



City of Culver City

Mike Balkman Council
Chambers
9770 Culver Blvd.
Culver City, CA 90232

Staff Report

File #: 19-1007, **Version:** 1

Item #: C-5.

CC-Adoption of an Ordinance Amending Culver City Municipal Code Section 13.03.025, Regarding the Consumption of Alcoholic Beverages on Streets and Public Parks.

Meeting Date: March 11, 2019

Contact Person/Dept: Shelly Wolfberg/City Manager's Office

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 (03/06/19);

Department Approval: John M. Nachbar (03/06/19)

RECOMMENDATION

Staff recommends the City Council adopt an Ordinance amending Culver City Municipal Code Section 13.03.025, regarding the consumption of alcoholic beverages on streets and public parks.

BACKGROUND/DISCUSSION

At its meeting of February 25, 2019, the City Council introduced an Ordinance (Attachment 1) amending CCMC Section 13.03.025.A to allow the issuance of alcohol use permits for the consumption of alcoholic beverages on streets and public parks as follows:

1. Beer and wine; 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).

Prior to its introduction, the City Council requested modification to Section 13.03.025.A to define beer and wine to be consistent with state law definitions and consistent with California Department of Alcoholic Beverage Control requirements. The Ordinance has been modified to reference California

Business and Professions Code Sections 23006 and 23007, which define “beer” and “wine” as follows:

“Beer” means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof in water, and includes ale, porter, brown, stout, lager beer, small beer, and strong beer, but does not include sake, known as Japanese rice wine. Beer aged in an empty wooden barrel previously used to contain wine or distilled spirits shall be defined exclusively as “beer” and shall not be considered a dilution or mixture of any other alcoholic beverage.

“Wine” means the product obtained from normal alcoholic fermentation of the juice of sound ripe grapes or other agricultural products containing natural or added sugar or any such alcoholic beverage to which is added grape brandy, fruit brandy, or spirits of wine, which is distilled from the particular agricultural product or products of which the wine is made and other rectified wine products and by whatever name and which does not contain more than 15 percent added flavoring, coloring, and blending material and which contains not more than 24 percent of alcohol by volume, and includes vermouth and sake, known as Japanese rice wine.

The Ordinance, as modified, is brought back for adoption.

In addition, at its February 25th meeting, the City Council adopted a Resolution approving a City Council Policy regarding conditions and procedures for issuance of such alcohol use permits, which will take effect concurrently with the effective date of the Ordinance. Prior to adoption of the Resolution, the City Council made the following modifications to the City Council Policy:

1. Clarify that the definition of beer and wine shall be consistent with the definitions set forth in state law and followed by the California Department of Alcoholic Beverage Control.
2. Specify that beer and wine shall be served in either reusable or compostable containers.

The adopted Resolution, as modified, is attached for reference (Attachment 2). There is no need for City Council action on the Resolution.

FISCAL ANALYSIS

There is no fiscal impact for the City Council to adopt the proposed Ordinance.

ATTACHMENTS

1. 2019-02-25 - ATT 1_Proposed Ordinance Amending CCMC § 13.03.025

2. 2019-02-25_ATT 2_Resolution approving Council Policy re Alcohol Use Permits.

MOTION

That the City Council:

Adopt an Ordinance amending CCMC § 13.03.025 regarding the consumption of alcoholic beverages on streets and public parks.