

NEW HAVEN CITY PLAN COMMISSION ADVISORY REPORT

RE: **ORDINANCE AMENDMENT** to Section 70-13(E)(5) of the Code of Ordinances prohibiting all alcoholic beverages from **Lighthouse Point Park** with the exception of permitted events in the carousel building with a police officer present (Director of Parks, Recreation & Trees).

REPORT: 1437-19

ADVICE: Consult with Police and Parks Departments and Corporation Counsel to ensure enforceable language

BACKGROUND

The Department of Parks, Recreation and Trees proposes to amend Code of Ordinances Section 70-13 (E) (5) to prohibit all alcoholic beverages from Lighthouse Point Park except for beer and wine at permitted events in the carousel building where a police officer is present. The Parks Department has experienced incidents in Lighthouse Park where the use of drugs and alcohol may have caused aberrant and unsafe behavior. Robert Levine, Parks Director points out that alcoholic beverages are currently prohibited in all other parks except for Lighthouse which permits beer and wine only, so the change would only bring Lighthouse regulations into concert with the regulations that apply to use of all other parklands.

The Ordinance currently reads as follows:

Sec. 19-13. Lighthouse Point Park

(e) Additional rules of conduct: Besides the rules set forth in this chapter pertaining to general rules of conduct and prohibited acts, the following rules of conduct are applicable to Lighthouse Point Park, and are subject to the same penalties for violation:

(5) Bringing controlled or dangerous substances and alcoholic beverages, except beer and wine, to the park; and/or drinking or using the same in the park at any time. This provision shall not apply to permitted events within the carousel building. Being under the influence of intoxicating liquor or a controlled or dangerous substance in the park is expressly prohibited.

Subsection (e) (5) is proposed to be changed as follows:

(5) Bringing controlled or dangerous substances and alcoholic beverages to the park; and/or drinking or using the same in the park at any time. This provision shall not apply to permitted events within the Carousel building with a New Haven police officer on duty.

PLANNING CONSIDERATIONS

This matter is referred by the Board of Aldermen as it pertains to City parkland, although the amendment appears to have been proposed due to concern for public safety at Lighthouse Point Park.

The Commission concurs that excessive use of alcohol and/or controlled or dangerous substances in parks is not in the better interest of the public. While the Commission does not usually comment on cost issues, it points out that limiting the alcohol served in the Carousel building to beer and wine may reduce the number of permits in a year's time, given that many of the permits are for weddings or special events where an open bar is featured. Reduction in permits may negatively impact Parks Department revenue. The cost of hiring an off-duty police officer for an event may further deter applicants from seeking to hold events at the Carousel building, thus further diminishing the number of permits.

ADVICE

The Commission is concerned that the present language of the proposed Amendment may not address the problem as effectively as possible. It therefore recommends that the Board of Aldermen consult with the Police Department, Parks Department and Corporation Counsel to ensure the language of the proposed Ordinance as written is enforceable.

ADOPTED: February 17, 2010
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director