinance and Rules & Regulations Governing Soliciting in the H-1 Historic Old Town Zone will be reviewed. Vendors that have not participated in one of these mandatory meetings will have their permits suspended until such time that they schedule and complete a review of the Old Town Solicitations Ordinance and Rules & Regulations Governing Soliciting in the H-1 Historic Old Town Zone with the Portal Market manager.

V. DAILY SOLICITING RULES & REGULATIONS

A. In conducting solicitations, Vendors shall comply with the Old Town Solicitations Ordinance and these Rules & Regulations and all other applicable laws, ordinances and Rules & Regulations. If the Mayor has a reasonable suspicion that a Vendor is not following the provisions as laid out in this section (V) of

the Rules & Regulations, and determines that the Vendor is either unwilling or unable to comply, then the Mayor may require the vendor to cease soliciting for that day and leave the Old Town Portal Market.

B. Soliciting is to take place only on the designated spaces within the designated area, between the hours of 9:00 a.m. and 9:00 p.m. A Craft Unit shall conduct solicitations only at the space assigned by the Portal Manager to that Craft Unit and only the Craft Unit to which the Portal Manager has assigned the space may conduct solicitations at that space. No Craft Unit shall occupy more than one space nor shall any person save spaces for others.

C. The Portal Market closes at 9:00 p.m. and vending spaces must be clear of all Craft Unit items by 10:00 p.m.

D. Each Vendor who has been assigned a solicitations space by the Old Town Portal Manager shall pay a non-refundable daily user fee of twelve dollars (\$12.00) to the Old Town Portal Manager for the use of the space. Payment shall be made daily to the Old Town Portal Manager or his or her designee prior to 9:30 a.m. on the day the Vendor has been assigned a space, or if a Vendor accepts an assigned space due to reassignment, the daily vending fee of twelve dollars (\$12.00) must be paid before any space is taken over by the Vendor.

E. Vendors must have their Permits fully visible to the public at all times that solicitations are being conducted.

F. Upon receipt of their space assignments, Vendors may begin to place their wares on their assigned spaces at 8:00 a.m., but may not begin soliciting until 9:00 a.m.

G. Vendors shall set up and pack up their wares by themselves. However, if a Vendor has a disability and needs special assistance to meet the requirements of the Old Town Solicitations Ordinance or these Rules & Regulations, the Vendor should contact the Old Town Portal Manager, who will review and may authorize requested accommodations.

H. Vendors shall not obstruct or restrict the free use of the sidewalk along the designated area by pedestrians.

I. Vendors shall not use electronic audio or other media capable devices in such a manner as to be noticeable by anyone in the direct vicinity. The use of devices with speakers or the use of remote speakers in combination with any device is not allowed. The use of headphones that are audible to anyone other than the user is not allowed. The use of headphones or earbud style headphones that are not audible to anyone other than the user is permissible.

J. Vendors shall maintain their solicitations locations in a clean and hazard-free condition.

K. Vendors shall give each customer a numbered receipt from either a preprinted numbered sales receipt book, or a sequentially numbered credit card receipt. Each receipt shall contain his/her Permit number, the date, a brief description of the items sold, and the total dollar amount of the sale.

L. Items to be sold which exceed twelve (12) inches in height shall be placed at the rear of solicitations spaces and in such a manner so as not to restrict the view by the public of traditional hand-crafted items in adjoining solicitations spaces.

M. Display stands, cases, racks, or similar items shall not project more than twelve (12) inches or so, above the sidewalk nor shall they be fastened in any manner to the sidewalk; provided, however, that a work surface not to exceed 36 inches high by 24 inches wide by 18 inches deep, and one folding chair or other chair of equivalent size, may be placed on a space for use by the Vendor (such items shall be placed at the rear of solicitations spaces and in such a manner so as not to restrict the view by the public of traditional hand-crafted items in adjoining solicitations spaces). If blankets or similar items are used, they shall not be glued to the sidewalk nor shall they be fastened to the sidewalk in any other permanent manner.

N. No signs shall be posted on the building along the designated area, nor shall items be leaned against or affixed to the adjacent building, including any of its windows

O. Vendors shall not obstruct or otherwise restrict the view from the two large windows of La Placita Restaurant or its successors.

P. All items involved in the solicitations shall be removed from the designated area promptly upon the cessation of soliciting.

