

**ORDINANCE NO. 2005 -06**

AN ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF NEW IBERIA LOUISIANA, TO PROVIDE FOR EXEMPTIONS TO THE PROHIBITION OF CONSUMPTION OF ALCOHOLIC BEVERAGES ON STREETS OR SIDEWALKS.

BE IT ORDAINED by the Board of Trustees of the City of New Iberia that:

At its regular scheduled meeting on April 19, 2005, the said Board of Trustees pursuant to Section 28 of the Charter of the City of New Iberia did introduce an order to have published the foregoing amendment to Chapter 6 of the Code of Ordinances of the City of New Iberia, as follows:

Sec. 6-7. Consumption of Alcoholic Beverages on Streets or Sidewalks.

- (a) No person shall consume alcoholic beverages on the public streets and side walks of the City. Any person convicted of a violation of this section shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Section 1-8.
- (b) *Exemption.* There shall be exempted from this Section the immediate area of any special event when a permit has been granted by the City. For purposes of this Section, "special event" shall be defined as a cultural event, historical event, civic event, school event, religious event, family oriented event, non-profit event or fair or festival.
- (c) *Exception. Sidewalk Permits.* For a period of one year, sidewalk permits would be issued to either bars or restaurants to allow for open container/consumption of alcoholic beverages on permitted sidewalks directly in front of property licensed establishments. The boundaries must be marked using signage and/or a painted line.

Note: a 36 inch clear path of travel must be maintained on these permitted sidewalks to allow for pedestrian traffic. Means of egress shall also remain clear at all entrances and/or exits.

- (d) *Permit.* A signed copy of each permit shall be furnished to the Iberia Parish Sheriff's Office and the New Iberia Police Department. The specific physical boundaries of each special event and the specific time period of the special event shall be delineated in the permit issued for said special event.

SECTION 2. Any Ordinance or part thereof in conflict herewith is hereby repealed.

SECTION 3. If any clause, sections, or portion of this Ordinance shall be declared illegal, null, and void, or unconstitutional by any court or competent jurisdiction, the remaining clauses, sections, and portions shall remain in full force and effect, the provisions of this Ordinance being severable.

This ordinance, being submitted to a vote, was adopted by the following yea and nay votes:

YEA: Segura, Wilson, Broussard, Decourt, Lewis

NAY: Romero, Doerle

ABSENT: None

and this ordinance was declared adopted on this 17 day of May, 2005.

/S/ Hilda D. Curry, Mayor

/S/ Elmire P. Brennan, City Clerk

THIS IS A TRUE AND CORRECT COPY OF ORDINANCE 2005 - 06 ADOPTED AT A REGULAR MEETING ON THE 17<sup>TH</sup> OF May, 2005.

Elmire P. Brennan, City Clerk

