

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 13-O-716**

IN THE MATTER OF ORDINANCE 13-O-716, AN ORDINANCE AMENDING BROOKINGS MUNICIPAL CODE CHAPTER 12.40, ALCOHOL PROHIBITED ON PUBLIC PREMISES, OF TITLE 12, STREETS, SIDEWALKS AND PUBLIC PLACES, IN ITS ENTIRETY.

Sections:

- Section 1. Ordinance identified.
- Section 2. Amends Chapter 12.40 in its entirety.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Brookings Municipal Code Chapter 12.40, Alcohol Prohibited on Public Premises, in its entirety.

Section 2. Amends Chapter 12.40 : Chapter 12.40 is amended to read as follows:

**Chapter 12.40
ALCOHOL REGULATIONS FOR CITY PREMISES**

Sections:

- 12.40.010 Alcohol prohibited on City premises.
- 12.40.020 Alcoholic beverage defined.
- 12.40.030 City premises defined.
- 12.40.040 Permitted uses.
- 12.40.050 Authority to revoke permit.
- 12.40.060 Penalties and fines.

12.40.010 Alcohol prohibited on City premises.

It shall be unlawful for any person to drink, consume, transport, carry, or possess, sell or consume any alcoholic beverage, on City premises except as permitted under Section 12.40.040 of this chapter. [Ord. 08-O-618 § 2.]

12.40.020 Alcoholic beverage defined.

The term “alcoholic beverage,” as used in this chapter, shall be construed to mean and include any liquid intended for human consumption containing more than one-half of one percent by volume of alcohol. [Ord. 08-O-618 § 3.]

12.40.030 City premises defined.

For the purpose of this chapter, “City premises” shall include city parks, city buildings, city parking lots, and other premises under the control of the city, but shall not include public highways. [Ord. 08-O-618 § 4.]

12.40.040 Permitted uses.

- A. Possession, sale or consumption of alcoholic beverages on City premises may only be authorized through the issuance of a Park Use Permit, Event Permit, or Capella Use Permit.
 - 1. Only malt beverages, wine or cider shall be allowed under the aforementioned permits. All such permits must be approved by the Chief of Police or Chief's designee.
 - 2. The sale of any alcoholic beverage on City premises shall also require a Temporary Sales License issued by the Oregon Liquor Control Commission (OLCC) and approved by the Chief of Police or Chief's designee for drinking within a licensed area. All rules and regulations of the Oregon Liquor Control Commission shall be strictly enforced.
 - 3. The possession, sale or consumption of alcoholic beverages shall be conducted only within a well defined boundary as depicted by permittee in an exhibit to be attached to the Park Use Permit, Event Permit or Capella Use Permit.
- B. No permit shall be issued authorizing the consumption, sale or possession of alcoholic beverages on any City athletic field, including spectator areas, or within 100 feet of Kidtown in Azalea Park.

12.40.050 Authority to revoke permit

Any officer of the Brookings Police Department shall have the authority to immediately revoke any Park Use Permit, Event Permit or Capella Use Permit if said officer determines that:

- A. An activity taking place at the permitted location is creating a danger to public safety.
- B. The event is being conducting in a manner which is creating a nuisance.
- C. Illegal activities are taking place.

12.40.060 Penalties and fines.

Pursuant to BMC Chapter 1.05, General Penalty. [Ord. 08-O-618 § 5.]

First Reading: September 23, 2013 Passage: September 23, 2013
 Second Reading: September 23, 2013 Effective Date: October 23, 2013

Signed by me in authentication of its passage this 25th, day of September, 2013

ATTEST:

Ron Hedenskog
 Mayor Ron Hedenskog

Joyce Heffington
 City Recorder Joyce Heffington