

Ordinance # 201

AN ORDINANCE APPEALING ORDINANCE NUMBER 18 OF THE CODE OF ORDINANCES OF THE CITY OF BEVIL OAKS THAT PROHIBITED SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN BUILDINGS OR ON PROPERTIES BELONGING TO THE TOWN OF BEVIL OAKS; ORDINANCE AMENDED TO ALLOW CONSUMPTION OF ALCOHOLIC BEVERAGES INSIDE THE CIVIC CENTER BUILDING ONLY IN ACCORDANCE WITH ALCOHOL POLICY ADOPTED BY CITY OF BEVIL OAKS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEVIL OAKS:

Section 1:

It shall be unlawful for any person to sell beverages within any building or upon any property, street or sidewalk owned by the City of Bevil Oaks;

Section 2:

It shall be unlawful for any person to consume alcoholic beverages in any building or upon any property, street or sidewalk owned by the City of Bevil Oaks with the exception of the Civic Center during a function being held under a lease agreement approved by the City of Bevil Oaks. Alcohol may be consumed inside the Civic Center only under the terms of the City of Bevil Oaks Alcohol Policy, Exhibit "A" attached.

Section 3.

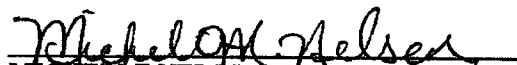
PENALTY. Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor, and shall be fined in any sum not to exceed the sum of TWO HUNDRED AND NO/100 (\$200.00) DOLLARS.

Section 4.

SEVERABILITY OF PARTS OF ORDINANCE. If any section, subsection, sentence, clause or phrase of this Ordinance, or the application of the same of the same to a particular set of persons or circumstances, should for any reason be held to be invalid, such invalidity shall in no way affect the remaining portion of this Ordinance and to such end the various portions and provisions of this Ordinance are declared to be severable.

PASSED AND APPROVED this 20th day of February, 2007.

ATTEST:


MICHELLE NELSON, CITY SECRETARY
CITY OF BEVIL OAKS, TEXAS


REBECCA M. FORD, MAYOR
CITY OF BEVIL OAKS, TEXAS

Exhibit "A"

CITY OF BEVIL OAKS

Alcohol Policy:

If Lessee has answered "Yes" or alcohol is served/consumed or present in any way on the leased premises, the Lessee is subject to and agrees to abide by the following conditions in addition to the above-mentioned INDEMNITY and other contractual agreements:

- Lessee must hire a uniformed off duty, full time commissioned Texas Peace Officer or security guard(s) from a list of security firms (if any) approved by the Bevil Oaks City Council.
- Lessee agrees to hire at least one (1) security officer for every fifty (50) persons present or reasonably anticipated to be present on the premises irrespective of whether the persons are consuming alcohol and regardless of age of the persons present.
- Lessee agrees that in no event will alcohol be held out for sale on or near the premises of the Center to the public or persons present on the premises.
- Lessee agrees that the officer is hereby granted full authority to stop or direct all activities at the Leased premises and Lessor is not responsible in any way for any damages resulting from the cancellation or direction of the officer's activities.
- Lessee agrees that no person under the age of twenty-one (21) may consume alcohol. Lessee is fully responsible for maintaining order irrespective of the presence of any of Lessee's agents or any security officer.
- Lessee agrees to supervise and effectuate compliance with all state laws regarding the use and consumption of alcohol.
- Lessee agrees that any violation of the above-detailed policy conditions will result in the forfeiture of the \$_____ Alcohol Use deposit in addition to full responsibility for any additional damages resulting from the use, consumption or presence of alcohol on or near the premises.

Acknowledgement of Acceptance of Alcohol Policy: (Lessee's signature)

X _____