CITY COUNCIL AGENDA ITEM #12

DISCUSS/TAKE ACTION ON REGULATING ALCOHOL CONSUMPTION ON CITY PROPERTY

To: Mayor and City Council Members

Via: Brittany Retherford, City Manager

From: Suzanne Sherman, Assistant City Manager

Meeting Date: 06/04/2025

Department: Support Services

Recommended Action: This item is presented for **Council discussion only**. Based on Council direction, staff can return with draft ordinance language reflecting any desired changes, including expanded use for permitted events, clarified enforcement, and potential designation of public consumption areas.

Summary: The City's current ordinance prohibits alcohol consumption on any City-owned streets, sidewalks, or properties, except under permit at specific facilities such as the Civic Center, DRS Community Center, Samsons Island, Pelican Beach Park, and Pelican Beach Clubhouse.

The purpose is to present comparative data from neighboring municipalities and initiate a City Council discussion regarding possible revisions to the City's alcohol ordinance governing public possession and consumption of alcoholic beverages.

Municipality	Streets/Sidewalks/Public Spaces	Beaches & Parks	Enforcement / Penalties	Special Events
Satellite Beach	Not allowed on any City property	Allowed only at specific facilities with permit	Not specified	Permits issued by Recreation
Cape Canaveral	Not allowed anywhere public	Not allowed in parks; ocean beach okay under 1 gal containers	Up to $500 fine or 60 days jail	Waiver by City Manager
Indian Harbour Beach	Not allowed	Not allowed without City Manager waiver	Not specified	Waiver by City Manager
Cocoa Beach	Allowed except during prohibited sales hours	Allowed except at Sidney Fischer Park (alcohol-free zone)	Up to $500 fine or 60 days jail	Yes, by ordinance
Melbourne Beach	Not restricted by ordinance	Not allowed in parks without permit; beaches allowed	Ejection from park	Modified hours by Town Commission
Indialantic	Not allowed	Not allowed anywhere public near beaches	$100–$300 depending on offense	Town Manager may suspend enforcement
Melbourne	Not allowed without permit	Prohibited in parks without alcohol permit	Up to $500 fine or 60 days jail	Park alcohol permits and sidewalk use permits
Brevard County	Not allowed on the premises outside of or on any streets, alleys, sidewalks or parking areas open to the general public	Allowed in parks and beach parks	If convicted, fine not to exceed $500 or jail up to 60 days	Did not determine
West Melbourne	Not allowed on the premises outside of or on any streets, alleys, sidewalks or parking areas open to the general public	Not specified	If convicted, fine not to exceed $500 or jail up to 60 days	

Palm Bay	Not allowed on the premises outside of or on any streets, alleys, sidewalks or parking areas open to the general public	Not allowed in parks except by permit	If convicted, fine not to exceed $500 or jail up to 60 days	Special event permit required; except no allowed at City Hall Municipal Complex
Cocoa	Not allowed on the premises outside of or on any streets, alleys, sidewalks or parking areas open to the general public	Not allowed on city property		Permits can be issued by City Manager
Rockledge	Not allowed on any public street or sidewalk of the city; except special events	Not allowed on any city property except for special events		Special events approved by City Council
Titusville	Not allowed on any street, sidewalk, or alley	Not allowed in parks except for approved locations for sale/consumption: Memorial Pier, Municipal Marina, and golf courses, unless approved by City Council		

Key Issues for Consideration:

1. **Flexibility for Special Events:**
   Several nearby municipalities allow the City Manager or Council to grant waivers or permits for alcohol use during public events. Satellite Beach currently limits this only to specific locations and via Recreation-issued permits.
2. **Parks and Beaches:**
   Most cities prohibit alcohol in public parks without a permit, but some (e.g., Cocoa Beach, Melbourne Beach) allow it on beaches or under specific conditions.
3. **Designated Districts or Zones:**
   Cocoa Beach has selectively designated alcohol-free zones (e.g., Sidney Fischer Park), and others allow alcohol in defined entertainment or event areas.

4. **Enforcement Clarity:**
   Many cities outline fines or arrest protocols; Satellite Beach's ordinance does not clearly specify enforcement mechanisms or consequences for violations.

Options for Council Discussion:

- Should the City allow alcohol at additional public spaces during permitted events (e.g., street festivals, markets)?
- Should authority to approve alcohol waivers be expanded (e.g., to the City Manager or a designated committee)?
- Should a new ordinance section address enforcement and penalties explicitly?
- Would the Council consider designated public consumption zones for events?