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### 3-2-9: Open Container Law:

- A. No person in a motor vehicle, while the vehicle is on a public highway or the right-of-way of a public highway in the city, may drink or possess any open beverage containing alcoholic liquor, beer, or wine, unless such person is a passenger in the passenger area of a limousine, or in the living quarters of a recreational vehicle. Violation of this section is a misdemeanor for the individual in actual physical control of the vehicle pursuant to section 18-8004, Idaho Code, and an infraction for other individuals violating this section.
- B. It shall be unlawful for any person to drink or consume beer, wine or any other intoxicating beverage or to have in their possession any open bottle, can or other container containing such beer, wine or other intoxicating beverage while on a sidewalk, boardwalk, or anywhere within the public street right-of-way or in any public park within the city, except as follows:
1. Consumption of alcoholic beverages is allowed in Farmin Park, ~~and at War Memorial Field,~~ within the buildings located at 607 and 611 S. Ella Avenue in Lakeview Park, in the James E. Russel Sports Center at Travers Park, and, at single-day events during the month of June, in an area not to exceed one (1) acre in the northwest corner of the interior lawn at City Beach Park (see "Figure 1" below) when purchased-sold or served (including complimentary service) on site from by an authorized vendor with a valid alcohol beverage catering permit operating under a valid city-issued alcohol beverage catering permit for an event issued by the city for events approved by through the City's event permitting process by the parks and recreation director or city council, as applicable.

Figure 1: City Beach Alcohol Service Area for Special Events



2. ~~Those Persons consuming alcoholic beverages must remain in specific areas of the park designated for alcoholic beverage consumption within the city-approved designated alcohol service area shown on the event site plan, which shall be enclosed by permanent or temporary barriers or other controls approved by the City. In all cases, they must remain within the inner boundary of the park's fence or curb and not inhibit the use of the sidewalk by other persons. If an event includes a City-approved street closure or temporary venue expansion, the designated area may include the closed~~

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street or expanded area as shown on the approved site plan. Sidewalks shall remain open and unobstructed and ADA access maintained unless expressly included in an approved closure.

(Ord. 1295, 2-5-2014; Ord. 1297, 3-19-2014)