

**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 18<sup>th</sup> day of May, 2006.

TOWN OF MANTUA

ATTEST:

*Adriana Ferguson*  
City Recorder

By *Kent C. Jepson*  
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