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SONORA POLICE DEPARTMENT

100 South Green Street
Sonora, California 95370

"Maintaining a Safe Community since 1851"

TO: HONORABLE MAYOR, CITY COUNCIL MEMBERS

FROM: TURU VANDERWIEL, ACTING POLICE CHIEF 

DATE: 5 MARCH 2018

**RE: OPEN CONTAINERS OF ALCOHOLIC BEVERAGES
DURING THE 2018 MOTHER LODGE ROUND-UP PARADE**

RECOMMENDATION:

It is recommended the City Council adopt Resolution Number 03-05-2018-B, authorizing the possession of opened alcoholic beverage containers and the public consumption of alcoholic beverages within the cordoned areas of the special event which is identified by the street closures of State Route 49 (Washington Street), and other identified connecting City Streets for the 2018 Mother Lode Round-Up Parade.

BACKGROUND:

Each year the Tuolumne County Sheriff's Posse sponsors the Mother Lode Round-Up Parade on the Saturday proceeding Mother's Day. This year the Parade will be held on Saturday 12 May 2018. It is scheduled to begin at 10:00 A.M. and will conclude at approximately 1:00 P.M. Historically, open containers of alcoholic beverages and public consumption of alcohol has been permitted for the duration of the parade. At the completion of the parade, and prior to the re-opening of any streets and/or at the direction of the Police Department, all open containers are removed from public areas and private lands open to the public.

DISCUSSION:

California Business and Profession code section 25620 prohibits the possession of open containers in any city, county, or city and county owned park or other city, county, or city and county owned public place, or any recreation and park district, or any regional park or open-space if the city, county, or city and county has enacted an ordinance that prohibits the possession of those containers or the consumption of alcoholic beverages in those areas. Accordingly, Sonora Municipal Code section 9.08.010 deems it unlawful for any person to drink, consume or possess an open container of an alcoholic beverage, or intoxicating liquor, or smoke marijuana upon any public street, public park, public

parking lot, public sidewalk, and grounds of public buildings, and private building or lands that are open to the public.

The Tuolumne County Sheriff's Posse has asked that the area within the boundaries of the street closures, as identified in Sonora City Resolution Number 03-05-2018-A, to be designated as an open container area and that within that area, public consumption of alcoholic beverages also be permitted for the duration of the Mother Lode Roundup Parade or as otherwise directed by the Sonora Police Department.

Recognizing that public safety is of the utmost priority, the Sonora Police Department is recommending that as a condition to allowing open containers of alcoholic beverages for said event, that these containers are limited to those constructed of materials other than glass.

RESOLUTION 03-05-2018-B

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA, CALIFORNIA, APPROVING THE TEMPORARY SUSPENSION OF OPEN CONTAINER AND PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGE REGULATIONS TO ACCOMMODATE THE MOTHER LODGE ROUND-UP PARADE, SATURDAY, 12 MAY 2018.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SONORA THAT OPEN CONTAINERS OF ALCOHOLIC BEVERAGES AND THE PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES BE ALLOWED WITHIN THE BOUNDARIES OF THE FOLLOWING STREET CLOSURES ON SATURDAY 12 MAY 2018, COMMENCING AT 10:00 AM AND CONCLUDING AT 1:00 PM, UNLESS OTHERWISE DIRECTED EARLIER UPON THE AUTHORITY OF THE SONORA POLICE DEPARTMENT.

1. State Route 49 (Washington Street) from Snell and Elkin Streets to State Route 49 (Stockton Road).
2. South Washington Street from State Route 49 (Stockton Road) to Hospital Road.
 - A) The following streets between State Route 49 (Washington Street) and Stewart Street;
 - B) Elkin Street
 - C) East and West Dodge Street
 - D) East and West Jackson Street
 - E) East Bradford Ave
 - F) East and West Linoberg Street
 - G) Theall Street
 - H) East and West Church Street
 - I) Gold Street
 - J) William Street
 - K) East and West Lytton Street
 - L) Restano Way

BE IT FURTHER RESOLVED THAT THIS RESOLUTION ONLY APPLIES TO PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN SPECIFIED AREAS, AND THAT THE PUBLIC SMOKING OF MARIJUANA REMAINS PROHIBITED AS DESCRIBED IN SONORA MUNICIPAL CODE 9.08.010.

BE IT FURTHER RESOLVED THAT THE POSSESSION OF OPEN CONTAINERS AS AUTHORIZED BY THIS RESOLUTION ARE LIMITED TO THOSE CONTAINERS NOT CONSTRUCTED OF GLASS.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Sonora that all of the above is hereby approved, subject to the Tuolumne County Sheriff's Posse meeting all liability insurance requirements as specified by the City of Sonora, and having met all conditions as required by the California Department of Transportation.

PASSED AND ADOPTED as a Resolution of the City Council of the City of Sonora, California at a regular meeting of said City Council held on 05 March 2018, by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and approved on: _____, 2018

Connie Williams, Mayor Date

ATTEST: _____
Marijane Cassinetta, City Clerk Date

RESOLUTION 03-05-2018-B