

ENTOLLED ORDINANCE NO. 19-004

AN ORDINANCE AMENDING TITLE 5 “BUSINESS LICENSES AND REGULATIONS”, TO REVISE CHAPTER 5.04 “ALCOHOLIC BEVERAGES”, SECTION 5.04.060 “POSSESSION OF ALCOHOL IN PUBLIC PLACES”; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE.

**Section 1.** 5.04.060 “Possession of alcohol in public places” is hereby amended to read as follows:

**5.04.060 Possession *or consumption* of alcohol in public places.**

*A.* It is unlawful for any person to *consume any alcoholic liquor or malt beverage or to possess an open container of* ~~or consume any alcoholic liquor or malt beverage within in or upon any property owned by the city, within the city’s jurisdiction, or its public streets, alleys, schools and parks a City park or on any public property,~~ without first ~~obtaining~~ a duly issued permit.

*B.* “Open container” is any container of alcoholic liquor or malt beverage that is not:

- 1. In the original unopened package or container, the seal of which has not been broken and from which the original cap, cork or other means of closure has not been removed. Notwithstanding this section, a resealed bottle of wine may be transported as provided in W.S. 12-4-410(e);*
- 2. In the trunk or any other outside compartment of the vehicle that is not readily accessible to any person in the vehicle while the vehicle is in motion;*
- 3. In the unoccupied back of a pickup truck out of reach of the driver even though access is available through a window;*
- 4. In an unoccupied rear compartment of a vehicle not equipped with a trunk or other outside compartment and the rear compartment is not readily accessible to the driver and not normally occupied by passengers while the vehicle is in motion; or*
- 5. Secured in a cabinet or compartment of a recreational vehicle, and the cabinet or compartment is not readily accessible to the driver while the recreational vehicle is in motion. The alcoholic beverage shall remain secured and shall not be accessed by the driver or any passenger at any time the vehicle is in motion.*

*C. Violation of this section is a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00), or by imprisonment for not more than six (6) months, or both.*

**Section 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 3.** This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING                      March 19, 2019

PASSED ON SECOND READING                      April 2, 2019

PASSED ON THIRD READING                      April 16, 2019

PASSED AND APPROVED this 16<sup>th</sup> day of April 2019.

CITY OF RIVERTON, WYOMING

By: \_\_\_\_\_  
Richard P. Gard  
Mayor

ATTEST:

\_\_\_\_\_  
Kristin S. Watson  
City Clerk/Human Resource Director

ATTESTATION

I, Kristin S. Watson, Clerk of the City of Riverton, attest that Ordinance No. 19-004 was passed, adopted, and approved by the Governing Body of the City of Riverton on the 16<sup>th</sup> day of April 2019. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being *April 19, 2019*.

\_\_\_\_\_  
Kristin S. Watson  
City Clerk/Human Resource Director