

ORDINANCE NO. 2
Series of 2020

AN ORDINANCE AMENDING SECTION 9.40.050 OF THE GEORGETOWN MUNICIPAL CODE, CONCERNING OPEN CONTAINERS OF ALCOHOLIC BEVERAGES, AND DECLARING AN EMERGENCY

WHEREAS, the Town of Georgetown is a Colorado municipal corporation operating under a Territorial Charter and governed by its Board of Selectmen; and

WHEREAS, the Georgetown Board of Selectmen (“Board”) is authorized by the Territorial Charter and the Colorado Revised Statutes to enact ordinances for the preservation of the public health, safety, and welfare, including land use and zoning; and

WHEREAS, in the exercise of this authority, the Board has previously enacted section 9.40.050 of the Georgetown Municipal Code, concerning the possession of open containers of alcohol; and

WHEREAS, the Municipal Code presently prohibits the possession of alcoholic beverages in open containers within the territorial limits of the Town, with certain exceptions; and

WHEREAS, in light of the need to provide for the opportunity for members of the public to possess alcohol in open containers in limited circumstances during the COVID19 pandemic, the Board of Selectmen finds that it is necessary and appropriate to permit such open containers within certain parks in the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SELECTMEN FOR GEORGETOWN, COLORADO:

Section 1. Section 9.40.050 of the Georgetown Municipal Code, is amended as follows:

9.40.050 - Possessing open containers prohibited.

(c) Nothing in this Section shall prohibit drinking or having open containers of alcoholic beverages:

- (1) In public areas where authorized by a properly issued liquor or beer license or special event permit.
- (2) At private events on Town-owned property when authorized by the Board of Selectmen and no special event permit or liquor or beer license is otherwise required.
- (3) On private business or commercial property when such property is not open to access by the public.
- (4) WITHIN THE FOLLOWING TOWN OF GEORGETOWN PARKS DURING THE HOURS OF _____ TO _____ DAILY: _____

Section 2. Emergency declared. Pursuant to Section 1.16.030 of the Georgetown Municipal Code, the Board of Selectmen hereby declares an emergency to exist requiring the immediate effectiveness of this ordinance for the preservation of public property, health, safety and welfare, in that during the time of the COVID19 pandemic, restrictions on the activities and movement of persons has resulted in an increased need for members of the public to be able to recreate in Town parks, and in association with that, to be able to enjoy alcohol beverages within the restrictions identified herein.

Section 3. Effective date. This ordinance shall take effect upon the affirmative vote of five (5) members of the Board of Selectmen, excluding the Police Judge.

INTRODUCED, READ, ADOPTED BY THE AFFIRMATIVE VOTE OF AT LEAST FIVE (5) MEMBERS OF THE BOARD, EXCLUDING THE POLICE JUDGE, AND ORDERED PUBLISHED AND POSTED IN FULL THIS ____ day of _____, 2020.

TOWN OF GEORGETOWN

By: _____
Lynette Kelsey, Police Judge

ATTEST:

Jennifer Yobski, Town Clerk

Publication/Posting

- Posted up in full on the Town's website and at Town Hall and two (2) other designated posting locations within the limits of the Town after final adoption, in accordance with Section 5.26 of the Territorial Charter.

ATTEST:

By: _____
Jennifer Yobski, Town Clerk

Date: _____