

EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. CB-1520

SPONSOR: MAYOR NOVAK, COUNCIL MEMBERS GARNER & TICHY

TITLE: A BILL FOR AN ORDINANCE AMENDING SECTION 9-9-1(c) AND ADDING A NEW SECTION 18-2-8.5 TO THE NORTHGLENN MUNICIPAL CODE TO ALLOW FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES AND CERTAIN STRUCTURES IN CITY PARKS DURING SPECIAL OCCASIONS WITH A CITY-ISSUED PERMIT.

PURPOSE: TO ALLOW INDIVIDUALS TO DRINK AND POSSESS ALCOHOLIC BEVERAGES IN OPEN CONTAINERS IN PUBLIC PLACES AND ENCLOSED STRUCTURES IN PUBLIC PARKS IF DONE IN CONNECTION WITH SPECIAL OCCASIONS, SUCH AS WEDDINGS, CORPORATE OR SOCIAL CLUB PICNICS, OR OTHER SIMILAR SOCIAL EVENTS.

ADDITIONAL EXPLANATORY REMARKS:

SPONSORED BY: MAYOR NOVAK, COUNCIL MEMBERS GARNER & TICHY

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1520
Series of 2005

Series of 2005

A BILL FOR AN ORDINANCE AMENDING SECTION 9-9-1(c) AND ADDING A NEW SECTION 18-2-8.5 TO THE NORTHGLENN MUNICIPAL CODE TO ALLOW FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES AND CERTAIN STRUCTURES IN CITY PARKS DURING SPECIAL OCCASIONS WITH A CITY-ISSUED PERMIT.

WHEREAS, it is currently unlawful to drink or possess alcoholic beverages in open containers in public places in the City of Northglenn, except pursuant to a special events permit;

WHEREAS, special events permits are only available to limited types of organizations under limited conditions; and

WHEREAS, the City desires to permit individuals to drink and possess alcoholic beverages in open containers in public places, and certain structures in City parks, if done in connection with special occasions, such as weddings, corporate or social club picnics, or other similar social events.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 9-9-1(c) of the Northglenn Municipal Code is hereby amended to read as follows:

(c) Nothing in this section shall prohibit drinking or having open containers of alcoholic beverages in any public place under the following circumstances:

(1) Under a Special Events permit issued by the City Clerk pursuant to Section 18-2-8 of this Municipal Code and Special Events Permit procedures promulgated by the Colorado Department of Revenue Liquor and Beer Code and approved by the City and State Liquor Licensing Authorities; or

(2) Under a Special Private Occasion Permit issued by the Local Liquor Licensing Authority pursuant to Section 18-2-8.5 of this Municipal Code.

Section 2. Article 2, Chapter 18 of the Northglenn Municipal Code is hereby amended by the addition of a new Section 18-2-8.5, which shall read as follows:

Section 18-2-8.5(a) Special Private Occasion Permit. Upon approval by the Liquor Licensing Authority, the City Clerk may issue a special private occasion

permit for the possession and consumption of alcoholic beverages in all public places within the City of Northglenn, except for City Parks, provided the applicant can demonstrate to the satisfaction of the Liquor Licensing Authority that:

- (1) The application is filed at least 14 days prior to the date of the event;
- (2) The applicant is 21 years of age, or older;
- (3) Alcoholic beverages will remain in the general area of the event;
- (4) Alcoholic beverages will not be provided to or served to members of the general public or any persons who are not invitees of the event;
- (5) The time, location and duration of the function are not likely to significantly interfere with public services;
- (6) The number and concentration of participants at the function are not likely to result in crowds exceeding limitations in the City fire code, or other significant inconvenience to the residents of the surrounding neighborhoods;
- (7) Under-age persons and persons under the influence of alcohol will not obtain alcoholic beverages served at the function, and the precautions proposed are likely to secure and supervise the area and the participants during the function;
- (8) The applicant agrees to be personally responsible for cleaning, trash disposal or repairs necessary as a result of the event for which the permission was granted;
- (9) The applicant agrees to indemnify and hold harmless the city, its employees and agents for all liability claims arising out of the event;
- (10) The applicant has an insurance policy currently in effect with liquor liability coverage of not less than the maximum limit established by the Colorado Governmental Immunity Act, Title 24, Article 10, Colorado Revised Statutes, as amended, and the City is named as an additional named insured. Nothing herein shall be construed as a waiver by the City of any defenses or provisions of the Governmental Immunity Act; and
- (11) The special occasion is a wedding, corporate or club picnic, or similar event of a social, fraternal, patriotic, political or athletic nature.
- (12) Service of alcoholic beverages shall be limited to beer and wine.

