

CITY OF TALLAHASSEE

CITY COMMISSION AGENDA ITEM

ACTION REQUESTED ON: March 24, 1999

SUBJECT/TITLE: City Property Alcohol Policy Review

TARGET ISSUE: N/A

STATEMENT OF ISSUE

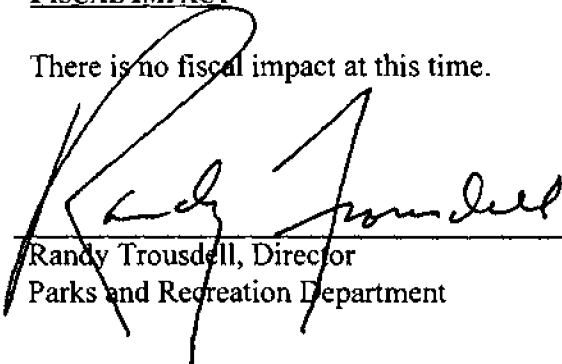
On January 14, 1998 the City Property Alcohol Policy (138CP) was adopted. This policy instituted formal guidelines for the permitting of the use, sale, consumption, or advertising of alcoholic beverages on property owned, leased, or managed by the City of Tallahassee. Included in this policy was a requirement that it be reviewed by the City Commission within one year of adoption after a report by the City Manager as to its effectiveness. This agenda item summarizes some of the critical aspects of the City's alcohol policy utilization in the twelve months that it has been in effect.

RECOMMENDED ACTION


Option 1. Approve report and recommended modifications to the City Property Alcohol Policy as addressed.

FISCAL IMPACT

There is no fiscal impact at this time.



Randy Trousdell, Director
Parks and Recreation Department



for Anita R. Favors
City Manager

For Information, please contact: Debbie Griffin-Bruton Parks and Recreation X3825
Name Department/Office Extension

SUPPLEMENTAL MATERIAL

ITEM TITLE:

Alcohol Policy Review

ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

The alcohol policy was implemented to provide written guidelines for the sale, use, consumption and advertising of alcoholic beverages on City property. While the Downtown Getdowns events are not formally covered under this policy, concern has been expressed about the lack of uniform regulations governing them as compared to all other events regulated by the Alcohol Policy. Specific issues raised included the fact that there is no street barrier system in place, 100% of the revenue from the Getdowns is not going to non-profit organizations and the open container laws are not being followed (e.g., the Doubletree, Clyde's, Andrew's and Sloppy Joe's lounges). Event planners that have already been through the City's alcohol permit/application process have also voiced complaints/concerns about the current policy related to: restrictions put on areas designated for sales, advertisement and consumption for their specific events; open container violations by downtown merchants (Downtown Getdown events); the length of the permitting process; and policy guideline relevance to individual events.

During the course of the past year, eight event requests for alcohol permits have been approved and six denied. Reasons for turning down these events ranged from the fact that the event was not free to the public (Music Fest '99), safety and security of attendees and general public (Fat Tire Festival), requests for sites not approved as an alcohol policy venue (two weddings), and two requests for the picnic pavilions at Tom Brown Park which did not fit into the scope of the policy. Only one event in the past year had asked for the fee to be waived. This event was Springtime Tallahassee, and it was denied due to the fact that fees were not being waived for any event.

Several guidelines have been implemented by the Parks and Recreation Special Events staff to coincide with the adoption of this policy. A Special Event Recreational Permit/Application Booklet (includes procedures, rules and regulations for event planners wishing to serve, sell, consume, and/or advertise alcoholic beverages on City property) was designed, and has been implemented to assist the customer and provide a smooth transition for the permitting process. White, self-standing fencing has been added as a requirement, to be provided by the event planner, for the containment of alcohol sales, distribution and consumption. This ensures those areas remain designated as such. Fees have also been implemented. The current fee structure is as follows:

- Advertisement Only - \$100.00
- Consumption and Advertisement Only - \$250.00
- Consumption, Sales and Advertisement - \$500.00

The following information provides recommendations for modification on specific articles of the policy. These recommendations were made by the Parks and Recreation Department after reviewing the past year's historical data related to comments from events planners and department staff.

