CHAPTER 18 – PARKS AND RECREATION

Sec. 18-65. Parks; alcoholic beverages, beer permits.

(a) It shall be unlawful for any person in a park and recreation area to:

(1) Consume alcoholic beverages other than beer.

(2) Consume beer outside of a ramada or concession area.

(3) If the person is a member of a group of five or more individuals who are 21 years of age or older, to consume beer without a Beer Permit for the group.

(4) Possess or control any keg, vat, pump or item designed to serve alcoholic beverages to persons for consumption without a permit. For purposes of this code, a person serving alcoholic beverages from such keg, vat, pump or item shall be presumed to be in possession and control.

(5) Serve alcoholic beverages to members of the public other than those invited to the event for which the permit is issued or to permit persons to possess and consume alcoholic beverages outside designated areas provided in the permit, or to permit persons under the age of 21 years to possess and consume alcoholic beverages.

(6) Fail to present a valid identification upon request of a duly designated park ranger or peace officer and/or presentation of a false or altered ID to a duly designate park ranger or peace officer for the purpose of determining whether an individual who is possessing or consuming alcoholic beverages is under the age of 21 years.

(7) Fail to ensure that only beer and no other alcoholic beverages are consumed by any group that is subject to a Beer Permit.

(8) Bring beer or other alcoholic beverages inside a park and recreation area, softball or baseball complex or multipurpose field area.

(b) For purpose of this Section, the following definitions shall apply:

(1) "Alcoholic Beverage" means alcohol, brandy, whiskey, rum, tequila, mescal, gin, wine, porter, ale, beer, any malt liquor or malt beverage, absinthe, a compound or mixture of any of them or of any of them with any vegetable or other substance, alcohol bitters, bitters containing alcohol, any liquid mixture or preparation, whether patented or otherwise, which produces intoxication, fruits preserved in ardent spirits, and beverages containing more than one-half of one per cent of alcohol by volume. This definition is intended to be synonymous with the term "spirituous liquor" as used in State law.

(2) “Beer” means any beverage obtained by the alcoholic fermentation, infusion or decoction of barley malt, hops or other ingredients not drinkable, or any combination of them.

(c) Violations of this Section shall be a class one (1) misdemeanor punishable by a minimum fine of not less than Two Hundred and Fifty Dollars ($250.00). Upon conviction, the Municipal Court shall order restitution to be paid by the violator to the City for the cost of cleanup resulting from the violation and the enforcement of this section. Restitution shall be actual cost, but in no event less than One Hundred ($100.00) Dollars.

(Code 1977, § 5-1-22(C))
(Ord. No. 04-213, 12/14/2004, repealing and enacting) SUPP 2004-4
(Ord. No. 05-59, 11/01/2005, amended) SUPP 2005-04
(Ord. No. 2010-13, 7/6/2010, amended) SUPP 2010-3
(Ord. No. 2013-01, 06/04/2013, amended) SUPP 2013-02