

FAILED
ORDINANCE NO. 653

**AN ORDINANCE AMENDING REGULATIONS REGARDING
ALCOHOL CONSUMPTION AND INTOXICATION**

Whereas, Chapter 45 of the City of Hawarden Code of Ordinances prohibits the consumption of alcoholic liquor in public places but does not address the consumption of wine or beer in public places; and,

Whereas, the City Council of the City of Hawarden wishes to prohibit the consumption of alcohol, specifically alcoholic beverages, wine and beer in all public places within the City of Hawarden; therefore,

BE IT ORDAINED by the City Council of Hawarden, Iowa as follows:

Section 1. Amendment. Chapter 45, Section 2.2 of the Hawarden Municipal Code is hereby amended as follows:

45.02 PUBLIC CONSUMPTION OR INTOXICATION

A person shall not use or consume alcoholic liquor, wine or beer upon the public streets or highways. A person shall not use or consume alcoholic liquor, **wine or beer** in any public place, except premises covered by a liquor control license. A person shall not possess or consume alcoholic liquors, wine or beer on public school property or while attending any public or private school-related function. A person shall not be intoxicated or simulate intoxication in a public place.

Note: "*" Indicates sections of the City code that exist, but are not shown because they are not proposed to be changed.

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Severability. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof, not adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in effect after its final passage, approval, and publication as provided by law and in accordance with the dates provided herein.

Passed this 9th day of July, 2008

Ricard R. Porter, Mayor

ATTEST:

Jason R. Metten, City Administrator/Clerk

First Reading:	June 11th, 2008
Second Reading:	June 25th, 2008
Third Reading:	July 9th, 2008

I hereby certify that the foregoing Ordinance No. 653 was published in the Hawarden Independent, a newspaper printed and published and has a circulation in the City of Hawarden, Iowa on the 19th day of July 2008.

Jason R. Metten, City Administrator/Clerk