

ORDINANCE 2021-087**AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 5 "BUSINESS AND COMMERCE", ARTICLE 5.02 "ALCOHOLIC BEVERAGES REGULATIONS", DIVISION 1 "GENERALLY", SECTION 5.02.005 "SALE, POSSESSIN OR CONSUMPTION IN TEXAS BANK SPORTS COMPLEX (RIO CONCHO SPORTS COMPLEX), PROVIDING FOR SEVERABILITY; AND CREATING AN EFFECTIVE DATE**

WHEREAS, the City of San Angelo has an ordinance the regulates the sale, possession, and consumption of alcohol within the City of San Angelo; and

WHEREAS, there is a desire to limit the sale, possession, and consumption of alcohol at the Texas Bank Sports Complex (Rio Concho Sports Complex); and

WHEREAS, it is necessary to amend the ordinance in order to regulate the sale, possession, and consumption of alcohol in this manner.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SAN ANGELO, TEXAS:

SECTION 1: THAT Chapter 5, Article 5.02, Division 1, Section 5.02.005 of the San Angelo Code of Ordinances is hereby modified as follows:

"Sec. 5.02.005 - Sale, possession or consumption in Texas Bank Sports Complex (Rio Concho Sports Complex)

(a) It shall be unlawful for any person, firm, company, organization or corporation to sell, consume or possess, or to permit or to promote the selling, consuming or possessing, of any alcoholic beverage within any area of the Texas Bank Sports Complex in the city including the fenced-in areas of the quadrangles of the Complex, the picnic and play areas at the Complex, and any parking lots serving the Complex.

(b) It shall be an affirmative defense to the prohibition of this section that a person, firm, company, organization or corporation secured a permit, contract, lease or other form of written permission from the parks and recreation department permitting utilization of the city's concessionaire for the selling, promoting, consuming or possessing of alcoholic beverages for a specific event within one or more designated quadrangles of the Texas Bank Sports Complex and that the sale, promotion, consumption or possession of alcohol occurred at the time of the specific event and within such quadrangle or quadrangles as described in the permit, contract, lease or other form of written permission from the parks and recreation department. The permit, contract, lease or other form of written permission from the parks and recreation department shall be limited to specific events, on specific dates, for specified hours and within one or more specific quadrangles of the Texas Bank Sports Complex, and shall be conditioned upon compliance with the Texas Alcoholic Beverage Code and applicable municipal ordinances.

(c) The parks and recreation department for the city shall adopt a policy and regulations, and a form for application for permit, contract, lease or other form of written permission authorizing utilization of the city's concessionaire for the sale, consumption or possession of alcoholic beverages within the quadrangles of the Texas Bank Sports Complex for specific events during adult tournaments and permitted special events only when no youth league or youth tournament play is occurring.

(d) The premises of the Texas Bank Sports Complex quadrangles include the fields, spectator areas and concession areas within each fenced-in quadrangle, located within the area bounded on the east by the East Angelo Draw, on the south by the North Concho River, on the west by Bell Street, and on the north by St. Ann Street, in the city."

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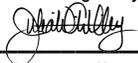
SECTION 2: THAT the terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 3: THAT this Ordinance shall take effect and be in full force and effect from and after the date of its passage unless otherwise replaced by the San Angelo City Council.

INTRODUCED with public hearing on the 8th day of July 2021 and ADOPTED on this 20th day of July 2021.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

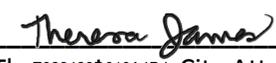
DocuSigned by:


Julia Antley, City Clerk

DocuSigned by:


Brenda Gunter, Mayor

APPROVED AS TO FORM:

DocuSigned by:


Theresa James, City Attorney