

ORDINANCE NO. 3798

AN ORDINANCE to amend and reordain Section 13-1-5.1 (POSSESSION OF OPEN OR OPENED RECEPTACLES CONTAINING AN ALCOHOLIC BEVERAGE), of Chapter 1 (GENERAL OFFENSES), Title 13 (MISCELLANEOUS OFFENSES) of The Code of the City of Alexandria, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 13-1-5.1 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 13-1-5.1 Possession of open or opened receptacles containing an alcoholic beverage.

(a) It shall be unlawful for any person, while in the city, to possess an open or opened receptacle containing an alcoholic beverage (i) in or on any publicly or privately owned park, playground, street, alley, sidewalk or other pedestrian walkway, or parking lot to which the public has, or is permitted to have, access, or (ii) in a motor vehicle located on any such street, alley or parking lot, whether or not such vehicle is moving. Any person violating this section shall be guilty of a class 4 misdemeanor.

(b) Nothing in subsection (a) shall prevent a person from possessing an open or opened receptacle containing an alcoholic beverage (i) in a place licensed by the Virginia Alcoholic Beverage Control Board ("Board") to sell alcoholic beverages at retail for on-premises consumption, (ii) in an area approved by the Board and during an event for which the Board has granted a banquet license or mixed beverage special events license, or (iii) in a public street which has been temporarily closed for a special event pursuant to a permit issued by the director of transportation and environmental services.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

PATRICIA S. TICER  
Mayor

Final Passage: May 13, 1995