



Department Source: Public Health and Human Services

To: City Council

From: City Manager & Staff

Council Meeting Date: February 4, 2019

Re: Drink Specials

Executive Summary

At its November 6, 2017 meeting, Council considered a memo (REP87-17), from the Substance Abuse Advisory Commission, outlining the commission's recommendations regarding alternative alcohol enforcement structures, alcohol outlet density, and drink specials. At its March 5, 2018 meeting, Council requested a report on drink specials, from the Public Health and Human Services, Police, and Law Departments.

Discussion

Overview

This report was developed by the Public Health & Human Services and Police Departments, with input from the Law and Finance Departments, as well as the City of Columbia Substance Abuse Advisory Commission.

In developing this report, staff reviewed:

- The evidence base for regulating drink specials.
- Local data in the domains of: health and safety, youth behavior, student behavior, and crime data.
- The Hospitality Zone Assessment conducted for the Downtown Community Improvement District (Downtown CID).

The Evidence Base

According to meta-analysis conducted by *County Health Rankings and Roadmaps, 2018*, there is some evidence that restricting drink specials reduces excessive drinking. The expected outcome of the restriction is reduced excessive drinking, with other potential outcomes being:

- reduced underage drinking
- reduced alcohol-related crashes and crime
- improved health outcomes

As indicators of the status of these issues in our community, staff examined the available data in four domains:

- health and safety
- youth behaviors
- college student behaviors
- crime



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Health and Safety

Columbia is Missouri's only metropolitan area in which more than 1 in 5 adults drink excessively (*Centers for Disease Control and Prevention*). 21% of Boone County residents reported excessive drinking, as compared to 19% of Missourians (*County Health Rankings and Roadmaps, 2018*)

According to the Missouri State Highway Patrol Statewide Traffic Accident Records System (STARS), from 2014-2016, Columbia had the:

- Third highest number of alcohol-involved fatal traffic crashes in the state (behind only Kansas City and St. Louis).
- Second highest number of alcohol-involved traffic crashes in the state involving drivers 21 and under that resulted in disabling injuries (tied with Kansas City).
- Third highest number of alcohol-involved traffic crashes in the state involving drivers 21 and under.
- Fifth highest number of alcohol-involved traffic crashes.

In Boone County, between 2012 and 2016, 36% of driving deaths involved alcohol, as compared to 30% in Missouri (*County Health Rankings and Roadmaps, 2018*).

Youth Behaviors

According to the *2016 Missouri Student Survey*, alcohol is the most commonly used substance by youth in Missouri. An estimated 53.7% of youth in Boone County believe it would be easy to get alcohol and 30.5% believe using alcohol presents only 'slight' or 'no risk' of harm. The average age of first use is 13.3 years and 45.1% have at least one friend that uses alcohol (*Behavioral Health Profile, Boone County, 2017*).

College Student Behaviors

According to data from the Missouri Assessment of College Health Behaviors (MACH-B), the number of underage students consuming alcohol at bars ranges from 27% in 2012 to 55% in 2018 (Columbia College and MU students included). The number of students reporting that bars were where they primarily consumed alcohol increased from 19% in 2016 to 33% in 2018.

MU data supports the national research that price is a deciding factor in how much our students drink. When asked what would make them drink less or not at all, MACH-B data reveals that 70% of residence hall students, 73% of fraternity men and 74% of sorority women would drink less if the alcohol cost more.

Crime

Analysis of 2017 Columbia Police Department police report data indicates trends in alcohol-related crimes by time of day and location. 18.5% of reports involving alcohol throughout the city occurred in the downtown sub-beat (70D), where the concentration of alcohol outlets is most dense. Out of all the reports taken in beat 70D in 2017, about 24% were alcohol related.



