

**TOWN OF GILCREST**

**ORDINANCE NO. 2018-07**

**TITLE: AN ORDINANCE AMENDING SECTION 10-102 AND 11-52 OF THE TOWN OF GILCREST MUNICIPAL CODE REGARDING CONSUMPTION OF ALCOHOLIC BEVERAGES IN PARKS**

WHEREAS, the Board of Trustees of the Town of Gilcrest desires to allow the consumption of alcoholic beverages in all parks; and

WHEREAS, the Board of Trustees of the Town of Gilcrest desires to amend the Gilcrest Municipal Code to delete any references to alcohol not being allowed in parks.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF GILCREST, COLORADO, THAT:

Section 1. Section 10-102 of the Town of Gilcrest Municipal Code is hereby amended to read as follows:

**10-102. Drinking in streets.**

It shall be unlawful for any person to serve, consume or have any open container of liquor or fermented malt beverage when on, in or using, by conveyance or otherwise, any public street, parking lot, alley, public place, avenue, *or* sidewalk ~~or park, excluding any park the Gilcrest Ball Park bordered by Southwest Plaza, Northwest Plaza, Northeast Plaza and Southeast Plaza,~~ within the Town limits.

Section 2. Section 11-52(d) of the Town of Gilcrest Municipal Code is hereby deleted, and the remaining subsections reordered in alphabetical order.

Section 3. Safety Clause. The Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Gilcrest, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

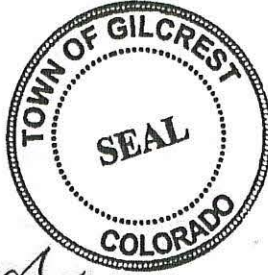
Section 4. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. Effective Date. This ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 9<sup>th</sup> day of October, 2018.

PASSED by a vote of 4 for and 1 against, AND ORDERED PUBLISHED ONCE  
IN FULL this 16<sup>th</sup> day of October, 2018.

TOWN OF GILCREST, COLORADO



Jeff Nelson  
Jeff Nelson, Mayor

ATTEST:

Gail Odenbaugh  
Gail Odenbaugh, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann  
Corey Y. Hoffmann, Town Attorney