

**To the Mayor and Members of the City Council****November 1, 2022**

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SUBJECT: MUNICIPAL REGULATION OF AN OPEN CONTAINER OR PUBLIC CONSUMPTION OF ALCOHOL IN THE WEST 7TH STREET AREA

This IR is to provide Council with information regarding municipal regulation of the possession of an open container or public consumption of alcohol in the West 7th Street area.

Section 109.35, Prohibition on Consumption, of the Texas Alcohol and Beverage Code (TABC) allows the governing body of a municipality to adopt an ordinance to prohibit the possession of an open container or public consumption of alcohol on public streets and sidewalks in the “central business district” if it is determined by the City Council that there is risk to the health and safety of citizens. In adopting an ordinance to prohibit the public consumption of alcohol, the Council must adopt a map, plat or diagram showing the central business district that is covered by the prohibition. The ordinance may not prohibit the possession of an open container or the consumption of alcoholic beverages in motor vehicles, buildings not owned or controlled by a municipality, residential structures or licensed premises located in the area of prohibition.

The TABC defines a “central business district” as a compact and contiguous geographical area of a city in which at least 90% of the land is used or zoned for commercial purposes and that the area has historically been the primary location in the municipality where business has been transacted. The West 7th area is a compact area for which 90% of the land is zoned for a mix of commercial uses and historically was zoned for industrial and commercial uses.

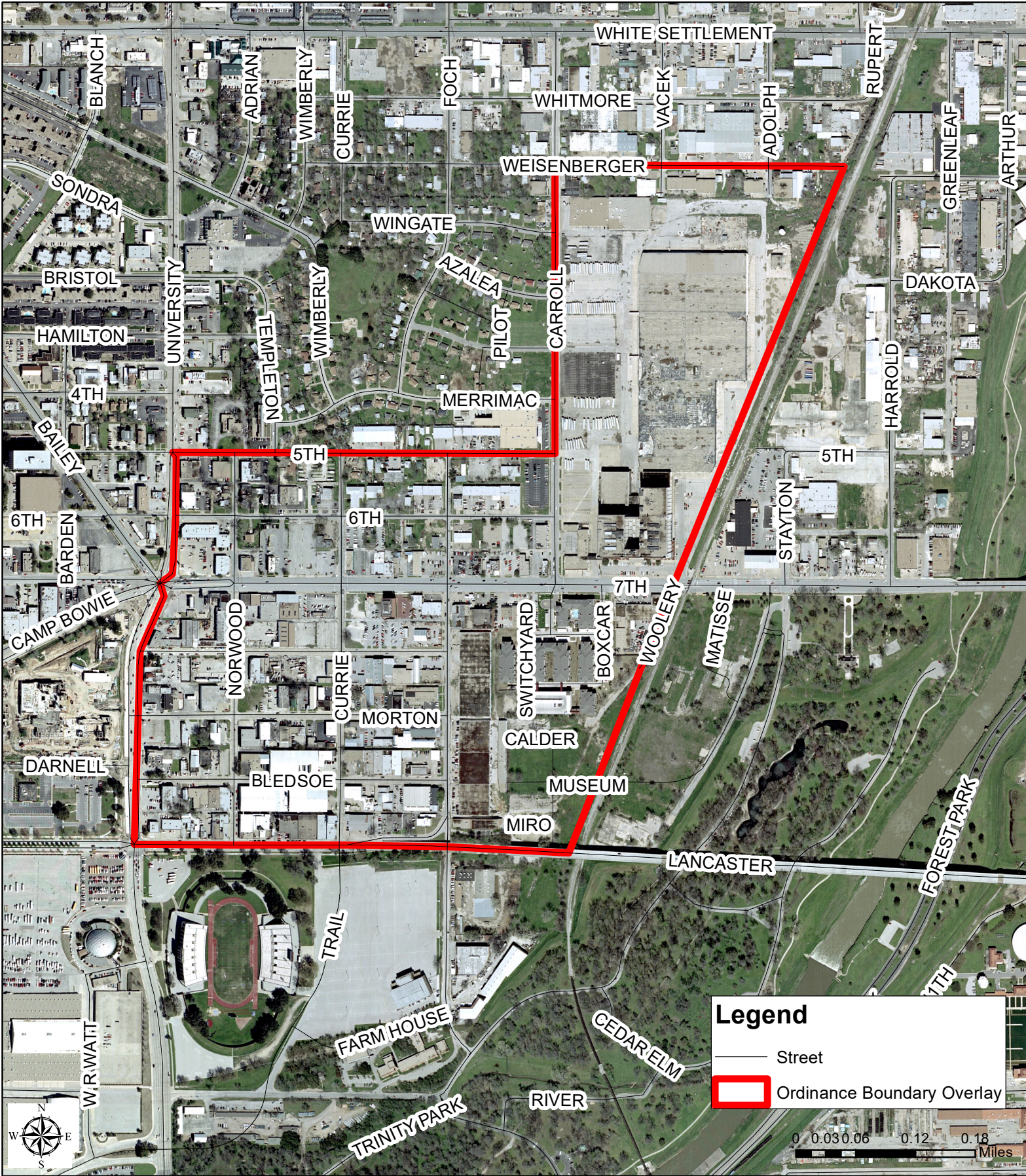
Comparing January-October of 2021 to January-October 2022, the W 7th area has experienced an approximate 15% increase in overall crime which includes an 8% increase in public intoxication arrests. So far this year, approximately 12% of the total criminal offenses in the W 7th area involve alcohol.

It is proposed that the Council consider adopting an ordinance on November 8th to prohibit the possession of an open container or public consumption of alcohol in the West 7th area as depicted on Exhibit A, attached. Within the defined boundary the possession of an open container or public consumption of alcohol will be a Class C misdemeanor.

If you have any questions please contact Melinda Ramos, Deputy City Attorney, at 817-392-7631 or Assistant Chief Robert Alldredge at 817-392-4131.

David Cooke
City Manager

Attachment: Map



Fort Worth Police Department
W. 7th Ordinance Boundary