2017 CPD Reports Marked as "Alcohol Related"

BEAT	Yes		No		Unknown		Total
	Count	Percent	Count	Percent	Count	Percent	
City	947	7.14%	8380	63.14%	3945	29.72%	13,272
10	91	5.80%	1006	64.16%	471	30.04%	1,568
20	114	6.95%	1093	66.65%	433	26.40%	1,640
30	72	4.62%	1136	72.82%	352	22.56%	1,560
40	80	4.71%	1277	75.12%	343	20.18%	1,700
50	77	4.79%	991	61.63%	540	33.58%	1,608
60	99	5.83%	926	54.57%	672	39.60%	1,697
70	96	12.47%	421	54.68%	253	32.86%	770
70D	175	24.04%	386	53.02%	167	22.94%	728
80	101	6.50%	893	57.50%	559	35.99%	1,553
Unknown	42	9.38%	251	56.03%	155	34.60%	448

Source: Columbia Police Department

The number of alcohol-related reports was dependent on day of the week and time of day. The highest numbers of alcohol-related reports occurred during the late evening to very early morning hours, with roughly two-thirds of the alcohol-related police reports occurring between the hours of 8:00 p.m. and 3:00 a.m.



Alcohol Related Reports; Time of Day / Day of Week Analysis - 01/01/17 through 12/31/17

All Alcohol Related Reports

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	total
Sun	28.7	36.2	23.2	6.0	2.3	4.1	2.3	1.3	0.3	2.7	0.6	2.7	5.4	1.4	1.4	2.4	2.4	4.2	5.4	2.9	9.0	4.3	6.2	6.7	162.2
Mon	5.3	5.6	2.9	1.2	1.2	0.2	1.4	0.7	0.7	2.5	2.5	0.5	2.2	3.2	0.2	1.0	1.0	2.0	3.0	3.2	4.7	4.8	6.3	57.4	
Tue	6.1	11.1	4.6	3.3	1.2	1.0	0.0	3.0	1.0	1.0	1.0	0.0	2.0	2.0	6.0	1.0	4.0	2.0	1.0	4.5	6.5	9.0	4.0	12.6	88.4
Wed	12.1	8.5	5.1	6.7	1.4	2.2	0.1	2.1	1.1	0.1	0.1	4.0	2.1	1.1	0.1	1.1	0.1	2.6	3.1	1.1	2.2	8.5	12.5	12.8	90.9
Thu	19.5	20.7	13.2	5.2	0.7	1.8	1.5	1.3	1.0	0.0	3.0	1.0	2.0	4.0	2.5	1.5	3.3	4.3	8.3	10.8	9.9	12.3	20.4	148.4	
Fri	29.9	29.1	14.5	10.4	6.6	3.7	0.2	0.3	2.2	1.3	0.3	0.3	2.3	1.3	3.3	2.6	3.0	8.0	3.6	1.2	6.4	9.2	17.2	16.7	173.3
Sat	31.4	27.1	18.8	8.9	3.4	3.0	3.0	3.2	1.0	3.0	5.0	4.5	4.5	4.0	3.0	8.3	8.3	11.3	5.3	6.2	11.0	12.2	14.7	30.2	231.4
total	133.1	138.3	82.3	41.7	16.8	17.1	7.4	12.7	7.4	8.8	9.5	17.1	17.9	14.0	21.0	18.1	20.4	32.5	24.7	27.2	49.0	57.7	71.7	105.7	952.0

Forcible Rape and Sex Offenses

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	total
Sun	0.0	0.4	3.4	1.4	0.0	1.0	0.0	0.0	0.0	1.0	0.0	0.2	1.2	0.2	0.2	0.2	0.2	0.2	1.0	0.0	0.5	0.5	0.3	0.3	12.1
Mon	0.3	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1	0.1	1.6
Tue	0.6	0.6	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	3.1
Wed	1.1	0.1	0.1	0.1	0.1	1.1	0.1	0.1	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4	3.5
Thu	1.2	1.7	1.2	0.1	0.1	0.1	0.1	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.3	0.3	7.3
Fri	0.3	0.0	0.2	0.2	0.2	0.2	0.2	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.3	0.3	0.3	3.1
Sat	1.3	1.0	1.0	0.0	0.0	1.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4	1.4	0.4	7.5
total	4.8	4.1	6.0	1.9	0.4	2.4	1.4	0.3	1.2	1.2	0.2	1.2	1.2	0.2	1.2	0.2	0.2	1.2	1.1	0.1	1.7	1.3	2.5	1.8	38.0

