

ORDINANCE NO. 760

ORD. #760

AN ORDINANCE AMENDING THE GOLDEN PENAL CODE,
CHAPTER 8.04 OF THE GOLDEN REVISED ORDINANCES
OF 1965, BY PROHIBITING THE POSSESSION OF
OPEN INTOXICATING BEVERAGE CONTAINERS ON
PUBLIC PROPERTY WITHIN THE CITY OF GOLDEN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. Chapter 8.04 of the Golden Revised Ordinances of 1965 is amended by adding a new section to read as follows:

8.04.570 Possession of open intoxicating beverage containers on public property. It shall be unlawful for any person to possess or to have in his control on any street, alley, sidewalk, driveway, park area, or on any other public property in the city or in any vehicle thereon, any fermented malt beverage, as defined by C.R.S. 1973, §12-46-102, or any malt, vinous or spirituous liquor as defined by C.R.S. 1973 §12-47-102, in any containers of any kind which are not sealed or upon which the seal is broken. If the container as sealed for distribution to the public has been unsealed or undone in any manner, said container will be deemed to be not sealed or have a broken seal. Nothing herein shall prohibit the drinking of or having open containers of fermented malt beverages, malt, vinous or spirituous liquors in public areas when authorized by a properly issued Special Events Permit or when the city manager shall have issued a permit therefore providing that:

- (1) Such permit shall be issued only for a designated area;
- (2) Such permit shall be issued only for a designated time period.
- (3) The city manager shall have determined that the applicant will be supervised by responsible persons who can control the number and behavior of persons involved and that adequate provision has been made for police supervision and area maintenance.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. It is the intention of the City Council that this ordinance, and every provision thereof shall be considered separable; and the invalidity of any section, clause, provision, or part or portion of any section, clause or provision of this ordinance shall not affect the validity of any other portion of this ordinance.

Introduced, read and ordered published the 10th day of June, 1976.

Adopted, approved and ordered published the 21st day of June, 1976.

Attest:

David C. Crawford, Mayor

Sharon L. Bennetts, City Clerk

Approved as to form:

Daniel T. Moyle, Jr., City Attorney

I, Sharon L. Bennetts, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced and read at a regular meeting of the City Council of said City, held on the 10th day of June, 1976, and by order of said City Council was published as a proposed ordinance as the law directs more than seven days prior to its passage in the Golden Daily Transcript, legal newspaper; and that on the 21st day of June, 1976, the said proposed ordinance was read and passed by the City Council aforesaid, the said meeting being a special meeting of said City Council and ordered published in aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 22nd day of June, A.D., 1976.

(SEAL)

Sharon L. Bennetts, City Clerk of the City
of Golden, Colorado