

An Issue Briefing

Support funding for the Alcohol Related Nuisance Ordinance (ARNO)

Petaluma Coalition
to Prevent Underage
& High-Risk Drinking

This briefing provides a rationale for ongoing education and enforcement through a fee assessed on all alcohol sales and service establishments in Petaluma

June 2009

Why the ARNO?

According to the California State Department of Alcoholic Beverage Control, Petaluma has a higher concentration of alcoholic beverage sales establishments per resident population than the statewide average. Studies have shown that areas with higher density rates of alcoholic beverage sales establishments experience higher rates of intoxication, alcohol-related traffic collisions, assaults, homicides and other crimes.

Although state law prohibits alcoholic beverage sales establishments from selling alcohol to intoxicated persons and persons under 21 years of age, state law does not address the alcohol-related nuisances and criminal activities that result from over-consumption of alcohol, such as littering, loitering, public drunkenness, public urination, vandalism, graffiti, unruly behavior, and escalated noise levels. These activities disturb neighboring merchants and residents and threaten the health, safety and welfare of surrounding property owners and the community at large.

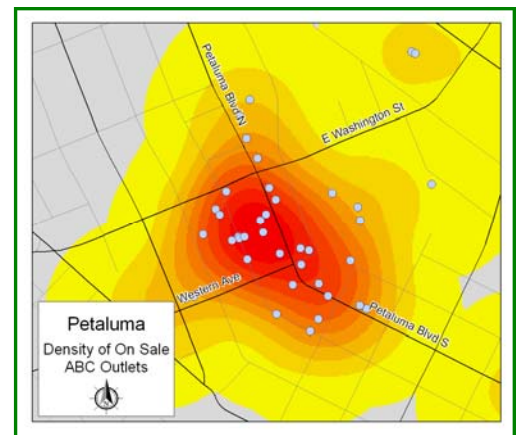
It has been found that responsible beverage server training, merchant education and integrated law enforcement can reduce underage drinking and the proportion of highly intoxicated patrons.

In response to well documented alcohol-related problems like those mentioned above occurring at both on and off sale businesses, the Petaluma City Council passed an Alcohol Related Nuisance Ordinance in November 2007 to protect public health, safety, and welfare.

Education and enforcement is working

Petaluma's experience conforms to national research that shows a shared education and enforcement effort reduces alcohol related problems emanating from alcohol outlets.

Petaluma has a higher concentration of alcohol outlets per resident population than the statewide average (one outlet for every 279 residents compared with one outlet for every 558 residents statewide). Numerous studies have shown that areas with a higher density of alcohol outlets experience higher rates of alcohol consumption, alcohol-related traffic crashes, assaults, homicides and other crimes than their neighbors



Problems like the alcohol related fights downtown reported in the Petaluma Argus-Courier in December were common-place as recently as two years ago.

But outlet problems are not limited to only bars and restaurants. Off-sale outlets such as supermarkets, convenience stores and liquor stores are targets for underage youth hoping to obtain alcohol by purchasing from an untrained checker or by asking an adult hanging around outside to buy for them.

Since passage in November, 2007, The ARNO is working, due in large part to a full time dedicated alcohol enforcement officer. In the first year of the Alcohol Related Nuisance Ordinance (ARNO), Petaluma police built relationships with the alcohol merchants. The police partnered with the community in providing Responsible Beverage Service Training (RBS) and, where necessary, enforced performance standards on problem businesses.

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Responsible Beverage Service Training

Under the Alcohol Related Nuisance Ordinance every licensee, manager and server (person who sells or serves any alcoholic beverage) is required to complete Responsible Beverage Service (RBS) Training within 90 days of employment, whichever is later and every third year thereafter.

In order to avoid criminal, civil and/or administrative penalties, licensees are responsible for ensuring that all servers and managers they employ receive training. They will provide proof to the City within 10 days of the training being completed and maintain a file of proof of completion that will be available for inspection by City employees during regular business hours.

The RBS training provides practical information on serving and selling alcoholic beverages safely, responsibly, and legally.

The Alcohol Related Nuisance Ordinance

lays out standards of operation for alcohol beverage sales establishments which include expectations that:

- The outlet will maintain upkeep so that its operating conditions are compatible with and do not negatively impact the surrounding neighborhood
- The outlet will not contribute to nuisance activities such as excessive noise, fights, vandalism, loitering, etc.
- The outlet will take reasonable steps to stop any nuisance activities that could be attributed to them
- Licensees, managers, and servers will attend mandated responsible beverage service training

For complete text see Ordinance No. 2285 N.C.S at <http://www.codepublishing.com/ca/petaluma.html>
Title 10—Chapter 10.68 Alcohol Related Nuisance Ordinance

(Continued from page 1) Education and enforcement is working

The Petaluma police report the alcohol related calls for service (ARCFS) in the downtown area for the 2008 calendar year reflect a 23.5% decrease since the 2006 calendar year.

| Jan – Dec | 2006 | 2007 | 2008 |
|----------------|------|------|--------|
| ARCFS | 881 | 732 | 683 |
| % change | n/a | -17% | -7% |
| 2006-08 change | | | -23.5% |

And off-sale outlets are more vigilant than ever before. An article in the March 12th edition of the Petaluma Argus-Courier reported that 14 businesses refused to sell alcohol to the 17-year-old decoy who attempted to purchase alcohol. Community members and merchants report they feel safer downtown since the ARNO was enacted. However, our work is not done.

When the ARNO was introduced in 2007, it included a fee assessed on all alcohol sales and service establishments to support education and enforcement. For the last twenty-four months, Petaluma was able to defer paying for the expense of these efforts because of non-renewable grants from the California Alcohol Beverage Control (ABC). When the grant funding ends this June, without a sustainable funding source the city will lose the enforcement and education that has assisted in improving conditions.

We need your input...

Financial circumstances have weakened substantially for both the City and local businesses over the last six months. Without a fee for education and enforcement, the City will be unable to support the alcohol enforcement officer. Without the alcohol officer the Petaluma Police Department will have to shift police resources from community-wide protection to responding to problems after the fact.

Having a dedicated alcohol officer for the past two years, has allowed the police department to concentrate on prevention. Experience in Petaluma and neighboring cities has shown that calls for service and alcohol related problems will likely increase again without the collaborative education and enforcement that sustainable ARNO funding provides.

The Coalition and Chamber of Commerce hosted two public meetings in May. **Please join us Wednesday June 10th** at Graziano's Restaurant, 170 Petaluma Blvd North at 10am to share your views and solutions or contact us to learn more and express your views:
phone 707-778-4951, fax 778-4953
e-mail Pat@healthycommunity.info