ORDINANCE NO. 6559

AN ORDINANCE TO AMEND CHAPTER 9.72 OPERATION OF VEHICLES OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY AMENDING AND RETITLING SECTION 9.72.357 "TRANSPORTING BEER OR INTOXICATING LIQUORS".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 9.72 Operation of Vehicles of the 2020 Municipal Code of Council Bluffs, Iowa be and the same is hereby amended by retitling and amending Section 9.72.357 to now be known as "Open Containers In Motor Vehicles" and to read as follows:

9.72.357 Open Containers In Motor Vehicles

A. A driver or passenger of a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage. "Passenger area" means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED AND APPROVED May 8, 2023

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 4-24-23
Second Consideration: 5-8-23
Public Hearing: N/A
Third Consideration: _____