

# POLICE DEPARTMENT Inter-Office Communication

To:

Honorable Mayor and

Date: July 26, 2010

Members of the City Commission

Via:

Russ Blackburn

City Manager

From:

Tony Jones

Chief of Police

Subject:

City Commission Staff Assignment: Bar Closing Times

The City Commission referred the issue of bar closing times to the Public Safety Committee in June, 2010 after hearing a comment from Mr. John Feldman. This memorandum addresses the referral to provide background on 2:00 am bar closing times and considerations if bar hours were to change.

### Historical:

Bar closing times have been discussed and researched extensively many times over the preceding decade.

In 1999, bar closing times was part of larger Gainesville "rave" committee. At that time, bars had to stop serving alcohol at City mandated time of 2:00 a.m. Monday through Saturday (11:00 pm Sunday) but could stay open without alcohol. A small amount of establishments who stayed open were part of tremendous safety, police, and emergency medical issues in the Downtown area related to illegal drugs, fights, alcohol, youth, and order maintenance problems. Following almost a year of discourse involving the entire community, the rave committee concluded. The City optioned back in to existing State Statute to ensure that bars closed at the same time that they stopped serving alcohol. Some establishments attempted to amend their hours and open earlier but this action effectively eliminated the rave specific types of problems that were generated from bars being open all night. A related City ordinance regulating "Dance Halls," establishments that have characteristics similar to bars but without any alcohol service, was created around this time to close establishment loopholes on open and closing times.

More recently, in 2007, a GPD white paper discussed general strategies for hospitality districts. In 2008 Commissioner Jeanna Mastrodicasa championed several hospitality district initiatives. Two results involved taxi parking areas and an underage drinking ordinance which established thresholds for how many underage drinkers could be caught before bar sanctions were imposed. In July 2009 the Public Safety Committee also briefly discussed bars and hospitality districts.

## **Current:**

Bars in Gainesville are located citywide but are congregated most densely in two (2) hospitality / entertainment districts in the Downtown and College Park (Midtown) area. Other municipalities and regions internationally have many ways to deal with closing times at bars and this is currently a very highly debated topic. The concept of "soft," "staggered," and "hard" closing times does have public safety impacts. "Soft Closings" is a mechanism that allows bars to stop serving alcohol at a certain time but remain open for a short time afterward. Staggered closings are a related concept that allows bars to serve alcohol and close at various times.

## **Public Safety Considerations:**

While this report does not take an agency position on extended bar closing times, the impact of any changes would involve the following considerations:

- Patrol personnel shifts currently overlap between busy night time hours of 10:00 p.m. 3:00a.m.
  - O Staffing is maximized for current bar closing times. Extended hours may involve fiscal and/or overtime impacts.
- Downtown Unit personnel work 12 hour shifts. Shift personnel work 10 hour shifts.
- Noise Extended hours may mean extended noise.
- Intoxication levels Research is mixed. Persons may be leaving bars more intoxicated if bar hours are extended since drinking occurs right up until the last minute alcohol can be served.
- Transportation alternatives Later Gator run times and taxi service impacts.
- Staggered closings System devised for bars must be created if used.
- Locations If bar closing times were enacted, City Legal will need to be consulted to determine if this must be citywide.

## **Legal Considerations:**

Can the City enact soft closings? Florida Statutes provide that bars must close when they stop selling alcohol unless the local government says otherwise. So City ordinance may have to add language that they can remain open past the alcohol selling time and state what time that is. If enacted, ordinances could be sunsetted to allow for mandatory review.

### Research / Sources:

Last year, Gainesville Police posted questions in two (2) online forums representing the Town Gown Association and the Responsible Hospitality Institute / Sociable City Network related to bar closings. Not much information was received though additional research options were provided.

Other resources reviewed include:

Assaults In and Around Bars. 2<sup>nd</sup> Edition. Problem guide. Center for problem oriented policing guide. 2006.

"Do relaxed trading hours for bars and clubs mean more relaxed drinking? A review of international research on the impacts of changes to permitted hours of drinking." <u>Crime Prevention and Community Safety Journal</u>. 2009. Studied drinking in the UK and Australia.

Downtown San Jose Hospitality & Nightlife Alliance: Downtown historic district. Pilot closing program. Several documents. 2007.

"Inviting, Safe, and Cohesive: A proposal for the Management of the South Side Using Responsible Hospitality Practices." Prepared for Councilman Bruce Kraus, Pittsburgh City Council. August, 2009. Research report.

<u>Planning, Managing, and Policing Hospitality Zones: A Practical Guide</u>. Responsible Hospitality Institute, 2006.

Public Order and Drinking Environments. International Center for Alcohol Studies. www.icap.org

A GPD volunteer is currently tasked with calling other municipalities and a written report will be provided at a later time compiling bar closing practices in other areas.