Q. Vendors shall not park their motor vehicles in front of residential properties in the H-I Historic Old Town Zone during the times they are conducting solicitations or are making application for solicitation spaces.

R. Vendors (including all Craft Unit members) must have a New Mexico Gross Receipts Tax Identification number and a current City of Albuquerque Business Registration License. Vendors including all Craft Unit members shall provide evidence of having paid his/her most recently due New Mexico Gross Receipts Taxes to the Old Town Portal Manager by May 15 of each year. Such proof may include but is not limited to showing a New Mexico Taxation and Revenue Department issued CRS Tax Account Status Form (available online) or a letter of good standing. All forms of proof must be dated in the current calendar year. Failure to meet this deadline will result in a suspension of the Craft Unit's Permit and render any application by the offending Craft Unit members for the following Permit cycle as incomplete until evidence is provided, at which time the application may be placed on the waiting list.

S. Vendors (including all Craft Unit members) shall allow site visits to their place(s) of production of hand-crafted items. Such site visits will be conducted by the Old Town Portal Manager or a person designated by the Old Town Portal Manager to verify the ability of the Vendors to produce the items they sell pursuant to the Old Town Solicitations Permit. Such visits shall occur on an annual basis or as often as deemed necessary by the Mayor. Site visits will occur between 8:00 a.m. and 5:00 p.m. and every attempt to give reasonable notice to the Vendor will be made, unless the Old Town Portal Manager or designee deems it is necessary to make a visit without notice and certifies in writing the need for the visit and why no notice should be given.

T. Children under the age of eighteen (18) years shall not be allowed to accompany Vendors when they are vending under the portal.

U. In all matters relating to Vendor participation in the Portal Market program deference shall be given to vendors with special conditions as identified by a Doctor's note or comparable notice.

V. Vendors shall provide to the Old Town Portal Manager written notice of change in Vendor name and or address within ten (10) days of such a change.

VI. ITEMS WHICH MAY BE SOLD IN THE H-1 HISTORIC ZONE

A. As applicable, Vendors shall comply with the provisions of the New Mexico Indian Arts and Craft Sales Act, NMSA 1978, §30-33-1 et seq., as amended.

B. Solicitations shall involve only hand-crafted items which are defined in the Old Town Solicitations Ordinance to mean those objects which are produced through the use of hand and hand tools, displaying a degree of manual skill or dexterity, and include but are not limited to beadwork, basketry, pottery, silver, turquoise and shell jewelry, handwoven cloth and blankets and objects made therefrom, leather goods and wood carving. Such items may be comprised of new materials or machine-made parts or elements, provided that no object which is primarily mass produced or machine-made shall be considered to be hand-crafted. Bread shall not be considered a hand-crafted item.

C. Items such as jewelry shall be labeled for content of all substances if a significant part of the value of the item relates to its content; for example, silver should be labeled as sterling silver, nickel silver, silver plate, surgical steel etc., as appropriate, turquoise should be labeled as natural turquoise, stabilized turquoise, dyed turquoise or reconstituted turquoise etc., as appropriate, and material that has been manufactured to look like more valuable material should be labeled as dyed (identify the material), synthetic, glass, plastic, and so forth as appropriate. Refer to the current Material Quality Guidelines for Labeling sheet for more detailed information on labeling.

D. All items to be sold shall be labeled with a maker's mark, the individual Vendor's mark or Craft Unit's mark, to indicate and verify creation of the item by that person or unit. The maker's mark should be stamped on the item whenever possible, or when using a label, attached in such a manner that the label can be removed but not reattached, whenever possible. The maker's mark shall accompany the Permit application and shall be on file with the City.

VII. MINIMUM SOLICITATIONS

A. Since only a very limited number of solicitation spaces are available, it is reasonable that only those persons having a serious interest in exercising solicitation privileges in the Old Town area be authorized to hold a Permit. Therefore, each Craft Unit will be expected to demonstrate a serious interest in soliciting in Old Town by entering at least one weekly lottery in each four-week period. In addition each Craft Unit shall vend on the Portal Market at least once in each six-week period, unless the Craft Unit has not drawn a space during such time period. Craft Units that are not participating within these guidelines may have their Permits revoked.

