



County of Santa Cruz ⁰³⁷³

OFFICE OF THE COUNTY COUNSEL

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November 3, 1999

Agenda: November 16, 1999

Board of Supervisors
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz, California 95060

Re: Consider Ordinance Amending Section 10.04.160 Limiting Alcoholic Beverages Allowed In County Parks By Permit To Beer, Wine And "Sparkling Wines" Such As Champagne

Dear Members of the Board:

On November 11, 1999, your Board directed this Office to prepare an ordinance revising Section 10.04.160 of the Santa Cruz County Code to limit the type of alcoholic beverage that the Director of Parks, Open Space and Cultural Services (the Director) would be authorized to allow into a County park. Currently, the possession or consumption of alcoholic beverages within a County park is prohibited except where the Director issues a permit authorizing such use. This proposed amendment would limit the types of alcoholic beverages that the Director may permit to beer, wine or a "sparkling wine" such as champagne.

IT IS THEREFORE RECOMMENDED that your Board consider approving in concept the attached ordinance amending Section 10.04.160 of the Santa Cruz County Code by limiting those alcoholic beverages allowed by permit in a County park to beer, wine or "sparkling wine" such as champagne; and

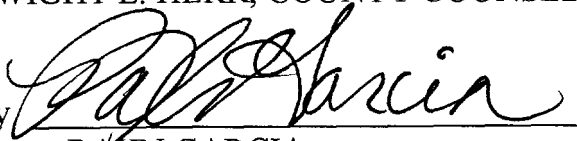
2. Direct that the proposed ordinance be returned to the Board for final

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consideration on December 14, 1999.

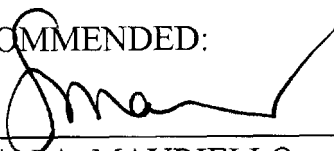
Very truly yours,

DWIGHT L. HERR, COUNTY COUNSEL

By 

RAHN GARCIA
Assistant County Counsel

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

RG:rg
Enclosure

cc: County Administrative Office
Director of Parks, Open Space and Cultural Services
Sheriff-Coroner

ORDINANCE NO. __

ORDINANCE AMENDING SECTION 10.04.160 OF THE SANTA CRUZ COUNTY CODE RELATING TO ALCOHOLIC BEVERAGES IN COUNTY PARKS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code is hereby amended by adding Section 10.04.160 to read as follows:

10.04.160 **Alcoholic beverages.**

A. Any person drinking or consuming an alcoholic beverage or possessing any open alcoholic beverage container in any park shall be in violation of Section 8.02.020 or 8.02.030 except for beer, wine, or "sparkling wine" such as champagne, as authorized by permit issued by the director.

B. Permits issued by the director pursuant to this section are expressly limited to the service of beer, wine, or "sparkling wine" such as champagne, and shall require proof of any license or permit required by the Alcoholic Control Act, a cleanup and damages deposit, and in those instances where there is an entrance fee charged for entrance and alcoholic beverages are sold, insurance in the amount specified in the rules and regulations. Such insurance shall name the county, its officers, agents and employees as additional insured, be primary coverage and indemnify the county, its officers, agents and employees for any and all losses, including, but not by way of limitation, attorneys fees and legal costs which the county, its officers, agents and employees may suffer by reason of use of the permit.

C. Notwithstanding any other provision of this section, the director may prohibit the consumption of any intoxicating liquor in a park or part thereof after submitting the proposal to the parks commission for review and recommendation. (Ord. 4488 § 5, 1998; Ord. 4429 § 4, 1996; Ord. , ____ 1999; prior code § 860.090: Ord. 2954, 7/15/80.)

SECTION II

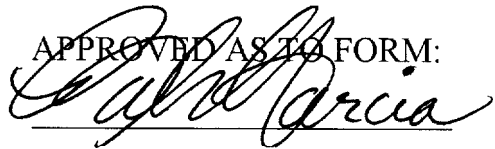
This ordinance shall take effect on the 3 1st day after the date of final passage.

PASSED AND ADOPTED this ____ day of _____, 1999, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairperson of the
Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:

Assistant County Counsel