

## **ORDINANCE NO. 8600-14**

AN ORDINANCE OF THE CITY OF CLEARWATER, FLORIDA, RELATING TO PARKS, BEACHES, AND RECREATION; AMENDING CHAPTER 22, PARKS, BEACHES, RECREATION, ARTICLE III, SPECIAL EVENTS, SECTION 22.89, ALCOHOLIC BEVERAGE SPECIAL EVENT PERMIT; CITY PROPERTY OR SPONSORSHIP, TO ALLOW THE SALE AND/OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE DOWNTOWN AREA; AMENDING SECTION 22.90, CONDITIONS; ALCOHOLIC BEVERAGE SPECIAL EVENT PERMIT, TO ALLOW ADDITIONAL SPECIAL EVENT PERMITS TO BE ISSUED TO BONA FIDE NONPROFIT ORGANIZATIONS AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES AT OUTDOOR EVENTS ON PUBLIC RIGHT-OF-WAY AND PUBLIC PARK PROPERTY IN THE DOWNTOWN AREA, AND REMOVING PROHIBITION ON METAL CANS AS AN APPROPRIATE CONTAINER FOR ALCOHOLIC BEVERAGES AT A SPECIAL EVENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clearwater Code of Ordinances ("Code") currently empowers the city manager to regulate the time, place and manner in which city park property is to be used and enjoyed by the public, including use for the sale, consumption or possession of alcoholic beverages on park property and the sale and/or consumption of alcoholic beverages at a special event in accordance with an alcoholic beverage special event permit; and

WHEREAS, the Code currently provides for the sale and/or consumption of alcoholic beverages at a special event located on Cleveland Street within the downtown district; and

WHEREAS, the city council now wishes to allow for the sale, consumption and possession of alcoholic beverages at outdoor events on public right-of-way and public park property within a larger area of the downtown of Clearwater by issuing an alcoholic beverage special event permit in accordance with Section 22.89 of the Code; and

WHEREAS, the Code currently provides that no applicant shall be issued more than three permits per year, and

WHEREAS, the city council now wishes to allow for the issuance of up to 15 additional temporary permits to bona fide nonprofits per calendar year; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
CLEARWATER, FLORIDA;

Section 1. That Chapter 22, Sections 22.89 and 22.90 of the Code of Ordinances, City of Clearwater, Florida, are hereby amended to read as follows:

## **Chapter 22**

### **Parks, Beaches, Recreation\***

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### **Article III. Special Events\***

\* \* \*

#### **Division 2. Permit**

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Sec. 22.89. Alcoholic beverage special event permit; city property or sponsorship.

(1) Sale and/or consumption of alcoholic beverages at a special event located on property owned by the city where the city is a sponsor or co-sponsor of the event, or at a special event taking place ~~on Cleveland Street in downtown Clearwater which is described for these purposes as: The area within the north and south boundaries of Cleveland Street, bounded on east by the west boundary of Myrtle Avenue, on the west by the west boundary of Osceola Avenue, including the contiguous rights-of-way and sidewalks~~ at outdoor events on public right-of-way and public park property in the downtown area of Clearwater, may be authorized by issuance of an alcoholic beverage special event permit. For purposes of this Article, the downtown area of Clearwater is the area between Drew Street and Pierce Street North and South and between Myrtle Avenue and the waterfront.

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Sec. 22.90. Conditions; alcoholic beverage special event permit.

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(1) No applicant shall be issued more than three permits per year pursuant to section 561.422, Florida Statutes, and an additional 15 temporary permits pursuant to Chapter 2012-244, Laws of Fla., and no permitted event may exceed three days in duration.

\* \* \*

(12) Alcoholic beverages shall be served in containers meeting industry standards for such events, and must be approved for each event by the special events committee. Alcoholic beverage containers shall be so designed and constructed that law enforcement officers may ascertain their contents upon visual inspection, and shall not include sport drink bottles, ceramic or glass mugs, closed containers, ~~metal cans~~, glass bottles, or similar containers. The applicant shall provide for proper disposal of litter resulting from the activity. Other containers, such as metal cans may be disallowed for safety reasons by order of the Chief of Police.

Section 2. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING

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PASSED ON SECOND AND FINAL  
READING AND ADOPTED

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George N. Cretekos  
Mayor

Approved as to form:

Attest:

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Laura Lipowski Mahony  
Assistant City Attorney

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Rosemarie Call  
City Clerk