

ORDINANCE NO. _____

An ordinance amending Chapter 32, “Parks and Water Reservoirs,” of the Dallas City Code, by amending Section 32-11.3; removing Dreyfuss Club and adding the Prism Center and Sunset Bay as locations that are a defense to prosecution for consuming or possessing alcoholic beverages in a park; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Subsection (b) of Section 32-11.3, “Possession of Alcoholic Beverages in Parks,” of Article I, “In General,” of Chapter 32, “Parks and Water Reservoirs,” of the Dallas City Code, is amended to read as follows:

“(b) It is a defense to prosecution under Subsection (a) that:

(1) the person was on the premises of:

(A) Fair Park;

(B) Old City Park;

(C) Reunion Park;

(D) the DeGolyer Estate, Camp Estate, or other area of the Arboretum designated by the park and recreation board for the possession and consumption of an alcoholic beverage;

(E) Betty Marcus Park, when attending a city-approved activity at the Meyerson Concert Hall;

(F) an area in Samuel Farm designated by the park and recreation board for the possession and consumption of an alcoholic beverage;

(G) the following park facilities, when pursuant to written permission of the director of the park and recreation department and in compliance with park facility reservation policies established by the park and recreation board:

- (i) Arlington Hall;
- (ii) Sunset Bay [~~Dreyfuss Club~~];
- (iii) Winfrey Point; or
- (iv) Big Thicket;

(H) a municipal golf course; [ø]

(I) a park facility or other park property or part of a park property for which:

(i) a valid license issued by the Texas Alcoholic Beverage Commission existed; or

(ii) a lease or rental agreement had been granted by the city that allowed the possession and consumption of an alcoholic beverage; or

(J) the Prism Center;

(2) the person was on the waters of a lake or water reservoir under the jurisdiction of the park and recreation board where the private launching and mooring of boats was permitted;

(3) the person was on premises where a special event, activity, or program was being conducted with written permission of the park and recreation board and the director of the park and recreation department and possession and consumption of an alcoholic beverage was allowed under the terms of the permission; or

(4) the container of alcoholic beverage possessed by the person had an unbroken seal or other evidence of having never been opened.”

SECTION 2. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 3. That Chapter 32 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By _____
Assistant City Attorney

Passed _____