

ORDINANCE NO. 178

AN ORDINANCE AMENDING THE CODE OF ORDINANCES SECTION 32.8 PERTAINING TO POSSESSION OF OPEN BOTTLE OR CONTAINER OF BEER OR LIQUOR.

BE IT ORDAINED by Council of the Village of Ottoville, three-fourths of the members elected thereto concurring.

SECTION I. That Section 32.8 of the Code of Ordinances of the Village of Ottoville, Ohio, be and the same hereby is amended to read as follows:

"SECTION 32.8--POSSESSION OF OPENED BOTTLE OR CONTAINER OF BEER OR LIQUOR.

No person shall have in his possession an opened container of beer with alcohol content of 3.2% or less, or intoxicating liquor with an alcoholic content of more than 3.2% in a state liquor store, or on the premises of the holder of any permit issued by the state department of liquor control, or any other public place, or in a motor vehicle. For the purpose of this Section, a person shall be deemed to have an open container in a public place if a portion of the person's anatomy is in or on a public place and a portion is in or on a private place. This section does not apply to intoxicating liquor which has been lawfully purchased for consumption on the premises where bought from a holder of an A-1-A, A-2, D-1, D-2, D-3, D-3a, D-4, D-5, or D-5a permits. (Refer to Section 4301.62).

SECTION II. This Ordinance is hereby declared to be an emergency measure in that beer and open containers are being possessed frequently in automobiles and in places other than the premises where the beer was purchased and is a menace to the health, safety, and general welfare of the residents of and the Village of Ottoville, Ohio, in that beer cans and bottles are being discarded in a way that is likely to cause injury and, therefore, shall go into effect immediately upon its passage.

PASSED: August 3, 1981

ATTEST:

APPROVED:

Richard W. Max
Clerk

Jerry A. Hohlbein
Mayor