

Synopsis: This ordinance, if adopted, would amend the Code of Ordinances of the City of Huntington, Indiana by amending Section 99.04 to allow, in certain limited and regulated circumstances, the consumption of alcohol in City parks.

ORDINANCE 6-C-22

AN ORDINANCE AMENDING SECTION 99.04 OF THE CODE OF ORDINANCES OF THE CITY OF HUNTINGTON, INDIANA

WHEREAS, the City of Huntington, Indiana has established and maintains a system of City Parks; and

WHEREAS, the consumption, sale, and gifting of intoxicants including beer, wine, ale, or other alcoholic beverages are presently prohibited within City parks; and

WHEREAS, the Common Council of the City of Huntington, Indiana has received a request to create an exception to that general prohibition; and

NOW, THEREFORE, BE IT ORDAINED THAT, the Common Council of the City of Huntington, Indiana ("Council"), in meeting duly assembled, after consideration and deliberation deemed by it to be sufficient, hereby amends the Code of Ordinances of the City of Huntington by deleting Section 99.04 and replacing it in its entirety with the following:

"Section 99.04 POSSESSION, SALE, OR CONSUMPTION OF ALCOHOLIC BEVERAGES

(A) No intoxicants of any kind, including beer, wine, ale, or other alcoholic beverages shall be brought into park property, consumed, sold, or given away in any city park.

(B) Notwithstanding the general prohibition in subsection (A) above, a specific and limited exception is made to allow rental applicants of the Sunken Gardens section of Memorial Park to apply to the City's Board of Public Works and Safety ("Board") for a special event permit that would include an allowance for alcohol to be consumed in accordance with the following:

(1) To be considered, an applicant must submit a special event application to the Board for consideration.

(2) The special event application shall require:

(a) Insurance to be provided in an amount and type determined by the Board to be sufficient.

(b) Clean-up deposit.

(c) Approvals from Police, Fire, and Street Departments.

(d) Applicants' information and indemnification of City.

(e) Site map.

(f) Proof of compliance with State Form 35494, or its equivalent.

(3) The Board of Public Works and Safety shall in its sole discretion consider and approve or deny the application as submitted or amended."

BE IT FINALLY ORDAINED THAT, this ordinance shall be effective immediately upon its adoption and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A motion to consider for final adoption on the same day of introduction was [NOT OFFERED or NOT SUSTAINED or SUSTAINED] by a vote of ___ in favor and ___ in opposition.

Duly adopted on first reading this 26 day of April, 2022, by a vote of 5 in favor and 0 in opposition.

Duly adopted on final reading this 26 day of April, 2022, by a vote of 5 in favor and 0 in opposition.

CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL

Voting in Favor:

[Signature]

[Signature]

Absent

[Signature]

[Signature]

Absent

[Signature]

Voting in Opposition:

Charles Chapman
(President)

Joe Blomeke

P J Felton

Dave Funk

Todd Johnson

Seth Marshall

Paul Pike

Attest:

Christi McElhaney
Christi A. McElhaney, Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this 26 day of April, 2022.

Christi McElhaney
Christi A. McElhaney, Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED or VETOED], this 26 day of April, 2022.

[Signature]
Richard Strick, Mayor