

ORDINANCE NO. 2009-124

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA,
MAKING REVISIONS TO CITY OF TAMPA CODE OF
ORDINANCES, CHAPTER 3 (ALCOHOLIC BEVERAGES);
AMENDING SEC. 3-41. DEALING WITH POSSESSION OR
CONSUMPTION OF ALCOHOLIC BEVERAGES ON
PROPERTY OPERATED OR SUPERVISED BY THE
PARKS AND RECREATION DEPARTMENT; PROVIDING
FOR REPEAL OF ALL ORDINANCES IN CONFLICT;
PROVIDING FOR SEVERABILITY; PROVIDING AN
EFFECTIVE DATE.

WHEREAS, the City wishes to allow for the consideration of granting alcoholic beverage special use permits on property operated or maintained by the City of Tampa Parks Department;

WHEREAS, the City wishes to allow for the consideration of allowing the service of alcoholic beverages by a licensed caterer on certain property operated or maintained by the City of Tampa Parks Department;

WHEREAS, the City wishes to allow for the consideration of granting alcoholic beverage special use permits on property operated or maintained by the City of Tampa Parks Department;

WHEREAS, the City Council of the City of Tampa has determined that the following amendments promote and protect the general health, safety and welfare of the residents of the City of Tampa; and,

WHEREAS, a duly noticed public hearing as required by law was held by the City Council of the City of Tampa, at which public hearing all residents and interested persons were given an opportunity to be heard.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. That "Sec. 3-41. Possession, consumption on property operated or supervised by the parks and recreation department; temporary wet zoning of public area, facility, or property operated or supervised by the parks and recreation department." is hereby amended by adding the underlined language and deleting the stricken language as follows:

"Sec. 3-41. Possession, consumption on property operated or supervised by the parks and recreation department; temporary alcoholic beverage special use

1 permits granted for wet zoning of public area, facility, or property operated
2 or supervised by the parks and recreation department.

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4 (a) ~~Unless authorized by the city council pursuant to a petition for temporary wet~~
5 ~~zoning in accordance with section 3-53, it~~ It is unlawful for any person to bring
6 upon or to consume any type of alcoholic beverages in any area, facility or
7 property which is operated or supervised by the parks and recreation department,
8 unless such property is permitted for the sale of alcoholic beverages pursuant to
9 law, or as provided in subsection (c).

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11 (b) ~~Anything herein to the contrary notwithstanding, a petition for temporary~~
12 ~~alcoholic beverage special use permit wet zoning pursuant to section 3-53,~~
13 ~~temporary classification for permitted nonprofit organizations, shall be limited to~~
14 ~~the following public area, facility or property operated or supervised by the parks~~
15 ~~and recreation department:~~

- 16 (1) Al Lopez Park, 4810 North Himes Avenue;
- 17 (2) Centennial Park, 1800 8th Avenue;
- 18 (3) Cotanchobee Fort Brooke Park, 601 Ice Palace Drive;
- 19 (4) Lowry Park, 7523 North Boulevard;
- 20 (5) Lykes Gaslight Square, 410 Franklin Street;
- 21 (6) Nations Bank Park Plaza, a.k.a. Kiley Gardens, 400 North Ashley Street;
- 22 (7) Plant Park, 401 West Kennedy Boulevard;
- 23 (8) Ragan Park, 1200 East Lake Avenue;
- 24 (9) Rowlett Park, 2401 East Yukon Street;
- 25 (10) Seminole Heights Garden Center, 5810 Central Avenue;
- 26 (11) Tampa Water Works Park, 1810 Highland Avenue;
- 27 (12) Cypress Point Park, 5620 West Cypress Street;
- 28 (13) ~~Waterfront Area~~ Curtis Hixon Waterfront Park, 600 North Ashley Drive.

29 ~~Applications for the temporary wet zoning of any of the aforementioned public~~
30 ~~areas, facilities, or property operated or supervised by the parks and recreation~~
31 ~~department shall comply with the provisions of section 3-53, temporary~~
32 ~~classification for permitted nonprofit organizations, and must necessarily be~~
33 ~~approved by the city council.~~

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35 (c) Alcoholic beverages may be served by a licensed insured caterer at Ragan Center,
36 1200 East Lake Avenue, and the Seminole Heights Garden Center, 5810 Central
37 Avenue, so long as no individual sale of alcoholic beverages occurs on premises,
38 and so long as it is approved pursuant to a facility use permit, pursuant to Sec. 16-
39 21.

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43 **Section 2.** That should a court of competent jurisdiction declare any part of
44 this Ordinance invalid the remaining parts hereof shall not, in any way, be affected by
45 such determination as to the invalid part.
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