



## Recommendation for Action

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**File #:** 20-3135, **Agenda Item #:** 18.

10/1/2020

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### **Posting Language**

Approve an ordinance amending Section 4-9-1 of the City Code related to restrictions on consumption of alcoholic beverages in certain areas.

### **Lead Department**

Management Services

### **Fiscal Note**

This item has no fiscal impact.

### **Prior Council Action:**

December 5, 2019 - City Council approved Resolution No. 20191205-062 on consent on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second, with an 11-0 vote.

July 29, 2020 - City Council approved Resolution No. 20200729-088 on consent on Mayor Pro Tem Garza's motion, Council Member Pool's second, with a 10-0 vote. Mayor Adler was off the dais.

### **For More Information:**

Rey Arellano, Assistant City Manager, Management Services, (512) 974-2222.

### **Council Committee, Boards and Commission Action:**

June 1, 2020 - Public Safety Commission unanimously recommended that the Austin City Council remove all City Code prohibitions on public consumption of alcoholic beverages.

### **Additional Backup Information:**

City Council by Resolution No. 20191205-062 on December 5, 2019, directed the City Manager to prepare a report detailing the municipal history of no-public consumption ordinances in Austin, outlining who enacted the ordinances, why they were enacted, and indicate if there is any public safety function they serve. The report provided information on Designated Areas 1 through 6.

On July 29, 2020, the City Council approved Resolution No. 20200729-088 directing the City Manager to prepare an ordinance to amend Section 4-9-1(B) of the Austin City Code to remove Designated Areas 2, 5, and 6.

This ordinance, if passed by Council, would remove Designated Areas 2, 5, and 6 from section 4-9-1(B) of the City Code. Accordingly, it would no longer be a violation of City Code section 4-9-11 (Consumption of Alcoholic Beverages in Designated Area Prohibited) to consume alcoholic beverages in Designated areas 2, 5, and 6.

### **Strategic Outcome(s):**

Safety.