

TABLED 5/16/01

ORDINANCE 01-08

TO AMEND TITLE 14 OF THE
BLOOMINGTON MUNICIPAL CODE ENTITLED "PEACE AND SAFETY"
(Amending Chapter 14.36 (Unlawful Conduct) to Allow the Consumption of Alcohol
During Scheduled Events in the Lion's Den Shelter of Upper Cascades Park)

WHEREAS, the Bloomington Board of Park Commissioners has considered and recommended the following change to the Bloomington Municipal Code;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 14.36.090 Intoxicating beverages—Consumption in Public of Chapter 14.36 shall be amended by adding the phrase "beer or wine within the Lion's Den Shelter in Upper Cascades Park during scheduled events for which the Shelter has been reserved with the Department of Parks and Recreation, and" after the phrase "and provided, however, that it is not unlawful to consume" so that the section now reads:

14.36.090 Intoxicating beverages—Consumption in Public.

It is unlawful for any person within the city limits, to consume any alcoholic beverage in or on any publicly owned place or upon any public street, highway or accessway; provided, however, that it is not unlawful to consume beer or wine, regardless of where it was purchased, at an event for which the Indiana Alcoholic Beverage Control Commission has issued a temporary beer permit as authorized by Indiana Code 7.1-3-6-1 et seq. or a temporary wine permit as authorized by Indiana Code 7.1-3-16.5 et seq. to a qualified person to sell beer or wine or both at that event; and provided, however, that it is not unlawful to consume beer or wine within the Lion's Den Shelter in Upper Cascades Park during scheduled events for which the Shelter has been reserved with the Department of Parks and Recreation, and beer, wine or any other alcoholic beverages within the Clubhouse at the Cascades Golf Course, when such consumption is in accordance with the rules and regulations of, and the statutes regarding, the Indiana Alcoholic Beverage Control Commission.

SECTION II. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications 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.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2001.


PATRICIA COLE, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 2001.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ____ day of _____, 2001.

JOHN FERNANDEZ, Mayor
City of Bloomington

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SYNOPSIS

This ordinance amends Section 14.36.090 of the Bloomington Municipal Code to permit the consumption of alcoholic beverages in the Lion's Den Shelter in Upper Cascades Park during scheduled events for which the Shelter has been reserved with the Department of Parks and Recreation.