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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:

~~e1. Consumption of alcoholic beverages is allowed in Farmin Park and at War Memorial Field when purchased on site from an authorized vendor with a valid alcohol beverage catering permit issued by the city for events approved by the parks and recreation director or city council, as applicable. Those consuming alcoholic beverages must remain in specific areas of the park designated for alcoholic beverage consumption. 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.~~

- 1. Authorized locations: The consumption of alcoholic beverages shall be permitted only at the following locations:
  - a. Farmin Park;
  - b. War Memorial Field;
  - c. Within the buildings located at 607 and 611 South Ella Avenue in Lakeview Park; and
  - d. The James E. Russell Sports Center at Travers Park

Alcohol service at Farmin Park and War Memorial Field shall be permitted only for events approved under the City's special event permitting process pursuant to Title 6 Chapter 6 of this code. Private events at the James E. Russell Sports Center may serve alcohol pursuant to the terms set for the facility use agreement.

- 2. City Beach Park: The consumption of beer and wine shall be permitted within a designated 0.88-acre area located in the northwest corner of the interior lawn at City Beach Park during events organized as community fundraisers (see figure 1 below). For purposes of this section, a "community fundraiser" means an event open to the public where donations, contributions, or proceeds are solicited for charitable, educational, or benevolent purposes, including but not limited to events benefiting non-profit organizations, individuals facing medical or financial hardship, community improvement projects or other charitable causes. One single-day event per month from September through June, excluding July and August, may be hosted by a qualifying organization. Alcohol service at City Beach Park shall be permitted only for events approved under the City's special event permitting process pursuant to Title 6 Chapter 6 of this code.

Figure 1: City Beach Alcohol Service Area for Special Events



3. General Conditions: Alcoholic beverages may be sold, served, or provided (including complimentary service) only by an authorized vendor operating under a valid City-issued alcohol beverage catering permit. Consumption shall be confined to the City-approved 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. If the event includes a City-approved street closure or venue expansion, the designated service area may include such areas as shown on the site plan approved with the special event permit. 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)