

# **Spokane Parks and Recreation Board Policy:**

## **SALE OR CONSUMPTION OF ALCOHOL IN PARKS AND RECREATION AREAS**

Committee Recommended Approval: July 2, 1997

Park Board Approval: July 10, 1997

Effective Date: July 10, 1997

Revised by Park Board: March 14, 2002

**Revisions approved by the Land Committee: April 4, 2007**

**Revisions approved by the Park Board: May 10, 2007**

### **1.0 PURPOSE**

- 1.1 To establish Park Board policy regarding the sale or consumption of alcohol in Parks and Recreation areas.
- 1.2 To adopt operating policies to facilitate and guide the conduct of park business.
- 1.3 To establish authority and procedures for allowing the sale or consumption of alcohol in designated Parks and Recreation areas for specific events or users and specific time periods.

### **2.0 REFERENCES/AUTHORITY**

- 2.1 The City Charter, Article V, Parks and Park Board, Section 48 Park Board - Powers:

"To grant concessions, leases, and privileges under such restrictions and for such compensation as it shall prescribe, the revenue of which shall go into the Park Fund, provided that no concession or privilege shall ever be granted for the sale of any intoxicating liquors in any public park, square, play or recreation ground, park drive, parkway, park boulevard, or designated conservation lands of the City;"

- 2.2 City Charter Article V, Parks and Park Board, Section 48 Park Board powers:

"To make Rules and Regulations for the use of parks and provide for the enforcement of such Rules and Regulations".

- 2.3 Rules of the Park Board Section 14, General Operating Policies and Procedures,

## Rulings, and Appeals:

"The Park Board may from time to time adopt operating policies, rules of procedures, and codes of ethics to facilitate and guide the conduct of its business, which shall be considered an appendage to these rules of the Park Board".

- 2.4 "Park Code 10.10.040 Public Park Section D". No person may possess or consume in any park any liquor, except as specifically authorized by law".
- 2.5 City of Spokane, City Attorney James C. Sloane, opinion May 1, 1988, reflects the current position of the City of Spokane regarding use of alcohol in Riverfront Park.

"It is our opinion that the City Charter has not reduced the powers of the City Council to regulate activities, including the sale of alcohol in public parks. The Charter's limitation is solely upon the Park Board, in that the Park Board has no authority to grant liquor concessions. **The Board, may, however, grant leases which would then allow the lessee to apply for a license to sell spirits without violating the Charter.** While the City Council may authorize the sale and distribution of alcohol in a City park without running afoul of the City Charter, the final authority rests with the Washington State Liquor Control Board."

## 3.0 DEFINITIONS

- 3.1 **Lease** - A contract granting occupation or use of property for a specified period in exchange for a specified rent.
- 3.2 **Alcohol** - Alcohol is any liquor or other intoxicating liquid including, but not limited to, wine, beer, and spirits.
- 3.3 **Everyone** constitutes each and all members visiting Parks and Recreation Department lands, i.e. employees, park visitors, Police, etc.
- 3.4 **Board** – The Spokane Parks and Recreation Board.
- 3.5 **Director** – The Director of the City of Spokane Parks and Recreation Department.

## **4.0 POLICY**

- 4.1 It shall be Park Board policy to prohibit the consumption of alcohol in Parks and Recreation areas except as provided in Section 4.2 and 4.3.
- 4.2 The Park Board and/or the Director of Parks and Recreation at their discretion may grant leases which allow the lessee to apply for a license from the Washington State Liquor Board to sell or serve alcohol in the following Parks and Recreation areas:
- a. Golf Courses
  - b. Riverfront Park
  - c. Corbin Art Center
  - d. Finch Arboretum
  - e. Southside Senior Activity and Community Center
  - f. Park Bench Café in Manito Park
- 4.3 The Park Board and/or the Director of Parks and Recreation at their discretion, may grant leases to non-profit organizations which allow the lessee to apply for a license from the Washington State Liquor Control Board to sell or serve alcohol in other Parks and Recreation areas under the following conditions::
- a. The sale or service of alcohol is a part of a public community event
  - b. The Neighborhood Council of the impacted park must provide a written endorsement of the sale or service of alcohol
  - c. Only one requested variation event per year per park if granted.
- 4.4 Leases granted pursuant to this Policy for periods greater than seventy-two (72) hours shall be limited to the golf courses and Riverfront Park.
- 4.5 Only wine and beer may be consumed at/on the Corbin Art Center and grounds – no hard liquor is allowed.

## **5.0 PROCEDURE**

- 5.1 The Parks and Recreation Department shall have the responsibility to communicate to Parks and Recreation area visitors that the sale or consumption of alcohol is prohibited, with the exception of leases approved under the Policy set forth in Paragraph 4.0.
- 5.2 Lease requests for Golf Courses and Riverfront Park for periods longer than

seventy-two (72) hours **requires Park Board approval.**

## **6.0 ENFORCEMENT**

- 6.1 Enforcement of City of Spokane Municipal Code 10.10.040 Public Parks Section D lies with the City of Spokane Police Department. Violations should be referred to the City of Spokane Police Department for response.
- 6.2 Violation of the terms of any Liquor Control Board Permit is grounds for termination of the lease involved.