

**CITY OF SILVERTON**  
**ORDINANCE**  
**21-05**

**AN ORDINANCE OF THE SILVERTON CITY COUNCIL AMENDING SILVERTON MUNICIPAL CODE CHAPTER 5.40 TO ALLOW CONSUMPTION OF ALCOHOL IN PUBLIC AREA BY PERMIT**

**WHEREAS**, the Silverton Municipal Code (Code) contained language prohibiting the consumption of alcohol in public areas; and

**WHEREAS**, the a temporary provision to allow alcohol consumption on the sidewalk with an OLCC permit and sidewalk seating has been in effect since August 2020; and

**WHEREAS**, the City Council directed staff to prepare a code update to make the policy permanent.

**NOW, THEREFORE, THE CITY OF SILVERTON ORDAINS AS FOLLOWS:**

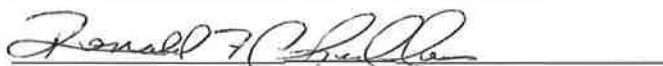
Section 1: The Silverton Municipal Code is amended in substantially the same form as set forth in the attached Exhibit A (Chapter 5.40).

Section 2: This ordinance is and shall be effective within 30 days of its passage.

Ordinance adopted by the City Council of the City of Silverton, this 13<sup>th</sup> day of September, 2021.

  
\_\_\_\_\_  
Mayor, City of Silverton  
Kyle Palmer

ATTEST:

  
\_\_\_\_\_  
City Manager/Recorder, City of Silverton  
Ronald Chandler

## Exhibit A

(additions in *italics* and deletions in ~~strikethrough~~)

### Chapter 5.04 ALCOHOLIC BEVERAGES

Sections:

[5.04.005 Violation.](#)

[5.04.010 Consumption or sale – Permit requirements.](#)

#### **5.04.005 Violation.**

- A. It is unlawful to drink or consume any alcoholic liquor in or upon any public street, alley, park, school grounds or other public grounds in the city, *unless authorized by subsection B of this section*. The penalty for violating the ordinance codified in this chapter shall be under the general penalty provisions of Chapter [1.08](#) SMC.
- B. *Alcoholic liquor may be consumed and an open container of an alcoholic beverage may be possessed within a public street, alley, park, school grounds or other public grounds in the city, provided such consumption or possession takes place only as duly authorized by written permit issued by the City and, if required by state law, the activity has been licensed, in advance, for drinking or consumption purposes by the Oregon Liquor Control Commission. The penalty for violating the ordinance codified in this chapter shall be under the general penalty provisions of Chapter [1.08](#) SMC.*

#### **5.04.010 Consumption or sale – Permit requirements.**

The city manager, upon good reason being sworn, may grant a permit to consume and/or sell alcoholic beverages to a qualified applicant. An applicant must apply for such permit and state the reasons why such is needed, and agree to comply with all city and state laws pertaining to the sale and consumption of alcoholic beverages