

ORDINANCE NO. 23

Series 2008

AN ORDINANCE AMENDING ARTICLE F OF CHAPTER 3 OF TITLE 6 OF THE
BRECKENRIDGE TOWN CODE CONCERNING THE MUNICIPAL OFFENSES RELATED TO
ALCOHOL

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
COLORADO:

Section 1. Article F of Chapter 3 of Title 6 of the Breckenridge Town Code is hereby amended by the addition of a new Section 6-3F-17, entitled "Unlawful Sale to Visibly Intoxicated Person", which shall read in its entirety as follows:

6-3F-17: ILLEGAL SALE TO VISIBLY INTOXICATED PERSON: It shall be unlawful for a licensee or an employee of a licensee to sell or serve an alcoholic beverage to a visibly intoxicated person.

Section 2. Article F of Chapter 3 of Title 6 of the Breckenridge Town Code is hereby amended by the addition of a new Section 6-3F-18, entitled "Licensee's Employees Not to Be Visibly Intoxicated While Working", which shall read in its entirety as follows:

6-3F-18: LICENSEE'S EMPLOYEES NOT BE VISIBLY INTOXICATED WHILE WORKING: It shall be unlawful for any employee, including but not limited to, a waiter, waitress, drink server, host, hostess, bartender, or manager of a licensee to be visibly intoxicated while engaged in the performance of his or her employment duties at a licensed premises.

Section 3. Article F of Chapter 3 of Title 6 of the Breckenridge Town Code is hereby amended by the addition of a new Section 6-3F-19, entitled "Conduct of Establishment", which shall read in its entirety as follows:

6-3F-19: CONDUCT OF ESTABLISHMENT: Each licensee and each employee shall conduct the licensed premises in a decent, orderly, and respectable manner, and shall not permit on the licensed premises the serving or loitering of a visibly intoxicated person or habitual drunkard, nor shall the licensee or the employee or agent permit rowdiness, undue noise, or other disturbances or activity offensive to the senses of the average citizen, or to the residents of the neighborhood in which the licensed establishment is located.

Section 4. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 5. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 6. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

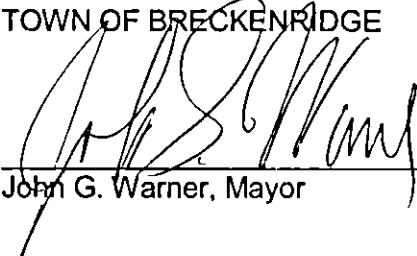
Section 7. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 22nd day of April, 2008. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 13th day of May, 2008, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


John G. Warner, Mayor


This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on May 2, 2008.

The public hearing on this ordinance was held on May 13, 2008.

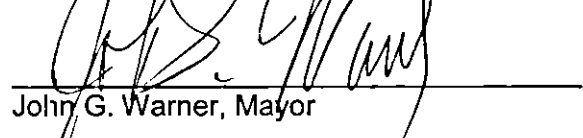
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 13th day of May, 2008. This ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE



Mary Jean Loufek, CMC, Town Clerk



John G. Warner, Mayor

APPROVED IN FORM



Town Attorney

5/13/08

Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on May 23, 2008.