

City of Dunnellon  
Agenda Summary Form

**Meeting Date:** October 10, 2022

1. Responsible Department: Community Development
2. Presenter: Georgina Cid
3. Recommended Action: Approval

**Subject:** Two Rivers Music Festival and Food Truck Rally 2022

**Request for Approval Summary Explanation & Background:**

Permission for service of alcoholic beverages on the streets in accordance with attached event map. This event is scheduled for October 15, 2022.

In order for the service and consumption of alcoholic beverages to be allowed during an event on public property, the host for the event must seek City Council permission and waiver of City Code, Sec. 6-4(a), (b).

City Code Sec. 6-8 authorizes City Council to waive specific sections of the restrictions and prohibitions of the chapter.

Waive City Code Sec. 6-4, *possession or consumption on public property or on private property without permission*, during the hours of 5:00 p.m. to 10:00 p.m. on October 15, 2022 for Application PZ20220353 (Two Rivers Music Festival and Food Truck Rally).

The event is restricted to the areas shown on the attached map. The event will take place on Bostick Street, from the north end of Ernie Mills Park to E. Pennsylvania Avenue, requiring the closure of Bostick Street only for parking of food trucks.

**Procurement Method:** N/A  
**Fiscal Information:** FY2022-2023  
**Attorney Review:** N/A

**Sec. 6-4. - Possession or consumption on public property or on private property without permission.**

(a) It shall be unlawful for any person to consume or to have in his possession any alcoholic beverage in a publicly owned park or recreation area or on any public school property within the city.

(b) It shall be unlawful for any person to consume or have in his possession any alcoholic beverage in an open container on any public street, thoroughfare, sidewalk, or alley or on any publicly owned, operated, leased or controlled public recreation area or other facility, including parking areas, within the city, nor shall any person except the owner or person placed in charge by the owner consume or have in his possession any alcoholic beverages in an open container on any private property, unless such person is a lawful guest and has the consent of the owner or person in charge of the private property.

**Sec. 6-5. - Possession or consumption in vehicle.**

It shall be unlawful for any person to consume or have in his possession any alcoholic beverages in any open container while seated in a vehicle in any of the places identified in section 6-4.

**Sec. 6-6. - Location of alcoholic beverage establishments.**

It shall be unlawful to sell any alcoholic beverage containing more than one percent of alcohol by weight within 200 feet of any established school or church within the city.

**Sec. 6-7. - Sales to intoxicated persons.**

No person who is a dealer in intoxicating liquors, wines or beer, by himself or another, shall sell or cause to be sold or furnished or permit any person in his employ to sell or furnish any alcoholic beverage to any person who is at the time intoxicated or has drunk intoxicating liquor, wine or beer in any quantity.

**Sec. 6-8. - Waivers for festival events.**

(a) Upon request by organizers of any city-approved festival, ceremony, or celebration, the city council may waive specific sections of the restrictions and prohibitions of this chapter.

(b) The waiver shall set forth the specific sections of this chapter being waived, the location, time and other restrictions established by the city in its sole discretion deemed necessary to promote and protect the health, safety and welfare of the public.

(c) Any restrictions imposed by the city council shall be strictly enforced and are a precondition to such waiver. Failure to adhere to the restrictions shall vitiate the waiver and all persons violating such restrictions shall be considered in violation of this chapter.

(d) There shall be no waiver of sections 6-5 and 6-7.

