

CITY OF RIVERBANK

ORDINANCE NO. 2009-008

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
REPEALING CHAPTER 111: ALCOHOLIC BEVERAGES IN ITS ENTIRETY AND
ADOPTING A NEW CHAPTER 111: ALCOHOLIC BEVERAGES IN TITLE 11,
BUSINESS REGULATIONS, OF THE
CITY OF RIVERBANK CODE OF ORDINANCES**

The City Council of the City of Riverbank does hereby ordain as follows:

Title II: BUSINESS REGULATIONS, Chapter 111: ALCOHOLIC BEVERAGES, of the Riverbank City Code shall read as follows:

CHAPTER 111: ALCOHOLIC BEVERAGES

Section

111.01 Drinking in public places prohibited

111.02 Exceptions

111.01 DRINKING IN PUBLIC PLACES PROHIBITED

No person shall drink any alcoholic beverage or have in his or her possession an open container of alcoholic beverage on any public street, sidewalk, alley, or walkway, municipal park, or on any private lot held open to the public, or on any public parking lot.

111.02 EXCEPTIONS

(A) No alcoholic beverages can be consumed at Community facilities, Plaza Del Rio or the Cheese and Wine Exposition without complying with the following:

1. A permit and/or agreement must be obtained from the Recreation Department. Permits must be approved by the Chief of Police Services and Director of Parks and Recreation, whereas Agreements will only require approval by the Director of Parks and Recreation, or designee.
2. Depending upon the event, specific guidelines may be set forth by the Chief of Police Services and Director of Parks and Recreation. The Chief of Police, or designee, has the expressed authority to require additional serving procedures and modifications, including revocation of the permit at any time.

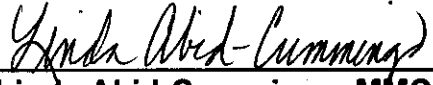
3. Security officers, sheriff personnel, site monitors, custodians, and other personnel may be required for public safety, health and welfare.
4. Alcohol shall only be permitted at the Plaza Del Rio if used by a Riverbank Community organization or Riverbank nonprofit organization. Outside nonprofits will be considered for approved use on a case by case basis.
5. Community Facilities can be used by the general public for weddings, baby showers, dances, etc. and need only be approved by the Parks & Recreation Director.
6. The City shall require a certificate of insurance, and an additionally ensured endorsement naming the City of Riverbank, in the amount of one million dollars.
7. The City Council shall, by Resolution, establish administrative fees and other fees for staffing, security, and clean-up.
8. Any organization or person selling alcohol without a permit is subject to a fine of up to \$250.00, and shall be banned from such use in the future.

This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

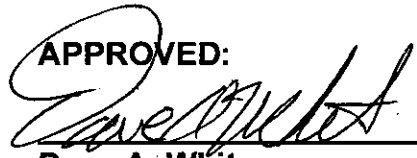
The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Riverbank held on August 24, 2009. Said ordinance was given a second reading at a regular meeting of said Council on September 14, 2009, and Councilmember Jesse James White seconded by Councilmember Daniel Fielder, moved the adoption of said ordinance, and upon roll call was carried by the following vote of 3-1:

AYES: Councilmembers: J. J. White, Fielder, and Benitez
NAYS: Councilmember: Vice Mayor D. A. White
ABSENT Councilmember: Mayor (position vacant)
ABSTAIN: None

ATTEST:


 Linda Abid-Cummings, MMC
 City Clerk

APPROVED:


 Dave A. White
 Vice Mayor