VIII. OLD TOWN PORTAL MANAGER

The Old Town Portal Manager is the person so designated by the City's Chief Administrative Officer to daily monitor the solicitations area, insure compliance with the Old Town Solicitations Ordinance, these Rules & Regulations, and other applicable Rules & Regulations and laws. The Portal Manager may give warnings and initiate complaints, as appropriate, for violations of the Old Town Solicitations Ordinance, these Rules & Regulations, or other laws, and suspend or revoke Permits.

IX. OLD TOWN PORTAL MARKET ADVISORY BOARD

A. At an appropriate time more than thirty (30) days prior to the expiration of the term of a member of the Old Town Advisory Board representing the interests of the Vendors, the Old Town Portal Manager shall schedule a meeting of Vendors for the purpose of recommending to the Mayor a person or persons to serve on the Old Town Portal Market Advisory Board. A majority of the Vendors present at that meeting shall determine the method by which a person, who is to be recommended to the Mayor, shall be chosen.

B. At an appropriate time more than thirty (30) days prior to the expiration of the term of a member of the Old Town Advisory Board representing the interests of the merchants or property owners in the H-1 Historic Zone, the Old Town Portal Manager shall schedule a meeting of merchants and property owners for the purpose of recommending to the Mayor a person or persons to serve on the Old Town Portal Market Advisory Board. A majority of the merchants and property owners present at that meeting shall determine the method by which a person, who is to be recommended to the Mayor, shall be chosen.

C. Evidence of owning property in the H-1 Zone shall be determined by reference to the list of property owners at the County Assessor's Office. Evidence of being a merchant shall be a current City business registration license for premises in the H-1 Historic Zone. Evidence of being a Vendor shall be a license issued under the ordinance regulating solicitations in Old Town.

XI. VIOLATIONS OF THE ORDINANCE OR RULES & REGULATIONS

A. Persons who have had a Permit revoked for violating any provision of the Ordinance § 13-3-2-1 et seq. or these Rules & Regulation, including but not limited to 1) selling items that have not been handcrafted by the Craft Unit or misrepresenting the content and therefore the value of an item in a significant way, or 2) violent, abusive, or indecent conduct on or about the Portal which tends to disturb the peace or has maliciously disturbed, threatened any person, 3) conduct in an insolent manner, intentionally touching or applying force to any person, or 4) criminal or other violations of the law adversely impacting the Portal Market or the health, safety and welfare of individuals within the H-1 Old Town Historic District shall not be issued another Permit for a period of up to (10) ten years from the date of such revocation. Vendors who are in the process of having a Permit suspended or revoked shall not be issued another Permit until the suspension or revocation process has been resolved and or the term of the suspension or revocation of the Permit is no longer in affect. During an existing suspension period or appeal pendency, the City may file a subsequent notice of an extension of the suspension period or a notice of revocation due to ongoing or additional violations described in this Paragraph, which if appealed may be consolidated into a single appeal proceeding at the discretion of the Hearing Officer.

B. Violations of these Rules & Regulations will be treated in the same manner as violations of the Ordinances regulating Soliciting in Old Town. Disciplinary actions may be carried out against the Permit Holding Craft Unit and all of the members therein or individual Vendors within the Craft Unit at the discretion of the City, taking into account the nature and severity of the violation. All Vendor appeals of any suspension, revocation, denial of a Permit, or any other City action noticed pursuant to the Ordinance Regulating Soliciting in Old Town or Rules & Regulations shall be filed with the Independent Office of Administrative Hearings and shall be accompanied by a nonrefundable hearing fee of fifty dollars (\$50.00) no later than fourteen (14) calendars days from the date that the Vendor receives notice. Any Craft Unit and its Vendors shall be deemed to have received notice no later than three (3) days after a notice is sent certified U.S. mail to the Vendor craft group or individual Vendor mailing address listed in the Vendor declaration (or changed mailing address if provided to the City in writing by the Craft Unit or individual). The expiration of the current Permit Term shall not end or render moot any pending appeal of a revocation or denial of a Permit, unless the City withdraws its revocation or denial by written notice to the Craft Unit and Hearing Office.

XII. PENALTY PROVISIONS

1. The first time a violation is recorded regarding of the Ordinance or these Rules & Regulations the Craft Unit and all of the members therein will receive a warning, suspension or revocation of their Permit depending of the severity of the offense.

2. Subsequent violations shall be met with disciplinary actions of increasing severity up to and including suspension, revocation and enforcement of up to a ten (10) year denial in response to a Permit application.

