

CITY OF BUFFALO, IOWA
AMENDMENT # 401
FOURTH OF JULY ALCOHOLIC BEVERAGE SALES

WHEREAS, the City of Buffalo has scheduled a Fourth of July celebration to be held on July 3, 2005; and,

WHEREAS, the City of Buffalo annually schedules a Fourth of July celebration to be held on or about the fourth of July of each year; and,

WHEREAS, it is in the best interest of the Fourth of July committee to be allowed to sell alcoholic beverages during the Fourth of July celebration;

NOW THEREFORE, be it resolved that Section 5-1.0201, paragraph 11 of the Buffalo Municipal Code is amended by adding the following:

§5-1.0201(11)

A. Except under the circumstances authorized herein, it shall be unlawful for any person to bring into, possess or consume alcoholic beverages in any city park or playground or any building or shelter under the control of the park commission. The city council may allow the sale of alcoholic beverages during the annual Fourth of July celebration. The sale of alcoholic beverages during the annual Fourth of July celebration shall be by a civic or non-profit organization. The rules and regulations regarding the special authorization to sell alcoholic beverages during the Fourth of July celebration shall be determined by the city council on a case by case basis.

B. On a case by case basis for special events the city council may allow individuals to bring coolers containing alcoholic beverages into city parks, and to consume such beverages. The following conditions together with any other imposed by the city council on a case by case basis shall apply:

In all other respects §5-1.0201(11) shall remain unchanged.

Full force and effect. This ordinance shall be in full force and effect from the date of passage and publication as required by law.

Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

Severability of provisions. If any section, subsection, sentence, clause, phrase, or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as separate, distinct, and independent provision as such holdings shall not affect the validity of the remaining portion hereof.

Passed by the City Council of the City of Buffalo, Iowa, this 22 day of June, 2005.

Approved and signed by the Mayor of Buffalo, Iowa, this 20 day of June, 2005.

Beth Oelalter
Mayor

Attest: _____
City Clerk

Date of 1st reading: June 20, 2005

Date of 2nd reading: June 22, 2005

Date of 3rd reading: WAIVED/ADOPTED 6-22-05

Date of publication: 07-02-05