

ORDINANCE NO. 5723

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE 7.28.102, INTOXICATING BEVERAGES IN CITY PARKS 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 on the Oak Creek Greenbelt and Trail, shown as Exhibit A; and

WHEREAS, the City also desires to discourage instances of the aforesaid behavior at Eads Park, shown as Exhibit B, and Kinder Park, shown as Exhibit C, which are designed primarily for use by youth and their families.

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

Section 1: 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, **and the Dave Clark Riverfront Path, Eads Park, Kinder Park and the Oak Creek Greenbelt and Trail**

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, **and the Dave Clark Riverfront Path, Eads Park, Kinder Park and the Oak Creek Greenbelt and Trail** 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."

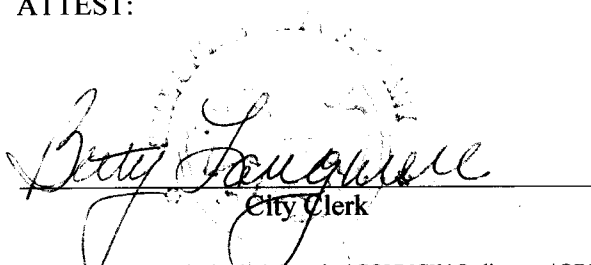
Section 2: Emergency Clause. Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the City of Albany, an emergency is hereby declared to exist. This ordinance will be in full force and effect immediately upon its passage by the Council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

Passed by the Council: October 14, 2009

Approved by the Mayor: October 14, 2009

ATTEST:

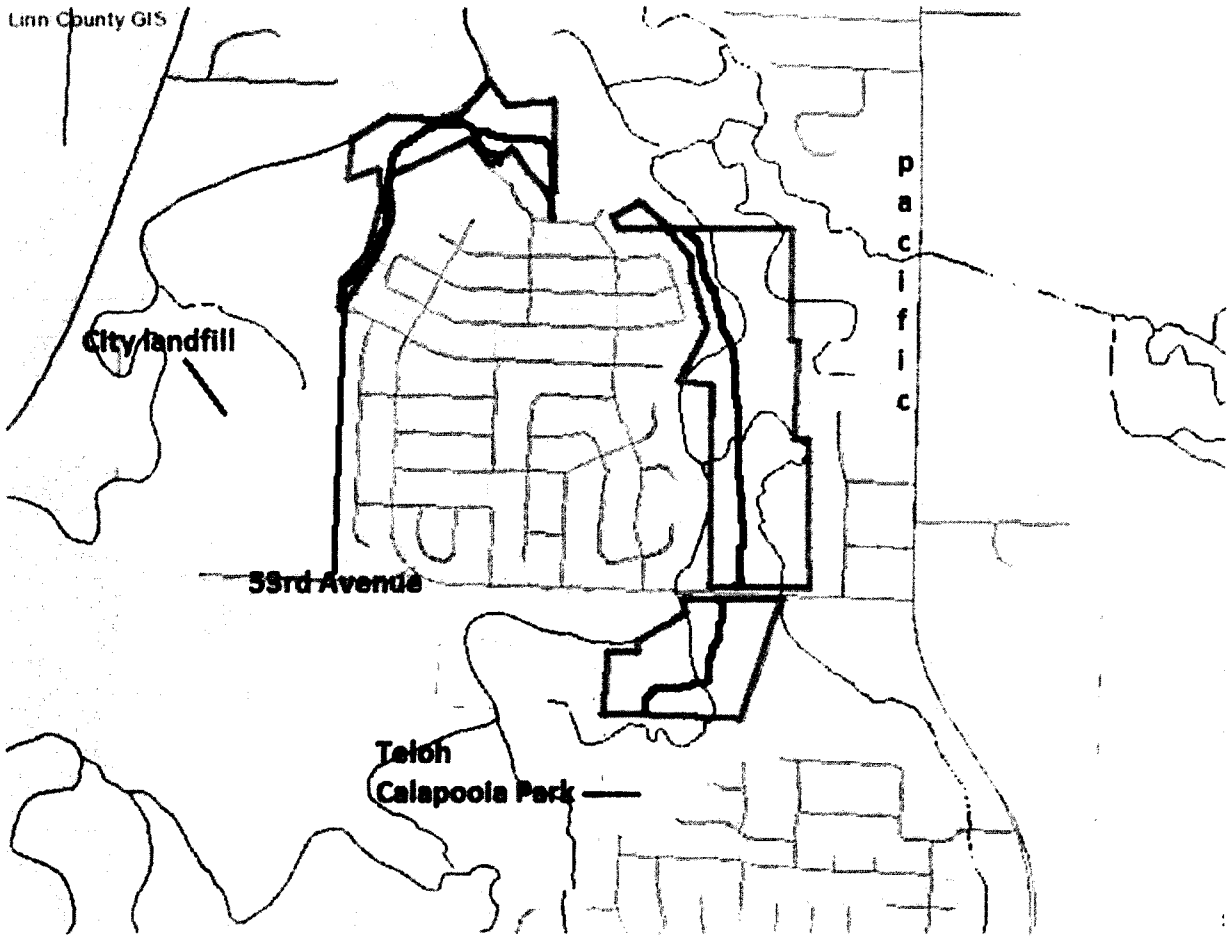
Effective Date: October 14, 2009

  
Betty Langmuir  
City Clerk

  
Mayor

**EXHIBIT A**  
**Map of Oak Creek Greenbelt & Trail**

City property in bold red  
Trail in bold blue



**EXHIBIT B**

**Map of Eads Park**



EXHIBIT C

Map of Kinder Park

