

MEETING DATE 7/25/05

AGENDA ITEM Consideration of Adoption of an Ordinance Amending Section 13 03 025 (A) of the Culver City Municipal Code to Grant the City Council Authority to Permit a Beer and Wine Garden to be Conducted in Veterans' Memorial Park During the City's Fiesta La Ballona Event

ATTACHMENTS

		Pages
1	Proposed Ordinance	1-3

ORDINANCE NO 2005-____

AN ORDINANCE OF THE CITY OF CULVER CITY CALIFORNIA, AMENDING SECTION 13 03 025 (A) OF THE CULVER CITY MUNICIPAL CODE TO GRANT THE CITY COUNCIL AUTHORITY TO PERMIT A BEER AND WINE GARDEN TO BE CONDUCTED IN VETERANS MEMORIAL PARK DURING THE CITY'S FIESTA LA BALLONA EVENT

WHEREAS, the Fiesta La Ballona (the 'Fiesta') dates back to the 1950s as a weeklong festival in honor of the City's early settlers During that time, the Fiesta was a celebration of the City's heritage, and included events that evoked pride and reminded residents of Culver City's beginning, and

WHEREAS, over the years, the Fiesta has changed, along with the activities offered, resulting in additional attendance and moving the Fiesta in a direction to become more fiscally viable and eventually generate enough revenue to be financially self-supporting, and

WHEREAS, in an effort to accomplish this goal, the Fiesta La Ballona Committee has researched revenue generating components of successful festivals in other cities, and has identified several cities that have successfully conducted beer and wine gardens at their festivals with no measurable problems, and

WHEREAS, Culver City Municipal Code § 13 03 025 (A) prohibits the consumption of alcohol within any public park but provides for exceptions for the interior of Veterans' Memorial Building and the Ivy Substation, and

WHEREAS, the City Council has determined that the addition of a beer and wine garden as part of the Fiesta activities may enhance the event and increase participation

NOW, THEREFORE the City Council of the City of Culver City California

1 **DOES HEREBY ORDAIN** as follows

2 **SECTION 1** Section 13 03 025 (A) of the Culver City Municipal Code is
3 hereby amended to read as follows

4 § 13 03 025 CONSUMPTION OF ALCOHOLIC BEVERAGES ON STREETS
5 AND PUBLIC PARKS
6

7 A No person shall consume any beer wine or alcoholic beverage
8 while on any street, sidewalk alley, highway, public playground or public
9 park Possession of any bottle, can, or other receptacle, containing any beer,
10 wine or alcoholic beverage which has been opened or a seal broken, or the
11 contents of which have been partially removed, while on any street, sidewalk,
12 alley, highway, public playground or public park creates a rebuttal
13 presumption that the person possessing the same is consuming its contents
14 For purposes of this Section, the interior of the Veterans' Memorial Building or
15 the Ivy Substation shall not be considered to be within a public playground or
16 park, and the consumption of alcohol within a duly licensed outdoor dining
17 area shall not be considered to be on a sidewalk Notwithstanding the
18 provisions of this subsection, the City Council shall have the authority to
19 grant, by resolution, a permit to conduct a beer and wine garden in Veterans'
20 Memorial Park during the City's Fiesta La Ballona event
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23 **SECTION 2** Pursuant to Section 512 of the City Charter this
24 Ordinance shall take effect thirty (30) days after the date of its adoption Pursuant to
25 Sections 514 and 517 of the City Charter prior to the expiration of fifteen (15) days after
26 the adoption the City Clerk shall cause this Ordinance, or a summary thereof, to be
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1 published in the Culver City News and shall post this Ordinance or a summary thereof in at
2 least three places within the City

3 **SECTION 3** The City Council hereby declares that if any provision, section,
4 subsection paragraph sentence phrase or word of this ordinance is rendered or declared
5 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
6 reason of any preemptive legislation, then the City Council would have independently
7 adopted the remaining provisions sections, subsections, paragraphs, sentences, phrases
8 or words of this ordinance and as such they shall remain in full force and effect
9

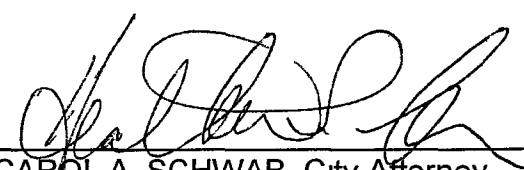
10 APPROVED AND ADOPTED this _____ day of July, 2005
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13 _____
14 ALBERT M VERA, Mayor
City of Culver City, California

15 ATTEST

16 APPROVED AS TO FORM

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18 _____
19 CHRISTOPHER ARMENTA, City Clerk

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22 CAROL A SCHWAB, City Attorney
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ORDINANCE NO 2005-____

AN ORDINANCE OF THE CITY OF CULVER CITY
CALIFORNIA, AMENDING SECTION 13 03 025 (A) OF THE
CULVER CITY MUNICIPAL CODE TO GRANT THE CITY
COUNCIL AUTHORITY TO PERMIT A BEER AND WINE
GARDEN TO BE CONDUCTED IN VETERANS MEMORIAL
PARK DURING THE CITY'S FIESTA LA BALLONA EVENT

WHEREAS, the Fiesta La Ballona (the 'Fiesta') dates back to the 1950s as a
weeklong festival in honor of the City's early settlers During that time, the Fiesta was a
celebration of the City's heritage, and included events that evoked pride and reminded
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gardens at their festivals with no measurable problems, and

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wine garden as part of the Fiesta activities may enhance the event and increase
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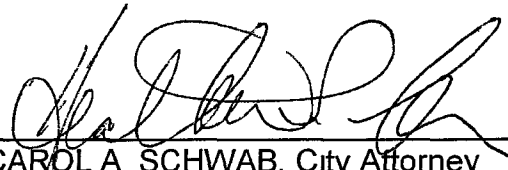
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City of Culver City, California

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