

Chapter 9.04 OFFENSES AGAINST PUBLIC PEACE AND DECENCY [\[1\]](#)

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9.04.010 Alcoholic beverage defined.

For the purposes of this chapter, unless otherwise apparent from the context, "alcoholic beverage" means and includes any and all alcohol, spirits, liquor, wine, beer and every liquid or solid containing alcohol, spirits, wine, or beer and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

(Ord. No. 525, § 1(Exh. A), 9-24-2014)

9.04.020 Possession and use restricted.

It is unlawful for any person to possess any can, bottle, or other receptacle containing any alcoholic beverage that has been opened, or a seal broken, or the contents of which have been partially removed, or to consume any alcoholic beverage, in any city owned park or other city owned public place in the city except in the following permitted situations:

- A. Special events when a valid license or permit for sale, possession or consumption of alcoholic beverages at the special event has been issued by the State of California Department of Alcoholic Beverage Control or other governmental agency with jurisdiction over the special event, or when approved in advance by resolution of the city council and subject to all applicable laws, rules and regulations; and
- B. Sidewalk cafes that are duly licensed and permitted to sell alcoholic beverage and subject to all applicable laws, rules and regulations.
- C. This section does not apply when an individual is in possession of an alcoholic beverage container for the purpose of recycling or other recycling related activity.

(Ord. No. 525, § 1(Exh. A), 9-24-2014)

9.04.030 Penalty provisions.

Violation of this chapter shall be a misdemeanor but may be charged as either a misdemeanor or an infraction in the discretion of the prosecuting attorney.

(Ord. No. 525, § 1(Exh. A), 9-24-2014)

Title 9 - PUBLIC PEACE, MORALS AND WELFARE

Chapter 9.04 OFFENSES AGAINST PUBLIC PEACE AND DECENCY

FOOTNOTE(S):

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Editor's note— Ord. No. 525, § 1(Exh. A), adopted Sept. 24, 2014, amended Ch. 9.04 in its entirety to read as set out herein. Former Ch. 9.04 pertained to similar subject matter and derived from Prior code §§ 5-3.01, 5-3.02; Ord. No. 513, adopted May 26, 2010. ([Back](#))