



Meeting Date: 05/13/08

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Lori Rice, Parks Manager *LR* Agenda Item No. I-5
 Reviewed By: City Manager XRB City Attorney J Finance J Other General Services Supt. LR for

DATE: May 5, 2008

TO: City Council

FROM: Michael Henderson, General Services Superintendent *Lori Rice for*
City Manager's Office

SUBJECT: Prohibition of Possession of Alcohol in City Parks

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance adding Oxnard City Code subsections 7-125(C), (D) and (E), prohibiting possession of alcohol in City parks.

DISCUSSION

Recently, at least six neighborhood councils, several Neighborhood Watch programs, and many residents have expressed concern regarding the possession and consumption of alcohol in City parks. Especially those persons residing near to the parks are concerned for the health, safety, and welfare of their families because of the use of alcohol by individuals using the parks.

A City ordinance currently prohibits the actual consumption of alcohol in the parks. Enforcement of this ordinance is difficult because, unless the police officer actually observes a person consuming the alcohol, there is no violation.

The adoption of the proposed ordinance would prohibit the possession of any open can, bottle, or other receptacle, including kegs, containing alcohol. The police officer would only have to observe the open container, even without consumption of the contents, identify the person in possession and then issue a citation.

A violation of the ordinance would generate a civil citation at an initial cost of \$100 per event. This ordinance does not impose a criminal penalty for this behavior.

FINANCIAL IMPACT

The costs of enforcement of the ordinance will be absorbed in the FY2008/09 Police Department budget.

LR/ld

Attachment No.1: Ordinance Prohibiting Possession of Alcohol in City Parks

Ordinance No.

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Part 3. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the city. Ordinance No. _____ was first read on _____, 20__ and finally adopted on _____, 20__ to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

 05-06-08

Gary Gillig, City Attorney

ATTACHMENT NO. 1
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