CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: September 21, 2015

ITEM: Motion – Waiver of Alcohol Provisions – City Code – Food Truck 5K- Valley View Park

FINANCIAL IMPACT: None

SYNOPSIS: Thrive United Methodist Church (UMC) is hosting a special event in Valley View Park to benefit Iowa Homeless Youth Centers. The event, the Food Truck 5K, involves a walk/run on trails around the park and a food truck rally to be held in the open grass area to the north of the Valley View Aquatic Center parking lot. In addition to food being sold by local food truck operators, Thrive UMC is also planning to contract with the Des Moines Jaycees to sell beer. The sale of food and beer will receive written approval from the Director of Parks and Recreation as it is an activity being held pursuant to a city special event permit. The Jaycees would have to operate under a liquor license approved by the City Council. (A separate item on the agenda at tonight's Council meeting). All beer sales, possession, and consumption would take place within a fenced area in the grass area to the north of the parking lot under the requirements of the liquor license to be approved tonight by the City Council.

Thrive UMC is requesting a waiver of the City Code section 7-11-2S. Consumption of Alcohol. They would like to be able to sell beer in glass bottles with the Jaycees pouring the beer from the bottles into cups for serving. In order for beer to be sold from glass bottles, the requirement that beer may be possessed and consumed <u>in individual cans not exceeding 16 ounces in size</u> would need to be waived by the Parks and Recreation Advisory Board and the City Council.

BACKGROUND: The section of the City Code can be found below:

S. Consumption In Public Parks: The department of parks and recreation may establish facility use policies regarding alcoholic beverage possession, consumption, and sales within park facilities. No person shall consume alcoholic liquor, beer, or wine while present upon Holiday Aquatic Center premises, Valley View Aquatic Center premises, the designated beach and swimming area at Raccoon River Park, Crossroads Park, Western Hills Park, Brookview Park, Woodland Hills Park, Maple Grove Park, or in any parking lot, driveway, or road within a city park. However, beer may be possessed and consumed in any other public park owned or leased by the city, provided it is within individual cans not exceeding sixteen (16) ounces in size. Dispensing from kegs shall be permitted only with written permission of the director under the rules adopted by the department for the Raccoon River Park Nature Lodge, the Raccoon River Park Softball Complex, and during activities held pursuant to a city special event permit. Consumption of wine shall be permitted in the nature lodge in accordance with department established facility use policies. Signs prohibiting the consumption or possession of alcoholic liquors, wine, or beer shall be posted where appropriate. (Ord. 2022, 2-24-2014)

OUTSTANDING ISSUES: None

RECOMMENDATION: Staff and the WDM Parks and Recreation Advisory Board recommend that the City Council waive the requirement that beer may be possessed and consumed in individual cans not exceeding 16 ounces in size to allow Thrive UMC and the Des Moines Jaycees to sell beer in glass bottles not exceeding 16 ounces in size and then poured into cups for serving.

Lead Staff Member: Sally Ortgies and Gary Scott

STAFF REVIEWS

Department Director	Gary D. Scott, Director of Parks and Recreation
Appropriations/Finance	
Legal	
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Parks and Recreation Advisory Board		
Date Reviewed	August 20, 2015		
Recommendation	**Yes**		