

AN ORDINANCE AMENDING AMC 7.28.102 TO INCLUDE SWANSON PARK AND THE DAVE CLARK RIVERFRONT PATH AMONG THE LISTS OF PARKS WHEREIN POSSESSION OF ALCOHOLIC BEVERAGES IS PROHIBITED WITHOUT A SPECIAL PERMIT AND DECLARING AN EMERGENCY.

WHEREAS, the City has experienced a number of instances of litter, vandalism, and disruptive behavior at Swanson Park and the Dave Clark Riverfront Path, shown on Exhibit "B" attached hereto, which appear to stem from inappropriate consumption of alcoholic beverages at the park; and

WHEREAS, the aforesaid behavior adds to the City's maintenance and law enforcement expenses; and

WHEREAS, the aforesaid behavior interferes with the general public's use and enjoyment of Swanson Park and the Dave Clark Riverfront Path.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Amendment of AMC 7.28.102. AMC 7.28.102 is hereby amended to read as follows:

7.28.102 Intoxicating beverages – Prohibition – Bryant Park, Bowman Park, Eleanor Park, Monteith Riverpark, Albany Skatepark, Burkhart Park, Swanson Park and the Dave Clark Riverfront Path.

It is unlawful for any person to possess an alcoholic beverage in Bryant Park, Bowman Park, Eleanor Park, Monteith Riverpark, Albany Skatepark, Burkhart Park, Swanson Park, and the Dave Clark Riverfront Path without a special permit. For the purpose of AMC 7.28.102 through 7.28.108, an "alcoholic beverage" is any beverage having alcohol content of more than one-half of one percent by volume."

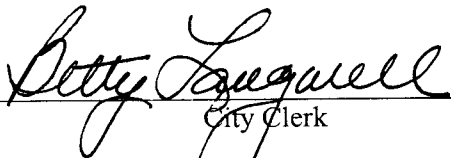
Section 2: Emergency Clause. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, and an emergency is hereby declared to exist; and this Ordinance shall take effect and be in full force and effect when signed by the City Council President.

Passed by Council: July 25, 2007

Approved by City Council President: July 25, 2007

Effective Date: July 25, 2007

ATTEST:



