

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3252

AN ORDINANCE RECODIFYING REGULATIONS ADDRESSING CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY BY ADOPTING CHAPTER 14 OF TITLE 7 OF THE HELENA CITY CODE

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

That Title 7 of the Helena City Code, Public Ways and Property, is hereby amended by adopting Chapter 14, which recodifies provisions currently contained in Section 4-2-11(B) through (G) as follows:

CHAPTER 14

CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY

SECTION:

- 7-14-1: Permit Required
- 7-14-2: Permit Conditions
- 7-14-3: Insurance and Indemnification Requirements

7-14-1: PERMIT REQUIRED:

Consumption of alcoholic beverages upon the City's right-of-way, including public ways, streets, alleys, parks and other places owned by the City, is prohibited, except by a permit issued by the Helena City Manager or designee. Application for such permit must be made at least thirty (30) days prior to the day of the event for which the permit is required. (Ord. 3252, 5-20-2019)

7-14-2: PERMIT CONDITIONS:

Issuance of permit pursuant to this Chapter is conditioned on the following:

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- A. Alcoholic beverages must be served and consumed within a roped, fenced, or otherwise contained and clearly designated area.
- B. The applicant must provide proof that said applicant has obtained all necessary licenses required by the State, the County of Lewis and Clark, or the City prior to a permit being issued.
- C. The applicant must ~~agree to~~ comply with all of the rules and regulations pertaining to the consumption of alcoholic beverages as promulgated by the State, County of Lewis and Clark, or the City.
- D. The applicant must submit a damage deposit, in the amount as set by the City Commission, to the City Manager or designee to ensure that the area in which the alcoholic beverages are to be served or consumed is left in a clean and undamaged condition after its use. Upon termination of the use, if the area is clean and no damage has incurred, the deposit will be returned to the applicant. (Ord. 3252, 5-20-2019)

7-14-3: INSURANCE AND INDEMNIFICATION REQUIREMENTS:

The permit holder must indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage, or expense incurred by the City due to any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, prior to the permit being issued, applicant must provide proof of applicant's liability insurance issued by a reliable company or companies for personal injury and property damage, and which includes alcohol liability coverage, in an amount not less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) aggregate per year for bodily injury, personal injury, and property damage, with the City named as an additional insured. (Ord. 3252, 5-20-2019)

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FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 22ND DAY OF APRIL 2019.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CITY CLERK

FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 20TH DAY OF MAY 2019.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CITY CLERK