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**AMENDED AND RESTATED
ORDINANCE NO. 1993-2
(ALCOHOL ORDINANCE)
(As amended May 6, 2004)**

**AN ORDINANCE OF THE ISLA VISTA RECREATION & PARK DISTRICT PROHIBITING
ALCOHOLIC BEVERAGES, EXCEPT BY DISTRICT PERMIT, AT ALL DISTRICT PARKS**

The Board of Directors of the Isla Vista Recreation and Park District (called the "Park District" herein) ordains as follows:

1. Ordinance No. 1993-2 is amended and restated in its entirety as hereafter set forth.
2. Alcoholic beverages may be possessed or consumed in Park District parks only under a Park District event alcohol permit. Without a permit, no person shall, in or upon any Park District park, consume any alcoholic beverage, or be in possession of any bottle, can, or other receptacle containing any alcoholic beverage which is open or has a broken seal or the contents of which have been partially removed.
3. The Park District parks are the properties of the Isla Vista Recreation & Park District commonly known as "Anisq'Oyo' Park", "Children's Park", "People's Park", "Perfect Park", "Little Acorn Park", "Del Mar - Seville Park", "Sueño Park", "Camino Corto Open Space", "Del Sol Vernal Pool Reserve", "Pardall Gardens", "Gaffney Park", "Camino Pescadero Park", "Greek Park", "Kids' Trail Park", "Rotappel Park", "Del Playa Bluffs", "Tierra De Fortuna Park", "Tipi Village", "Sueño Orchard", "Trigo-Pasado Park", "Window to the Sea Park" and "Estero Park". The location of each of said properties is shown on the map attached hereto as Exhibit A with the symbol of a martini glass and a beer glass in a circle with a slash through them, and each is more particularly described in the real property records of the Isla Vista Recreation and Park District on file at the office of said Park District.
4. The District will cause at least one sign to be posted in each Park District park stating that alcohol is not allowed.
5. The District may refuse to issue a permit to any person who:
 - (a) is under the age of 21, or is intoxicated at the time of application; or
 - (b) at a previous event held under an event alcohol permit:
 - (i) was intoxicated, or
 - (ii) engaged in acts or threats of violence against another person, or
 - (iii) committed acts of vandalism or caused damage to property, or
 - (iv) harassed other park users, including, but not limited to, excessive noise, or
 - (v) violated any California law, rule or regulation, or any ordinance, rule or regulation of the Park District or Santa Barbara County.

- 47 6. The Park District or a peace officer may immediately revoke an event alcohol permit if there is any
 48 act or threat of violence by a person present in a Park District park under that event alcohol permit.
 49
- 50 7. The General Manager of the Park District shall issue rules, procedures and forms for
 51 administration of and application for event alcohol permits and for administrative hearings in the
 52 case of denied permits. The General Manager will appoint one or more other Park District
 53 employees to administer the event alcohol permits program.
 54
- 55 8. Any person who is denied a permit or has a permit revoked may, within ten (10) days of the
 56 denial, make a written request for an appeal hearing by the General Manager. The hearing will be
 57 consistent with the requirements of the Due Process Clause of the California and United States
 58 Constitutions. If the General Manager participates in any investigation or decision to deny or
 59 revoke a permit, a neutral hearing officer will be appointed to hear the appeal. The appellant will
 60 be given at least five (5) days written notice of the date, time, and place for the hearing. The
 61 hearing will be informal. Rules of evidence will not apply, however, the decision of the hearing
 62 officer will be based on competent evidence produced at the hearing. The appellant will have the
 63 right to counsel at appellant's expense, the right to cross-examine adverse witnesses and the right
 64 to produce evidence. The hearing officer will issue a decision within two (2) business days from
 65 the date of the hearing.
 66
- 67 9. Violation of this Ordinance is an infraction with a fine not exceeding one hundred dollars
 68 (\$100.00). This Ordinance shall be enforced by any peace officer, including members of the Isla
 69 Vista Foot Patrol, the Santa Barbara County Sheriff's Department, the California Highway Patrol,
 70 and the University of California Campus Police, as well as any member of the Santa Barbara
 71 County Fire Department.
 72
- 73 10. This ordinance will be effective thirty (30) days from the date of adoption or publication,
 74 whichever date occurs last.
 75

76 The foregoing Amended and Restated Ordinance was adopted at a regular meeting of the Board of
 77 Directors of the Isla Vista Recreation and Park District held on May 6, 2004 by the following vote:

79	Ayes:	3	Brown, Green, Augustino
80	Noes:	2	Conn, Ramirez
81	Abstentions:	0	
82	Absent:	0	

83 SIGNED:
 84
 85 _____
 86 Bryan Brown, Chairperson
 87

88 ATTEST:
 89
 90 _____
 91 Derek Johnson, Secretary of the Board
 92