

ORDINANCE NO. 2016- 609

**AN ORDINANCE AMENDING AND RESTATING ORDINANCES CONCERNING  
ALCOHOLIC BEVERAGES AND OPEN CONTAINERS IN THE CULVER TOWN  
PARK, IN CULVER, MARSHALL COUNTY, STATE OF INDIANA**

**WHEREAS**, the Culver Town Council of the Town of Culver has previously enacted Ordinance Number 184 and Ordinance Number 2011-05 prohibiting the possession of intoxicating beverages in the Town Park of the Town of Culver and prohibiting the consumption of alcoholic beverages in public places; and

**WHEREAS**, the Town desires to provide for the public health, safety and welfare of its residents by continuing with the prohibitions against the use and possession of alcoholic beverages in the Town Park except under certain circumstances;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF  
CULVER, INDIANA:**

1. The possession of intoxicating and alcoholic beverages in the Town Park of the Town of Culver is prohibited except for special events which events are approved in advance by the Town Council of the Town of Culver and which special events are for the positive promotion of the Town.

2. It remains unlawful for any person to possess a container with an alcoholic beverage in the Town Park at any time except said times that are specifically exempted by the Town Council and which are a part of the preapproved special event.

3. In the event a determination is made by any law enforcement officer that a person is in violation of the prohibition concerning possession of intoxicating and alcoholic beverages in the Town Park or of having an open container of alcoholic beverages within the Town Park, except for the exempted special event, the officer may proceed to enforce the prohibition under all existing ordinances and other laws including:

a. The officer may order the person possessing said substance to immediately dispose of the alcoholic beverage in said container.

b. Issue a citation in the amount of One Hundred Dollars (\$100.00) per violation.

Payment of such fine shall be paid to the Town Clerk/Treasurer within thirty (30) days of the violation being issued. The Town may enforce the

collection of such fines through any court of competent jurisdiction and may seek a judgment against the violator.

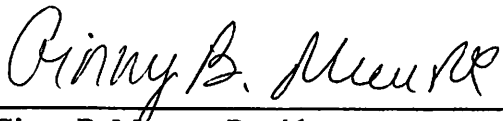
4. In the event enforcement action is required in order to collect the fine and/or obtain a judgment, the violator shall also be subject to reasonable attorney fees and costs of collection.

5. If any provision, clause, sentence or portion of this ordinance is held invalid by a court of law, such invalidity shall not affect the other provisions of this ordinance or prior ordinances which can be given affect without the invalid provisions.

6. This Ordinance shall be in full force and effect from and after its passage by the Common Council of the Town of Culver and publication according to the laws of the State of Indiana.

**PASSED AND ADOPTED** by the Culver Town Council of Culver, Indiana this 24<sup>th</sup> day of May, 2016.

**TOWN COUNCIL  
TOWN OF CULVER, INDIANA**

  
Ginny B. Munroe, President

  
Sally Ricciardi, Vice-President

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Dave Beggs, Member

  
Tammy Shafer, Member

ATTEST:

  
Karen Heim, Clerk Treasurer  
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Joel Samuelson, Member