

For:  
Introduction 7/1/19  
Public Hearing N/A  
Adoption 8/5/19

**THE TOWN OF MOUNT AIRY, MARYLAND**

**ORDINANCE NO. 2019-7**

**AN ORDINANCE TO AMEND PART II  
OF THE CODE OF THE TOWN OF MOUNT AIRY  
ENTITLED "GENERAL LEGISLATION,"  
CHAPTER 41 ENTITLED "ALCOHOLIC BEVERAGES,"  
SECTION 41-3 ENTITLED "PUBLIC INTOXICATION;  
POSSESSION AND CONSUMPTION"**

**WHEREAS**, pursuant to Section 41-3D of the Town Code, the Mayor and Town Council may authorize by resolution the consumption of alcoholic beverages on any public area (hereafter "a Section 41-3D resolution);

**WHEREAS**, a number of events at which a request for a Section 41-3D resolution are annual or otherwise regular, and for which (a) Section 41-3D resolution(s) was (were) previously approved by the Town Council; and

**WHEREAS**, in order to more expeditiously approve such recurring events for alcohol consumption, the Town Council has determined that for such events, the Mayor or his/her designated member of the Town Staff may administratively approve the request for authorization with notice to the Town Council and so long as the Town Council does not by majority vote rescind the authorization.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF MOUNT AIRY:**

Section 1. That Part II, Chapter 41 of the Code of the Town of Mount Airy is hereby amended to repeal and reenact with amendments Section 41-3 of the Code as follows:

**§41-3. Public intoxication; possession and consumption.**

\* \* \*

D. Notwithstanding the provisions of Subsection C, the same shall not apply to any public area where the consumption of alcoholic beverages has been specifically authorized by a resolution of the Mayor and Council of the Town of Mount Airy or, with respect to an annual or regular event previously approved under this subsection by vote of a majority of the Town Council, and unless such approval is specifically rescinded by a majority vote of the Town Council, where the consumption of alcoholic beverages has been authorized by the Mayor or member of the Town Staff designated by the Mayor to approve such events. The Mayor or his designee shall provide at least enough notice to the Town Council in advance of approving consumption of alcohol at such a recurring event so as to allow at least one regular Town Council meeting to occur before approval.

\* \* \*

BE IT ENACTED AND ORDAINED BY THE AUTHORITY AFORESAID, that this Ordinance shall take effect on the 25th day of August, 2019.

Introduced this 1st day of July, 2019.

Enacted this 5th day of August, 2019 by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

ATTEST:

\_\_\_\_\_  
Jason Poirier, Secretary

\_\_\_\_\_  
Larry Hushour, President of the Town Council

Approved this 5th day of August, 2019.

ATTEST:

\_\_\_\_\_  
Jason Poirier, Secretary

\_\_\_\_\_  
Patrick T. Rockinberg, Mayor

REVIEWED AND APPROVED AS TO LEGAL FORM AND SUFFICIENCY.

This \_\_\_\_ day of \_\_\_\_\_, 2019.

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Thomas V. McCarron, Town Attorney

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