

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REPEALING ORDINANCE NUMBER 1729 OF THE CITY OF MESQUITE AND REPEALING THE PRESENT SECTION 13-18.1 OF THE CODE OF THE CITY OF MESQUITE AND ADDING A NEW SECTION 13-18.1 PROHIBITING THE POSSESSION 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 DECALRING AN EMERGENCY.

WHEREAS, the possession of alcoholic beverages within the City Parks contributes to litter, 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 That Ordinance Number 1729 of the City of Mesquite passed on the 5th day of October, 1981, is hereby repealed.

SECTION 2. That Section 13-18.1 of the Code of the City of Mesquite is hereby repealed and a new Section 13-18.1 is hereby added as follows:

Section 13-18.1 - Possession 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 possess 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 3. 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.

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SECTION 4. 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.

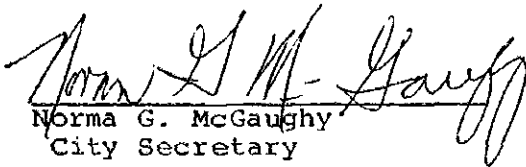
SECTION 5. The fact that the present ordinances of the City of Mesquite do not adequately regulate the possession of alcoholic beverages within a designated City Park creates an urgency and an emergency and requires that this ordinance shall take effect immediately from and after its passage and publication as the law in such cases provide.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of November, A.D., 1982.


LEN GIBBENS
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

