

**ORDINANCE NO. 2015-10**

**AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 74, SECTION 74-7, ALCOHOL USE AT CITY FACILITIES, IN ITS ENTIRETY; MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, The City provides, or causes to be provided, recreational services to the City of Burnet and to the general public

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT;**

**Section 1. Findings.** The preceding recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Council and made a part here of for all purposes as findings of fact.

**Section 2. Amendments.** Chapter 74 Section 74-7 shall be amended in its entirety as follows:

**Sec. 74-7 – Alcohol use at city facilities**

(a) Events held at Haley Nelson Amphitheater, the Burnet Community Center, and the YMCA of the Highland Lakes where alcohol is anticipated to be present are subject to the following:

- (1) Whether alcohol is provided to, or brought by, attendees, city police officers (or other security personnel as approved by the city chief of police when city police officers are unavailable) must be in attendance.
- (2) The renting party shall be responsible for the cost of providing security and shall be paid directly to the security provider.
- (3) The number of law enforcement personnel required shall be determined by the chief of police in accordance with the nature of the event and the number of expected participants.
- (4) Upon renting the facility, the renting party is required to contract the city police department to schedule security. Failure to provide for security when alcohol is present at an event shall result in forfeiture of the security deposit.

**Section 3. Severability.** It is hereby declared to be the intention of the City Council that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses,

sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

**Section 4. Effective Date** This ordinance shall be in force and effect from and after its final passage on second reading on the date shown below.


**Section 5. Open Meetings** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act Chapt. 551. Tex. Gov't. Code.

**PASSED AND APPROVED** on First Reading this 26<sup>th</sup> day of May, 2015.

**FINALLY PASSED AND APPROVED** on this the 9<sup>th</sup> day of June, 2015

CITY OF BURNET, TEXAS



  
\_\_\_\_\_  
Gary Wideman, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kelly Dix, City Secretary