

On December 10, 2008, the City of Sacramento Neighborhood Services Department and the Midtown Business Association hosted a community meeting on the issue of overconcentration of bars and nightclubs in Midtown. Almost 100 community members packed the room. It was a good first step in a long overdue dialogue. More discussion is needed to effectively address this issue and balance the needs of residents and business.

Protesting New Applications for a Liquor License:

ABC can impose conditions on hours of operation and noise levels. ABC noise conditions can not be over ruled by city entertainment permits. No city permit can grant privileges that supersede or contradict state law. ABC has a series of forms and criteria necessary to lodge a protest. Protests must be filed within 30 days of the application and personal experience says it takes a little time to fill out the forms and build an argument as to why ABC should impose conditions on new businesses.

If you currently have a bar or nightclub in your neighborhood that is a nuisance, ABC has protest forms available on their website at

<http://www.abc.ca.gov/forms/PDFCompl.html>

To protest (seek conditions) on a new license:

California Business and Professional Code defines over-concentration and according to population data, in many midtown neighborhoods the number of liquor licenses exceeds state law by 300 - 700%. However, there is no penalty provision in the law for jurisdictions who violate this law. The City of Sacramento has over 900 active liquor licenses for bars. Almost a third of those are in the Central City. While the city does have rules governing conduct for entertainment establishments, enforcement is an issue. Another option is to file complaints directly to the State of California Alcoholic Beverage Control. They oversee licensing and have investigative and enforcement staff.

ABC Sacramento Field Office info:

3321 Power Inn Road, Suite 230 Sacramento, CA 95826 (916) 227-2002 SAC.Direct@abc.ca.gov	Lori Ajax
---	--------------

main page is www.abc.ca.gov

Many neighbors have found the best way to mitigate impacts to residents is to ask ABC for conditions on a license as new applicants seek to do business in a neighborhood. The window to file a protest is very short (30 days) and ABC has specific criteria on which a protest is determined valid. ABC forms must be used and the concerns must be explicit. Residents must be clear on the conditions they are asking for. Neighbors can ask for limits on hours of operation and noise levels coming from the premises.

Example: Neighbors can ask for serving hours to cease at 11 PM and no audible noise beyond the premises. ABC does not deal with parking or types of allowed entertainment because these are city issues. If an existing license holder is a problem, they must be monitored and reported as they too are held to rules governing their licenses.

Protest forms and instructions: <http://www.abc.ca.gov/forms/PDFCompl.html>

Keywords to include if protesting new licenses might include: Undue Concentration and Proximity to Residences.

Keywords for protesting existing license holders might include: unreasonable noise, litter, graffiti, public drunkenness, property damage, vandalism, sales to minors, etc. (be clear on dates and times offenses took place -include photos if you can).