

ORDINANCE NO. 2205

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
SECTION 9.15.010 RELATING TO OPEN CONTAINERS

The City Council of the City of Chula Vista does hereby ordain as follows:

SECTION I: That Section 9.15.010 of the Chula Vista Municipal Code is amended to read as follows:

Sec. 9.15.010 Open alcoholic beverage containers prohibited on posted premises.

- A. Any person who has in his or her possession any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, and who enters, in on, or remains on the posted premises of, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the Business and Professions Code, or on any public sidewalk immediately adjacent to the licensed premises is guilty of an infraction.
- B. All retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the Business and Professions Code to operate in the City of Chula Vista shall post such licensed premises with notices clearly visible to patrons of the licensee and parking lot and to person on the public sidewalk that the provisions of Subsection A of this section are applicable. Such notices shall include language that states that possession of any opened alcoholic beverage container is prohibited by law. Any licensee who does not so post the licensed premises is guilty of an infraction.
- C. As used in this section "posted premises" means those premises which are subject to licensure under any retail off-sale alcoholic beverage license, the parking lot immediately adjacent to the licensed premises and any public sidewalk immediately adjacent to the licensed premises which are posted with notices pursuant to subsection B.


D. As used in this section, "parking lot immediately adjacent to the licensed premises" means any parking lot under the control of or operated in conjunction with the licensed premises, except a private residential parking lot immediately adjacent to the posted premises, unless such private residential parking lot also constitutes a "semi-public parking lot" as defined in Subsection E. ~~except those described in Subsection E which are contiguous to the licensed premises and any parking lot under the control of or operated in conjunction with the licensed premises.~~

E. ~~The provisions of this section do not apply to any private residential parking lot immediately adjacent to the posted premises.~~ Any person who consumes alcoholic beverages, or has in his or her possession any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed, and enters upon any public street, sidewalk, parkway, public parking lot, or semi-public parking lot, is guilty of an infraction. The term "semi-public parking lot" means any area wherein motor vehicles are parked by the public in conjunction with any business, enterprise, commercial establishment, office building, or apartment building.

F. The subsections of this section are severable. The invalidity of a subsection shall not affect the validity of the remaining subsections.

SECTION II: This ordinance shall take effect and be in full force on the thirty-first day from and after its adoption.

Presented and Approved as to form by



D. Richard Rudolf, Assistant City Attorney

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FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CHULA VISTA, CALIFORNIA, HELD May 5, 19 87, AND
FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD May 12,
19 87, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen : Moore, Malcolm, McCandless, Cox, Nader
NAYES: Councilmen : None
ABSTAIN: Councilmen : None
ABSENT: Councilmen : None



Mayor of the City of Chula Vista

ATTEST 
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,
DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
ORDINANCE NO. 2205, and that the same has not been amended or repealed.

DATED _____



CITY OF
CHULA VISTA

City Clerk