

ORDINANCE NO. 1954

AN ORDINANCE TO WAIVE THE OFFENSE OF OPEN CONTAINER FOR THE MARCH 26, 2004, WILLIE NELSON CONCERT WITH REGARD TO ALCOHOL SALES AND CONSUMPTION IN THE AUDITORIUM, WITH EMERGENCY CLAUSE.

WHEREAS, the concert has been previously set for March 26, 2004; and,

WHEREAS, approval for the sale of alcohol has been received from the Arkansas Beverage Control for the sale of alcohol at the concert.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

Section 1. That subsection (a) of Chapter 6-4 includes and defines the offense of Open Container.

Section 2. That subsection (c) of Chapter 6-4 creates an exception to Subsection (a) and that for this concert now scheduled for March 26, 2004, performance of Willie Nelson. The term "establishment" shall be amended to include within its definition "event". Whereby it shall not constitute an offense under Subsection (a) of Title 6-4 to serve or allow to be sold any liquor which has been opened, or a seal broken, or the contents of which have been partially removed for the concert on March 26, 2004, at the City Auditorium only.

Section 3. That all ordinances or parts thereof in conflict herewith are repealed to the extent of said conflict.

Section 4. That an emergency is hereby declared to exist in that the concert is scheduled for 4 days from now and this ordinance shall take effect immediately upon its passage and approval.

PASSED AND APPROVED BY THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 22 DAY OF MARCH, 2004.

APPROVED:


KATHY HARRISON, Mayor

ATTEST:


MARY JEAN SELL, Clerk