

AGENDA SUMMARY

May 18, 2023 Approved by the Board of Commissioners



SUBJECT: Ordinance 4843-23: Third Reading
An Ordinance to amend Title 8, Chapter 1, of the Code of the City of Johnson City, Tennessee (Legal Department)

MEETING: City Commission - May 18 2023

DEPARTMENT: Legal

STAFF CONTACT: Sunny Sandos, City Attorney

SUMMARY:

This ordinance is to revise the Code of the City of Johnson City to allow outdoor beer sales and consumption in the permitted area around the civic center by amending Title 8, Chapters 1, of the Code of the City of Johnson City, Tennessee.

The Johnson City Police Department and the Johnson City Schools have no concerns allowing outdoor beer sales and consumption in the permitted area around the civic center.

STAFF RECOMMENDATION:

Staff has reviewed the Ordinance and recommends Commission consideration.

SUPPORTING DOCUMENTS:

[#4843-23 - allowing outdoor beer sales and consumption at civic center](#)

[Police Memo Support Change](#)

[JC Schools Support Change](#)

ORDINANCE NO. 4843-23

AN ORDINANCE TO REVISE THE CODE OF THE CITY OF JOHNSON CITY TO ALLOW OUTDOOR BEER SALES AND CONSUMPTION AT THE PERMITTED AREA AROUND THE CIVIC CENTER BY AMENDING TITLE 8, CHAPTER 1, OF THE CODE OF THE CITY OF JOHNSON CITY, TENNESSEE, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF JOHNSON CITY as follows:

SECTION I. That Title 8, Chapter 1, of the City of Johnson City Code is hereby amended to add the following:

The original Section 8-102(6) reads as follows:

8-102. Public display-public drinking.

(6) No person shall be allowed to carry beer out of the baseball stadium on Legion Street, the civic center on Pactolas Road, or the municipal golf course on Buffalo Road. All beer allowed at the baseball stadium shall be consumed within the gates of those premises. All beer allowed at the civic center shall be consumed within the building of those premises. All beer allowed at the municipal golf course shall be consumed within the course and grounds of those premises.

The new Section 8-102(6), as amended, is substituted follows:

8-102. Public display-public drinking.

(6) No person shall be allowed to carry beer out of the baseball stadium on Legion Street, out of the permitted area in or around the civic center on Pactolas Road, or off of the premises of the municipal golf course on Buffalo Road. All beer allowed at the baseball stadium shall be consumed within the gates of those premises. All beer allowed at the civic center shall be consumed within the identified beer permitted area of those premises. All beer allowed at the municipal golf course shall be consumed within the course and grounds of those premises.

SECTION II. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION III. BE IT FURTHER ORDAINED that this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED IN OPEN, PUBLIC MEETING
ON THE FIRST READING April 20, 2023

PASSED IN OPEN, PUBLIC MEETING
ON THE SECOND READING May 4, 2023

PASSED IN OPEN, PUBLIC MEETING
ON THE THIRD READING May 18, 2023

APPROVED AND SIGNED IN OPEN
MEETING ON THE 18 DAY OF
May, 2023.

FOLLOWING PASSAGE ON THIRD
READING.


TODD FOWLER, MAYOR

ATTEST:


CITY RECORDER

APPROVED AS TO FORM:


CITY ATTORNEY



JOHNSON CITY POLICE DEPARTMENT
601 East Main Street
Johnson City, Tennessee
"An internationally accredited agency to better serve the public"



Memorandum

DATE: April 7, 2023
TO: City of Johnson City Commissioners
FROM: Interim Chief Billy Church, Johnson City Police Department
SUBJECT: PROPOSED CHANGE TO ORDINANCE NO. 4843-23

I have reviewed the proposed change to Ordinance No. 4843-23 provided by the City's Legal Department concerning outdoor beer sales and consumption at the Freedom Hall Civic Center. I see no areas of concern regarding the proposal.

Respectfully,

Billy Church
Interim Chief of Police

From: [Sandos, Sunny](#)
To: [Keenan, Sheri](#)
Subject: FW: [EXTERNAL] RE: Ordinance 4843-23 Outdoor Beer Sales Freedom Hall
Date: Wednesday, April 12, 2023 8:42:59 AM
Attachments: [image001.png](#)

From: Barnett, Steven <BarnettS@jcschools.org>
Sent: Monday, April 10, 2023 5:01 PM
To: Sandos, Sunny <ssandos@johnsoncitytn.org>
Subject: [EXTERNAL] RE: Ordinance 4843-23 Outdoor Beer Sales Freedom Hall

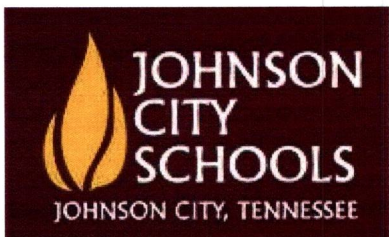
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Good afternoon Sunny,

I reviewed Ordinance 4843-23. I would be concerned about consumption of alcohol if students are present on the Liberty Bell or Science Hall Campus during an event where alcohol is being consumed. Outside events like Independence Day celebrations would occur during "dead week" for athletics and after the completion of summer school events, meaning students would not be present for athletics or academic functions. I am requesting that events where alcohol will be served outdoors would occur only when no scheduled student academic or extracurricular events are occurring. Please let me know if I need to provide additional information or if I can answer any questions that will help with this decision.

Thank you,
Steve

Steve Barnett, Ed. D.
Superintendent
Johnson City Schools
100 E. Maple Street
Johnson City TN 37601
423-434-5205



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the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Sandos, Sunny <ssandos@johnsoncitytn.org>

Sent: Monday, April 10, 2023 3:58 PM

To: Barnett, Steven <BarnettS@jcschools.org>

Subject: Ordinance 4843-23 Outdoor Beer Sales Freedom Hall

WARNING: This message originated outside of Johnson City Schools!! DO NOT CLICK any links or attachments unless the sender is known and content is deemed safe.

Hello Dr. Barnett,

I hope you had a wonderful Easter weekend.

Last week, the Commissioners deferred the attached ordinance, requesting the school's input on outdoor beer sales and consumption at the Freedom Hall Civic Center. Also attached is a map showing the proposed area outlined in blue. Only the area inside the blue lines would be permitted for alcohol. Please disregard any other area outside the blue area.

Could you please provide a written memo or reply email addressing your concerns, if any, that the schools may have with the commissioners approving outdoor beer sales and consumption at Freedom Hall Civic Center?

Could you please provide the memo or letter to the legal department at your earliest convenience? Legal would like to place the ordinance before the BOC on April 20th.

Thank you for your help in this matter,
Sunny



Sunny R. Sandos

City Attorney, Legal Department

City of Johnson City, Tennessee

423.434-6012 o. / 423.530.4392 c. / www.johnsoncitytn.org

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