

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	June 8, 2009
	Agenda Item No. 55 Roll Call No. <u>09-</u> Communication No. <u>09-389</u> Submitted by: Donald M. Tripp, Director of Parks and Recreation	

AGENDA HEADING:

Approval to amend Chapter 74-96 of the City Code - Glass containers and waste material

SYNOPSIS:

Recommend approval to amend Chapter 74-96 of the City Code to allow the use of glass containers under special circumstances within the park system.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

On Tuesday, May 26, 2009, at the regular Park and Recreation Board meeting the Park and Recreation Board voted to approve a recommendation to the Des Moines City Council regarding a change to Chapter 74-96 of the City Code to allow for glass to be brought into the City’s park system upon approval of the Park and Recreation Director by permit for a special event or when a liquor control license has been obtained.

There have been on several occasions a desire by outside organizations and the City to serve wine at various events within the City’s park system. Under section 74-92 related to alcohol, the Board and/or the Park and Recreation Director have the authority to allow for the sale and/or consumption of alcohol within certain guidelines. However, section 74-96 specifically prohibits the possession of glass containers regardless of type or use within the City’s parks.

With the upcoming change to the concert series, Jazz in July concerts, opening of the John and Mary Pappajohn Sculpture Park and Shakespeare Festival this summer, staff and the Park and Recreation Board are recommending that Section 74-96 of the City code be changed to allow for the possession and use of glass by permit for a special event or when a liquor control license has been obtained. The actual codes section is shown below with the recommended staff changes.

Sec. 74-96. Glass containers and waste material.

- (a) No person shall bring into, use or possess in any park a bottle, jar, drinking cup or other container made of glass, except by approval of the park and recreation director by permit for a special event or when a liquor control license has been obtained.
- (b) No person shall litter the ground with any form of waste material. All waste material shall be deposited in receptacles provided for that purpose. Park waste receptacles shall not be used for dumping trash or rubbish introduced in that form to the park.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S):

Date: May 26, 2009

Action: Park and Recreation Board approved recommendation to the Des Moines City Council to amend Chapter 74-96 of the City Code regarding the use of glass containers within parks by permit or when a liquor control license has been obtained.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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