ORDINANCE NO. 389

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADDING SECTION 9.20.040, DRINKING GAMES PROHIBITED, TO CHAPTER 9.20, ALCOHOLIC BEVERAGES, OF TITLE 9, PUBLIC PEACE, MORALS AND WELFARE, OF THE MOORPARK MUNICIPAL CODE

WHEREAS, there are businesses such as bars and restaurants in the City that sell alcoholic beverages that may currently allow games or contests that promote extreme drinking of alcoholic beverages; and

WHEREAS, allowing businesses to promote drinking games or contests could potentially lead to extreme drinking of alcoholic beverages, inebriation and other related problems such as drunk driving, fights and disturbances, and sexual assaults; and

WHEREAS, allowing bar and restaurant patrons to participate in drinking games, even without the consent of the business owner, could lead to extreme inebriation and other related problems; and

WHEREAS, the City Council has determined adding Section 9.20.040 to the Moorpark Municipal Code, prohibiting drinking games by businesses and patrons will allow the City to maintain a higher quality of life, free from the problems associated with extreme drinking and intoxication.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 9.20.040 of the Moorpark Municipal Code is added in its entirety to read as follows:

"**9.20.040 Drinking games prohibited**.

A. It shall be a violation of this code for any business involved in the sale of alcoholic beverages to allow games or contests requiring or involving the consumption of alcoholic beverages.

B. It shall be a violation of this code for any person, while in a commercial business that sells or serves alcoholic beverages to its customers, to participate in any games or contests requiring or involving consumption of alcoholic beverages."

SECTION 2. Severability. If any section, subsection, subdivision, sentence, clause, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the

fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 3. Effective Date. This ordinance shall become effective thirty (30) days after its passage and adoption.

The City Clerk shall certify to the adoption of this ordinance and shall cause a certified copy to be filed in the book of original ordinances.

PASSED AND ADOPTED this 21st day of July, 2010.

_____
Janice S. Parvin, Mayor

ATTEST:

_____
Deborah S. Traffenstedt, City Clerk