

CITY OF WOODLAND

ORDINANCE NO. 1269

AN ORDINANCE AMENDING TITLE 9 (PUBLIC PEACE, MORALS, AND WELFARE) AS IT RELATES TO THE CONSUMPTION OF ALCOHOL AT HORSESHOE LAKE PARK AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION AS MORE PARTICULARLY SET FORTH HEREIN.

FINDINGS OF FACT

The City Council of the City of Woodland finds as follows:

WHEREAS, there has been a requested change in code to allow for the consumption of alcohol within beer and wine gardens at Horseshoe Lake Park;

WHEREAS, All procedural requirements of the Woodland Municipal Code (WMC) for these amendments shall be met;

AND WHEREAS, the City Council heard public comment and received written comments on the issue at their June 3rd, 2013 City Council Meeting;

ORDINANCE

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Woodland as follows:

1. Section WMC 9.26.080 – Opening or consuming liquor in public.

The existing code section is modified to read as follows:

9.26.080 – Opening or consuming liquor in public.

Except as permitted by state law (see RCW Title 66), and except in a beer garden or wine tasting area approved by the city under a special event permit according to section 9.26.115, no person shall open a package containing liquor or consume liquor in a public place. A person convicted of violating this section shall be subject to a fine not to exceed one hundred dollars.

2. Section WMC 9.26.100 – Possession of opened container.

The existing code section is modified to read as follows:

9.26.100 – Possession of opened container.

The possession of an opened container of alcoholic beverage at any place other than at private premises, a place of business, a beer garden or wine tasting area at Horseshoe Lake Park approved by the city according to section 9.26.115, or premises licensed by the Washington State Liquor Control board is prohibited.

3. Section WMC 9.26.110 – Possession and consumption - Prohibited.

The existing code section modified to read as follows:

9.26.110 – Possession and consumption - Limited.

The possession of an unopened container of alcoholic beverage or of an opened container of alcoholic beverage or the consumption of alcoholic beverage in or upon Horseshoe Lake or Horseshoe Lake Park, and any other city park, or upon the property of the Woodland School District is prohibited, except in a beer garden or wine tasting area at Horseshoe Lake Park approved by the city under a special event permit according to section 9.26.115.

4. Section WMC 9.26.115 – City approved beer gardens and/or wine tasting areas.

New code section to be inserted as follows:

NEW SECTION 9.26.115 – City-approved beer gardens and/or wine tasting areas.

Subject to approval by the city of a site plan designating areas within Horseshoe Lake Park as a beer garden and/or wine tasting areas submitted by festival organizers as part of a special event permit, and subject to all applicable requirements and regulations of the Washington State Liquor Control Board, wine, champagne and beer may be possessed, sold and consumed within such designated areas, provided that such designated areas will not open before 12:00 p.m. (noon) and shall close at or before 10:00 p.m. on each day of the event.

The City of Woodland can only approve a maximum of three special event permits a year allowing beer gardens and/or wine tasting areas at Horseshoe Lake Park.

To receive approval of a special event permit for a beer garden and/or wine tasting area at Horseshoe Lake Park the applicant must meet the following conditions:

- 1) The applicant must be a 501-3(c) non-profit organization.
- 2) The applicant will pay a \$250 non-waivable fee in addition to the regular special event permit fee. This fee is to cover additional costs the City will incur for Police and Public Works Staff time dealing with issues from the beer gardens and/or wine tasting areas.

5. Severability

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or constitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

6. Effective date

This ordinance shall become effective five (5) days after its publication in the media or paper of record as required by law.

7. Publishing

A Summary of this Ordinance shall be published.

This ordinance shall be in full force and effect five days after publication as required by law.

ADOPTED IN OPEN MEETING 17th day of June, 2013.

CITY OF WOODLAND, WASHINGTON

Approved:

Grover Laseke, Mayor

Attest:

Mari E. Ripp, Clerk / Treasurer

Approved as to form:

William J. Eling, City Attorney