



City of Gainesville Agenda Item Report

File Number: 2023-1144

Agenda Date: December 7, 2023

Department: City Attorney

Title: 2023-1144 Ordinance Clarifying Open Container and ACE District (B)

Department: City Attorney

Description: Ordinance No. 2023-1144: An ordinance of the City of Gainesville, Florida, amending Sections 4-1, 4-4, and 4-59 of the Code of Ordinances relating to the sale, dispensing, possession, and consumption of alcohol; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Explanation: On October 26, 2023, the City Commission adopted Ordinance No. 2023-622 (Open Container) and Ordinance No. 2023-855 (ACE Districts). This ordinance clarifies the amendments to the Code of Ordinances made by Ordinance Nos. 2023-622 and 2023-855 to implement the intent of the City Commission. Specifically, this ordinance clarifies that it is unlawful for any person to sell, dispense, possess, or consume any open container of alcoholic beverages on any City or County-owned parking lot or garage, including within the ACE Districts. This ordinance also clarifies that the outside consumption of alcoholic beverages within the ACE Districts includes within any City-owned parks within the respective districts, unless specifically excluded by the City Manager to ensure protection of the public health, safety, and welfare. Finally, the ordinance clarifies miscellaneous language to make the adopted provisions easier to understand and enforce.

This ordinance requires two hearings and will become effective immediately upon adoption at second reading.

Strategic Connection: N/A

Recommendation: The City Commission adopt the proposed ordinance.