

**CITY COUNCIL
OF THE CITY OF VICTOR, COLORADO**

ORDINANCE NO. 511

AN ORDINANCE OF THE CITY OF VICTOR REPEALING AND REENACTING SECTION 10-8-40 OF THE VICTOR MUNICIPAL CODE RELATING TO POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN CITY PARKS AND CITY FACILITIES

WHEREAS, Senate Bill 18-243 authorizes local government, by ordinance, to authorize public possession and consumption of any type of alcoholic beverage within the government's jurisdiction; and

WHEREAS, the City Council desires to allow the responsible possession and consumption of alcoholic beverages in city parks; and

WHEREAS, the City Council desires to allow the responsible possession and consumption of alcoholic beverages, subject to approval by the City Administrator or his/her designee, in certain city facilities; and

WHEREAS, the City Council finds that these revisions are in the best interests of the City and its citizens.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTOR, COLORADO:

Section 1. Section 10-8-40 of the Victor Municipal Code is hereby repealed and reenacted to read as follows:

Sec. 10-8-40. – Public Possession and Consumption

It is unlawful for any person to possess an open container or to consume any alcoholic beverage, whether such possession is actual or constructive in any public place, except as follows:

- A. The property is duly licensed by the City and State for the sale of alcoholic beverages;
- B. It is in any City park except Washington Park (Kiddie Park in 100 block South 2nd Street) during hours when the park is open to the public but no later than 10:00 PM Sunday through Thursday or 12:00 Midnight on Friday and Saturday and no earlier than 8:00 AM on any day unless a special events permit has been issued; or
- C. It is in a facility owned or controlled by the City in which the City Administrator or his/her designee has authorized the possession and consumption of alcohol and such possession or consumption is in compliance with all

conditions imposed by the City Administrator or his/her designee;

Section 2. It is the City’s sole discretion to limit or deny the consumption of alcohol by any individual or group of individuals at any time for any reason.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Victor, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. Repealer. All provisions of prior City ordinances, regulations, policies, procedures, and official actions irretrievably inconsistent with this ordinance are hereby repealed and superseded by this ordinance only to the extent of such inconsistency.

Section 6. Effective date. This ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, FIRST READ, PASSED AND ORDERED PUBLISHED IN FULL ON FIRST READING THIS 11th DAY OF JULY, 2019.

Bruce Davis, Mayor

ATTEST:

Glori Thurston, City Clerk

A PUBLIC HEARING ON THIS ORDINANCE WILL BE HELD ON THE 15TH DAY OF AUGUST, 2019, AT 500 VICTOR AVE., 2ND FLOOR, VICTOR, COLORADO AT 6:00PM. NOTICE OF PUBLIC HEARING PUBLISHED JULY 17, 2019.

PASSED, ADOPTED, APPROVED AND ORDERED PUBLISHED BY TITLE ONLY
ON SECOND READING THIS ____ DAY OF _____, 2019.

Bruce Davis, Mayor

ATTEST:

Glori Thurston, City Clerk & Treasurer

PUBLISHED: _____, Pikes Peak Courier