

ORDINANCE NO. 2018-09

**AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS,
AMENDING ORDINANCE NO. 01-03-94 REGARDING
CONSUMPTION AND POSSESSION OF ALCOHOLIC
BEVERAGES IN THE CENTRAL BUSINESS DISTRICT;
PROVIDING A PENALTY CLAUSE; AND PROVIDING A
SEVERABILITY CLAUSE.**

WHEREAS, the City of Taylor, Texas, adopted Ordinance No. 01-03-94, which was previously amended, regarding consumption and possession of an open container and consumption of alcoholic beverages in the Central Business District; and

WHEREAS, it is the desire of the City to allow possession of open containers or the consumption of alcoholic beverages in the Central Business District under the provisions set forth in this Ordinance; and

WHEREAS, the City deems it to be reasonable to allow possession and consumption of alcoholic beverages in the Central Business District only upon compliance with the conditions set forth in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAYLOR, TEXAS, that:**

SECTION 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. No alcoholic beverage or open container, as defined by the Texas Alcoholic Beverage Commission ("TABC") and Ordinance 01-03-94, shall be allowed on any public street or right of way in the Central Business District, except as may be permitted under the following conditions:

- A. When an alcoholic beverage is sold to the public by a business licensed by the TABC authorizing the public sale of such alcoholic beverage ("Business"); and

- B. When a patron of the Business purchases an alcoholic beverage from the Business; and
- C. When the Business allows a Business patron to consume the alcoholic beverage purchased from the Business in an open container in an outdoor area located in a public right of way used under the direct control and supervision of the Business ("Outdoor Business Area"); and
- D. When the consumption of any alcoholic beverage in the Outdoor Business Area does not violate any other ordinance or law; and
- E. When the Outdoor Business Area is immediately adjacent to and contiguous to the Business building from which the alcoholic beverage was sold by the Business; and
- F. When the Business has identified, located and registered the Outdoor Business Area with the City prior to allowing any possession or consumption of alcoholic beverages in the Outdoor Business Area.

Nothing herein is intended to abrogate or supersede any law regarding alcoholic beverages including, without limitation, the TABC, which shall be a requirement of the Business under this Ordinance.

SECTION 3. All provisions of Ordinance No. 01-03-94, as previously amended, shall remain in effect and Ordinance No. 01-03-94 is amended only as stated herein.

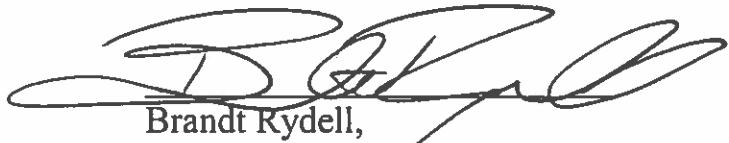
SECTION 4. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subjected to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense, except where a different penalty has been established by State law for such offense in which event the penalty shall be fixed by state law and if deemed a violation of any provision which governs fire safety, zoning or public health or sanitation shall be punished by a penalty of fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation is continued shall be deemed to constitute a separate offense.

SECTION 5. Should any section, paragraph, clause, phrase, or provision of this Ordinance be judged invalid or held unconstitutional, the same shall not affect

the validity of this Ordinance as a whole or any part of the provisions thereof, other than the part so decided to be invalid or unconstitutional

SECTION 6. In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Taylor, Texas, on the 7TH day of June, 2018.

PASSED, APPROVED and ADOPTED on this the 14 day of June, 2018.


Brandt Rydell,
Mayor of the City of Taylor, Texas

ATTEST:


Dianna Barker, City Clerk

APPROVED AS TO FORM:



Ted W. Hejl, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Dianna Barker, being the current City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2018-09, passed and approved by the City Council of the City of Taylor, Texas, on the 14 day of June, 2018, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this 14 day of June, 2018.



Dianna Barker,
City Clerk

