

3/20/23

ORDINANCE NO. 2023 - 03

AN ORDINANCE AMENDING ARTICLE 3-2 OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS ENTITLED "OFFENSES CONCERNING PUBLIC MORALS AND DECENCIES".

WHEREAS, the City of Rock Springs wishes to promote recreation and tourism within its corporate boundaries; and,

WHEREAS, the Governing Body City of Rock Springs desires to ease its restriction on open alcohol containers within the City for a limited period during the summer months; and,

WHEREAS, the Governing Body of the City of Rock Springs has determined that certain provisions of its ordinance regarding "Offenses Concerning Public Morals and Decencies" related to the drinking of alcoholic beverages in public should be amended to allow the consumption of alcoholic beverages, and the carrying of open containers upon the streets, sidewalks, alleys, parking lots or other similar such public places within the City of Rock Springs during the summer months.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1. That Article 3-2 of the Rock Springs City Ordinances entitled "OFFENSES CONCERNING PUBLIC MORALS AND DECENCIES," is hereby amended to read as follows:

3-237 Drinking Alcoholic Beverages on the Streets Prohibited.

(a) It shall be unlawful for any person to drink malt beverages or intoxicating liquor on the streets, sidewalks, alleys, parking lots or other similar such public places within the City of Rock Springs. Public places and public parking lots shall include any publicly owned or publicly maintained property, and any privately owned property in which the public is invited, including, but not limited to restaurants and retail stores, **except as hereinafter provided.** Public areas shall not, for the purposes of this ordinance, include taverns, dining decks constructed pursuant to Article 13-819 of these ordinances, or other businesses which are licensed by the City of Rock Springs to dispense alcoholic or malt beverages at that location. This section shall not apply if the owner of the property has granted prior permission to the individual for the consumption of alcoholic beverages on his or her property. (Ord. 18-11, 6/19/18)

(i) Notwithstanding the provisions of subsection (a) above, drinking of malt beverages or intoxicating liquor upon the streets, sidewalks, alleys, parking lots or other public places within the City of Rock Springs ~~may~~ will be permitted by the Governing Body **from June 1 through September 30 of each year between the hours of 10:00 am and 10:00 pm, or at other dates and times** for a specified period ~~of time~~ if the following conditions can be met:

(A) The public area upon which drinking of malt beverages or intoxicating liquors is to be permitted must be enclosed, blocked off or cordoned off in a manner that is acceptable to the Chief of Police and the Fire Chief.

(B) The dates and hours during which drinking of malt beverages or intoxicating liquors in the designated areas are accepted by the Governing Body and the Chief of Police.

(C) Such other conditions as the Governing Body deems to be necessary and appropriate under the circumstances.

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PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_