

ORDINANCE NO. 6328

AN ORDINANCE TO AMEND TITLE 8 “PUBLIC SAFETY AND MORALS” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY ADDING A NEW SECTION 8.10.025 “EXCEPTION TO OPEN CONTAINERS AND PUBLIC CONSUMPTION.”

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

SECTION 1. That Title 8 “Public Safety and Morals” of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by adding new Section 8.10.025 “Exception to open containers and public consumption.”, to read as follows:

8.10.025 – Exception to open containers and public consumption.

- (a) A “Publicly Owned Area” pursuant to an application and approval of a Special Event Permit by the Council Bluffs City Council, may be exempt from the provisions of 8.10.010 (a) and (b) and 8.10.020 (a) within the “Publicly Owned Area” for the duration of the hours authorized in said permit. This exemption shall be applicable to alcoholic beverages classified as beer or wine and referenced as “Permissible Alcoholic Beverages. This exemption shall not be applicable to liquor or spirits.
- (b) If the “Publicly Owned Area” includes right-of-way that is utilized as a street the City Council must temporarily vacate the street for the duration of the special event as part of its Special Event approval process.
- (c) The “Permissible Alcoholic Beverages,” opened or closed may only enter the “Publicly Owned Area” from liquor license premises either immediately adjacent to the “Publicly Owned Area” or that are temporarily established therein.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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

April 23, 2018.

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

First Consideration: 4-9-18
Second Consideration: 4-23-18
Public Hearing: 4-23-18
Third Consideration: