

§ 110.01 CONSUMPTION AND OPEN CONTAINER RESTRICTIONS.

It shall be unlawful for any person to consume “intoxicating liquor” or “3.2 malt liquor,” hereinafter referred to as “intoxicating beverages,” or to possess any bottle or receptacle containing such an intoxicating beverage which has been opened, had the seal broken, or had the contents partially removed, in or upon all public rights-of-way and alleys within the city and in or upon all parks and recreation areas now owned or hereafter acquired by the city, subject, however, to the following exceptions, terms, and conditions:

(A) The city may issue special permits to allow the possession and consumption of intoxicating beverages in or upon any of the above-mentioned publicly owned property. The City Council may adopt a set of guidelines and criteria for the issuance of such permits allowing those permits to be issued by the City Manager as an administrative action. Any such permits so issued shall specify the particular publicly owned property the permit applies to, the time frame in which the permit applies, and the group or activity for which the permit is issued. The City Council may by its guidelines or direct actions impose such limitations and conditions upon the possession and consumption of intoxicating beverages for each such permit issued as the City Council deems necessary.

(B) The provisions of this section shall not apply to registered Ambush Park campers in regard to possession or consumption of intoxicating beverages within the confines of their reserved campsite.

(C) The provisions of this section shall not restrict the Benson Golf Club from allowing the possession and consumption of intoxicating beverages by its patrons within the limits of the city golf course as the same is now laid out and existing.

(D) The words “intoxicating liquor” and “3.2 malt liquor” as used herein shall be defined in the same manner as they are defined under the laws of the state as they relate to the control and use of said beverages.

(’75 Code, § 14.501(1)-(4)) (Ord. 1023.81, passed 10-1-81; Am. Ord. 1069.91, passed 2-7-91) Penalty, see § 110.99