

Pub. Imp. _____
Govt. Grnt. _____
Emer. _____
P. Hrngs. _____
Pgs. 3
Filed: 6-20-06

Sponsored by: Carlson

First Reading: June 26 - 2006
AMENDED
COUNCIL BILL NO. 2006 - 174

Second Reading: July 10 2006
GENERAL ORDINANCE NO. 5574

AN ORDINANCE

AMENDING Chapter 10, Alcoholic Beverages, Article I, by enacting one new section to restrict the use of drink specials in establishments with beer and intoxicating liquor by the drink licenses. (Hospitality Resource Panel and staff recommend approval).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows:

Section 1 - That Article I, In General, Chapter 10, Alcoholic Beverages of the Springfield City Code is hereby amended by enacting one new section 10-10, which new section shall read as follows:

10-10. Drink Specials Prohibited.

No person or employee of a person conducting a business by virtue of any retail beer or liquor license issued by the city for the sale of beer or intoxicating liquors of any type shall:

A. Offer for sale beer or intoxicating liquor of any type, at less than the cost of the beer or liquor to the license holder; or

B. Sell, offer to sell or deliver to any person an unlimited number of drinks containing beer or intoxicating liquor of any type during a set period of time for a fixed price; or

C. Encourage or permit, on the licensed premises or within the business establishment, any game or contest which involves drinking or awarding any drinks containing beer or intoxicating liquor of any type during any one twenty-four hour period.

Section 2 - This ordinance shall be in full force and effect from and after passage.

Passed at meeting: July 10, 2006

Thomas Carlson
Mayor

Attest: David M. Cuta, City Clerk

Filed as Ordinance: July 10, 2006

Approved as to form: Mary K. Yendes Assistant City Attorney

Approved for Council Action: Bob Lumley City Manager

Affected Agency Notified:
Emergency Required: No
Budget Adjust. Required: No
Board Rec. Required:
Public Hearing:
Sponsor: Carlson
Date: 6-19-06

AMENDED EXPLANATION TO COUNCIL BILL NO. 2006-174

ORIGINATING DEPARTMENT: Law

PURPOSE: To adopt an ordinance regulating the use of drink specials by establishments holding city beer and liquor by the drink retail licenses. (Hospitality Resource Panel and staff recommend approval).

BACKGROUND INFORMATION: The City and the Urban Districts Alliance became engaged in the process of addressing the impacts of the hospitality industry in the mixed use environment of Center City over two years ago and subsequently requested assistance from the Responsible Hospitality Institute (RHI) staff. RHI led several discussions with Center City stakeholders representing community, safety, hospitality, and development perspectives. This diverse group developed strategies for dealing with impacts in the urban districts of various practices including underage patrons and drink specials. These strategies were outlined in a report. One of the recommendations was to create the Hospitality Resource Panel with representatives from each perspective to collaborate in addressing the issues identified in the report.

Incidents in downtown last fall highlighted two problems that Council asked staff to address. The incidents involved minors in a nightclub following a night of serving unlimited drink specials. Council requested the Law Department, in consultation with the Panel, to draft ordinances dealing with the identified problems. This proposed council bill addresses the issue of drink specials. An accompanying bill will address people under 21 in bars and clubs. After reviewing a number of ordinances and statutes, the Law Department selected sections from a number of state statutes as its pattern for this ordinance.

Although the focus of the HRP is in Center City, the proposed ordinance will apply city-wide.

STAFF COMMENTS: Staff and the HRP believe that it is irresponsible to offer drink specials encouraging over consumption of alcohol. The proposed ordinance prohibits:

- Offering drinks for sale at less than the wholesale cost to the establishment.
- Offering an unlimited number of drinks during a set period for a fixed price.
- Having drinking contests.

RECOMMENDATION: Staff recommends approval. The Hospitality Resource Panel recommended approval at its April 20, 2006, meeting.

Submitted by:


Assistant City Attorney

Approved by:


City Manager