

City Code Revisions for 919.13

In 2005 the department introduced legislation to allow the Director to set policy and guidelines for the sale, service and/or consumption of alcoholic beverages at events held at the Cultural Arts Center, enclosed shelter houses, and downtown riverfront event facilities.

In reviewing City Code Section 919.13 we realize that a few modifications are needed to correct grammatical errors, and address changes that have occurred over the last decade:

- Removal of the Santa Maria and redevelopment of downtown parks
- Recognition of Berliner Park as a premiere national tournament facility (\$60 million in economic impact)
- The City's creation of a Downtown District as defined in City Code Section 3359.03 and the departments desire to identify parks as "parkland" as noted in Section 3318.01.
- Consolidation of parcels containing the King Arts Complex and Mayme Moore Park by City Real Estate Division
- Recognition of an increase in popularity of certain downtown parks as neighborhood cultural centers such as Schiller Park, Goodale Park, Topiary Park, Frank Fetch Park and Harrison Park.

Previous department policy defined Downtown Riverfront Event facilities as falling within the boundaries of Buttles Avenue on the north, Main Street on the south, Third Street on the east and Neil Avenue/Belle Street on west. The department extended authorization for alcoholic beverages to the Topiary Park, Schiller Park, Mayme Moore Park and Berliner Park on limited occasions under a policy defining them as "facilities".

The department seeks to formally recognize the City's goal of developing vibrant neighborhoods by accommodating community celebrations and cultural programs, and to benefit from the direct financial impact of major sporting events by officially adding to Code the following parks: Goodale, Topiary, Harrison, Schiller, Berliner, Mayme Moore and Frank Fetch Parks as locations where, under strict guidelines, and in concert with State Law, alcoholic beverages can be made available during special events.

Commission and Council have approved similar requests for non-profit organizations to have the presence of alcoholic beverages at events for more than 30 years. Additional locations will contribute to the sustainability of events and programs benefitting the community:

Schiller Park- Actor's Summer Theater, 150th anniversary/Haus Und Garten Tour

Topiary Park- Promusica Summer Concert, Friends of the Topiary Functions, Main Library programming, Christo Rey

Goodale Park- ComFest, Victorian Village Home Tour, Goodale Music Series

Harrison Park- Jazz Arts Group Summer Jazz Series

Berliner Park- Tournaments

Frank Fetch Park -summer concerts

King Arts Complex-annual gala

- **919.13. - Alcoholic beverages prohibited.**

(A)

No person shall knowingly possess with the purpose to consume any liquor or beer as defined in Ohio R.C. [Chapter 4301](#) while being in or upon any park.

(B)

For the purposes of subsection (A) of this section, any person found in or upon any park and in possession of any liquor or beer is presumed to knowingly possess the liquor or beer with the purpose to consume such.

(C)

Subsection (A) of this section shall not apply to the following locations:

(1)

Municipal golf courses ~~when~~ **where** concessions **are contracted for by the recreation and parks department** ~~which and~~ include the possession, sale and/or consumption of liquor or beer ~~are contracted by the recreation and parks department.~~

(2)

The Columbus Zoo premises when the possession, sale and/or consumption of liquor or beer is permitted by written authorization from the Columbus ~~Z~~**Zoological p**~~P~~**ark a**~~A~~**ssociation.**

(3)

Franklin Park Adventure Center when the possession, sale **and/or** consumption of liquor or beer is permitted by written authorization from the director of the recreation and parks department.

(4)

The Cultural Arts Center when the possession, sale **and/or** consumption of liquor or beer is permitted by written authorization from the director of the recreation and parks department.

(5)

~~The Santa Maria replica, moored in Battelle Riverfront Park,~~ **The following parks: Goodale Park, Harrison Park, Mayme Moore Park, Schiller Park, Frank Fetch, or Berliner Park** when the possession, sale **and/or** consumption of liquor or beer is permitted by written authorization from the director of the recreation and parks department.

(Ord. 874-97 § 1.)

(6)

Certain enclosed, public rental shelter houses and/or facilities when the possession, sale **and/or** consumption of liquor or beer is permitted by written authorization from the director of the recreation and parks department.

(7)

Parkland within the Downtown ~~District/Riverfront event facilities~~ when the possession, sale **and/or** consumption of alcoholic beverages is permitted by written authorization from the director of the recreation and parks department.

(D)

The possession, sale **and/or** consumption of liquor or beer, when permitted by subsection (C), shall be in compliance with all applicable laws pertaining thereto (Ord. 1648-91), and with any recreation and parks department administrative rules **or policies**. Failure to comply with any laws or administrative rules **and policies** shall be sufficient grounds for immediate revocation of permit. (Ord. 28-05 § 1.)



THE CITY OF
COLUMBUS
 ANDREW J. GINTHER, MAYOR

**RECREATION AND PARKS
 DEPARTMENT**

Request to Conduct an Event with Alcoholic Beverages Application

The Director of Columbus Recreation and Parks Department is authorized to grant permission for eligible organizations to possess, sell or consume alcoholic beverages in City parklands as outlined in City Code Section 919.13. Approval is granted on a limited basis and conditioned upon obtaining a Special Event Permit for the use of city property. In all cases, the permittee must meet the requirements of the Ohio Department of Commerce and the conditions outlined in this application. Applicant is required to submit the required documents at least seven days prior to the requested event date or the application may be denied. Additional pages may be attached to this request.

Name of the Event: _____

Event Date(s): _____ Event Hours: _____

Event Applicant: _____

Federal Tax Identification Number: _____ Phone: _____

Event Contact Person: _____ E-mail: _____

Address: _____ Zip Code: _____

Describe the purpose of the event and list beneficiaries: _____

Type of event: _____

Will a ticket or admission charge be required for entry? Yes _____ No _____

** If yes contact the Special Events office for requirements before submitting a request.*

The Applicant understands and agrees that it is responsible to provide all information necessary to meet the conditions and requirements of the application process and that by providing such information it is no guarantee that the proposed event will be issued a permit by the Columbus Recreation and Parks Department. The Applicant agrees to accept responsibility and to hold the City of Columbus free and harmless from all damages that may occur and to comply with all laws and city rules, regulations and policies including submitting proof of proper insurance, a detailed site map, payment of all city fees (no refunds), and details for any contract services required to make the proposed event safe and successful. The Applicant understands this application and the conditions under which such request will be considered. The risk of promoting an event before a permit is issued is the sole responsibility of the Applicant.

Applicant Signature: _____ Date: _____

Request Approved: _____ Request Denied: _____

Reason Denied: _____

Eligibility

- Applying organization must be a non-profit recognized by the IRS in accordance with section 501 (c) of the Internal Revenue Code.
- Applying organization must either be under lease with the Department of Recreation and Parks to utilize the parklands or in the process of obtaining a Special Activity Permit, or Special Event Permit to use the city park.

Steps for receiving approval to sell, consume, or possess alcohol on parklands/open space.

- Applying organization must complete the Request to Conduct an Event with Alcoholic Beverages application and include a map showing specific location where alcohol will be sold, consumed and dispensed.
- Applying organization must attach a letter of support with their application from the Residents Association, Homeowners Association, Civic Association, Area Commission or Friends of the Park organization serving the event area.
- Applying organization must supply a certificate of insurance documenting a minimum of \$1 million general liability coverage, including alcohol coverage, and naming the City of Columbus as an additional insured. Proof of insurance to be submitted to the department at least seven days prior to the event date.

Following approval, organization must understand and agree to:

- Not transfer this permit
- Meet the requirements of the Ohio Division of Commerce for possessing, selling or consuming alcoholic beverages under the ORC Chapter 4303, and provide a copy of the license issued by the State at least seven days prior to the event date.
- Contain alcohol possession, sale, or consumption to the approved area by use of a temporary fence, enclosed tent or other means acceptable to the Ohio Department of Commerce and Columbus Division of Police.
- Post “no alcohol beyond this point/no carry-in alcohol” signage at the perimeter of the above-listed area.
- Hire Special Duty Police Officers to be on-site 30 minutes prior to the scheduled start time of the event until the completion of the event. The exact number of Special Duty Police Officers will be determined by the Columbus Police Special Events Office.
- Purchase all products through a licensed beverage distributor or caterer.
- Require T.I.P.S (Training for Intervention Procedures by Servers of Alcohol) for anyone responsible for managing beverage sales/service.
- End alcohol sales 30 minutes before the end of the event. All events must end by 11pm.
- Prohibit distribution of alcoholic beverages in glass containers.

*Additional requirements may be promulgated by the Director of Recreation and Park as determined necessary to maintain the condition of the park space or for the health, safety and welfare of the community:

Forward request to: Jason Nicholson
Office of Special Events
Columbus Recreation and Parks
1111 East Broad Street, Suite 101
Columbus, Ohio 43205-1303

If you have any questions, please call 614-645-3335 or e-mail to jtnicholson@columbus.gov

What is wrong with the current code?

It has been 11 years since the Columbus City Code has been revised to grant the Director of Recreation and Parks authority to set policy and guidelines for the sale, service and/or consumption of alcoholic beverages at major event venues. Since that time, the Scioto Mile has been built and is now a popular destination, the Santa Maria is no longer a tourist attraction on the Scioto River, a new event-focused park is under construction beside COSI, and a few selected parks, due to the changing fabric of their neighborhoods, have become highly sought after concert and networking sites for the City's young professionals.

Would the code revision mean that Council would no longer approve festival legislation?

No. These Code revisions do not affect Council's authority to review all requests to have alcohol on public streets. Under Section 919.13 of the current Code, the Director of Recreation and Parks has the authority to allow alcohol in specific parks. This revision extends the Director's authority to support additional events that are held within parks. Legislation will still be submitted to Council anytime a request involves use of a public street for a festival.

What parks are within the new boundaries? And why are specific parks outside of the downtown district included?

All riverfront parks plus Thurber Park (see map). Parks beyond the downtown district have been identified as cultural centers within the community. Currently, neighborhood and non-profit organizations are conducting events that benefit the community and, in some cases, those organizations make valuable contributions to the City through volunteer maintenance services and by raising money for park improvements. Including parks beyond the district will allow them an opportunity to generate additional revenue for park improvements.

Why are only specific parks being considered? Why not all city parks?

This is a pilot program based on requests from those currently conducting events and cultural programs. Currently, requests have only been received for parks either within the downtown district and the additional parks referenced. It is not the Director's intention to encourage alcohol use. The decision to expand the Director's authority to all parks would only be considered after significant vetting with City and community leaders.

Is the intent to allow alcohol in all of these parks?

Alcohol will only be allowed in these parks if it assists the City's goal of developing vibrant neighborhoods and accommodate community celebrations while assuring that proper management tools are in place. The size and scope of a proposed park activity must fit the park. We would not approve an event to be held in a park that will have an adverse affect on the park or the neighborhood.

Will there be a fee associated with obtaining permission to have alcohol?

There will be no fee other than the fee associated with obtaining a permit for use of the property. The primary reason for the revision is to allow the sale and consumption of alcoholic beverages on certain occasions when it is beneficial to develop vibrant neighborhoods and accommodate community celebrations. We hope to help events that have become part of the fabric of our community to remain sustainable and free for the general public to experience.

Can for-profit entities hold events in these locations

No, the intent of these revisions is to allow only non-profit organizations that provide cultural events and opportunities for residents to continue to provide free events and to increase community pride through the addition of new events that directly benefit those living within the area.

Has this been discussed with Public Safety? What is their position?

The Code recommendations will be shared with the Public Safety Division before Code revisions are finalized.

Does the Department intend to allow gated functions within these parks?

The department will review all reasonable requests for events within the parks, however, the intent is to maintain public access to all parks. In the event that requests are received to conduct fundraising galas and events that require restricted access, the department will review those requests in accordance with policy guidelines for conducting a gated event within a public park. If the activity is determined to be beneficial to the community and have minimal impact on the general public's use of a park then it may be permitted.

What is the timeline?

It is our hope to have these changes in place prior to the start of outdoor festival season (May).

Will this impact the city's liability?

This change does not permit individuals to sell, possess or consume alcoholic beverages in parks. Not-for-profit organizations who choose to conduct sale of alcoholic beverages have to provide liability insurance naming the City as an additional insured and follow all State guidelines, including using a distributor or caterer to provide the alcohol.

Have you spoken to the neighborhoods where you propose allowing alcohol?

Yes, we have spoken to the organizations who have expressed interest in hosting events in park spaces with alcohol. A letter of support will be required from the association where the event will be held before the Director will approve a request.

Have you checked to see what other cities do?

Austin, Chicago, Denver, Houston, Madison, Phoenix, Pittsburgh, Rochester, San Diego, Seattle, Spokane, allow alcohol in designated public parks during special events.

Explain how CRPD claims alcohol sales will be done responsibly. The Applicant is required to follow all state laws related to alcohol sales and licensing and must use a distributor or caterer to provide the alcohol. In addition, the State of Ohio and beverage distributors each provide basic literature and training for those who serve alcoholic beverages at events. Insurance, police coverage and routine State inspections will help keep events in compliance.

Do you intend to allow wedding toasts at these locations?

No, the intention is to support community use of park spaces and not events benefitting individuals. We have several wedding locations that have enclosed facilities that can be rented for private functions where alcohol can be made available to invited guests.

What will prevent individuals, fraternities, and sororities from scheduling parties in parks?

State Law requires temporary liquor permit holders to be not-for-profit organizations and Recreation and Parks Department requires liability insurance. Nothing prevents an organization from utilizing a park space if they follow all department guidelines and gain the support of the Residents Association, Homeowners Association, Civic Association, Area Commission or Friends of the Park organization serving the park being requested.

T.I.P.S Instructions for Event Servers

TIPS (Training for Intervention ProcedureS) is the global leader in education and training for the responsible service, sale, and consumption of alcohol. Applicant shall review TIPS prior to event. <https://www.gettips.com/>

- Servers must adhere to Ohio Revised Code liquor laws.
1. Alcoholic beverages can only be sold to persons over age 21.
 2. The only acceptable forms of identification are a driver's license, passport, or State of Ohio issued identification card.
 3. Ask for identification from all persons buying alcoholic beverages. A maximum of two alcoholic beverages can be sold per person at one time.
 4. Alcoholic beverages may not be sold to intoxicated persons.
 5. Report any obviously intoxicated person to a festival staff member or a nearby police officer.
 6. The giveaway of alcoholic beverages is prohibited.
 7. No one is allowed to drink alcoholic beverages while serving drinks.