

1 BILL NO. G-12-04-01

2 GENERAL ORDINANCE NO. G-_____

3 AN ORDINANCE AMENDING SECTION
4 97.21(A) POSSESSION, SALE OR
5 CONSUMPTION OF ALCOHOLIC BEVERAGES
6 OF THE CITY OF FORT WAYNE, INDIANA,
7 CODE OF ORDINANCES.

8 WHEREAS, The Fort Wayne Parks and Recreation Special Use Policy
9 provides guidelines for the consumption of alcoholic beverages at
10 certain Fort Wayne Parks and Recreation facilities.

11 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
12 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

13 SECTION 1. That Section 97.21 (A) of the Code of Ordinances of the City of
14 Fort Wayne, Indiana, be amended and approved as follows:

15 §97.21 POSSESSION, SALE OR CONSUMPTION OF
16 ALCOHOLIC BEVERAGES.

17 (A) No intoxicants of any kind, including wine, beer, ale,
18 or other alcoholic beverages, shall be brought into a
19 park area, consumed, sold or given away on the premise
20 of any public park, parkway or boulevard strip, except
21 the Botanical Conservatory, the Fort Wayne Children's
22 Zoo, the Foster Park Golf Course Pavilion, Headwaters
23 Park, the Community Center, the Foellinger Theater,
24 Freimann Square, Salomon Farm Park, the Old Fort, the
25 Wells Street Bridge, and Robert E. Myers Park; and
26 then only with a prior written permit to do so having been
27 received from the Department and the Indiana Alcohol
28 and Tobacco Commission.
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SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

MEMORANDUM

TO: Fort Wayne City Council

FROM: Perry Ehresman, Deputy Director, Parks and Recreation

SUBJECT: Amendment /City Ordinance 97.21 (A)- Possession, Sale or Consumption of Alcoholic Beverages

DATE: April 10, 2012

The Wells Street Bridge is a Parks and Recreation Facility which can be reserved for exclusive use. Rental fees were approved at the November 17, 2011 Park Board Meeting: \$100.00/daily rental OR \$ 50.00/two hour rental.

Ten other Parks and Recreation facilities were previously approved by the Park Board for alcohol use under "Special Use Policy" guidelines and are "exceptions" in the current City Ordinance 97.21 (A).

The following "Special Use Policy" guidelines for alcohol use on the Wells Street Bridge were presented and approved at the March 14, 2012 Park Board Meeting:

- A. User Group will obtain a \$25.00 Special Use Permit from Parks and Recreation's Administrative Office
- B. User Group will obtain an Alcohol and Tobacco Commission Permit (ATC) **OR** use a caterer defined as "a state licensed beer, liquor, and wine restaurant permit holder who is authorized to dispense alcoholic beverages off their licensed premises" This does not include liquor stores or drug stores that have a three way license.
- C. Permits must be clearly posted at the event.
- D. Alcohol must be served by a licensed bartender.
- E. Alcohol must be contained on the Wells Street Bridge. (Security will enforce)
- F. Uniformed security will be scheduled by the Parks Special Events Coordinator and paid by the user group.
- G. User group is responsible for scheduling, delivery, removal and payment of portable restroom facilities (porta-johns), waste receptacles, and waste removal sufficient for the size of their event as determined by park staff. Porta-johns and waste receptacles will be located in the grass area at the northeast corner of the bridge (between the bridge and greenway path).

At the same meeting the Park Board approved amending City Park Ordinance 97.21 (A) adding "Wells Street Bridge" to the list of areas where alcohol is allowed.