

BOROUGH OF MARIETTA
Lancaster County, Pennsylvania

RESOLUTION NO. 2020-19

**A RESOLUTION OF MARIETTA BOROUGH COUNCIL TO TEMPORARILY
SUSPEND PROVISIONS OF THE BOROUGH CODE RELATED TO THE
POSSESSION OF ALCOHOLIC BEVERAGES ON STREETS AND IN VEHICLES**

WHEREAS, because of various Commonwealth Orders and Regulations issued in connection with the COVID-19 pandemic, businesses within the Borough of Marietta, including restaurants and bars, have experienced significant economic hardship; and

WHEREAS, Marietta Borough has determined that it is in the best interests of the Borough, its residents, and taxpayers for the Borough to assist those establishments in mitigating economic harm associated with those Orders and any similar future Orders; and

WHEREAS, the Borough Council reasonably believes that a limited temporary suspension of the Borough's prohibitions on the possession of alcoholic beverages in public places and in vehicles may assist certain struggling Borough businesses.

NOW, THEREFORE, BE IT RESOLVED, that Marietta Borough temporarily suspends the enforcement of Sections 90-2 and 90-4 of the Borough Code where all of the following are met:

1. The consumption, use, or possession of malt or alcoholic beverages results from a sale by a business authorized to sell such beverages;
2. The consumption, use, or possession is limited to the selling business's parking lot, decks, or sidewalks;
3. The consumption, use, or possession does not create a public disturbance or otherwise create a danger or nuisance; and
4. The consumption, use, or possession violates no other law or regulation, including those related to operating motor vehicles and those related to the COVID-19 pandemic.

BE IT FURTHER RESOLVED, this temporary suspension shall automatically end upon the termination of restrictions preventing restaurants and bars within the borough to resume sit-down, in-house service.

BE IT FURTHER RESOLVED, nothing herein shall be read to encourage or condone public intoxication, disorderly behavior, driving while intoxicated, or violating any other local, state, or federal law.

ADOPTED by Marietta Borough this ____ day of May 2020.

BOROUGH OF MARIETTA
Lancaster County, Pennsylvania

Attest: _____
Secretary

By: _____
Glen A. Mazis, Council President

(BOROUGH SEAL)