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Janet Taylor, who has fished off Municipal Wharf for 10 years, enjoys beer and asks, 'What does it hurt?' Ron Cockerille

Anglers, wharf tenants anxious over enforcement of alcohol ban

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The Santa Cruz Municipal Wharf is the next target for enforcement of a city ordinance banning alcoholic drinks in public places.

City Manager Richard Wilson said enforcement will probably begin in two or three weeks after further discussion with wharf business operators and after signs are posted explaining the ordinance.

The prohibition does not include restaurants or private property. Wilson said it isn't illegal to sell beer from several take-out windows on the wharf but it is unlawful to consume it in public places.

The ordinance is the same one used in a ban of alcoholic drinks on the Santa Cruz main beach. The ordinance has been in effect since the early 1960s, but enforcement hasn't been strict until this summer. Alcohol was considered a factor in several near-riot situations on

the beach earlier in the season.

The alcohol-related problems plaguing the beach haven't been experienced on the wharf, a long pier covered with upscale gift shops and restaurants. Beer consumption on the wharf has been mainly among fishermen and tourists grabbing a bite at one of the take-out windows.

Ironically, the decision to extend enforcement of the alcohol ban to the wharf was prompted by a group of people who protested the beach ban a few weeks ago.

Speaking during a City Council meeting, they said enforcement on the beach was stricter than on the wharf.

"We realized we would have to extend our enforcement," Wilson said. "But we didn't have a specific time table ... This has speeded up the timetable."

Meanwhile, business operators are concerned that when the ban goes into effect, the character of the wharf will

change.

"We don't agree that enforcement on the wharf has to be consistent with enforcement on the beach," said Robert Zufall, vice president of the Wharf Tenants' Association and co-owner of Nelson's Grill.

"We say the wharf is different," he said. "It's primarily a fisherman's wharf and then an attraction for tourists. If walking around the wharf with a beer and a fishing pole is going to be illegal, the whole flavor of the wharf will change.

"There's got to be another way," he said. "We think the city is overreacting."

Nelson's Grill is one of the businesses on the wharf which sell beer from take-out windows. Zufall said window sales amount to 30 to 40 percent of Nelson's Grill beer sales.

"This will have a dramatic effect on Nelson's Grill, as it will the other businesses that have window sales," Zufall said. "Most of us have buildings with small square footage, and we depend on the window business to survive."

The wharf tenants are looking for a way to be exempted from the ordinance, Zufall said.

There are currently several places — Harvey West Park, for example — where it's legal to consume alcohol in public.

Tom Brezsny, president of the Santa Cruz Restaurant Association, said another answer to the alcohol dilemma may be "discretionary enforcement."

That is, instead of citing anyone caught sipping a beer on the beach or the wharf, officers could issue citations only to people who are drinking too much and making a public nuisance of themselves.

"This comes down to a tourism issue," Brezsny said. "It's one more straw on the camel's back to discourage tourism in Santa Cruz. The tourist who gets a ticket will probably not come back."

Although the City Council has no immediate plan to discuss it, the issue certainly won't dry up and blow away. Wharf-goers and beach lovers are unhappy about the situation as well.

Ken Lugliani, who has been fishing off the wharf for more than eight years, said "The government is just taking away another wonderful privilege. Fishing and drinking is traditional relaxation."