



County of Santa Cruz

COUNTY ADMINISTRATIVE OFFICE

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SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

July 28, 2000

AGENDA: August 8, 2000

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

Proposed Amendments to County Alcoholic Beverage Ordinance Relating to County Facilities

As your Board is aware, Chapters 8.02 and 10.04 of the County Code define the alcoholic beverage drinking restrictions in various public areas within the unincorporated area of the County, including County parks and beaches. In order to provide consistency with these existing regulations, and to limit potential liability in County facilities, we are recommending amendments to the Code that would more closely regulate the consumption of alcoholic beverages on County property.

Staff agrees that the consumption of alcoholic beverages on County-owned or County-controlled buildings, grounds, and facilities should be generally prohibited. Exceptions to this prohibition should include instances where an appropriate permit is first obtained from the Department of Parks, Open Space, and Cultural Services. This is consistent with the existing Code provisions applicable to County parks.

IT IS THEREFORE RECOMMENDED that the Board of Supervisors approve in concept the attached proposed ordinance relating to alcoholic beverage consumption in County facilities and place it on your agenda of August 22, 2000 for final action.

Very truly yours,

Susan A. Mauriello
County Administrative Officer

cc: County Counsel
Planning Department

ORDINANCE NO. _____

**ORDINANCE ADDING SECTION 8.02.025 AND AMENDING
SECTION 8.02.030 OF THE SANTA CRUZ COUNTY CODE
RELATING TO ALCOHOLIC BEVERAGE DRINKING
RESTRICTIONS**

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

SECTION I

Section 8.02.025 of the Santa Cruz County Code is hereby added to read as follows:

8.02.025 Consumption of alcoholic beverage in county buildings, facilities or upon any grounds.

A. Except as expressly exempted by subdivision B of this section or as expressly authorized by subdivision C of this section, it is unlawful for any person to drink or consume any alcoholic beverage within any building, facility or upon any grounds that are owned or controlled, in whole or in part, by the County of Santa Cruz.

B. The following buildings and facilities and grounds are exempt from the prohibition established by subdivision A of this section:

1. Any building, facility or grounds whose primary purpose and function is residential;
2. Any building, facility or grounds subject to a lease of fifty (50) years or more in duration; and
3. Any licensed residential care facility.

C. The director of parks, open space and cultural services may issue a permit for the drinking or consumption of alcohol in a building, facility or upon any grounds subject to the prohibition contained in subdivision A. 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 the applicant to provide proof of any license or permit required by the Alcoholic Control Act, a reasonable cleanup and damages deposit, and in those

instances where there is an entrance fee charged and alcoholic beverages are sold, insurance in the amount specified by the director. 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.

SECTION II

Section 8.02.030 of the Santa Cruz County Code is hereby amended to read as follows:

It is unlawful for any person to have in his or her possession any can, bottle, or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, on any ~~public property~~ or ~~in a~~ property subject to Section 8.02.020 or 8.02.025 if the consumption of alcoholic beverages is prohibited in such areas by Section 8.02.020 or Section 8.02.02.

SECTION III

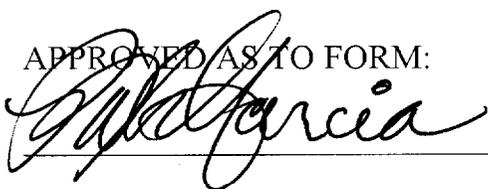
This ordinance shall take effect on the 3 1st day after the date of final passage.

PASSED AND ADOPTED this ____ day of _____, 2000, 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:


DISTRIBUTION: CAO, General Services, Parks, Open Space, and Cultural Services