

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
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-----Original Message-----

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Wednesday, November 14, 2018 5:22 PM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS ALCOHOLIC BEVERAGE COMMISSION TABC

First Name: Stephen

Last Name: Barth

Title: Attorney, Professor of Hospitality Law, Founder of HospitalityLawyer.com

Organization you are affiliated with: HospitalityLawyer.com, Quality of Life
Committee- Houston, Texas

Email:

City: Houston

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or
Opposed:

I greatly appreciate the incredible work the commission staff did to understand the challenges currently faced by the TABC, but also to recognize its strengths and broad scope.

I fully support the narrowing of the types of permits/licenses and strongly support the notion as set out below, that enforcement resources must be expanded to enable the agency to achieve its mission and objectives regarding community + public safety and welfare, the responsible service of alcohol, and overall administration of this significant industry in Texas.

Any Alternative or New Recommendations on This Agency:

Two primary challenges:

Policy

Enforcement

Policy is around the new protest protocols.

Residents may only protest a new permit, and only those within 300 feet of the location. As the noise, amplified sound, congestion, litter, crime, drunk driving impacts a much greater radius, our preference is to expand the radius to 1000 -1500 feet.

Additionally, regarding policy, the new protocol eliminated residents rights to protest a renewal (now limited to a select few City and county officials).

We feel this unfairly infringes upon our rights to protect our property value, exercise our rights to protest and to provide evidence of non compliance and infringement and trespass upon our property.

Regarding enforcement:

Our perspective is that a lack of enforcement and accountability is wasting significant taxpayer dollars but more

importantly enables the over service of alcohol which leads directly to death and injuries.

Houston Police Chief Acevedo has said:

"We are the worst state in the nation for drunk-driving fatalities and crashes," Police Chief Art Acevedo said. "And we happen to be the worst of the worst in Harris County. We can't afford to have an 'it's not important' attitude."

Back to the financial cost: in one year it is estimated that 60,000 plus calls were made to HPD due to loud music and other compliance issues...

We have not had an economist develop the numbers yet, but hypothetically if a police response costs the city \$200 per response (two officers, auto expense, call and supervisory personnel + benefits)

12 million dollars a year in Houston alone) and the opportunity cost of preventing or investigating more serious crime is enormous.

Another, often overlooked cost is just as significant, the disruption of residents and their childrens' lives, sleep, and peaceful enjoyment of their homes is staggering. Our neighborhood alliances aggregate much of the dense population inside the loop 610...we estimate on any given Wed., Thurs, Fri or Sat that over 3000 residents are disturbed and their privacy disrupted. The time wasted to call the city, meet with the officers, testify in court is immense, not to mention the emotional toll it takes on residents and their children.

Right now the enforcement and accountability processes are inconsistent and inefficient, mostly because the criteria for appropriate behavior is not clear or scattered among several statutes and or ordinances.

We suggest that the TABC develop a code of conduct ("Good neighbor policy, see below for an example), that every permittee acknowledges as part of their obligation for the privilege of having the permit (just like paying taxes).

And that compliance with the policy is required for a renewal to be issued.

We feel most permittees, as they do now, will comply because it is the right thing to do, but for those chronic violators, they need clear expectations and enforced accountability.

The setting of clear expectations and targets for behavior, with potential forfeiture of the permit as a consequence for non compliance, gives the TABC a streamlined approach to compliance enforcement and enable the neighborhoods to have clear expectations from the businesses.

Sample Code of Conduct and Expectations

A permittee is expected to serve alcohol responsibly, including:

Not serving to underage patrons;

Not serving more than 1.25 Oz of alcohol per drink; Not serving doubles or multiple shot drinks; Consistently(daily) training staff about the responsible service of alcohol; Not serving flaming drinks; Not mixing alcohol with energy drinks; Strictly complying with permitted alcohol service hours; Strictly complying with occupancy limits;

A permittee is expected to alleviate challenges they bring to a neighborhood....noise + congestion + trash + crime, et al.

Complying with sound ordinances: no amplified sound in neighborhoods or if amplified sound then it is the permittee's burden to insure that music and crowd noise does not intrude on neighbors' (both business and resident) right to peacefully enjoy their property;

Manage parkingwhere insufficient parking exists on the permittees property, permittees are expected to provide valet + geofencing where shared rides drop off and pick up; and education to its customers about local parking restrictions and encouraging compliance.

Litter, Trash...permittees are expected to police a 2-block radius picking up trash in residential streets.

Permittees are expected to be sensitive to residents when disposing of trash including glass bottles, as well as when scheduling pick up times for dumpsters.

If multiple venues have permits in a neighborhood, then the expectation is that all venues will participate in policing parking, trash, safety, security and legal compliance.

My Comment Will Be Made Public: I agree