

ORDINANCE NO. 1534

An ordinance amending Chapter 2 of the Code of the City of Jamestown, North Dakota by amending Section 2-59 concerning the use and regulation of alcohol during emergencies in the City of Jamestown.

WHEREAS, the City of Jamestown has the authority to enact ordinances to protect the health, safety and welfare of the citizens of the City of Jamestown;

WHEREAS, the City Council of Jamestown recognizes the need to provide flexibility to allow the mayor to respond to varying types of civil emergencies; and

WHEREAS the City Council desires to provide the mayor with the ability to restrict and relax ordinances related to the regulation of alcohol within City Limits.

NOW THEREFORE, be it ordered by the City Council of the City of Jamestown, North Dakota, that Chapter 2, Section 2-59, be amended and re-enacted as follows:

**Sec. 2-59. - Same—Orders.**

After proclamation of a civil emergency, the mayor may also, in the interest of public safety and welfare, make any or all of the following orders:

- (a) The closing of all retail liquor stores.
- (b) The closing of all taverns.
- (c) The closing of all private clubs or portions thereof wherein the consumption of intoxicating liquor or beer is permitted.
- (d) The discontinuance of the sale of beer.
- (e) The discontinuance of selling, distributing or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
- (f) The closing of gasoline stations and other establishments, the chief activity of which is the sale, distribution or dispensing of liquid flammable or combustible products.
- (g) The closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms or ammunition.
- (h) To further restrict or relax any existing ordinance or order related to the regulation of alcohol within the City of Jamestown, provided that the City Council, within 30 days, shall either ratify, modify, or reject any such order of the mayor. Failure of the City Council to act within 30 days shall automatically terminate the mayor's order.
- (i) Issue such other orders as are imminently necessary for the protection of life and property.

ATTEST:

Sarah Hellekson, City Administrator

APPROVED:

Dwaine Heinrich, Mayor

Introduced by Council Member Steele

Seconded by Council Member Brubakken

First Reading: May 21, 2020

Second Reading: June 1, 2020

Final Passage: June 1, 2020

Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent.