



Legislation Details (With Text)

File #: 0265-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/27/2017 **In control:** Rules & Reference Committee

On agenda: 5/22/2017 **Final action:** 5/24/2017

Title: To amend Section 919.13 of the Columbus City Code to grant the Director of Recreation and Parks the authority to set policy and guidelines for sale, service and/or consumption of alcoholic beverages at select parks and facilities used as event venues; and to declare an emergency.

Sponsors: Jaiza Page

Indexes:

Code sections:

Attachments: 1. 17 Alcohol Code Changes Lgn, 2. DowntownDistrict_Map, 3. Public Hearing for 919.13 4.24.17 REV wsb.jtn final

Date	Ver.	Action By	Action	Result
5/24/2017	1	CITY CLERK	Attest	
5/23/2017	1	MAYOR	Signed	
5/22/2017	1	COUNCIL PRESIDENT	Signed	
5/22/2017	1	Columbus City Council	Approved	Pass

Background: This ordinance is to amend Section 919.13 of the Columbus City Code to grant the Director of Recreation and Parks the authority to set policy and guidelines for the sale, service and/or consumption of alcoholic beverages at select park facilities.

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

To amend Section 919.13 of the Columbus City Code to grant the Director of Recreation and Parks the authority to set policy and guidelines for sale, service and/or consumption of alcoholic beverages at select parks and facilities used as event venues; and to declare an emergency.

WHEREAS, it is necessary to amend City Code Section 919.13; and

WHEREAS, the amended code section will grant the Director of Recreation and Parks the authority to set policy and guidelines for sale, service and/or consumption of alcoholic beverages at select parks and facilities used as event venues; **and**

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the amendment of City Code Section 919.13 so that it is able to be effective by June 1st; **NOW, THEREFORE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That Section 919.13 of the Columbus City Code be amended to read as follows:

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 <https://www.municode.com/library/oh/columbus/codes/code_of_ordinances?nodeId=TIT43PLENCO_CH4301PUSCEN> 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 **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 **or** consumption of liquor or beer is permitted by written authorization from the Columbus ~~z~~Zoological ~~p~~Park ~~a~~Association.
 - (3) Franklin Park Adventure Center when the possession, sale **and**/or consumption of liquor or beer is permitted by written authorization from the ~~d~~Director of the ~~r~~Recreation and ~~p~~Parks ~~d~~Department.
 - (4) The Cultural Arts Center when the possession, sale **and**/or consumption of liquor or beer is permitted by

written authorization from the ~~d~~Director of the ~~r~~Recreation and ~~p~~Parks ~~d~~Department.

- (5) ~~The Santa Maria replica, moored in Battelle Riverfront Park,~~ **The following parks: Goodale Park, Harrison Park, Maymee 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 ~~d~~Director of the ~~r~~Recreation and ~~p~~Parks ~~d~~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 ~~d~~Director of the ~~r~~Recreation and ~~p~~Parks ~~d~~Department.
- (7) **Parkland with the** Downtown **District/Riverfront event facilities** when the possession, sale **and**/or consumption of alcoholic beverages is permitted by written authorization from the ~~d~~Director of the ~~r~~Recreation and ~~p~~Parks ~~d~~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.)**

SECTION 2. That the prior existing Section 919.13 of the Columbus City Code is hereby repealed.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.