

RESOLUTION NO. AT2009-01
ORDINANCE NO. _____

AN ORDINANCE TO PROHIBIT ALCOHOL AND OPEN OR UNCAPPED OR GLASS
CONTAINERS IN THE ALAMO TOWN CHILDREN’S PARK,
ALAMO, LINCOLN COUNTY, NEVADA

WHEREAS, the Alamo Town Board has encountered numerous problems regarding intoxicated individuals and refuse including but not limited to alcohol bottles, cans, cartons in the Alamo Town Children’s Park, in Alamo, Lincoln County, Nevada;

WHEREAS, The Alamo Town Children’s Park is used by the public including many children;

WHEREAS, Lincoln County Code 4-1-24 (b) states it shall be unlawful for any person to have in his or her possession any open or uncorked container, bottle or can of liquor or beer on any public street, public road, or public sidewalk within the county; and

WHEREAS, the Alamo Town Board recommends including the language of 4-1-24(b) and extending it to Alamo Town Children’s Park;

WHEREAS, a uniform system of ordinances regarding the administration and enforcement of alcohol and open or uncorked or glass containers within the Alamo Town Children’s Park is necessary to ensure health, safety and general welfare of the children and citizens of Lincoln County, as well as, out of town visitors and guests;

WHEREAS, any ordinance may be commenced by resolution of the town board or the Board of County Commissioners

THE BOARD OF COMMISSIONERS OF THE
COUNTY OF LINCOLN, DO ORDAIN:
Title 9
PUBLIC WAYS AND PUBLIC PROPERTY

DIVISION I
County Regulations

Chapter 7
Alamo Town Children’s Park

9.07.10.1 Definitions

Alcoholic beverage. For the purpose of this proposed Ordinance, the definition of “alcoholic beverage” means and includes the definition of “alcoholic beverage” codified in NRS 202.015.¹

¹ NRS 202.015 “Alcoholic beverage” defined. For the purposes of NRS 202.020 to 202.065, inclusive “alcoholic beverage” means:

9.07.020 Open uncorked container.

For the purpose of this proposed Ordinance, the definition of “open uncorked container” means any beverage container, cup, tumbler, bottle made of glass within the Alamo Town Parks.

9.07.30 Alcohol Prohibited.

For the purpose of this proposed Ordinance, no person shall consume, possess, or bring into the Alamo Town Parks any alcoholic beverage.

9.07.030 Glass Container.

Glass containers of any sort.

9.07.050 Penalties. For the purpose of this proposed Ordinance, penalties shall be a misdemeanor and shall be punished as prescribed by the Nevada Revised Statutes.

9.07.060 Repeal of Conflicting Ordinance. Any and all ordinances heretofore adopted by the Lincoln County Board of County Commissioners with regard to Alamo Town Parks which are in conflict with this ordinance are hereby repealed.

9.07.070 Severability. If any provision of this proposed ordinance is held invalid, such invalidity shall not affect other provisions and each provision is hereby declared to be severable.

PROPOSED on the ____ day of _____, 2009.

Vote:

Ayes: Commissioner _____

Commissioner _____

Commissioner _____

Commissioner _____

Commissioner _____

Nays: Commissioner _____

Commissioner _____

Commissioner _____

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1. Beer, ale, porter, stout and other similar fermented beverages, including sake and similar products, of any name or description containing one-half of 1 percent or more alcohol by volume, brewed or produced from malt, wholly or in part, or from any substitute therefore.
 2. Any beverage obtained by the fermentation of the natural content of fruits or other agricultural products containing sugar, of not less than one-half of 1 percent of alcohol by volume.
 3. Any distilled spirits commonly referred to as ethyl alcohol, ethanol or spirits of wine in any form, including all dilutions and mixtures thereof from whatever process produced.

Commissioner _____

Commissioner _____

Absent: Commissioner _____

Commissioner _____

PASSED BY AN AFFIRMATIVE VOTE OF AT LEAST A MAJORITY OF THE MEMBERS OF THE LINCOLN COUNTY COMMISSION

Date: _____
_____ Paul Mathews, Chairman

Attest: _____, LC Clerk

This ordinance shall be in force and effect from and after the _____ day of ____ 2009.