ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE TITLE 8 RELATING TO THE PROHIBITION OF ALCOHOLIC BEVERAGES AND TEMPORARY SALES OF BEVERAGES AND FOOD

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

PART 1. City Code Section 8-1-1 (*Definitions*) is amended to add the following new definition, amend a definition, and to renumber the remaining definitions accordingly:

§8-1-1 DEFINITIONS.

(4) DESIGNATED SWIM AREA means an area authorized by the Department allowing swimming, bathing, wading, or similar water contact activities.

(8) PARK RESTROOM STRUCTURE means a structure or facility situated on park property equipped with toilets, urinals or washbowls, or other similar facilities, erected and maintained for use by members of the general public for personal hygiene and comfort.

(13) SPLASH PAD means a recreational water feature, utilizing little or no standing recirculated water (eliminating the need for lifeguards), designed for water play.

(14) SWIMMING POOL means a city swimming pool, wading pool, or [~~spray pool~~] aquatic facility.

PART 2. Subsections (1) and (2) of City Code Section 8-3-1(*Alcohol Beverages Prohibited*) are amended to read as follows:

Except as provided in Section 8-3-5 (*Temporary Sales of Beverages and Food*), a person may not knowingly, sell, possess, or consume an alcoholic beverage in:

(1) the fenced, enclosed area surrounding a swimming pool in a park, or within 100 feet of an unenclosed swimming pool, splash pad, or designated swim area in a park;

(2) a recreation facility or within 100 feet of a [~~adjacent outdoor area that is part of the~~] recreation facility,[~~including a~~] sports field, playground, parking lot, play slab, park restroom structure, or playscape;

DRAFT

PART 3. Subsections (B) and (C) of City Code Section 8-3-5 (*Temporary Sales of Beverages and Food*) are amended to read as follows:

(B) Based on the recommendation of the director, the city manager may authorize the temporary sale of food and beverages in a park or other public recreation area. An authorization issued under this subsection may not exceed a 48-hour period. Authorization to exceed this 48-hour period may be granted for public events held on parkland provided the event is recommended by the director, and authorized by the city manager.

(C) The director may authorize the temporary sale, possession, or consumption of alcoholic beverages in a park or other public recreation area. An authorization issued under this subsection may not exceed a 48-hour period. Authorization to exceed this 48-hour period may be granted for public events held on parkland provided the event is recommended by the director and authorized by the city manager.

PART 4. This ordinance takes effect on _____, 2015.

PASSED AND APPROVED

§
§
_____ , 2015 § _____
Mayor Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
Interim City Attorney City Clerk

DRAFT