

ORDINANCE #270

AN ORDINANCE AMENDING TITLE FIVE, CHAPTER ONE, ARTICLE TWO, OF THE CITY CODE OF BUFFALO, IOWA, REGARDING PARK RULES AND REGULATIONS AND ALCOHOLIC BEVERAGES, 5-1.0201(11):

WHEREAS: Section 5-1.0201 (11) of the Buffalo City Code so states that no alcoholic beverages shall be permitted in any city park or building or for any intoxicated person to enter or remain within any park or playground or building under control of the commission.

AND WHEREAS: The Buffalo City Council has decided that they will permit Marge Carle, Marv's Lakeside Tap and the Muscular Dystrophy Association, (hereby after known as MDA), to operate a "beer garden" in the Buffalo City Park on September 01, 02 and 03, 1990. This will be a short term permit for these three (3) days only.

THEREFORE BE IT ORDAINED BY THE BUFFALO CITY COUNCIL:

- A. Marge Carle, Marv's Lakeside Tap and MDA shall operate a "beer garden" in the Buffalo City Park located at 5th & Dodge Street on September 01, 02 and 03, 1990.
- B. The "beer garden" shall be contained in a fenced in area to be provided by themselves. No persons shall be allowed to consume or carry any beer from this specific area.
- C. Marge Carle, Marv's Lakeside Tap and MDA shall provide competent security at all times to insure that no persons shall wander from this sectioned area.
- D. Marge Carle, Marv's Lakeside Tap and MDA shall be responsible for removing any persons who become intoxicated from the "beer garden". They are to be removed from the park and insure that they have transportation through another party and will not be operating any vehicle.
- E. Marge Carle, Marv's Lakeside Tap and MDA shall be responsible for any litter that may arise from paper cups, plastic cups, cans, papers, etc., in the fenced in beer area or any litter arising from the "beer garden." No glass bottles will be permitted to be sold in the park at any time, nor any glass bottles to be given away.
- F. Marge Carle, Marv's Lakeside Tap and MDA will be allowed to operate the "beer garden" from 10:00 a.m. until midnight on September 01 and 02 and from 10:00 a.m. on September 03 until 9:30 p.m.
- G. Marge Carle, Marv's Lakeside Tap and MDA shall abide by all the rules and regulations set down by the Iowa Department of Commerce, Alcoholic Beverages Division, including dram and bond insurance, and the City of Buffalo, Iowa.

Upon effective date of this ordinance, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Any part or parts of this ordinance found to be invalid by law does not affect the validity of the remainder of this ordinance.

This ordinance shall be in full force after its final passage and publication as required by law.

Passed by the Buffalo, Iowa, City Council this 06 day of August, 1990.

Signed and approved by the Mayor of Buffalo, Iowa, this 06th day of August, 1990.

Signed: Betty O. Walters  
Betty O. Walters, Mayor of Buffalo, Ia.

Attest: Carol Bernauer  
Carol Bernauer, City Clerk of Buffalo, Ia.