

NOT YET APPROVED

Resolution No. _____

Resolution of the Council of the City of Palo Alto to Authorize
Consumption of Alcoholic Beverages under PAMC 9.04.010 for Third
Thursdays on California Avenue

R E C I T A L S

- A. Palo Alto Municipal Code (PAMC) section 9.04.010 makes it unlawful to consume any alcoholic beverage upon any street, sidewalk, highway or alley except as may be authorized by the City Council.
- B. Through this Resolution, the City Council desires to authorize such consumption in conjunction with the Third Thursday street festival event on the section of California Avenue currently closed to vehicular traffic.

NOW, THEREFORE, the Council of the City of Palo Alto does RESOLVE as follows:

SECTION 1. The City Council hereby authorizes the consumption of alcoholic beverages under PAMC section 9.04.010 upon the section of California Avenue between El Camino Real and Birch Street (the 'designated area') between the hours of 4:00 pm to 10:00 pm on the following days in 2024:

6/20
7/18
8/15
9/19
10/17
11/21
12/19.

SECTION 2. This authorization is subject to any conditions, regulations, or limits imposed by the City through its City Manager, any City Department, or any relevant law, permit, or condition. The City Manager may promulgate regulations of such consumption in order to ensure public safety, health, and welfare, including but not limited to regulations regarding staffing, security and law enforcement requirements, refuse/trash/recycling, and bathrooms. The City Manager is authorized to further limit the designated area and time duration than that allowed in Section 1 if necessary to ensure public safety, health, and welfare.

SECTION 3. This Resolution's authority is limited to that which is granted under PAMC 9.04.010. It does not curtail or supersede any other applicable law, permit, or condition. It does not limit the ability of the City to issue or enforce any permit conditions that limit or forbid alcohol sales or consumption in the designated area under other laws or regulations. It does not create any right or vested interest in any person or business to sell alcoholic beverages. This Resolution shall not be interpreted to conflict with any state law, regulation, or permit condition imposed by the State of California's Department of Alcoholic Beverage Control.

SECTION 4. Environmental Review. The Council finds that this Resolution is categorically exempt under CEQA Guidelines Sections 15301 (existing facilities); 15304(e) (minor temporary use of land having negligible or no permanent effects on the environment); 15305 (minor alterations in land use limitations); and 15323 (normal operations of facilities for public gatherings).

SECTION 5. Effective Date and Sunset. This Resolution shall be effective immediately upon adoption and shall automatically sunset on the earlier of: (1) December 20, 2024 or (2) as to any section of the designated area that becomes or is open to vehicular traffic.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager