

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: PARKS AND RECREATION *KMW*

BOARD AGENDA # *B-12

Urgent Routine

AGENDA DATE June 12, 2001

CEO Concurs with Recommendation YES *ph* NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT: APPROVAL TO INTRODUCE AND WAIVE THE FIRST READING OF AN
ORDINANCE RELATING TO ALCOHOL CONSUMPTION IN COMMUNITY
PARKS

STAFF
RECOMMEN-
DATIONS:

1. FIND THAT THE SUBJECT ORDINANCE IS NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PUBLIC RESOURCES CODE SECTIONS 21000 ET SEQ.); AND
2. INTRODUCE, APPROVE AND WAIVE THE FIRST READING OF AN ORDINANCE AMENDING SECTION 18.06.080 (ALCOHOL CONSUMPTION IN COMMUNITY PARKS) OF THE COUNTY ORDINANCE CODE.

FISCAL
IMPACT:

No fiscal impact is anticipated with these ordinance changes.

BOARD ACTION

No. 2001-441

On motion of Supervisor Blom , Seconded by Supervisor Mayfield

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

NOTE: THIS ITEM WAS REMOVED FROM THE CONSENT
CALENDAR FOR DISCUSSION AND CONSIDERATION.

MOTION:

THE BOARD INTRODUCED AND WAIVED THE FIRST READING OF
ORDINANCE C.S. 764.

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

File No. ORD-54-H16

APPROVAL TO INTRODUCE AND WAIVE THE FIRST READING OF AN ORDINANCE
RELATING TO ALCOHOL CONSUMPTION IN COMMUNITY PARKS

Page 2

DISCUSSION: The Stanislaus County Parks and Recreation Department requests to amend County Ordinance Section 18.06.080 as per the attachment. This prohibits alcohol consumption in Neighborhood and Community Parks.

This amendment would update the existing ordinance to include recently acquired parks as well as any future park sites. This ordinance amendment would assist the Stanislaus County Parks and Recreation Department in providing the community with a safer environment for the children, youth and community as a whole which was the original intent of the ordinance when it was first adopted by the Board

This ordinance would exclude Board of Supervisors-approved special events at such parks.

Staff is requesting the Board's approval of the recommendations.

POLICY
ISSUE:

This action supports a policy of Board authorization for amending County Ordinance. This action supports the Board's priority of ensuring a safe and healthy community.

STAFFING
IMPACT:

There are no staffing impacts associated with this action.

ORDINANCE NO. C.S. _____

**AN ORDINANCE RELATING TO ALCOHOL
CONSUMPTION IN COMMUNITY PARKS**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. Section 18.06.080 of the Stanislaus County Code is amended to read as follows:

"A. No person shall consume or 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, in any and all community parks and neighborhood parks owned or operated by the County, except for special events at such parks that have been approved by the Board of Supervisors.

"B. This prohibition shall apply to all areas within community parks and neighborhood parks, including without limitation: park grounds, playgrounds, walkways, streets, driveways and parking lots, but excluding any community center buildings located within community parks and neighborhood parks.

"C. Nothing in this section should be construed to prohibit individuals from carrying closed alcoholic containers between the parking lot at any community parks and neighborhood parks and its associated community center building, if any, for the purposes of setting up or closing down a social event approved by the Board of Supervisors and for which use of the building has been reserved.

"D. Violation of this section shall be an infraction pursuant to Section 1.36.020 of this code."

Section 2. This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____, 2001, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Pat Paul, Chair of the Board of
Supervisors of the County of Stanislaus,
State of California

ATTEST:
CHRISTINE FERRARO TALLMAN
CLERK OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By _____

APPROVED AS TO FORM:
MICHAEL H. KRAUSNICK
COUNTY COUNSEL

By *John P. Doering*
for John P. Doering *Deputy County Counsel*
Deputy County Counsel