

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.

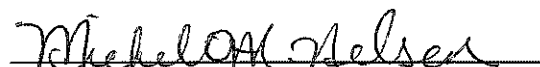
**Section 4.**

SEVERABILITY OF PARTS OF ORDINANCE. If any section, subsection, sentence, clause or phrase of this Ordinance, or the application of the same 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 20<sup>th</sup> day of February, 2007.

ATTEST:

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

  
MICHELLE NELSON, CITY SECRETARY  
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 \_\_\_\_\_

AN ORDINANCE FOR THE TOWN OF BEVIL OAKS

AN ORDINANCE PROHIBITING THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN BUILDINGS OR ON PROPERTIES BELONGING TO THE TOWN OF BEVIL OAKS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF BEVIL OAKS:

SECTION 1.

It shall be unlawful for any person to sell, or consume any vinous, spirituous or malt liquors or alcoholic beverages within any town building or town properties, or upon any town street or sidewalk.

SECTION 2.

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 3.

The town clerk is ordered and directed to make publication of this ordinance ten (10) days at three public places within the corporate limits of the Town, and upon completion of said publication to certify, in the place provided below, that said publication has been made; and upon completion of this certificate, this Ordinance shall be in full force and effect.

PASSED this the 16 day of December, A. D., 1975, by an affirmative vote of Five or more of the Board of Aldermen.

APPROVED:

Orville C Hall  
ORVILLE C. HALL, MAYOR

APPROVED:

James L. Anderson  
City Attorney

ATTEST:

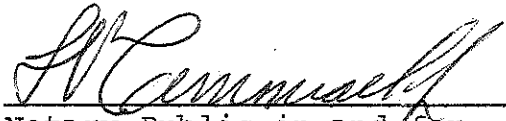
Tommy LaRousse  
TOWN CLERK

THE STATE OF TEXAS )

COUNTY OF JEFFERSON )

BEFORE ME, the undersigned authority, on this day personally appeared O. C. Hall, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in such capacity and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16 day of December, A. D., 1975.

  
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Notary Public in and for  
Jefferson County, Texas.