City Clerk



City Council President

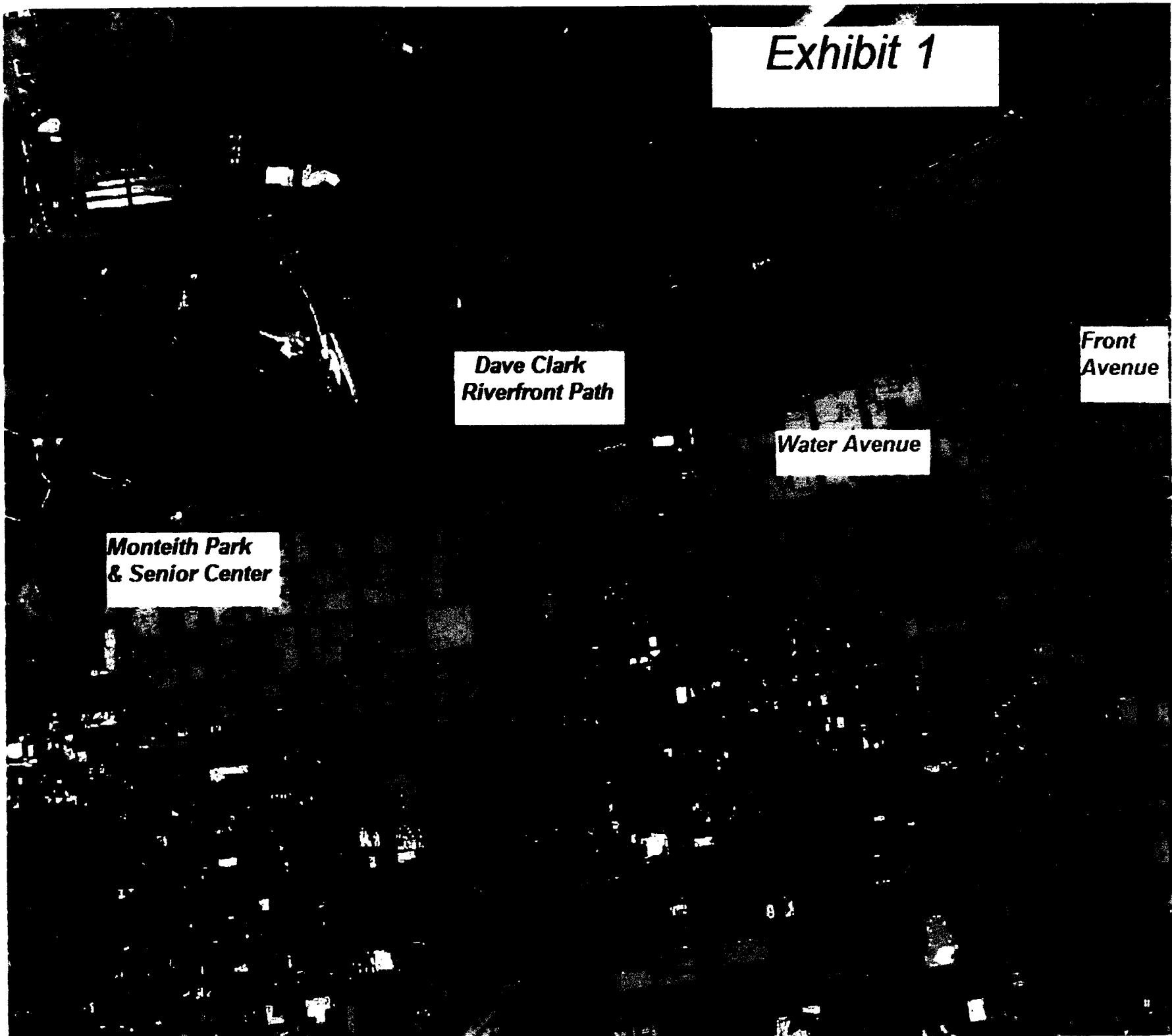
Exhibit 1

**Dave Clark
Riverfront Path**

**Front
Avenue**

Water Avenue

**Monteith Park
& Senior Center**



May 24, 2007

Exhibit "2"

Ed Hodney
Director of Parks & Recreation
PO BOX 490
Albany, OR 9732

Dear Ed Hodney,

Thank you for taking the time to address our concerns about the current use of Swanson Park. It has been brought to our attention repeatedly that there is an ongoing problem with alcohol consumption in the park and the resulting littering of broken bottles. With the completion of the Swanson Park remodel, our Neighborhood Watch group is concerned for both the safety and health of residents and visitors using the park.

Specifically here are our concerns:

- Public displays of drunkenness
- Loitering in the area
- Littering and improper disposal of alcoholic beverages including glass bottles

Although our group is not adverse to the park being used for picnics and other celebrations with alcohol, we are concerned for those who are treating the park improperly. We want to see that park be used in a way that is both safe and helps maintain the appearance & condition of the park.

As a group we would like to see Swanson Park become a permit only drinking park. This would allow groups to still use the park and serve alcoholic beverages for special occasions while deterring those who are currently using the park unacceptably. This would also allow the police to address misuse by people who are intoxicated or littering the park with broken bottles and cans.

Ultimately we would like to see the safety and ownership of Swanson Park returned to both the residents of the Hackleman district and other families of Albany.

On behalf of the Neighborhood Watch group we thank you for considering our proposal.

Sincerely,

Danielle Bryant
Danielle
Bryant

Theodore C. Gray
Ted
Gray

Meg Brodersen
Meg
Brodersen

Justin Brodersen
Justin
Brodersen