

ORDINANCE NO. 1729

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN A DESIGNATED CITY PARK AFTER THE HOUR OF 10:00 P.M. AND PRIOR TO THE HOUR OF 8:00 A.M.; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the consumption of alcoholic beverages within the City Parks contributes to litter and broken glass and renders the maintenance of the City Parks more difficult; and,

WHEREAS, it is necessary to regulate same;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Code of the City of Mesquite is hereby amended as follows; in all other respects to remain in full force and effect:

Chapter 13 of the Code of the City of Mesquite is hereby amended by adding a new Section 13-18.1 to read as follows:

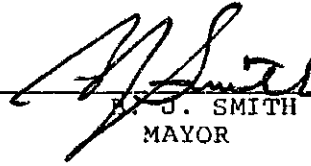
13-18.1 - Consumption of alcoholic beverages between the hours of 10:00 p.m. and 8:00 a.m.: Notwithstanding the foregoing article 13-18, it shall be unlawful for any person to consume any alcoholic beverage in a designated City Park at any location after the hour of 10:00 p.m. and prior to the hour of 8:00 a.m.

SECTION 2. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction therefor, shall be subject to a fine not to exceed two hundred (\$200.00) dollars for each offense.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid, or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. The fact that the City of Mesquite has no adequate ordinance regulating the consumption of alcoholic beverages within a designated City Park creates an urgency and an emergency and requires that this ordinance shall take effect immediately from and after its passage and publication as the law in such cases provides.

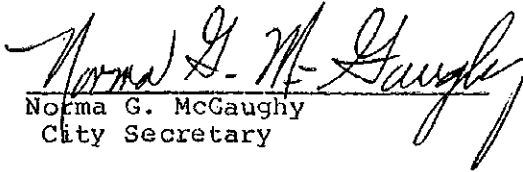
DULY PASSED AND APPROVED by the City Council of the City
of Mesquite, Texas, on the 5th day of October, A.D., 1981.



R. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:



Norma G. McCaughy
City Secretary

Elland Archer
City Attorney