ORDINANCE NO. 0-12-15

AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS AMENDING CHAPTER 15, OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE CROCKETT CODE; AMENDING SECTION 15-24, CONSUMPTION OF ALCOHOL IN PUBLIC PLACES, TO PROHIBIT PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE CENTRAL BUSINESS DISTRICT AND REPEALING THE PROHIBITION OF POSSESSION OF AN OPEN CONTAINER AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN MOTOR VEHICLES, BUILDINGS NOT OWNED OR CONTROLLED BY THE MUNICIPALITY OR RESIDENTIAL STRUCTURES; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF CROCKETT, TEXAS HEREBY ORDAINS:

SECTION I:

Section 15-24 of the Crockett Code is hereby amended to read as follows:

Sec. 15-24. Consumption of Alcohol in Public Places.

- (A) Finding. The City Council of the City of Crockett, Texas determines that possession of an open container or the public consumption of alcoholic beverages in the central business district is a risk to the health and safety of the citizens of the City.
- (B) Prohibited. It shall be unlawful for any person to possess an open container containing alcoholic beverages or to consume alcoholic beverages in public in the central business district of the city. The central business district is defined as that area identified as "city center shopping" on the map attached hereto as "Exhibit A" and incorporated by reference.
- (C) Exceptions. This section does not prohibit possession of an open container or the consumption of alcoholic beverages in motor vehicles, buildings not owned or controlled by the City, residential structures or licensed premises located in the area of prohibition.
- (D) Definition. In this section "open container" means a container that is no longer sealed.
- (E) Penalty. Anyone guilty of violating this section shall be fined not to exceed Five Hundred Dollars (\$500.00).

SECTION II. Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance

shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION III. Repealing Clause

All Ordinances, or parts of Ordinances, inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION IV: Effective Date.

PASSED AND ADOPTED this $_$ 7 day of $\underline{\text{December}}$, 2015 at a regular meeting of the City Council of the City of Crockett, Texas.

CITY OF CROCKETT

BY:

ROBERT MEADOWS, MAYOR

ATTEST:

MITZI THOMPSON, CITY SECRETARY

APPROVED:

WILLIAM R PEMBERTON,

CITY ATTORNEY

