

**CITY OF DANUBE, MINNESOTA**

**ORDINANCE 2022-01**

**AN ORDINANCE AMENDING CODE 112.05 CONSUMPTION OF ALCOHOL IN PUBLIC PLACES**

WHEREAS, the Minnesota Statutes Chapter 340A provides the City with authority to regulate certain aspects relating to intoxicating liquor and alcoholic beverages; and

WHEREAS, the City Council desires to update the current Code to better fit the current needs and interests of the residents of the City.

NOW, THEREFORE, the City Council of the City of Danube, Renville County, State of Minnesota, hereby ordains as follows:

1. Code Section 112.05 shall be added to the City of Danube Code of Ordinances as follows:

**§ 112.05 CONSUMPTION IN PUBLIC PLACES.**

A. It is unlawful for any person to consume, or possess in an unsealed container, any alcoholic beverage, including malt liquor, except as provided herein, on any:

1. City street;
2. Public property;
- or 3. Private parking lot to which the public has access, except on the premises when and where permission has been specifically granted or licensed by the Council.

B. Alcoholic beverages, including malt liquor, are allowed in city parks or recreational areas, however, it is unlawful for any person in any city park or recreational area to:

1. Bring or possess alcoholic beverages, including malt liquor, in glass containers;
2. Consume alcoholic beverages, including malt liquor, in keg and/or barrel quantity;
3. Consume alcoholic beverages, including malt liquor, when the city park sites and recreational areas are closed;
4. Sell any alcoholic beverages, including malt liquor, without a license issued by the city;
5. Sell or provide alcoholic beverages, including malt liquor, to minors.

C. Provided that, this section shall not make it unlawful to possess an unsealed container in a motor vehicle when the container is in the trunk of such vehicle if it is equipped with a trunk, or kept in some other area of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk. For the purpose of this section, a utility or glove compartment shall be deemed to be within the area occupied by the driver or passengers. Provided, further, that

this section shall not apply to a bus operated under a charter, or to a limousine, or both as defined by statute.

This ordinance shall become effective upon passage and publication.

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Gene Alex, Mayor Attest:

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Dotty Schnobrich, City Clerk

First reading: March 9, 2022

Second reading: April 13, 2022

Passed: April 13, 2022

Published: April 21, 2022