

STAFF REPORT
City of Lancaster

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06/14/16
MVB

Date: June 14, 2016

To: Mayor Parris and City Council Members

From: Britt Avrit, CMC, City Clerk

Subject: **Consideration of adoption of Ordinance No. 1013**

Recommendation:

Adopt **Ordinance No. 1013**, amending Title 5 of the Lancaster Municipal Code by adding a new Section 5.04.055, relating to business licenses and the establishment of operational requirements for certain types of businesses.

Fiscal Impact: While the City may incur some slight additional cost associated with enforcement of this new regulation, it is expected to be minimal. After some history with the new process, staff will amend the pertinent departmental budget(s) if these costs are greater than anticipated.

Background:

City public safety personnel and Los Angeles County Sheriff’s deputies have reported numerous instances of unlawful activities and conditions occurring at and immediately adjacent to alcoholic beverage establishments where purchases are made for off-site consumption. These nuisance conditions cause blight on the community and a drain on law enforcement resources. It has been staff’s experience that such unlawful nuisance activities and conditions are often the result of persons being able to purchase alcoholic beverages, intended for off-site consumption, in smaller single servings (e.g. a single can or bottle of beer, a small “airplane” sized bottle of distilled spirits, etc.).

Staff recommends that the general business license regulations, set forth at LMC Chapter 5.04, be amended by adding a new Section 5.04.055, “Operational Requirements for Certain Types of Businesses.” Section 5.04.055 will in part, prohibit alcoholic beverage establishments from allowing persons to purchase alcoholic beverages for off-site consumption in less than minimum sizes and/or quantities. These operational requirements will be applicable to an establishment from which persons purchase alcoholic beverages for off-site consumption, whether it is “deemed approved” or operates under a CUP.

Ordinance 1013 provides that no person may purchase individual container cans or bottles of beer, with certain allowances for combining several individual containers into a “six-pack;” malt beverage products in any quantity less than six, or manufacturer’s pre-packaged four-pack; wine in smaller than 750 milliliter containers; wine coolers in less than pre-packaged multi-quantities; and distilled spirits in less than 350 milliliter containers. Ordinance 1013 also exempts certain types of alcoholic beverage establishments that allow the purchase of beverages for off-site consumption; these include establishments containing public space of 10,000 square feet or larger, and those that hold a large brewery, brew pub/micro-brewery and/or winery license from the California Department of Alcoholic Beverage Control.

At the May 24, 2016 meeting, the City Council approved the introduction of Ordinance No. 1013 by the following vote:

AYES: Council Members Malhi, Mann, Vice Mayor Crist, Mayor Parris
NOES: None
ABSTAIN: None
ABSENT: Council Member Underwood-Jacobs

Attachment:
Ordinance No. 1013