



Staff Report

CITY COUNCIL MEETING DATE: March 10, 2025

TYPE OF AGENDA ITEM: 1st reading no PDB

TO: Mayor and City Council
 CC: City Manager, City Clerk, Staff and Attorney
 FROM: Barry Henderson, Development Services Director
 DATE: 3/6/2025
 SUBJECT: Ordinance 1995 - Alcohol During Permitted Special Events in City Parks

BACKGROUND:

Last year, staff identified a need to update our Code of Ordinances regarding alcohol within City Parks to allow consumption of alcohol during permitted special events (such as the annual Fourth of July event).

DISCUSSION:

The requirements listed within Section 58-1 of the code of ordinances currently limits approved locations for outdoor consumption and/or sale of alcoholic beverages to the Crestview Community Center Grounds and Old Spanish Trail Park. The proposed ordinance amends the Code to include outdoor areas at all City parks, subject to the same requirements currently included in the Code.

GOALS & OBJECTIVES

This item is consistent with the goals in A New View Strategic Plan 2020 as follows;

Quality of Life- these areas focus on the overall experience when provided by the city.

Community Character- Promote desirable growth with a hometown atmosphere

Safety- Ensure the continuous safety of citizens and visitors

Play- Expand recreational and entertainment activities within the City

Community Culture- Develop a specific identity for Crestview

FINANCIAL IMPACT

There is no anticipated financial impact resulting from this ordinance.

RECOMMENDED ACTION

Staff respectfully requests a motion to approve Ordinance 1995 on first reading, and move to second reading for adoption.

Attachments

1. Ordinance 1995

ORDINANCE: 1995

AN ORDINANCE AMENDING REGULATIONS REGARDING ALCOHOL DURING PERMITTED SPECIAL EVENTS IN CITY PARKS; PROVIDING FOR THE AMENDMENT SECTION 58-1 OF THE CODE OF ORDINANCES; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this ordinance is section 166.021, Florida Statutes, and Section 2 of the City Charter.

SECTION 2 – AMENDING SECTION 58-1 OF THE CODE OF ORDINANCES – Section 58-1 of the Code of Ordinances is hereby amended as follows:

Sec. 58-1. Use regulations.

The following rules and regulations shall govern the use and operation of the public parks and recreational facilities in the city:

- (1) *Camping facilities.* It shall be unlawful to camp in any city park or recreational facility unless otherwise authorized and posted.
- (2) *Alcoholic beverages.* No alcoholic beverages of any kind shall be sold, consumed, served or permitted to be served or consumed in any city facility or on any city property except with an approved special event permit and when holding a license under the division of alcoholic beverages and tobacco of the department of business and professional regulation.
 - a. The following guidelines shall be used by the city division of parks and recreation in issuing any and all permits that include a request for the consumption of alcohol in city parks, buildings, and outdoor areas:
 1. Public buildings:
 - A. Private parties/commercial groups: Individuals and groups requesting the use of public facilities for private parties can serve (but not sell) alcohol at approved functions. Approval shall be subject to all of the terms and conditions of our special event policies.
 - B. Non-profit organizations: Officially registered non-profit organizations requesting the use of public facilities can sell and serve alcohol at approved functions. Subject to the issuance of a state alcoholic beverage license, the city division of parks and recreation may approve special events that include the consumption and sale of alcoholic beverages in public facilities subject to all of the terms and conditions of our special event policies.
 - C. City functions: Officially sponsored city functions are subject to the same terms and conditions as listed for non-profit organizations.
 - D. Approved locations: Subject to review and approval, the facilities listed below are approved for events that may include the consumption or sale (subject to state approval) of alcohol:

Crestview Community Center.
Warriors Hall Auditorium.
Old Spanish Trail Park facilities.

