

RESOLUTION NO. 159-2013

A RESOLUTION AMENDING RESOLUTION 36-2013

WHEREAS, the State of Alabama passed into law Act No. 2013-382, hereinafter referred to as “the Act,” amending Act 2012-438, now codified as Alabama Code Section 28-3A-17.1, for the purpose of creating and establishing entertainment district designations; and

WHEREAS, Ordinance No. 35-2013 was passed on July 2, 2013 by the City Council pursuant to Act No. 2013-382 adopting procedures for the creation and establishment of entertainment districts; and

WHEREAS, pursuant to Ordinance No. 35-2013, the City Council passed Resolution 36-2013 establishing entertainment district designations in the certain geographic areas set forth in Exhibit A, Exhibit B and Exhibit C of Resolution 36-2013; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the Council determines that the particular entertainment districts set forth in Exhibit A, Exhibit B and Exhibit C (as attached), individually shall have the following names and operational rules as provided in the following:

SECTION 1. Name and Operational Rules for Exhibit A.

- a. *Name of the Entertainment District.* The entertainment district, with boundaries as set forth in Exhibit A, shall be known as Downtown Entertainment District.
- b. *Regular Hours of the Entertainment District.* Beginning on September 1, 2013, the regular hours of operation of the Downtown Entertainment District shall be from 9:00 a.m. until 12:00 a.m. at which time patrons, guests or members of the licensee may exit the licensed premises with open containers of alcoholic beverages and consume alcoholic beverages anywhere within the confines of the district, but may not enter another licensed premise with open containers or closed containers of alcoholic beverages.
- c. Except as otherwise provided in subsection (b) above, nothing in this Article is intended to authorize any person to violate the provisions of Sec 3-14 of the Code of Ordinances of the City of Montgomery, Alabama.
- d. Nothing in this Article is intended to authorize any person to violate the provisions of Sec 3-10 of the Code of Ordinances of the City of Montgomery, Alabama

SECTION 2. Name and Operational Rules for Exhibit B.

- a. *Name of the Entertainment District of Exhibit B.* The entertainment district, with boundaries as set forth in Exhibit B, shall be known as Cloverdale Road Entertainment District.
- b. *Regular Hours of the Cloverdale Road Entertainment District.* Beginning on September 1, 2013, the regular hours of operation of the Cloverdale Road Entertainment District shall be from 9:00 a.m. until 12:00 a.m. at which time patrons, guests or members of the licensee may exit the licensed premises with open containers of alcoholic beverages and consume alcoholic beverages anywhere within the confines of the district, but may not enter another licensed premise with open containers or closed containers of alcoholic beverages.
- c. Except as otherwise provided in subsection (b) above, nothing in this Article is intended to authorize any person to violate the provisions of Sec 3-14 of the Code of Ordinances of the City of Montgomery, Alabama.
- d. Nothing in this Article is intended to authorize any person to violate the provisions of Sec 3-10 of the Code of Ordinances of the City of Montgomery, Alabama

SECTION 3. Name and Operational Rules for Exhibit C.

- a. *Name of the Entertainment District of Exhibit C.* The entertainment district, with boundaries as set forth in in Exhibit C, shall be known as Five Points - Cloverdale Entertainment District.
- b. *Regular Hours of Five Points - Cloverdale Entertainment District.* Beginning on September 1, 2013, the regular hours of operation shall be from 9.00 a.m. until 12:00 a.m. at which time patrons, guests or members of the licensee may exit the licensed premises with open containers of alcoholic beverages and consume alcoholic beverages anywhere within the confines of the district, but may not enter another licensed premise with open containers or closed containers of alcoholic beverages.
- c. Except as otherwise provided in subsection (b) above, nothing in this Article is intended to authorize any person to violate the provisions of Sec 3-14 of the Code of Ordinances of the City of Montgomery, Alabama.
- d. Nothing in this Article is intended to authorize any person to violate the provisions of Sec 3-10 of the Code of Ordinances of the City of Montgomery, Alabama

SECTION 4: City Opening and Closure of Entertainment Districts.

- a. At any time, the Mayor shall have the authority to extend the hours of an entertainment district, or extend the hours for portions of an entertainment district.
- b. At any time, the Mayor or Chief of Police shall have the authority to close an entertainment district, or portions of the district, and require persons to disperse from the area should he, in his sole discretion, determine it is appropriate to do so in order to protect the public health, safety, or general welfare. The entertainment district shall remain closed until the Mayor or Chief of Police allows the district to be re-opened. The City shall not be responsible for any costs incurred by any person as a result of the closing.

STATE OF ALABAMA)
COUNTY OF MONTGOMERY)
CITY OF MONTGOMERY)

I, Brenda Gale Blalock, City Clerk of the City of Montgomery, Alabama, DO HEREBY CERTIFY that that foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery at its regular meeting held the 20th day of August, 2013.

GIVEN under my hand and the official SEAL of the City of Montgomery, Alabama, this the 21st day of August, 2013.

/S/
BRENDA GALE BLALOCK, CITY CLERK

APPROVED:8-29-13
/S/
TODD STRANGE, MAYOR

159-2013

Exhibit A - Downtown Entertainment District



Exhibit B - Cloverdale Road Entertainment District



Exhibit C - Five Points–Cloverdale Entertainment District

