



City of Grass Valley  
City Council  
Agenda Action Sheet

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**Title:** Introduction of an ordinance amending section 9.08.030 of chapter 9.08 of Title 9 of the Grass Valley Municipal Code regarding offenses against public peace and decency

**Recommendation:** Introduce the attached ordinance, waive full reading, and read by Title Only

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**Prepared by:** Alexander K. Gammelgard, Chief of Police

**Council Meeting Date:** July 12, 2022

**Date Prepared:** July 7, 2022

**Agenda:** Administrative

**Background Information:**

Section 9.08.030 of the Grass Valley Municipal Code generally prohibits possessing an open container of an alcoholic beverage or consuming an alcoholic beverage in most public spaces, and under existing code makes violation of that rule a misdemeanor. State law categorizes the same violation as an infraction (Bus. & Prof. Code, § 25620). Generally, a local ordinance cannot be more punitive than a similar state law.

The attached ordinance will amend existing Grass Valley Municipal Code to designate the violation of section 9.08.030 as an infraction rather than a misdemeanor.

**Council Goals/Objectives:** The execution of this action attempts to achieve Strategic Goal #6 - Exceptional Public Safety

**Fiscal Impact:** None.

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:**

**Attachments:** Ordinance amending 9.08.030