AN ORDINANCE OF THE CITY OF FORT BRAGG ADDING CHAPTER 5.06 TO THE FORT BRAGG MUNICIPAL CODE TO ESTABLISH ENTERTAINMENT ZONES

ORDINANCE NO. 1018-2025

WHEREAS, Senate Bill 969 (SB 969), signed into law in 2024, authorizes cities and counties in California to establish "Entertainment Zones" in which patrons may consume alcoholic beverages in the public right-of-way under specified conditions; and

WHEREAS, the City of Fort Bragg seeks to activate its downtown core, enhance community events, and support small businesses by allowing for regulated outdoor consumption of alcoholic beverages during City-approved special events; and

WHEREAS, the Department of Alcoholic Beverage Control (ABC) requires cities establishing Entertainment Zones to adhere to certain requirements, including consultation with law enforcement and ongoing review to ensure public safety; and

WHEREAS, the City Council finds that this ordinance is consistent with the City's General Plan, Strategic Plan, and Economic Development goals.

WHEREAS, the City Council finds and declares:

1. The ordinance is consistent with the City's General Plan as it would support economic development, cultural events, and community use of public space.
2. The ordinance would not result in risks to public health or safety as all events would be City-approved events with built-in revocation authority.
3. The downtown area is physically suitable for an entertainment zone because it is an established community downtown with existing restaurants, bars, parking and other features which will make these activities safe and advantages to the business community.
4. Approval of this Ordinance is categorically exempt from CEQA because:
    a. It can be seen with certainty that there is no potential for significant environmental impact because the permitted activity is only temporary in nature. Exemption 15061(b)(3), and
    b. It involves the operation or licensing of existing public rights-of-way involving negligible or no expansion of existing use because zones are limited to a few streets in the Central Business District. Exemption 15301(c).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FORT BRAGG DOES FIND, DETERMINE, AND ORDAIN AS FOLLOWS:

Section 1. The Recitals set forth above are true and correct and incorporated herein as findings.

Section 2. Chapter 5.06 titled “Entertainment Zones” is hereby added to Title 5 “Business Licenses and Regulation” of the Fort Bragg Municipal Code as follows:

Chapter 05.06 **– Entertainment Zones**

05.06.010 – Purpose and Intent
05.06.020 – Definitions
05.06.030 – Establishment of Entertainment Zones
05.06.040 – ABC Compliance
05.06.050 – Management Plan Requirement
05.06.060 – Law Enforcement and Review
05.06.070 – Violations and Enforcement

05.06.010 – PURPOSE AND INTENT

This chapter establishes Entertainment Zones pursuant to the authority granted under California Business & Professions Code § 25623, as amended by SB 969. The purpose is to promote economic development, enhance community events, and allow the regulated consumption of alcoholic beverages in designated public areas during approved special events.

05.06.020 – DEFINITIONS

For the purposes of this chapter:

A. *“Entertainment Zone”* or “Zone “means an area designated by resolution of the City Council where alcoholic beverages may be consumed in public rights-of-way during approved events.
B. *“Licensed Premises”* refers to an establishment licensed by ABC for the sale of alcoholic beverages for on-site or off-site consumption.
C. *“Zone Operator”* means the person or entity designated in the Entertainment Zone Management Plan responsible for compliance with this chapter and all applicable laws.
D. *“Open Container”* refers to any unsealed alcoholic beverage container in a non-glass, non-metal cup or receptacle.

05.06.030 – ESTABLISHMENT OF ENTERTAINMENT ZONES

A. The City Council may, by resolution, establish Entertainment Zones. The resolution shall specify:
    1. Geographic boundaries of the Zone;
    2. Authorized hours and days of operation;
    3. Types of alcoholic beverages permitted;
    4. Container requirements;
    5. Identification mechanisms (e.g., wristbands, stamps) for verifying age compliance;
    6. Special conditions or limitations deemed necessary for public health and safety.

B. Entertainment Zones shall only be active during City-authorized special events with an approved Limited-Term Permit.

C. Changes or alternative designated zones, boundaries, hours, or requirements may be adopted by future City Council resolution without amending this ordinance.

05.06.040 – ABC COMPLIANCE

A. Only ABC-Licensed Premises located within the boundaries of an Entertainment Zone may sell alcoholic beverages for off-site consumption in the Zone, subject to compliance with the following:
    a. The type of alcohol provided for consumption in the Zone is authorized by the Resolution establishing the Zone.
    b. Alcohol provided for consumption in the Zone may only be served in non-glass, non-metal containers.
    c. Deliveries of alcoholic beverages to consumers located within the Entertainment Zone are prohibited, unless the delivery is made to a licensed private business or residential address within the Zone.
    d. Patrons with Open Containers must exit Licensed Premises directly into the Entertainment Zone. Alcoholic beverages may not be consumed outside the designated boundaries or during unauthorized hours.
B. The Zone Operator shall be responsible for implementation of the measures outlined in the approved Management Plan submitted pursuant to Section 05.06.050.

05.06.050 – MANAGEMENT PLAN REQUIREMENT

A. An approved Entertainment Zone Management Plan shall be required for each event and shall include:
    1. Zone Operator designation with 24/7 contact;
    2. Security and public safety plan (subject to FBPD review);
    3. Trash and cleanup plan;
    4. Boundary markings (signage, fencing, decals);
    5. Procedures for age verification;
    6. ABC compliance protocol;
    7. Incident reporting procedures.

B. No alcohol consumption may occur within an Entertainment Zone without a City-approved Management Plan.
C. The Management Plan is subject to review and approval of the City Manager or designee.

05.06.60 – LAW ENFORCEMENT AND REVIEW

A. Prior to establishing or renewing any Entertainment Zone, the Fort Bragg Police Department shall review the proposed Zone and Management Plan regarding: public safety concerns, mitigation strategies, and proposed boundaries, hours, and event types.
B. Every two years, unless requested sooner by the Chief of Police, the City shall review the operation and impacts of each established Entertainment Zone in consultation with FBPD. Reports may be provided to ABC upon request.

05.06.70 – VIOLATIONS AND ENFORCEMENT

A. Any violation of this chapter or the approved Management Plan is subject to administrative penalties.
B. The City reserves the right to suspend or revoke the use of an Entertainment Zone at any time if deemed necessary to protect public health and safety.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fort Bragg hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

Section 4. Effective Date and Publication. This ordinance shall be in full force and effect from and after thirty (30) days after the date of its passage. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause a summary of said Ordinance to be published as provided in Government Code §36933, in a newspaper of general circulation published and circulated in the City of Fort Bragg, along with the names of the City Council voting for and against its passage.

The foregoing Ordinance was introduced by Councilmember Albin-Smith at a regular meeting of the City Council of the City of Fort Bragg held on August 25, 2025 and adopted at a regular meeting of the City of Fort Bragg held on September 8, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

_____
Jason Godeke
Mayor

ATTEST:

_____
Diana Paoli
City Clerk

PUBLISH: August 28, 2025 and September 18, 2025 (by summary).
EFFECTIVE: October 8, 2025