

ORDINANCE 146

AN ORDINANCE OF THE DARBY COUNCIL MAKING TOWN CODE 4-1C-1 OPEN CONTAINER, NULL AND VOID.

WHEREAS; on June 11, 1979 the Town Council passed an emergency ordinance making it unlawful to have an open container of alcoholic beverage, or to consume such, in any public park in the Town of Darby, and

WHEREAS; emergency ordinance are only effective for ninety (90) days, and

WHEREAS; the emergency ordinance expired in or about September 11, 1979, and

WHEREAS; when the Town Code was codified in 2006 the emergency ordinance was mistakenly included as a full ordinance, and

WHEREAS; the Town Council hereby recognizes the ordinance was not correctly adopted as a full ordinance and should not be included in the official Town Code, and

WHEREAS; this ordinance shall be incorporated into the minutes of regularly scheduled meeting of the Darby Town Council.

BE IT ORDAINED by the Town Council of the Incorporated Town of Darby that:

Section 1

That section 4-1C-1 Open Container shall be made null and void.

SECTION 2

Repealer

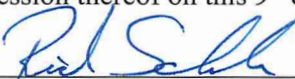
All resolutions, ordinances and sections of the 'Town Code' and parts thereof in conflict are hereby repealed upon the effective date of Ordinance 146.

Section 3

Effective Date

The effective date of this ordinance shall be thirty days (30) after passage of the second and final reading by the Darby Town Council.

PASSED by the Town Council of the Incorporated Town of Darby on first reading, at a regular session thereof on this 9th day of June 2009.



Mayor



Clerk

PASSED, ADOPTED AND APPROVED by the Town Council of the Incorporated Town of Darby, Darby, Montana on second and final reading at a regular session thereof on this ___ day of June 2009.

Mayor

Clerk