3. A Vendor or the Portal Market Manager, may request mediation between Craft Units and or Vendors individually in lieu of or as an augmentation to other disciplinary actions. Any of the aforementioned parties or any related, affected party may request Community Mediation by contacting the City of Albuquerque Alternative Dispute Resolution (ADR) Office @ 505- 768-4660. Additional information on Community Mediation Services may be found at <http://www/cabq.gov/legal/adr>.

XIII. REPEAL

The Rules & Regulations Governing Soliciting in the H-1 Historic Old Town Zone, which were adopted and became effective on November 14, 1988, and which were amended July 16, 1992, September 23, 1993, April 20, 1995, and March 15, 2011 are hereby repealed and replaced by these Rules & Regulations stated herein.

XIV. EFFECTIVE DATE AND FILING

These Rules & Regulations shall become effective on *November 22, 2017* and these Rules & Regulations shall be filed in the Office of the City Clerk.

OLD TOWN PORTAL MARKET

Materials Quality Guidelines for Labeling as of 3/21/18

Whenever space permits, the use of full words is preferable to the use of abbreviated terms.

Metal	Label	
Sterling Silver.....	“Sterling” or “SS”	<i>When offering a SP chain with a SS pendant, the chain must be labeled “SP”.</i>
Silver Filled.....	“S Filled”	
SS Beads with SP Clasp.....	“SS Beads” or “SS/SP”	
Silver Plate.....	“Silver Plate” or “SP”	
Surgical Steel.....	“Surgical Steel” or “Steel”	
Copper.....	“Copper”	
Copper with Sterling Silver.....	“Copper/Sterling” or “Copper”	
Plastic.....	“Plastic”	<i>“Sterling Silver” earring cards may only be used when all of the metal on the earrings is Sterling Silver.</i>

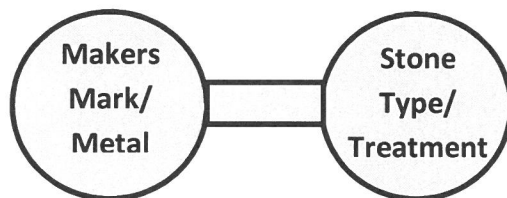
Stone/Treatments	Label	Examples
Natural.....	“Natural (Stone Type)”	“Natural Turq” or “Nat Coral”
Stabilized.....	“Stabilized (Stone Type)”	“Stabilized Coral” or “Stab Turq”
Dyed.....	“Dyed (Stone Type)”	“Dyed Magnesite” or “Dyed Howlite”
Reconstituted.....	“Recon (Stone Type)”	“Recon Turq” or “Dyed Recon Turq”
Glass.....	“Glass”	
Plastic.....	“Plastic”	

More Stones and Variations

Label (may use suitable abbreviations)

Stones Dyed to look like more expensive stones.....	“Dyed Howlite” or “Dyed Magnesite”	
Apple Coral (A Sponge Coral).....	“Stabilized Coral” or “Stab Apple Coral”	
Bamboo Coral.....	“Dyed Bamboo Coral” or “Dyed Coral”	
Hematite.....	“Natural Hematite” or “Hematite”	
Hematine, Hemalike, Hemalyke.....	“Man Made” or “Synthetic” or “Hematine”	
Black Onyx.....	“Onyx” or “Black Onyx” or “Dyed Onyx”	
Goldstone.....	“Man Made” or “Synthetic” or “Goldstone”	
Opalite.....	“Glass”	
Clay, Worked or Built and Decorated by Hand.....	”Hand Made”	(Categories for Clay are open for further review.)
Clay, Cast and then Decorated by Hand.....	”Cast”	

All items for sale on the Portal must be labeled. Labels must include Makers Marks and Metal Type, along with Stone Type and Treatment information such as “Stabilized”, “Dyed” or “Reconstituted”.



Silversmiths must stamp Metal-Worked items with their Makers Mark and Metal Quality Stamp. Silversmiths must include Stone Type and Treatment information either by writing directly on the piece or by including a label.

Handcrafted Jewelry Guidelines

Endorsed by the
Old Town Portal Market Advisory Board
March 21, 2018

1. All Centerpieces and Pendants must be made by the Craft Unit.

2. Premanufactured Special Shape Beads may be used as **Centerpieces** only if they have been significantly altered or enhanced by the Craft Unit.