Page 2, Special Exception Permitting, paragraph two - The policy states, "*The Manager may issue a continuous special exception for the sale, use, consumption, and advertising of alcoholic beverages for properties owned by the City where the City or long term lessee of the City is the permanent beverage licensee (including, but not limited to, properties such as Hilaman Park Golf Course, Forestmeadows Park and Athletic Center and Tallahassee Regional Airport). Continuous special exceptions may also be issued for the use and consumption only for properties such as (but not limited to) Oven Park and the Brokaw-McDougall house provided that written policies are in place which address the issues of concern with alcohol usage*". Jake Gaither Golf Course was not included in the policy because the course was under construction at the time of policy implementation. The Golf Course has recently been granted a special exception by the City Manager for special events only. **Recommendation:** Prohibit the daily sale, use and consumption of alcoholic beverages at the Jake Gaither Golf Course, but continue the Golf Course special exception permit to be used only for special events held at the facility (i.e., tournaments).

Page 2, Special Exception Permitting - The policy states, "*Written applications shall be filed with the office designated by the manager at least ten (10) working days prior to the special event*". Currently the ten (10) working days does not provide sufficient time to obtain required permits, licenses and insurance. **Recommendation:** Modify policy to increase working days from ten (10) to thirty (30) to allow additional time in which to obtain all State and City permits, licenses and insurance.

Page 3, Special Exception Permitting, e. - *Evidence of insurance, the amount set by the City Manager and the City's Risk Manager.* The type of insurance required needs to be clarified. **Recommendation:** Modify policy to read "*Evidence of General and Liquor Liability Insurance, amount to be set by the City Manager and the City's Risk Manager*".

Page 3, Special Exception Permitting, h. - *A statement that all state and local licenses will be obtained prior to the special event; such as, food service and occupational.* Clarification is needed to identify all required licenses. **Recommendation:** Modify policy by adding tent and building permits (for stages or theatrical props) to the list of local licenses to be obtained by the applicant.

Page 3, Special Exception Permitting, l. - *Plan to address any damage to City property.* A specific damage deposit and/or replacement fee procedure needs to be established to inform planners of possible additional costs associated with an event. **Recommendation:** Modify policy to add a damage deposit of \$150 and replacement fee (to be billed) to cover any damage to the park or facility used during an event.

OPTIONS

Option 1. Approve report and recommended modifications to the City Property Alcohol Policy as addressed.

PRO: The modifications as recommended provide additional clarification to specific articles of the policy aiding event planners and City staff by providing more time and clearer guidelines.

CON: The modifications as recommended lengthen the event planning time frames as well as narrow the scope relative to alcohol usage, specific licenses, insurance and damage requirements.

Option 2. Do not approve report and recommended modifications to the City Property Alcohol Policy as addressed.

PRO: Event planners and City staff would continue under the familiar guidelines that they have been operating under for the first year of the policy.

CON: The recommended modifications are intended to clarify and strengthen the existing process, and failure to implement these changes would result in continued problems in the areas addressed.

Option 3. Approve report and one or more of the specific recommended modifications to the City Property Alcohol Policy as addressed.

PRO: Approving specific modifications allows for changes to the policy which will provide improvements/clarifications to aid event planners and City staff for special event functions requesting sale, use, consumption and advertising of alcoholic beverages.

CON: Approving only specific modifications would not address all of the concerns recommended for clarification.

Option 4. Discontinue current Alcohol Policy and revert to past practice giving approval authority to the Parks and Recreation Director.

PRO: Gives flexibility and authority for approval on an event by event basis.

CON: Offers potential for sales and consumption of alcohol at all parks, at any time.

ATTACHMENTS/REFERENCES

138CP - City Property Alcohol Policy