

ORDINANCE # 2011-01
INTRODUCED BY Blackall
DATE INTRODUCED 12/7/10
ITEM NUMBER 2 2010-12-01
PUBLIC HEARING 1/4/11
ADOPTED/TABLED 1/4/11 as amended
EFFECTIVE 4 12/1/11
BOOK # PAGE #
RECORDATION #
AMENDED BY ORDINANCE #
DATE AMENDED 7

AMENDED COPY

CITY OF COVINGTON
ORDINANCE NUMBER 2010-2011-01

**AN ORDINANCE OF THE CITY OF COVINGTON REPLACING
SECTION 66-111 CONSUMPTION OF ALCOHOLIC
BEVERAGES ON PUBLIC STREETS, SIDEWALKS AND OX
LOTS PROHIBITED; EXCEPTIONS. WITH 66-111 PUBLIC
INTOXICATION PROHIBITED**

12 WHEREAS, certain amendments and additions have been suggested to the
13 sections of the Code addressing Consumption of alcoholic beverages on public
14 streets, sidewalks and ox lots prohibited; exceptions; and

15 WHEREAS, the Covington City Council deems this amendment
16 appropriate to protect the health, safety and welfare of the citizens of Covington;
17 and,

18 WHEREAS, the Covington City Council deems this amendment
19 appropriate to protect the First Amendment rights of the citizens of Covington as
20 well as visitors to the City; and

21 WHEREAS, the City Council has held its public hearing in accordance with
22 law,

23 NOW, THEREFORE, be it ordained by the City Council of the City of
24 Covington, at its regular session convened, that Section 66-111 Consumption of
25 alcoholic beverages on public streets, sidewalks and ox lots prohibited; exceptions,
26 be amended to read as follows:

27 ~~Sec. 66-111. Consumption of alcoholic beverages on public streets, sidewalks~~
28 ~~and ox lots prohibited; exceptions.~~

29 ~~It shall be unlawful for any person to possess an open container of, or consume any and~~
30 ~~all alcoholic beverages or beer on a public street, sidewalk, or ox lot except that this~~
31 ~~offense and the penalty prescribed shall be suspended during a properly authorized and~~
32 ~~sanctioned parade, including those of the Mardi Gras season or for a city approved and~~
33 ~~permitted block or street party function within a confined or defined area.~~

34 ~~Whoever commits the crime of possession of an open container of or consumption of~~
35 ~~alcoholic beverages or beer on a public street, sidewalk or ox lot shall be punished as~~
36 ~~provided in section 1-8 of this Code.~~

37 Sec. 66-111 Public intoxication prohibited

38 (a) A person commits the crime of public intoxication if he or she appears in a
39 public place under the influence of alcohol, narcotics or other drug to the degree that he
40 or she fulfills one of three criteria to be arrested for "drunk and disorderly conduct":

- 41 1. Causing a public disturbance; or
- 42 2. Being dangerous to those around; or
- 43 3. Being a threat to the well-being of oneself.

44 (b) Whoever commits the crime of public intoxication shall be punished as
45 provided in section 1-8 of this Code.

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BE IT FURTHER ORDAINED that if any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

WHEREUPON, this ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana.

WHEREUPON, Blackall ^{as amended} moved for adoption, seconded by Alexius and this ordinance was submitted to a vote and resulted in the following:

YEAS: 7 NAYS: 0
ABSTAIN: 0 ABSENT: 0

PASSED AND ADOPTED this 4th day of January, ~~2010~~ ²⁰¹¹.

Matthew T. Faust
Matthew T. Faust
PRESIDENT OF THE COUNCIL

Bonnie D. Champagne
Bonnie D. Champagne
CLERK TO THE COUNCIL

Presented to the Mayor this 7th day of January, 2010, at 9:00 o'clock A. M.

Bonnie D. Champagne
Bonnie D. Champagne
CLERK TO THE COUNCIL

2011 Approved or Vetoed by the Mayor on this 7th day of January, ~~2010~~.

Candace Watkins
Mayor Candace Watkins

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Received from the Mayor this 7th day of January, 2010, at 1:25 o'clock
P.M.

Bonnie D. Champagne
Bonnie D. Champagne
CLERK TO THE COUNCIL