



City of Culver City

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Staff Report Details (With Text)

File #: 19-947 **Version:** 1 **Name:** Consumption of alcoholic beverages on streets and public parks
Type: Minute Order **Status:** Action Item
File created: 2/14/2019 **In control:** City Council Meeting Agenda
On agenda: 2/25/2019 **Final action:**
Title: CC-- (1) Discussion of the City Council Ad-Hoc Subcommittee's Recommendations Relating to the Issuance of Alcohol Use Permits for City-Produced and City-Sponsored Special Events; (2) Introduction of an Ordinance Amending Culver City Municipal Code (CCMC) § 13.03.025, Regarding the Consumption of Alcoholic Beverages on Streets and Public Parks; and (3) Adoption of a Resolution Adopting a City Council Policy Establishing Conditions and Procedures for the Issuance of Alcohol Use Permits.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2019-02-25_ATT 1_Proposed Ordinance Amending 13.03.025.pdf, 2. 2019-02-25_ATT 2_Proposed Resolution Adopting Alcohol Use Permit Policy.pdf

Date	Ver.	Action By	Action	Result
2/25/2019	1	City Council Meeting Agenda		

CC-- (1) Discussion of the City Council Ad-Hoc Subcommittee's Recommendations Relating to the Issuance of Alcohol Use Permits for City-Produced and City-Sponsored Special Events; (2) Introduction of an Ordinance Amending Culver City Municipal Code (CCMC) § 13.03.025, Regarding the Consumption of Alcoholic Beverages on Streets and Public Parks; and (3) Adoption of a Resolution Adopting a City Council Policy Establishing Conditions and Procedures for the Issuance of Alcohol Use Permits.

Meeting Date: February 25, 2019

Contact Person/Dept: Shelly Wolfberg/Assistant to the City Manager

Phone Number: (310) 253-6000

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☐

Public Hearing: ☐ **Action Item:** ☒ **Attachments:** ☒

Commission Action Required: Yes ☐ No ☒ **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (02/19/19);

Department Approval: John M. Nachbar (02/19/19)

RECOMMENDATION

Staff recommends the City Council (1) discuss the City Council Ad-Hoc Committee's recommendations relating to the issuance of alcohol use permits for City-produced and City-sponsored special events; (2) introduce an Ordinance amending Culver City Municipal Code (CCMC) § 13.03.025, regarding the consumption of alcoholic beverages on streets and public parks; and (3) adopt a Resolution adopting a City Council Policy establishing conditions and procedures for the issuance of alcohol use permits.

BACKGROUND/DISCUSSION

Currently, Culver City Municipal Code (CCMC) § 13.03.025.A, regarding the consumption of alcoholic beverages on streets and public parks states:

No person shall consume any beer, wine or alcoholic beverage while on any street, sidewalk, alley, highway, public playground or public park. Possession of any bottle, can or other receptacle, containing any beer, wine or alcoholic beverage which has been opened or a seal broken, or the contents of which have been partially removed, while on any street, sidewalk, alley, highway, public playground or public park creates a rebuttal presumption that the person possessing the same is consuming its contents. For purposes of this Section, the interior of the Veterans' Memorial Building or the Ivy Substation shall not be considered to be within a public playground or park, and the consumption of alcohol within a duly licensed outdoor dining area shall not be considered to be on a sidewalk. ***Notwithstanding the provisions of this Subsection, the City Council shall have the authority to grant by resolution a permit to conduct a beer and wine garden in Veterans' Memorial Park during the City's Fiesta La Ballona event.*** (Emphasis added.)

In the past, individuals and event planners have approached the City Council and staff to request to serve alcoholic beverages at special events held in City parks and on public rights-of-way (such as a street, alley, or sidewalk). CCMC § 13.03.025 does not permit this activity, with the sole exception of a beer and wine garden conducted at the Fiesta La Ballona in Veterans' Memorial Park. In addition, City policy regulating block parties also prohibits alcohol on City public rights-of-way.

On January 14, 2019, the City Council appointed Vice Mayor Sahli-Wells and Council Member Eriksson to an Ad-Hoc Subcommittee of to review CCMC § 13.03.025. Staff from the City Manager's and City Attorney's Offices, as well as the Police, Fire, Community Development, Parks, Recreation and Community Services, Public Works, and Finance Departments have met with the Subcommittee to discuss options in considering amendments to the CCMC, including, but not limited to, the type of alcohol to be served (e.g. beer and wine only, other alcoholic beverages); the location for alcohol to be served (e.g. Veterans' Memorial Park only, all parks, public right-of-way); and the type of events at which alcohol may be served/consumed (e.g. City produced, City-sponsored, private events). Staff and the Subcommittee also discussed various permit conditions which may be imposed to ensure such alcohol use is not detrimental to the public health, safety and welfare.

The Subcommittee's recommendations regarding the service/consumption of alcohol include the following:

1. Beer and wine only; no other alcoholic beverages.
2. In Veterans' Memorial Park only; no other parks.
3. On streets, sidewalks or alleys that have been closed for a special event.
4. City-produced or City-sponsored special events only; no private events (this continues the prohibition on alcohol on public rights-of-way at block parties).

The above recommendations are reflected in the proposed Ordinance amending CCMC § 13.03.025 (Attachment 1). If the City Council determines to introduce the proposed Ordinance, staff recommends adoption of the proposed Resolution (Attachment 2) approving a City Council Policy regarding conditions and procedures for issuance of such alcohol use permits, which would take effect concurrently with the effective date of the Ordinance. As noted in the proposed Policy, there is a particular discussion point the Subcommittee recommends the City Council discuss further (Condition 11 - type of cups used for serving beer/wine).

FISCAL ANALYSIS

There is no fiscal impact for the City Council to discuss this item, introduce the proposed Ordinance and adopt the proposed Resolution.

ATTACHMENTS

1. 2019-02-25 - ATT 1_Proposed Ordinance Amending CCMC § 13.03.025
2. 2019-02-25_ATT 2_Proposed Resolution approving Council Policy re Alcohol Use Permits.

MOTION

That the City Council:

1. Discuss the City Council Ad-Hoc Subcommittee's recommendations relating to the issuance of alcohol use permits for City-produced and City-sponsored special events; and
2. Introduce an Ordinance amending CCMC § 13.03.025 regarding the consumption of alcoholic beverages on streets and public parks; and
3. Adopt a Resolution adopting a City Council Policy establishing conditions and procedures for the issuance of alcohol use permits; and/or
4. Provide alternate direction as deemed appropriate.