

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2023-05

**AN ORDINANCE OF THE TOWN OF GREEN MOUNTAIN FALLS
AMENDING SECTIONS 7-82 AND 10-165 OF THE TOWN OF GREEN
MOUNTAIN FALLS MUNICIPAL CODE RELATING TO POSSESSION
AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN TOWN PARKS
AND FACILITIES**

WHEREAS, C.R.S. § 44-3-901(1)(i)(VII) authorizes local government, by ordinance, to authorize public possession and consumption of alcoholic beverages within the government's jurisdiction;

WHEREAS, the Board of Trustees desires to amend certain code sections to allow possession and consumption of alcoholic beverages in Town parks and facilities; and

WHEREAS, the City Council finds that these amendments are in the best interests of the Town and its citizens.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:**

Section 1. Section 7-82 of the Town of Green Mountain Falls Municipal Code is hereby amended as follows:

Sec. 7-82. Alcoholic beverages.

- A. It is unlawful for any person to ~~consume or~~ sell alcoholic beverages in any park at any time except where authorized by a special events permit.

Section 2. Section 10-165 of the Town of Green Mountain Falls Municipal Code is repealed and reenacted as follows:

Sec. 10-165. Possession and consumption of alcoholic beverages in public prohibited.

No person within the Town limits shall possess an open container of or consume any alcoholic beverages in public, except that persons over the age of 21 may possess an open container of or consume alcoholic beverages in public as follows:

- A. Upon a premises duly licensed by the Town or State;
- B. In a Town Park during hours when the park is open to the public, provided that glass containers are prohibited in Town parks;
- C. In a facility owned or controlled by the Town in which the Town manager has authorized such possession and consumption of alcoholic beverages, and such possession or consumption is in compliance with all conditions imposed by the Town manager;

D. For purposes of this section, open container means any container other than an original closed container as sealed or closed for sale to the public by the manufacturer or bottler of the liquor or beverage, or any container other than the sealed container prepared by a licensed establishment for alcohol takeout or delivery in conjunction with state law. If an original container has been unsealed, undone or opened in any manner, it is an open container for purposes of this section;

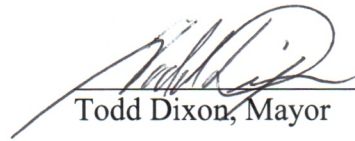
E. Except as allowed above, possession of an open container of or consumption of any alcoholic beverages shall be in conformance with state law.

Section 3. Severability. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

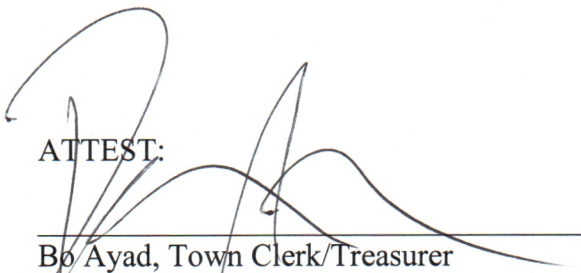
Section 4. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of health, safety, and welfare of the public.

Section 5. Effective Date. This Ordinance shall become effective after final approval and adoption on second reading.

ADOPTED AND ORDERED PUBLISHED the 17th day of October, 2023, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado 80819.



Todd Dixon, Mayor

ATTEST:


Bo Ayad, Town Clerk/Treasurer

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