

BERRYVILLE ORDINANCE
8-25-83A

AN ORDINANCE PROVIDING THAT NO PERSON IN CHARGE OF ANY PREMISES WHERE BEER OR OTHER INTOXICATING BEVERAGES ARE POSSESSED, SOLD OR CONSUMED SHALL PERMIT ANY DANCING UPON SAID PREMISES; MAKING IT A MISDEMEANOR TO DANCE AT ANY PLACE WHERE BEER OR OTHER INTOXICATING BEVERAGES ARE POSSESSED, OR CONSUMED; PROVIDING THAT THIS ORDINANCE SHALL APPLY TO ANY PREMISES OF ANY NATURE WHATSOEVER WHETHER THE SAME BE PRIVATE OR PUBLIC OR WHETHER THE SAME SHALL HOUSE A CLUB OR FRATERNAL ORGANIZATION; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE IN ANY SUM NOT LESS THAN TEN DOLLARS (\$10.00) NOR MORE THAN ONE HUNDRED DOLLARS (\$100.00); PROVIDING THAT EACH AND EVERY DAY OR A FRACTION THEREOF DURING WHICH THIS ORDINANCE IS VIOLATED IS A SEPARATE OFFENSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERRYVILLE, TEXAS:

SECTION 1.

This entire ordinance is and shall be deemed an exercise of the police power of the State of Texas, and of the City of Berryville, Texas, for the public safety, comfort, convenience and protection of the town and citizens of said city; and all of the provisions hereof shall be construed for the accomplishment of that purpose.

SECTION 2.

It shall be unlawful for any person in charge of any premises where beer or other intoxicating beverages are possessed, sold or consumed, to permit any dancing upon said premises. This ordinance shall apply to any premises of any nature whatsoever whether the same be private or public or whether the same shall house a club or fraternal organization. It shall be unlawful for any person to dance upon the premises where any beer or other intoxicating beverage is possessed, sold or consumed.

SECTION 3.

Any person, firm or corporation violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) and each and every day or fraction of a day during which this ordinance or any part thereof shall be violated shall be deemed a separate offense and punishable as such.

SECTION 4.

The City of Berryville may enforce this ordinance by a suit for injunction, and any place where this ordinance is violated is declared to be a public nuisance which may be enjoined by a suit for injunction in the District Court having jurisdiction.

SECTION 5.

Each and every provision, paragraph, sentence and clause of this ordinance has been separately considered and passed by the City Council of the City of Berryville, and each said provision, paragraph, sentence and clause would have been separately passed without any other provision, and if any provision,

paragraph, sentence or clause hereof should be ineffective, invalid, or unconstitutional for any cause, it shall not impair or affect the remaining portion nor any other part thereof, but the valid portion shall be enforced in the same manner as if it had been passed alone.

SECTION 6.

The fact that the City of Berryville now has no ordinance governing the matter regulated herein so as to protect the citizens of the City of Berryville in their property and persons, as aforesaid, creates an emergency, which is here and now declared, and this ordinance shall take effect and be in force, from and after its passage and publication, as provided by law.

PASSED AND APPROVED this the 25th day of August, 1983.

Glenda Kindle
Mayor

ATTEST:

Gwen Fowler
Secretary