Aggravated and Simple Assaults

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	total
Sun	7.9	5.2	3.6	2.4	1.1	0.1	0.1	0.1	0.1	0.1	0.1	1.1	2.1	0.1	0.1	2.1	1.1	1.1	0.4	0.9	3.9	1.0	1.0	1.0	36.2
Mon	1.5	2.5	0.0	0.0	1.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.0	1.0	4.0	14.0
Tue	1.3	5.3	2.3	0.0	1.0	0.0	0.0	2.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	3.0	1.0	3.0	0.2	3.6	23.8
Wed	3.6	2.9	0.9	2.5	0.1	0.1	0.0	0.0	1.0	0.0	0.0	1.0	0.1	0.1	0.1	0.1	0.1	2.6	0.6	0.1	0.4	1.9	6.9	1.1	26.2
Thu	4.0	2.0	0.0	1.3	0.3	0.3	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0	0.5	1.5	0.0	1.0	1.0	3.0	2.0	1.5	1.5	23.4
Fri	6.5	6.0	2.5	0.0	1.5	1.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.1	1.6	1.6	0.1	3.1	3.1	3.1	0.1	32.4	
Sat	9.5	5.4	3.4	2.5	0.5	0.5	1.5	0.0	0.0	1.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	2.0	0.5	2.6	5.6	0.7	3.2	9.7	49.9
total	34.3	29.4	12.7	8.8	5.6	3.6	2.6	2.1	1.1	1.1	0.1	2.1	4.2	2.2	1.2	2.7	3.8	7.3	4.1	7.8	17.1	13.8	17.0	21.1	206.0

Liquor Law Violations

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	total
Sun	3.0	4.0	1.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.5
Mon	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	1.0	4.0
Tue	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Wed	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	1.0
Thu	3.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.0	3.5	12.5
Fri	3.5	1.5	1.0	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	2.3	4.3	14.2
Sat	6.8	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.0	2.0	0.0	1.0	0.0	1.0	3.0	4.0	3.0	1.0	0.0	1.0	1.5	2.0	5.0	33.8
total	16.3	7.0	2.5	0.5	0.0	0.0	0.0	0.0	0.0	2.0	3.0	2.0	1.0	0.0	2.0	3.0	4.0	3.0	2.0	0.0	1.0	2.5	7.3	14.8	74.0

Source: Columbia Police Department

From a local public safety perspective, the types of drink specials that have posed the most concerns have occurred at night and have involved an unlimited amount of alcohol for one price for a set period of time, as well as those that have involved an increased door or cover charge that once paid, allows customers to pay nominal amounts for drinks.

Other Considerations

The Hospitality Zone Assessment conducted for the Downtown Community Improvement District (Downtown CID) by the Responsible Hospitality Institute (RHI), pointed out several challenges the City of Columbia faces relating to “incidents of violence, robbery, sexual assault, vandalism, crowd congestion, noise complaints, underage drinking, over-service of patrons, and impairment of both pedestrians and drivers” (Columbia, Missouri Roundtable Summary Report, 2015). The report also states: “Businesses compete primarily on the price of alcohol and drink size. Non-alcoholic beverages are sometimes more expensive than beverage alcohol. Lower prices and larger quantities of alcohol attract greater numbers of patrons, but are also associated with greater levels of intoxication. They also don't generate much revenue for businesses.”



To Go Fast, Travel Alone. To Go Far, Travel Together.

Columbia is well known for a culture of business friendliness yet there is also a pervasive hesitancy to the point of leniency for chronic violators of rules and regulations until public safety is severely jeopardized. Allowing egregious at-risk business practices to continue actually fosters a more competitive business market that is detrimental to the future viability of the hospitality industry, contributes to a lowering of standards for the quality of social experiences downtown and puts patrons at greater risk of harm.

Appropriate responses to intervene with chronic offenders will actually level the playing field for the business climate so that businesses can compete on quality and entertainment offerings rather than drink prices and sizes. This will help promote greater economic development and sustainability of the industry and downtown as a whole. Already many downtown businesses such as service providers and retail stores report finding vomit and other forms of unpleasant bio-waste on their storefronts. Ragtag Cinema has lost revenue from 8:00pm showings because theater patrons don't want to interact with intoxicated, unruly crowds. Neighbors have difficulty sleeping due to excessive noise generated by some venues' amplified music. Issues need to be addressed before such positive contributors to the downtown mix decide to relocate.

