

ORDINANCE NO. 2009- 20

An ordinance amending Section 17-7 of the Victoria City Code to prohibit alcoholic beverages within parks and other non-park areas, repealing all conflicting ordinances, providing for severability; providing for codification and savings; and declaring an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

Section 17-7 of the Victoria City Code is amended to read as follows:

Sec. 17-7. Alcoholic beverages prohibited within neighborhood parks and other non-park areas.

- (a) It shall be unlawful for any person to consume or possess an open container of any alcoholic beverage within the following neighborhood parks and other non-park areas:
 - (1) Boulevard Park;
 - (2) Brownson Park;
 - (3) Martin Luther King, Jr., Park;
 - (4) Greenbelt Park;
 - (5) Meadowlane Park;
 - (6) Memorial Park;
 - (7) Queen City Park;
 - (8) Will Rogers Park;
 - (9) Pine Street Community Park;
 - (10) Hopkins Park;
 - (11) Ted B. Reed Park;
 - (12) Ethel Lee Tracy Park;
 - (13) DeLeon Plaza;
 - (14) Community Center Park (Youth Sports Complex);
 - (15) Lone Tree Hike/Bike Trail;
 - (16) Skatepark;
 - (17) Community Center parking lot;
 - (18) Community Center Park.

- (b) The Director of Parks and Recreation or his designee may grant permits for consumption and possession of open containers of alcoholic beverages within any of these parks and other non-park areas for certain events upon receipt of a request twenty-four (24) hours in advance of the event. The requestor must provide an approximate number of people expected to attend the event. The Director of Parks and Recreation shall grant such permits so long as the size of the park or non-park area is adequate to accommodate the event. In cases of multiple permit requests, permits shall be granted on a first come, first served basis.

2.

All parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

3.

If any provision of this ordinance, or the application thereof to any person or circumstance, shall be held invalid or unconstitutional by a Court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

4.

It is the intention of the City Council that this ordinance shall become a part of the Code of the City of Victoria, Texas, and it may be renumbered and codified therein accordingly. The Code of the City of Victoria, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

This ordinance shall become effective 10 days after final passage and approval by the City Council of the City of Victoria, Texas.

PASSED FIRST READING, this the 18th day of August, 2009.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

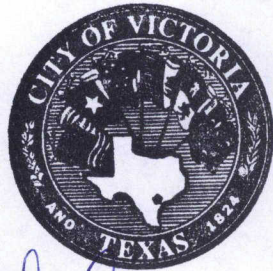
PASSED SECOND READING, this the 1st day of September, 2009.

AYES: 7
NAYS: 0
ABSTENTIONS: 0


PASSED THIRD READING, this the 1st day of September, 2009.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 1st day of September, 2009.



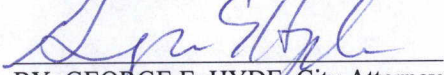
ATTEST:


SCARLET SWOBODA, City Secretary



WILL ARMSTRONG, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:


BY: GEORGE E. HYDE, City Attorney
Denton, Navarro, Rocha & Bernal, P.C.

Distribution: Parks and Recreation
Police Department

Copies Sent: September 9, 2009