

ORDINANCE

#20-03

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN TO REPEAL SECTION 14-5 – “DRINKING IN PUBLIC” OF ARTICLE I OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF DUBLIN AND TO CREATE A NEW SECTION 14-5 TO MORE PARTICULARLY DEFINE TERMS; TO CLARIFY PROHIBITED CONDUCT RELATING TO THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC; AND TO RESTRICT THE CONSUMPTION OR POSSESSION OF OPEN ALCOHOLIC BEVERAGES ON SEMIPUBLIC PARKING FACILITIES; TO SET AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Mayor and Council are vested with police powers for the protection and preservation of the general health, safety, and welfare of the citizens of Dublin; and

WHEREAS, the Mayor and Council have enacted ordinances regulating the manufacture, sale, distribution, possession, and consumption of alcoholic beverages; and

WHEREAS, the Mayor and Council find it in the best interest of the citizens of the City of Dublin to regulate the consumption and possession of open alcoholic beverages on semipublic parking facilities.

THEREFORE, the Mayor and Council of the City of Dublin hereby ordain as follows:

SECTION ONE:

Section 14-5 of Article I of Chapter 14 of the Code of Ordinances is hereby repealed in its entirety.

SECTION TWO:

There is added a new Section 14-5 to Article I of Chapter 14 which shall read as follows:

“Section 14-5. – Drinking in Public.

- (a) *“Open container” defined.* The term “open container”, as used in this chapter, means any bottle, can, glass, cup, or other vessel which contains an alcoholic beverage not in its original container. The term “open container” shall also mean the original container of an alcoholic beverage and which contains an alcoholic beverage on which the seal has been broken or which is otherwise ready for consumption.
- (b) *“Semipublic parking facility” defined.* The term “semipublic parking facility” shall mean and include any privately owned area wherein motor vehicles may be parked by the public in conjunction with any business, enterprise, commercial establishment, office building, church, school, or multiple-family residential building, and shall include the confines of a motor vehicle when the vehicle is parked or otherwise located on any such privately owned area.
- (c) *“Public” defined.* The term “public”, as used in this chapter, means any street, alley, sidewalk, public parking lot, public building, or public park, and shall include the

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