



## Legislation Text

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**File #:** O-1617-20, **Version:** 2

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CONSIDERATION OF ORDINANCE O-1617-20 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 13-2712 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN SO AS TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES IN COMPLIANCE WITH OKLAHOMA ALCOHOLIC BEVERAGE LAW ENFORCEMENT (ABLE) COMMISSION IN CONNECTION WITH OUTDOOR SPECIAL EVENTS AND FESTIVALS IN NORMAN; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**BACKGROUND:** Norman has been known as the “City of Festivals” for many years now. Creating an ordinance to regulate special events and festivals was suggested in 2008 to develop a streamlined process to assist event planners so that events and festivals could continue while complying with all applicable laws and public safety concerns. On February 24, 2009, City Council adopted Ordinance O-0809-36 to establish regulations and criteria for special outdoor events and festivals. At the time the ordinance was adopted the sale of alcoholic beverages outdoors was prohibited by State law. In accordance therewith, the Special Events Ordinance also prohibited those sales.

**DISCUSSION:** In recent years, legislation was passed to allow for outdoor alcoholic beverages sales in accordance with established laws and regulations promulgated by the ABLE Commission. Applicants who wish to obtain a special event license through the ABLE Commission will still have to comply with all the rules and criteria such as restricting the area where the sales take place to persons 21 and older, restricting the sales to persons 21 and older, etc.

At the time the Special Event Ordinance was adopted, Council recognized that many events are unique and present their own special circumstances, so language was included in the ordinance to authorize the City Clerk to promulgate regulations to meet the intent of the ordinance and to waive or modify requirements/regulations to meet unique circumstances. Since the change in State law, some special event sponsors have requested the ability to have alcoholic sales in conjunction with their event, e.g., Mix on Main and Wine Walk. The City Clerk has exercised the discretion granted to her in the Special Events Ordinance to work with the event sponsors to allow the sale of alcoholic beverages as long as they had the necessary state licenses and were in compliance with all the ABLE Commission regulations. However, it would be staff's preference to update the Special Event Ordinance given the changes in State law so that the sale of alcoholic beverages is clearly identified in the ordinance as permissible.

Resolution R-8687-95 prohibits the distribution or sale for public consumption of intoxicating or alcoholic beverages including 3.2 beer and other 3.2 beverages in City parks. If the ordinance amendment were adopted, the sale of alcoholic beverages would still be prohibited in City parks with the exception of Legacy Park, which Council made a special provision for in Resolution R-1516-31.

**STAFF RECOMMENDATION:** Staff recommends approval of Ordinance O-1617-20 to allow for sale of alcoholic beverages at special outdoor events and festivals in compliance with State of Oklahoma ABLE Commission regulations.