

Agenda Item Details

Meeting	Apr 09, 2024 - Bryan City Council Second Regular Meeting
Category	6. Statutory (Automatic Approval) Agenda - This agenda consists of items previously approved by Council action such as adoption of items that are part of an approved budget or capital improvement projects, first and only readings of ordinances, interlocal agreements, or action that is required by law or delegated to the City Manager. Items may be removed from the statutory agenda for separate consideration at the request of two Councilmembers.
Subject	L. Adoption of an ordinance on first and only reading amending Article II, Downtown Bryan Area, Chapter 6, Alcoholic Beverages, of the Bryan Code of Ordinances by repealing Section 6-25 through Section 6-27
Type	Action (Statutory)
Preferred Date	Apr 09, 2024
Absolute Date	Apr 09, 2024
Fiscal Impact	No
Budgeted	No
Budget Source	N/A
Goals	Economic Development Quality of Life

Summary:

State law currently allows consumption of alcoholic beverages in all public places except where restricted by a city in a downtown area. Bryan's ordinance generally prohibits public consumption in the Downtown Bryan Area and declares a violation as a misdemeanor offense. The Alcohol Ordinance defines the Downtown Bryan Area as the 72-block area bound by Texas Avenue, Martin Luther King, Jr. Street, Sims Avenue, and 31st Street. All public areas outside of the Downtown Bryan Area allow alcoholic beverage consumption between the hours of 12:00 p.m. and 2:15 a.m. on Sundays, and 7:00 a.m. and 2:15 a.m. each weekday.

Bryan's ordinance is more strict than State law and some aspects of the ordinance are confusing relative to various Downtown events and activities that include alcoholic beverage consumption. City staff has studied other ordinances and contacted officials in the cities of McKinney, Georgetown, Fredericksburg, and other Texas cities that have updated ordinances relative to alcoholic beverage consumption in their downtown areas. A survey of Downtown Bryan merchants was conducted two years ago indicating support for allowing alcoholic beverage consumption in the Downtown Bryan Area.

Staff Analysis and Recommendation:

Staff recommends repealing and replacing Sections 6-25 through 6-27 and allowing State law standards to govern alcoholic beverage consumption in Downtown. This action allows local businesses, with appropriate TABC licenses, to sell alcoholic beverages for on-premise and off-premise consumption in public areas of Downtown while continuing to limit city-wide hours of consumption between the hours of 2:15 a.m. and 12:00 p.m. on Sundays and each weekday between 2:15 a.m. and 7:00 a.m.

As proposed, this action reduces confusion with current ordinance requirements and is consistent with State law. City staff will continue to closely monitor Downtown events and activities to ensure public health and safety are maintained. The proposed ordinance creates reserved sections that can be modified and amended by future action of the City Council as needed. The TABC will continue issuance and regulation of on-premise and off-premise licenses, the Brazos County Health Department will continue to ensure businesses follow public health rules and regulations, and public intoxication laws will remain in force and effect. The City will continue to provide ongoing non-special event related solid waste and sanitation services, monitoring and adjusting quantity and frequency of service as needed.

Options:

1. Approve the proposed ordinance as recommended
2. Modify the proposed ordinance and then approve it, which may require consideration at a future City Council meeting
3. Do not approve ordinance

Attachments:

1. Ordinance

[Repealing Ordinance for Alcoholic Beverage Consumption in Downtown 4-9-24\(2\).pdf \(121 KB\)](#)