

The City of Chico Alcohol Compliance & Education (ACE) Ordinance

An ordinance to help address Alcohol Related Community Problems and Police Activity

Most people are aware that alcohol consumption can lead to individual and community problems. Local, state, and federal laws recognize these potential dangers by regulating the way that alcohol is marketed, sold, and served. Existing state laws prohibit sale of alcohol to minors or to individuals who are obviously intoxicated. However, the California Department of Alcoholic Beverage Control is limited in its capacity to enforce these laws. And, unlike many communities in the state of

California, the City of Chico does not give permits for alcohol outlets that enable the city to set conditions of operation. This limits their ability to manage risks. The Chico Police Department has partnered with Butte County Behavioral Health and the Butte Youth Now Coalition to design and implement the proposed Alcohol Compliance & Education (ACE) Ordinance. This ordinance will provide a valuable new tool to reduce alcohol-related problems occurring in the City of Chico.

How do Alcohol Sales Impact the Chico Community?

In the City of Chico the majority of all calls received by Chico police dispatchers involve alcohol. These calls for service impair the police department's capacity to address other serious crimes. As the Police Department accounts for 1/2 of the City's General Fund budget, and alcohol-related arrests account for approximately 35% of the Police Department's arrests, the cost of alcohol related incidents and arrests to taxpayers in the City is profound.

In the City of Chico in 2010:

- 492 people were arrested for driving under the influence of alcohol.
- 1330 people were arrested for being drunk in public.
- 198 minors were cited for possession of alcohol.
- 55 domestic violence arrests that involved alcohol.

Impacts on Our Youth

- Local rates of underage drinking are higher than those for the state of California or the nation as a whole.
- High school students surveyed report that it is 'fairly easy' or "very easy" to buy alcohol from stores.
- High school students report that they get alcohol from someone going into the store to buy it for them (36%), they are able to buy it from the store (6%) or they take it from a store without paying for it (4%).
- 57% of high school students report that sales clerks and cashiers ask young people who buy alcoholic beverages for their ID **sometimes or not at all**.

An environmental approach to problems related to alcohol:

Historically, all across the country, communities have approached the problems related to alcohol on an individual level by implementing counseling, treatment, and other individual interventions. These programs have been effective at addressing the needs of individuals, but have been limited in their ability to impact the environments where high risk behaviors occur.

Butte County Behavioral Health Prevention Unit and Butte Youth

Now Coalition recognized an opportunity to help communities develop policies and practices suited to the broader community health needs. In 2004 the Butte County was awarded a Drug Free Communities Grant from SAMHSA (Substance Abuse and Mental Health Services Administration) to prevent and reduce problems related to high-risk drinking among youth and young adults. Partnership members formed a local community coalition—Butte Youth Now. Coalition members

include business owners, residents, law enforcement, elected officials, community members, schools, nonprofits, and other public and private organizations.

This group has worked closely with Chico Police Department to draft the ACE Ordinance to address issues related to alcohol sales, binge drinking, and related problems as well as provide valuable education and compliance to local alcohol licensees .

Key Features of the proposed City of Chico Alcohol Compliance & Education Ordinance

The City of Chico realizes that hospitality, entertainment, recreation and related businesses are a significant part of the City's economy, and that alcoholic beverage sales are often important to the operation of these businesses. The City also realizes that local control and enforcement is needed to ensure public health and safety. The regulations and standards of this ordinance are intended to reduce problems arising out of the operations of businesses engaged in the sale of alcoholic beverages. The City of Chico ACE Ordinance has four key features:

1. **A use permit process** ensuring all new or modified alcohol outlets do not conflict with other nearby residences or businesses.
2. **Standards of operation** for new and existing outlets. The standards protect the health and safety of the local community and prevent outlet-related nuisance activities, such as disturbances of the peace, public drinking and inebriation, and property destruction.
3. **Responsible Beverage Service Training (RBS)** will be made available to alcohol licensees and their employees. RBS reduces alcohol-outlet related problems when properly implemented.
4. **An annual fee.** RBS training and law enforcement compliance checks will be funded by an annual fee collected from each alcohol outlet. Fees will vary according to the level of risk the establishment poses to the community. Level of risk is determined by factoring in location of establishment, volume of alcohol sales, and hours of operation.

Responsible Beverage Sales and Service (RBSS) Training:

- Provide a clear understanding of state and local alcohol regulations
- Help limit liability
- Teach staff skills to refuse sales to minors and intoxicated persons
- Assist with the specifics of store or house policies
- Help avoid problems and penalties

The Program Offers:

- A working relationship with law enforcement
- Tools to limit liability
- Education for owners, managers and staff
- Information about the ordinance
- Recognition for your commitment

Implementing the Ordinance

Implementing ACE includes an increased focus by the City of Chico on preventing alcohol outlet-related problems. Routine law enforcement inspections and compliance checks will ensure that these businesses are well run and an asset to the community. New and existing alcohol outlets will find benefit from on-going merchant education and training. The ACE Officer will be responsible for:

- Review of ABC application and permit requests and prepare alcohol establishment reviews for new or modified licenses.
- Arrange training for licensees and their employees, visit licensed establishments to assist them with compliance and answer questions.
- Conduct premise inspections, shoulder tap and minor decoy operations.
- Coordinate other city and state resources to reduce alcohol related incidents.

Will an ordinance really make a difference in Chico?

Cities and counties across the state have successfully implemented ordinances that regulate alcohol outlets. Some ordinances established a use permit process, others created nuisance abatement standards, and some mandated responsible beverage service training. Outlet-based fees are increasingly used to support police compliance checks and merchant education.

Ordinances similar to ACE reduce alcohol related problems. **In the first year after passing an ordinance with nuisance abatement standards, the City of Vallejo saw a 53% reduction in problem-related police calls for service at liquor stores, convenience stores, bars, and restaurants.** Some business owners, who had initially been concerned about the regulations, later became strong supporters once they saw the reductions in problems improved the entire community.

Why should residents support this ordinance?

Actively addressing problem outlets benefits everyone in the community. Strategies focusing on changing the physical and social settings where problem behaviors occur are known as "environmental strategies." Research has shown that implementing policies such as the Alcohol Beverage Sales Ordinance will reduce rates of alcohol-related problems in communities and change community norms. Such policies are a necessary compliment to other alcohol prevention activities being implemented in schools and other community settings.

Call to Action:

For policy change to be effective, support must be mobilized by community members who are the stakeholders in the process of policy development and execution. An effective partnership between businesses, local government, law enforcement, and residents can foster a significant change in the health and safety of our community. We need your support to pass the Alcohol Beverage Sales Ordinance. Please join us in taking the next step to keep Chico a safe and healthy place to live and work. You can help in the following ways:

- Sign a petition in support of the Alcohol Beverage Sales Ordinance
- Come to the City Council Meeting to stand in support of passing the ABS Ordinance.
- Share this information with family and friends so the City Council can hear from more members

