

## 5.08.300 Sale, Delivery, Consumption and Possession of Alcoholic Liquor on Public Property

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### **5.08.300 – Sale, Delivery, Consumption and Possession of Alcoholic Liquor on Public Property**

It is unlawful for any person to sell, deliver, consume or possess, except in original packages with seals unbroken, any alcoholic liquor upon any streets, sidewalk, alley or other public right-of-way and City property unless otherwise stipulated in a site plan approved by the Liquor Commissioner with advice and consent of the City Council. Notwithstanding approval of the City Council and the consent of the Local Liquor Control Commissioner, this section shall not apply to the premises of a Class E license issued pursuant to this chapter.

Notwithstanding the foregoing, alcoholic liquor may be sold, delivered, consumed and possessed on the public right-of-way adjacent to licensed premises located within the First Street TIF District (described below) and other certain locations, subject to: (a) approval of the City Council, (b) the premises obtaining a Sidewalk Café permit pursuant to Section 12.04.102 of this Code, and/or a license agreement with the City to use certain public property and (c) strict compliance with the site drawing (including conditions imposed by the Local Liquor Control Commissioner thereon) approved in conjunction with the issuance of the license for said premises.

Any person violating this section shall be fined not less than one hundred dollars (\$100.00) for the first offense nor more than two hundred fifty dollars (\$250.00) for each subsequent offense.

(2019-M-20 : § 1; 2015-M-14 : § 1; 2010-M-67 : § 1; 2010-M-36 : § 1; 2010-M-29 : § 1; 2008-M-43 : § 1; 2007-M-75 : § 1; 2004-M-12 : § 1; 1982-M-62 : § 1; 1976-M-5 : (part); Prior code : § 24.039)