

ORDINANCE NO. 2017-10

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA CONCERNING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES IN THE CITY OF LEBANON, INDIANA.

WHEREAS, the City of Lebanon (the “City”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Mayor and Common Council (“Common Council”); and

WHEREAS, the Mayor and Common Council are the executive and legislative bodies and are by law authorized to adopt ordinances for the protection of the public health, safety, and general welfare of its residents; and

WHEREAS, the unregulated consumption of alcoholic beverages in public places is detrimental to the safety, and general welfare of its residents; and

WHEREAS, the Ordinance amends previously approved Ordinance 75-7 and Ordinance 75-14; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Lebanon, Boone County, Indiana, meeting in regular session, as follows:

- Section 1.** The foregoing recitals are incorporated herein by this reference.
- Section 2.** As of the effective date of this Ordinance, Chapter 130: General Offenses Section: 06 of the City Code of Ordinances shall be amended in accordance with **Exhibit A.**
- Section 3.** This Ordinance shall be in full force and effect in accordance with Indiana Law, upon passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby ordered amended or repealed. All acts pursuant to the adoption of this Ordinance are hereby ratified.

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PASSED AND ADOPTED THIS _____ day of _____, 2017.

LEBANON COMMON COUNCIL

Voting For

Voting Against

Abstain

Keith Campbell

Keith Campbell

Keith Campbell

John Copeland

John Copeland

John Copeland

Dan Fleming

Dan Fleming

Dan Fleming

Mike Kincaid

Mike Kincaid

Mike Kincaid

Corey Kutz

Corey Kutz

Corey Kutz

Jeremy Lamar

Jeremy Lamar

Jeremy Lamar

Dick Robertson

Dick Robertson

Dick Robertson

I hereby certify that ORDINANCE 2017-08 was delivered to the Mayor of Lebanon on the _____ day of _____, 2017, at _____ m.

Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2017-08
this ___ day of _____, 2017

I hereby VETO ORDINANCE 2017-08
this ___ day of _____, 2017

Matthew T. Gentry, Mayor

Matthew T. Gentry, Mayor

ATTEST:

Tonya Thayer, Clerk-Treasurer

EXHIBIT A

CHAPTER 130: GENERAL OFFENSES

130.06 CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES.

- (A) The consumption of alcoholic beverages, without prior approval from the Board of Public Works, in any public place in the limits of the city is hereby declared to be unlawful and a public nuisance.
- (B) In regard to specific events that wish to serve alcohol and occur in a public place or on public property, event organizers must request and receive approval from the Board of Public Works prior to the event. Organizers must obtain any temporary permits required by the State of Indiana. Approval of such a request is subject to the Board of Public Works discretion and may or may not be approved.
- (C) In regard to restaurants that wish to serve alcohol on public property, such as a sidewalk or alley, outside of their establishment must request and receive approval from the Board of Public Works prior to the service of alcohol in that area. If approval is granted, the restaurant must have the Lebanon Police review the area annually. Approval of such a request is subject to the Board of Public Works discretion and may or may not be approved.
- (D) Alcohol is not permitted within City parks.
- (E) For the purposes of this section the term ***PUBLIC PLACE*** is hereby defined to be any government-owned building, within the city and/or the streets, alleys, parks, and municipally owned property of the city.