



MEMORANDUM

City of Venice

Public Works Department

TO: Honorable Mayor and Council

FROM: Ed Lavalle, City Manager

THROUGH: James R. Clinch PE, Assistant City Manager

DATE: January 31, 2022

COUNCIL APPROVAL: Yes

MEETING DATE: February 8th, 2022

STRATEGIC PLAN GOAL: Preserve the Venice Quality of Life through Proper Planning

SUBJECT: Ordinance 2022-05 - Sale, Possession and Consumption of Alcoholic Beverages at Public Beaches

Background:

The City of Venice has historically prohibited the sale, possession and consumption of alcohol within our City beach parks with the exception of special events and within the Brohard Park leasehold for the Venice Pier Group (Sharky's and Fins Restaurants). The City has been approached by the two other beach concessionaires, located at the Venice Beach (Pilot House) and Humphris Park - South Jetties (Jetty Jacks), to consider allowing the sale, possession and consumption of alcohol at those respective beach parks. On January 10th, 2022, the City's Parks & Recreation Advisory Board met to review the proposal and approved the recommendation to allow alcohol at the public beaches during daylight hours only.

City staff, including the City Attorney, City Manager, Police Department, Parks and Solid Waste, have met internally to review this proposal and would offer the following information for the board's consideration:

- 1) Allowing the sale, possession and consumption of alcohol within the City beach parks will require the revision of two chapters of City Code, including Chapter 6, Alcoholic Beverages and Chapter 46, Parks and Recreation.
- 2) To allow for proper enforcement, staff recommends making these provisions consistent across all the City beach parks and to permit alcohol during daylight hours only. This restriction to daylight hours will assist the Police Department in enforcing any potential alcohol related issues which would typically occur after-hours.
- 3) Staff recommends maintaining the existing alcohol prohibition within the other City parks (non-beach parks) and public right-of-ways.
- 4) Sarasota County, Charlotte County and the City of Sarasota do currently allow for the consumption of alcohol at public beach parks. Sarasota County also has several beach vendors

that are permitted to sell beer and wine at their public beaches. Based on Sarasota County staff input, these vendors typically operate daily until just after sunset, selling beer and wine products to beach users with no reported issues or appreciable public conflicts.

- 5) Glass containers are currently prohibited in all City parks per City Code Sec. 46-62 (6) and language has also been added to Sec. 6-40 specifically requiring all containers to be non-glass.
- 6) If the ordinance is approved, the concessionaires would be required to obtain the necessary State of Florida beer and wine licenses and meet all licensure regulations and requirements.
- 7) There is currently alcohol consumption by the public occurring on a regular basis at the City beach parks, as observed from trash receptacle collections. While this practice is contrary to the existing City Ordinances, it is not currently creating compatibility issues or leading to park incident calls.
- 8) City staff recognizes that there are some existing compatibility issues between Humphris Park and the adjoining residential area, primarily unrelated to alcohol but due to the close proximity of a residential community and a popular City park. City staff have implemented many initiatives to improve this issue including adding a secure gate with earlier closing hours, increasing enforcement efforts and frequencies, moving picnic tables away from property boundaries and adding additional garbage cans in strategic locations. City staff will continue to work collaboratively with the neighbors on options to reduce impacts from this popular City park.

In summary, City staff is not opposed to this proposal, however it will represent a change in City policy and therefore warrants public input and discussion for policy consideration.

Requested Action: Approval of Ordinance 2022-05 regarding the sale, consumption and possession of alcohol at the City beach parks.

City Attorney Review/Approved: Yes

Risk Management Review: Yes

Finance Department Review/Approved: N/A

Funds Availability (account number): N/A

ORIGINAL(S) ATTACHED: Ordinance 2022-05, Letter from Jetty Jack's, Letter from Pilot House, Jetty Jack's Support Petition