- The addition of a bale to a Premanufactured Special Shape Bead shall not be allowed unless sufficient alteration or enhancement has been done to qualify the item as a Handcrafted Centerpiece.
- A Premanufactured Special Shape Bead that has been worked into a component that demonstrates significant alteration or enhancement may be used as a Centerpiece.

3. Premanufactured Special Shape Beads may be used as simple beads in an item as long as the piece otherwise demonstrates Executed Design and Craftsmanship by the Craft Unit.

- Stringing Premanufactured Special Shape Beads into Original beadwork on an item is acceptable (but not as a Centerpiece unless it has been significantly altered).
- Simply attaching a Premanufactured Special Shape Bead to an ear-wire without additional embellishment is not acceptable.

Examples of Premanufactured Special Shape Beads are: beads that are representative of iconic symbols such as hearts, crosses, arrow heads and animal shapes (beads that exhibit executed art/design work, other than general shaping not executed by the craft-person).

4. Restringing an already finished product without alteration is not allowed.

5. Restringing an already finished product into a new piece where the pattern has been altered in some significant way is allowed.

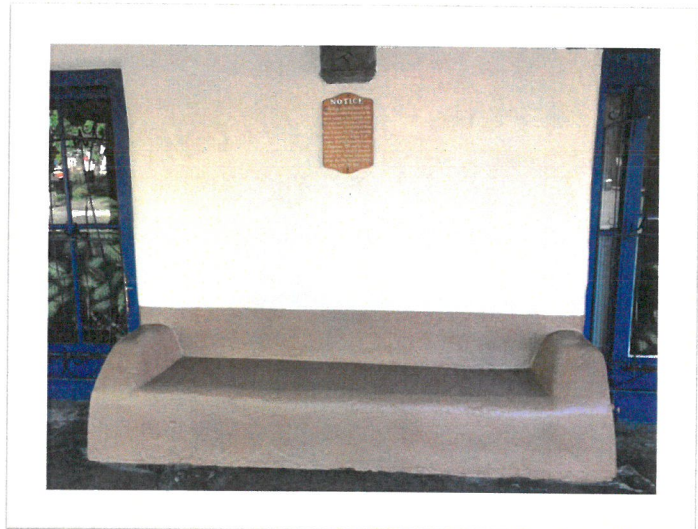
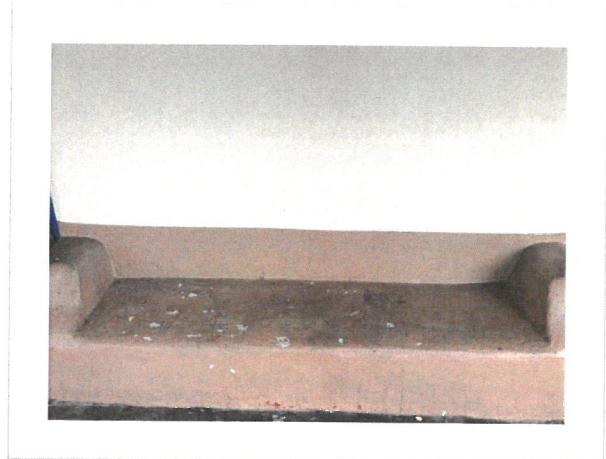
6. Slabs must be cut by the craft unit.

7. Mosaic or Inlaid shells must be made by the craft unit.

8. Stringing Liquid Silver is allowed without restriction.

9. All Metalwork must be done by the Craft Unit, with the exception that the incorporation of premanufactured findings including simple shaped metallic beads, into a piece is allowed.

Historic Old Town Portal Market Repairs Completed April, 2018



In 2008 a working agreement was arrived at with the owners of the property that the Portal Market adjoins, That they would maintain the Portal structure that is attached to the building and the City would maintain the sidewalk where the Portal Market is located (from the wall to the curb). A substantial repair to the sidewalk was completed in April of 2008, and the property owners totally rebuilt the Portal that same year.

Recently the City determined that the condition of the wall and benches that host the Portal Market were in need of repair (similar repairs were last executed approximately 25 years ago), the property owner agreed to allow the City to execute the repairs as the Portal Market was to a large degree responsible for the damage. The first three pictures show portions of the Portal in need of repair, the fourth picture shows the Portal after the repairs to the benches and wall were completed.