2. Outdoor areas:
 - A. Commercial groups: Shall be prohibited from applying for the use of any outdoor facility or park that would include the consumption or sale of alcohol.
 - B. Non-profit organizations: Officially registered non-profit organizations (strictly for private, noncommercial functions) may apply to the city division of parks and recreation for the use of any outdoor area listed below for any event that includes the consumption or the sale of alcohol. Application for this use shall be made as part of a special event permit application which shall be subject to review and approval by the division of parks and recreation and the city police department. Users must meet security staff requirements as defined by the city police department.
 - C. City functions: Officially sponsored city functions are subject to the same terms and conditions as listed for non-profit organizations.
 - D. Approved locations: Subject to review and approval, ~~the outdoor areas listed below~~

at all city parks are approved for events that may include the consumption or sale (subject to state approval) of alcohol:

~~Crestview Community Center grounds.~~

~~Old Spanish Trail Park (not to include city recreational scheduled events/seasons).~~

3. Special conditions:
 - A. Note: Non-profit organizations: Shall be defined as officially registered non-profit organizations with a non-profit identification number.
 - B. All applicants are subject to the terms and conditions listed in applicable special event policies and ordinances, including fees and insurance requirements. User must provide an insurance certificate listing liquor liability and naming the city as an additional insured. The user must pay a damage deposit commensurate with the proposed use.
 - C. All applicants are subject to regulations and must comply with all requirements from the division of alcoholic beverages and tobacco of the department of business and professional regulation.
 - D. All applicants agree to be fully responsible for ensuring that event participants and organizers are not served excessive amounts of alcohol and do not endanger themselves. All applicants must define a method of control for location of sale, quantity of sale to individuals, and prohibiting individuals from bringing alcoholic beverages into the event.
 - E. All applicants agree to be fully responsible for ensuring that no person under the age of 21 can purchase or consume alcohol beverages at the event.

SECTION 3 – SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 4 – SCRIVENER’S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 5 – ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 6 – REPEAL OF CONFLICTING ORDINANCES. Ordinances, or parts of ordinances or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7 – EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption.

Passed and adopted by the City Council of Crestview, Florida on the 24th day of March, 2025.

ATTEST:

Maryanne Girard
City Clerk

Approved by me this 24th day of March, 2025.

J. B. Whitten
Mayor

ORDINANCE 1993

AN ORDINANCE AMENDING COMMUNITY REDEVELOPMENT AGENCY PROVISIONS; PROVIDING FOR THE AMENDMENT SECTION 58-1 OF THE CODE OF ORDINANCES; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

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- (2) *Alcoholic beverages.* No alcoholic beverages of any kind shall be sold, consumed, served or permitted to be served or consumed in any city facility or on any city property except with an approved special event permit and when holding a license under the division of alcoholic beverages and tobacco of the department of business and professional regulation.
 - a. The following guidelines shall be used by the city division of parks and recreation in issuing any and all permits that include a request for the consumption of alcohol in city parks, buildings, and outdoor areas:
 1. Public buildings:
 - A. Private parties/commercial groups: Individuals and groups requesting the use of public facilities for private parties can serve (but not sell) alcohol at approved functions. Approval shall be subject to all of the terms and conditions of our special event policies.
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 - C. City functions: Officially sponsored city functions are subject to the same terms and conditions as listed for non-profit organizations.
 - D. Approved locations: Subject to review and approval, ~~the outdoor areas listed below~~ **at all city parks** are approved for events that may include the consumption or sale (subject to state approval) of alcohol:

~~Crestview Community Center grounds.~~

~~Old Spanish Trail Park (not to include city recreational scheduled events/seasons).~~

3. Special conditions:
 - A. Note: Non-profit organizations: Shall be defined as officially registered non-profit organizations with a non-profit identification number.
 - B. All applicants are subject to the terms and conditions listed in applicable special event policies and ordinances, including fees and insurance requirements. User must provide an insurance certificate listing liquor liability and naming the city as an additional insured. The user must pay a damage deposit commensurate with the proposed use.
 - C. All applicants are subject to regulations and must comply with all requirements from the division of alcoholic beverages and tobacco of the department of business and professional regulation.
 - D. All applicants agree to be fully responsible for ensuring that event participants and organizers are not served excessive amounts of alcohol and do not endanger themselves. All applicants must define a method of control for location of sale, quantity of sale to individuals, and prohibiting individuals from bringing alcoholic beverages into the event.
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