

ORDINANCE 2019-07-18

AN ORDINANCE AMENDING ORDINANCE 06-05-18 (DRINKING IN PUBLIC)

Whereas, the Mantua Town Council determines it to be in the best interest of justice to be in spirit of recent changes to the Utah State traffic code which changed a substantial number of penalties from misdemeanors to infractions.

NOW THEREFORE, The Mantua Town Council amends ordinance 06-05-18 Section 3 (Penalty) to read;

Violation of this Ordinance shall be punished as an infraction. The fine for a first offense shall be \$250.00. Any subsequent offense shall not exceed \$400.00

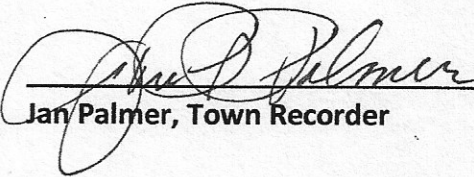
This ordinance shall be effective upon proper posting as required by law.

ADOPTED AND PASSED BY THE MANTUA TOWN Council AS REQUIRED BY LAW

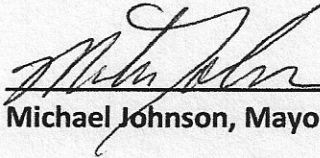
THIS 18th DAY OF July 2019

ATTEST:

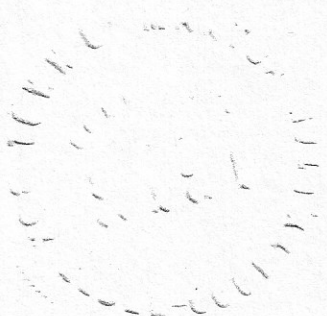
TOWN OF MANTUA



Jan Palmer, Town Recorder



Michael Johnson, Mayor



ORDINANCE 06-05-18

WHEREAS, the Town Council of the Town of Mantua, Utah, has adopted and passed the Ordinances of the Town of Mantua, which Code continues in full force and effect, as it has been amended from time to time; and

WHEREAS, Section 96-6-27, entitled Drinking in Public, prohibits any person from drinking an alcoholic beverage in any public place or possessing an open container containing any alcoholic beverage in any public place; and

WHEREAS, the Town of Mantua desires to make the definition of "Public Place" more specific; and

WHEREAS, the Town of Mantua has determined that it would be in the best interest of and promote the welfare of its residents if said Section 96-6-27 was amended as provided in this Ordinance;

NOW, THEREFORE, the Town Council of the Town of Mantua, Utah hereby adopts, passes and publishes the following:

ORDINANCE AMENDING SECTION 96-6-27 OF THE ORDINANCES OF THE TOWN OF MANTUA.

BE IT ORDAINED by the Town Council of the Town of Mantua, Utah as follows:

1. Section 96-6-27 of the Code of Revised Ordinances of The Town of Mantua is hereby amended to read as follows:

96-6-27. DRINKING IN PUBLIC.

- A. It shall be unlawful for any person to appear or be in any public place while such person is drinking or has in his or her possession an open container which contains any alcoholic beverage.
- B. "Public Place", for the purposes of this section, means any place to which the public or a substantial group of the public has access and includes but is not limited to streets, sidewalks, schools, all city buildings and properties, including the Mantua Reservoir and its surrounding tributaries (whether on the water or on the banks thereof), city parks, hospitals, apartment houses, office buildings, transport facilities, stores and shops.
- C. For the purposes of this section, "Public Place" shall not include a bar or cabaret or any other place where alcoholic beverages are lawfully sold and consumed on the premises.

- 2. SEVERABILITY – The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.
- 3. PENALTY – Any person violating this Ordinance shall be punished as allowed for a Class “C” Misdemeanor.
- 3. EFFECTIVE DATE – This Ordinance shall take effect immediately upon its passage and first posting or publication as provided by law.

ADOPTED AND PASSED BY THE Town Council of the Town of Mantua, Utah, this 18th day of May, 2006.

TOWN OF MANTUA

ATTEST:

Adriana Foreyken
City Recorder

By Kent C. Jopp
Mayor

First Posting or Publication: 5/19/06

CLERK'S CERTIFICATE

This is to certify that I, Adriana Forsgren, The fully appointed, qualified and acting Town Recorder of Mantua Town, Utah, on the 19th day of May, 2006 duly posted three (3) copies of the attached Ordinance No. 06-05-18, an Ordinance amending Ordinance No. 96-6-27 adopted and approved on the 27th day of June, 1996. The Title of

, PASSED by the Town Council of Mantua Town, Utah, on 18th day of May, 2006, in the following three (3) public places:

Country Store Campground
Mantua Town Hall
Mantua Town Firestation

I make this Certificate for the purpose of showing that copies of said Ordinance were duly posted in three (3) public places in the Town of Mantua on the above date.

Dated this 18th day of May, 2006

Adriana Forsgren
Town Recorder