(13) No Special Private Occasion Permit shall be issued to any person who is not of good moral character as that term is used in C.R.S. § 12-47-307.

(14) The City Clerk may consult with the Police Department regarding the need for security and, where appropriate, may require the provision of private security at the applicant's expense as a condition to the issuance of a Special Private Occasion Permit.

A permit may be denied on the grounds that approval would be detrimental to the public safety, health, morals, order or welfare by reason of the nature of the event, the likelihood that the event would create a public nuisance or result in the consumption of alcoholic beverages by minors, its location within the community, or the failure of the applicant to conduct a past event in compliance with applicable laws and regulations.

The request may also be denied if another event has previously been scheduled for that location on the same day and time, or if the event would unreasonably interfere with normal activities and customary and general use and enjoyment of the facility.

Section 18-2-8.5(b) City Park Exceptions. The possession and consumption of alcoholic beverages in City Parks is prohibited, except that a Special Private Occasion Permit may be issued by the Liquor Licensing Authority pursuant to Section 18-2-8.5(a) for enclosed structures located in City Parks, and the general vicinity of such enclosed structures, but never further than a 50-foot radius from the exterior of such enclosed structures, including but not limited to the Thede Farmhouse (also known as the Stonehocker House), which is located at 3190 West 112th Avenue in the City of Northglenn.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____, 2005.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 2005.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

HERBERT C. PHILLIPS
City Attorney

City of Northglenn
Alcoholic Beverages on Public Property/Events

Date: June 2, 2005
 To: Northglenn City Council
 From: Steven Stokes, City Event Planner
 Re: CB-1520: Alcoholic Beverages on Public Property/Events

Dear Members of City Council,

After having an opportunity to attend the Council Meeting on May 26 I wanted to provide this additional information as you make decisions regarding CB-1520.

As you may know Thornton, Westminster, Broomfield, Brighton, Lafayette, Superior, and Arvada all allow alcohol to be served both in public facilities and in parks or in park shelters. While decisions about Northglenn may or may not be made based on these other communities, I thought having a comparison of some of that information might be helpful to you. Included below is research I conducted as if I wanted to get an alcohol permit with Thornton, Westminster, Broomfield, or Brighton.

	<i>Thornton</i>	<i>Westminster</i>	<i>Broomfield</i>	<i>Brighton</i>
Permit	Yes, No Fee	Yes, \$30 Fee	Yes, \$10 Fee	Yes, Not Specified
Permit Timeline	30 days prior to event	Not specified	10 days prior to event	30 days prior to event
Security/Police	\$45/hour resident \$54/hour non-res 2 hr. min/4 hr. max Police Required	\$40/hour 200+ guests = 2 security guards Security or Police	Not specified in permit process	\$80/hour (2 officers at \$40/hour) required Police Required
Damage Deposit	\$100 Resident \$150 Non-Resident \$50 Street Closure	No additional fees or deposits	No additional fees or deposits	\$100 additional from non-alcohol event
Consumption	4 hrs from noon to 11 PM	4hrs maximum	10 AM to 11 PM	Not specified
Locations	Civic, Senior, Community, Recreation Center Streets, Parks (beer only)	Recreation Center, Community/ Senior Center, Parks, Pavilions	Parks, Shelters, Auditorium, Lobby	Recreation Center, Community Rms., Parks, Shelters

	<i>Thornton</i>	<i>Westminster</i>	<i>Broomfield</i>	<i>Brighton</i>
Events	Athletic, Artistic Cultural, Civic, Receptions, Street Closures,	Not specified	Not specified	Not specified
Glass	No glass bottles allowed	No glass bottles allowed	No glass bottles allowed	No glass bottles allowed
Food	Snacks or sandwiches req'd	Snacks required	Not specified	Not specified

Closing Comments:

Please feel free to contact me at extension 8909 if you have any questions on this matter.