



GAINESVILLE POLICE DEPARTMENT

Open Service Permit

Lieutenant Michael Schibuola

April 21, 2016

Item #140840

Current Ordinance

- Bars can operate with the mixture of both under age (18-20) and those that are of age to consume alcohol (21 and over)
- Alcohol cannot be consumed in any establishment after 2 a.m. and all establishments considered to be a bar must close at 2 a.m.
- Bars must have crowd managers at every entrance per Sec. 10-51. “Requirements for assembly occupancy owners and crowd managers. “

Current Ordinance Cont.

- Establishments have been held responsible if found in violation of allowing those under 21 to consume alcohol on the premises.
- Suspensions were based on the number of quarterly violations of FSS 562.111 based on occupancy. Checks were done both randomly and through target specific details by GPD officers.
- Violations were often contested due to underage patrons using a fake or other persons “over 21 YOA” IDs to gain entry to the bar.

Suggested Changes to Ordinance Moving Forward

- Create an “Open Service” permit under Chapter 4 Article III of the City Ordinance.
- Alcoholic Beverage Establishments that want to allow persons 18 to 20 in their businesses from 9:00 PM to 2:00AM shall be required to obtain the permit.
- Permit requirements: Staff training (annually), approved ID scanners and/or sworn law enforcement for exterior security.

Suggested Changes to Ordinance Moving Forward

- Violations of permit will be based on specific targeted details utilizing a control group of persons under 21 YOA.
 - 1st Violation - written warning issued to the business.
 - 2nd Violation, business shall be required to re-train staff and hire sworn law enforcement for exterior security for a 4 month period.
 - 3rd Violation business shall have permit suspended for a set time period (90 days).

Suggested Changes to Ordinance Moving Forward

- Violations of the Open Service while under suspension/revocation or allowing patrons under 21 years of age on the premises without a permit. Shall be considered a Class II violation, currently set as Class IV:
 - 1st Violation – Monetary fine of \$500.00.
 - 2nd Violation – Double Initial Fine at \$1000.00.
 - 3rd Violation – Mandatory court appearance.

Education and Reduction of Criminalization for Alcohol Offenses

- Continue with educational programs such as the PBT (portable breath testing).
- Continue with Safety Kiosk details.
- Addition within ordinance allowing for the issuance of a civil citation/fine the first time an underage person is found in possession of alcohol in an “alcoholic establishment”. Set fine at \$125.00, equivalent to current urinating in public violation.

What are We Trying to Accomplish

- Reduce violence and sexual assaults attributed to alcohol abuse.
- Ensure bar owners/staff are being responsible toward reducing underage alcohol violations.
- Reduce criminal sanctions for underage alcohol possession in bars.
- Reduce prevalent use of false and fake ID's.
- Reduce access to alcohol by persons under 21.
- Reduce impact on patrol officers regularly staffing the midtown and downtown locations, particularly at bar closing.



RECOMMENDATION

On January 11, 2016 the Public Safety Committee voted to send this item back to the full City Commission with the recommendation to accept proposed changes.

Dialogue

Questions/Comments?