

**AN ORDINANCE AMENDING THE CODE OF THE TOWN OF HOLLYWOOD PARK, CHAPTER 6 - ALCOHOLIC BEVERAGES, BY REPEALING SECTIONS 6.3, 6.4, AND 6.5 WHICH REQUIRE INDIVIDUALS TO OBTAIN PERMITS TO POSSESS AND CONSUME ALCOHOLIC BEVERAGES ON TOWN PROPERTY.**

**WHEREAS**, the Town of Hollywood Park requires a permit for the possession and/or consumption of intoxicating beverages on Town property; and

**WHEREAS**, the Town Council held a public meeting on Tuesday, July 20, 2021 to discuss and take possible action on Chapter 6 of the Town Code; and

**WHEREAS**, the Town Council discussed the permit requirement to possess and/or consume alcohol and Town property located in Chapter 6 of the Town Code; and

**WHEREAS**, a majority of the Town Council voted to repeal sections 6.3, 6.4, and 6.5 of Chapter 6 of the Town Code to remove the requirement that individuals obtain a permit to possess and/or consume alcohol while on Town property.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS** that Chapter 6, entitled "Alcoholic Beverages," of the Town Code of Hollywood Park be amended by repealing sections 6.3, 6.4, & 6.5 pertaining to the requirement of a permit when possessing, and/or consuming an intoxicating beverage on Town property and that the Town Code is hereby amended as indicated with strikethrough text being deletions and underlined text being additions and shall read as follows:

**Chapter 6 - ALCOHOLIC BEVERAGES**

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**~~Sec. 6.3. Permit required for possession and/or consumption of intoxicating beverages on town property.~~**

~~It shall be unlawful for any person to be in possession of alcoholic beverages, and/or to consume alcoholic beverages, upon any town property unless such person is in possession of and the holder of a valid special alcoholic beverage permit as provided in section 6.4, or such person is attending a social or other function which has a sponsoring organization, and such sponsoring organization is the holder of a special alcoholic beverage permit described in section 6.4.~~

(Code 1985, § 14.204; Code 1989, § 3-3)

**~~Sec. 6.4. Special alcoholic beverage permit application.~~**

- ~~(a) Any person desiring to be in possession of alcoholic beverages and/or to consume alcoholic beverages upon any town property or any organization desiring to sponsor a social or other function upon any town property, at which it is desired that the persons attending such social or other function be in possession of alcoholic beverages and to consume alcoholic beverages, shall apply to the city secretary for a special alcoholic beverage permit. The application shall be made not less than three days from the date such person desires to be in possession of alcoholic beverages and/or to consume alcoholic beverages upon any town property, or any such organization desires to maintain a social or other function upon town property. Such permit shall be valid for a stated eight hour period on the date shown in the permit.~~
- ~~(b) Any such person or organization applying to the city secretary for such special alcoholic beverage permit shall furnish the following information upon the application form prescribed by the city council:
 
  - ~~(1) The name of the person to whom the permit is to be issued or the name of the organization to which the permit is to be issued;~~
  - ~~(2) In the case of an organization, the name of the person responsible for the actions of the members or the persons attending such function sponsored by the organization;~~
  - ~~(3) The date at which it is desired that such person shall be in possession of alcoholic beverages and consume alcoholic beverages upon town property or the date such sponsoring organization intends to~~~~

hold its function;

- (4) ~~The location that such person or organization's consumption, and possession of alcoholic beverages, shall be confined to a specifically named area, such as Voigt Recreation Park, or No. 2 Mecca, or some other such designation;~~
- (5) ~~In the case of an individual, the age of such individual, the individual's address and telephone number;~~
- (6) ~~In the case of an organization, the address and telephone number of the person responsible for those persons attending such organization's function, the number of people expected to attend, and stating if persons under 21 years of age are expected to attend;~~
- (7) ~~The time period in which such person or organization shall be in possession of and consuming alcoholic beverages; however, such time shall be limited and shall not exceed the eight-hour time period;~~
- (8) ~~Such applicant shall furnish appropriate identification as the applicant or representative of the organization applying for such permit.~~

(Code 1985, § 14.204; Code 1989, § 3-4; Ord. No. 646, § II, 7-15-1997)

**Sec. 6-5. Application copies for records; fee.**

- (a) ~~Upon receipt of an application pursuant to this chapter, in the form prescribed by the city council, the city secretary shall complete in quadruplicate a special alcoholic beverage permit prescribed by the city council, setting forth the name of the person to whom such permit is issued, and, in the case of an organization, the name of the organization, and the person named in the application as being responsible for the persons attending such organization's function, the address of such persons, and telephone number of such persons, the date such permit shall be valid, and the eight-hour time period in which such permit shall be valid on such date. The city secretary shall deliver the original of the permit to the applicant, shall retain one copy of such permit for the city secretary's records, and shall forward one copy of such permit to the chief of police and to the fire chief.~~
- (b) ~~The current fee, according to the fee schedule on file with the city secretary, shall be charged for the issuance of such special alcoholic beverage permit, in order to defray the cost.~~

(Code 1985, § 14.204; Code 1989, § 3-5)

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## II. CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of the Town of Hollywood Park except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

## III. SEVERABILITY

It is hereby declared to be the intent of the Town Council of the Town of Hollywood Park that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the Town Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

## IV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was properly given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

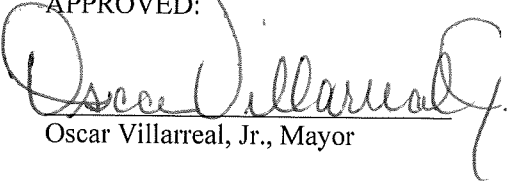
## V. EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by state and local

law.

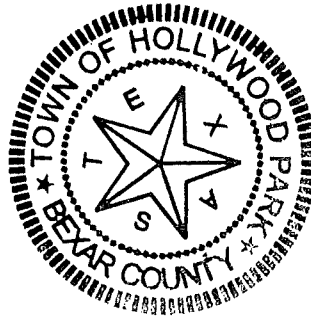
**Passed** by the Town Council of the Town of Hollywood Park this the 19 day of October 2021.

APPROVED:


  
Oscar Villarreal, Jr., Mayor

Attest:

  
Patrick Aten, Town Secretary



Approved as to Form:

  
Ryan Henry, Town Attorney

OBD