

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: February 1, 2010
Reviewed by: BP

SUBJECT: Alcoholic Beverage “Open Container” Ordinance

REPORT BY: Beth Pollard, City Administrator

MAYOR WILE RECOMMENDATION

Ask the Social & Economic Justice Commission to report back to the City Council in three months with:

- 1) Advantages and disadvantages of the City adopting an “open container” ordinance.
- 2) Provisions the Commission would recommend be considered for inclusion or exclusion if an ordinance were to be adopted.

BACKGROUND

At the last City Council meeting, an Albany resident asked that the City consider adopting an ordinance prohibiting the drinking of alcoholic beverages in public. The impetus for this request was his observation of persons drinking on city streets at night, creating noise and other nuisances, as well as creating concern about criminal activity. Mayor Wile asked that the City Council agendaize consideration of this so-called “open container” ordinance.

DISCUSSION

Last year the Social & Economic Justice Commission discussed the development of an open container ordinance in Albany. The outcome of the discussion was to table further consideration, as it was generally not perceived to be a significant issue for the community at that time.

With the recent request from a member of the public, Council may determine that the drinking of alcoholic beverages in public warrants some discussion and deliberation to determine the advantages and disadvantages of an open container ordinance, and provisions that may be more or less relevant to Albany.

Because the Social & Economic Justice Commission expressed interest in discussing an ordinance, staff recommends the issue be referred to them for a report back on pros and cons, and on provisions if the Council were to pursue an ordinance.

SUSTAINABILITY IMPACT

N/A.

FINANCIAL IMPACT

Staff time to develop, implement, and enforce an ordinance.