

COUNCIL ACTION FORM

SUBJECT: **REQUEST TO WAIVE ENFORCEMENT OF PROHIBITION OF ALCOHOL CONSUMPTION IN BANDSHELL PARK FOR AMES ON THE HALF SHELL**

BACKGROUND:

Ames On the Half Shell is an activity, sponsored by the Ames Jaycees, which includes a live band with concession sales (food, beer, wine coolers, and soft drinks). The Jaycees have already been approved to hold events at the Bandshell on four Fridays, July 9 – 30, and to serve alcohol at these events, however, the July 9 event was cancelled due to severe weather potential.

The Jaycees want to reschedule the July 9 event for Friday, August 13. In the event of another cancellation, the Jaycees are also requesting additional Friday rain dates in August and/or September. Specific dates are not known at this time as the Jaycees would need to check with the bands to determine what dates are available. A maximum of four events would be held in 2021 by the Jaycees which is what was originally planned.

The request asks for alcohol to be served between the hours of 5:00 and 8:00 PM and consumed at ground level within the fenced in area no later than 9:00 PM or the removal of the temporary fencing, whichever comes first. The Jaycees already have a State liquor license and dram shop insurance to assure compliance with local and State liquor laws. According to the Jaycees, the sale of alcohol is what allows them to raise money that is given directly back to the community through their projects.

The Parks and Recreation Commission reviewed this request at its July 22, 2021 special meeting and recommended that City Council grant this waiver for Ames on the Half Shell on Friday, August 13, and other Fridays in August and September if there are additional cancellations. The Jaycees would only be allowed to host a maximum of four events in the 2021 season.

ALTERNATIVES:

- 1a. Waive enforcement of prohibition of alcohol consumption in Bandshell Park (Section 17.17 of *Municipal Code*) from 5:00 PM to 9:00 PM on Friday, August 13
- 1b. Authorize Parks & Recreation Director or designee to administratively approve alternative dates during August and September 2021 should additional cancellations occur

2. Deny the request and do not allow the consumption of alcohol at the park.

CITY MANAGER'S RECOMMENDED ACTION:

The Jaycees have been hosting this event at Bandshell Park for 17 years. Each year, Parks and Recreation administrative staff attends the event. Staff has consistently been impressed with the level of organization the Jaycees provide and that the event draws people of all ages. The Police Department receives very few complaints concerning the event. Having the ability to sell alcohol allows the Jaycees to fulfill their commitment to community betterment including Parks and Recreation projects. The Jaycees have already received approval from City Council to serve alcohol for their July events and this request is to provide the Jaycees the opportunity to reschedule cancelled events.

Therefore, it is the City Manager's recommendation to approve Alternative #1a. and b. as stated above.