

ORDER

On this 20th day of December 2004, came for consideration the petition of the City of College Station requesting that the Texas Alcoholic Beverage Commission adopt an Order pursuant to §109.35 of the Texas Alcoholic Beverage Code, V.T.C.A., that allows the prohibition of the possession of an open container and the public consumption of alcoholic beverages in its Central Business District. The Commission finds:

Section A. The City's resolution, determining the possession of an open container and public consumption of alcoholic beverages in the City's Central Business District poses a risk to the health and safety of its citizens, is properly submitted. The resolution is attached as Exhibit A, which is incorporated herein by reference and made a part of this Order.

Section B. The map showing the Central Business District of the City of College Station, properly identifies the Central Business District of College Station and meets the requirements of §109.35(d), Texas Alcoholic Beverage Code, V.T.C.A. The map is attached as Exhibit B, which is incorporated herein by reference and made a part of this Order.

It is, therefore, Ordered that:

Section 1. Subject to Section B above, the City of College Station may enact an ordinance prohibiting the possession of an open container and public consumption of alcoholic beverages in its Central Business District consistent with the provisions of this Order and §109.35, Texas Alcoholic Beverage Code, V.T.C.A.

Section 2. This Order does not prohibit the possession of an open container or the consumption of alcoholic beverages in motor vehicles, buildings not owned or controlled by the City of College Station, residential structures, or licensed premises located in the Central Business District.

Section 3. This Order shall remain in force and effect until such time as it is revoked or rescinded by the Commission.

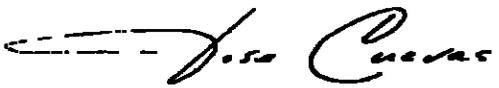
Signed and entered this the 20th day of December 2004.

TEXAS ALCOHOLIC BEVERAGE COMMISSION

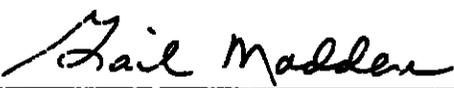




John T. Steen, Jr., Chairman



Jose Cuevas, Jr., Member



Gail Madden