

AN ORDINANCE PROHIBITING THE CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES IN OPEN CONTAINERS UPON THE STREETS, SIDEWALKS, OR ANY OTHER PUBLIC PLACES WITHIN THE CITY; PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES AFTER CERTAIN HOURS; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bonifay has the responsibility to provide for the citizens of this community a clean and wholesome environment for the effective transaction of commerce and the enjoyment of life; and

WHEREAS, it is the intention of the City Council to prohibit the consumption of alcoholic beverages or the possession thereof in open containers in any of the streets, sidewalks, or other public places within the City, and finding that the same is in the best interests of the City and its inhabitants; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA, THAT:

Section 1. It shall be unlawful for any person to consume alcoholic beverages, as the same are defined by the general laws of the State of Florida, upon any street, sidewalk, or any other public place or public property within the corporate limits of the City.

Section 2. It shall be unlawful for any person to possess any alcoholic beverages, as defined by the general laws of the State of Florida, in open containers on or upon any street, sidewalk or other public place or property within the corporate limits of the City.

Section 3. It shall be unlawful for any person to consume or to possess in open containers any alcoholic beverages, as defined by the general laws of the State of Florida, on or upon any private premises within the corporate

limits of the City not holding an appropriate license from the Florida Beverage Department without the consent of the owner or occupant of such private premises.

Section 4. It shall not be a defense to a charge made under the provisions of this Ordinance that the defendant was not, at the time of the alleged commission of the offense, intoxicated or under the influence of alcoholic beverages to the extent that his normal faculties were then impaired.

Section 5. Any person, firm, or corporation found to be guilty of a violation of this ordinance shall, upon conviction, be punished by imprisonment for a term of not exceeding sixty(60) days or by fine not exceeding \$500.00 or, in the discretion of the court, by both such imprisonment and fine.

Section 6. This ordinance shall become effective immediately upon its adoption in the manner and form prescribed by law.

PRESENTED, read by title and tabled pending publication this 12th day of Sept., 1983.

PRESENTED, read by title and after due public hearing with due public notice, adopted by the City Council of the City of Bonifay, Florida, in meeting assembled this 26th day of Sept., 1983.

CITY OF BONIFAY

By Robert L. Hall, Sr.
ROBERT L. HALL, SR., MAYOR

ATTEST:

R. A. Boswell
R. A. BOSWELL, CITY CLERK

APPROVED by me this 24 day of September, 1983.

Robert L. Hall, Sr.
ROBERT L. HALL, SR., MAYOR