

ORDINANCE NO. 310

BY THE COUNCIL: THORPE, THOMAS, and CROWTHER.

AN ORDINANCE PROHIBITING THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES IN VARIOUS PUBLIC PLACES: PROVIDING FOR PUNISHMENT AS A MISDEMEANOR.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MALAD CITY, IDAHO:

Section 1. Except where the possession or consumption of beer, wine or alcoholic liquor is expressly permitted by statute or ordinance, it shall be unlawful for any person to carry or have in his possession an open container containing beer, wine or alcoholic liquor:

- a. On any street;
- b. In any public or private parking lot;
- c. In or upon a private vehicle commonly used for the transportation of passengers; or
- d. In or upon a private vehicle located or being driven on any street.

Section 2. For purposes of this ordinance, the following definitions shall apply:

- a. CONTAINER: Any receptacle capable of holding or storing liquid.
- b. STREET: The entire width between the boundary lines of every way or place open to the public for vehicular travel, including any sidewalk or way intended for pedestrian travel.
- c. PARKING LOT: Any place maintained for the outdoor parking of motor vehicles.

Section 3. Violation of this ordinance shall constitute a misdemeanor.

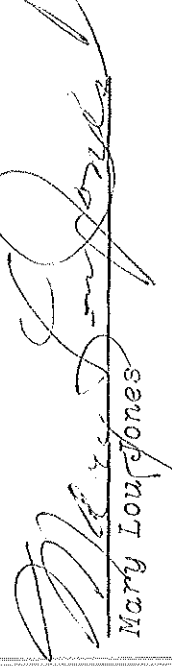
Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED by the Council of the City of Malad City, Idaho, this 7 day of November, 1979.

Upon approval by unanimous vote of the Council, the final readings are ordered waived and the ordinance passed and effective upon one reading and publication as provided by law.

APPROVED by the Mayor of the City of Malad City, Idaho, this 7 day of November, 1979.

ATTEST:


Mary Lou Jones


J. Marvin Hess, Mayor