

AN ORDINANCE AMENDING AMC 7.28.102 TO INCLUDE **WAVERLY PARK** AMONG THE LIST OF PARKS WHEREIN POSSESSION OF ALCOHOLIC BEVERAGES IS PROHIBITED WITHOUT A SPECIAL PERMIT AND DECLARING AN EMERGENCY.

WHEREAS, the City has experienced frequent instances of litter, vandalism, and disruptive behavior in certain of its parks, which appear to stem from inappropriate consumption of alcoholic beverages at City parks; and

WHEREAS, the aforesaid behavior adds to the City's maintenance and law enforcement expenses; and

WHEREAS, the aforesaid behavior interferes with the general public's safety, use and enjoyment of its parks and playgrounds; and

WHEREAS, such instances related to alcoholic beverage use have been frequently observed in Waverly Park, shown as Exhibit A; and

WHEREAS, nearby residents and businesses have stated they are negatively affected by behaviors associated with alcoholic beverage use in Waverly Park and have petitioned the City to include this park in its list of parks where alcoholic beverages are prohibited; and

WHEREAS, the City also desires to discourage instances of the aforesaid behavior at Waverly Park;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Amendment of AMC 7.28.102. is hereby amended to read as follows:

7.28.102 Intoxicating beverages -Prohibition -Bryant Park, Bowman Park, Eleanor Park, Monteith Riverpark, Albany Skatepark, Burkhart Park, Swanson Park, the Dave Clark Riverfront Path, Eads Park, Kinder Park, the Oak Creek Greenbelt and Trail, and **Waverly Park**

It is unlawful for any person to possess an alcoholic beverage in Bryant Park, Bowman Park, Eleanor Park, Monteith Riverpark, Albany Skatepark, Burkhart Park, Swanson Park, the Dave Clark Riverfront Path, Eads Park, Kinder Park, the Oak Creek Greenbelt and Trail, and Waverly Park without a special permit. For the purpose of AMC 7.28.102 through 7.28.108, an "alcoholic beverage" is any beverage having alcohol content of more than one-half of one percent by volume."

Section 2: Emergency Clause. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, and an emergency is hereby declared to exist. This ordinance will be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

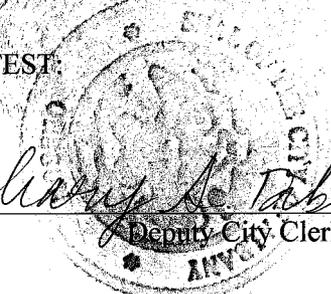
Passed by the Council: March 14, 2012

Approved by the Mayor: March 14, 2012

Effective Date: March 14, 2012

ATTEST:



Deputy City Clerk




Mayor