The broader community is faced with tough questions. For example, "At what point does not closing down a business make other businesses lose their investments and viability?" "At what point does the expectation that college students will drink and party make it unbearable for non-students to enjoy downtown?" "How can the city attract other industries and businesses if downtown is perceived as a dormitory for college students where 'anything goes'?"

A lack of tough consequences or accountability beyond a "slap on the wrist" for businesses and students helps to perpetuate such behaviors. The result is a sense of frustration and helplessness expressed in various roundtables. Many want change and are willing to put in the time and effort to make it happen – but change must be consensus-driven with support and buy-in from the top.

Image Source: *(Columbia, Missouri Roundtable Summary Report, 2015, Page 3)*

Gaps and Improvement Areas

- **No citywide requirement or standard training curriculum** for door security staff.
- **Underage nightlife patrons report ease of entry to over 21 venues and access to alcohol.** Staff of some venues have publicly commented they won't turn away attractive females who allegedly "forgot their ID." Others do not consistently card patrons. This is supported by statistics from the 2014 Missouri College Health Behavior Survey: Over 1 out of 10 underage MU drinkers and 3.9% of Columbia College students get alcohol at local bars using a fake ID and/or go to bars that do not check their IDs; 92% of MU students say they have never or rarely been denied access to alcohol using a fake ID.
- **Businesses compete** primarily on the price of alcohol and drink size. Non-alcoholic beverages are sometimes more expensive than beverage alcohol. Lower prices and larger quantities of alcohol attract greater numbers of patrons, but are also associated with greater levels of intoxication. They also don't generate much revenue for businesses.
- **Over-service:** Over 1/3 of MU students have been served alcohol when they were already intoxicated. (Missouri College Health Behavior Survey, 2014).

Image Source: *(Columbia, Missouri Roundtable Summary Report, 2015, Page 19)*

Regulations

The following is a summary of drink special regulations at the state level:

- Missouri is one of 18 states with no bans or restrictions on drink specials.
- Drink specials are banned in 12 states.
- Drink specials are restricted in 20 states.
 - 8 states have temporal restrictions on happy hours.
 - 8 states place discount amount restrictions on happy hours.
 - 6 states ban only unlimited drinks.



Detailed summaries of state regulations of drink specials are included in *Appendix A* to this report.

Drink specials are commonly regulated at the municipal level. Ordinances regulating drink specials in the following peer cities are included in *Appendix B* to this report:

- Iowa City, IA
- Baton Rouge, LA
- Athens, GA

Recommendations

Based on this review, the primary reasons to consider regulating drink specials are to improve public and individual health and safety. Staff recommends Council consider adopting an ordinance prohibiting certain types of drink specials, from 9:00 p.m. to 1:30 a.m. Examples of common prohibitions include:

- The sale of an unlimited number of servings of alcoholic beverages for one fixed price, cover charge, entry fee, or donation.
- The sale of more than one alcoholic beverage for the price of one alcoholic beverage.
- The sale of an alcoholic beverage at a price less than or equal to the licensee's cost to purchase the alcohol.
- The sale of an alcoholic beverage to a defined classification of individuals for a different cost than the cost to other patrons.
- Discount pricing on more than two servings of alcohol served at one time.
- Providing free alcoholic beverages.
- An increase in the volume of the alcoholic beverage contained in a serving without increasing proportionately the normal retail price for such alcoholic beverage based on the increased volume

Exceptions could be considered for:

- Private catered special events, not open to the public.
- Alcoholic beverage samples and tastings, below a defined amount.

The applicable enforcement mechanisms and penalties are currently outlined in Chapter 4 of the City Code.

Fiscal Impact

Short-Term Impact: Not applicable.

Long-Term Impact: Not applicable.



Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

Primary Impact: Public Safety, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

[Comprehensive Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
March 5, 2018	Council request for report.

Suggested Council Action

Accept the report.