

AN ORDINANCE AMENDING CHAPTER 3
OF THE URBANA CITY CODE ("ALCOHOLIC LIQUORS")
TO PROHIBIT CONSUMPTION OF ALCOHOLIC LIQUOR
ON PUBLIC PROPERTY

BE IT ORDAINED BY THE URBANA CITY COUNCIL that a new Article IV to Chapter 3 is hereby enacted to read as follows:

Section 3-60. For the purpose of this Section, Public Property shall mean any real property owned, controlled, or managed by the City of Urbana or the Urbana Park District or the Urbana School District No. 116. Any street, alley, sidewalk, public parking lot, parkway, school grounds or park shall be prima facie public property for the purpose of this Section.

Section 3-61. (a) No person shall possess any open container of, or consume alcoholic liquor on any public property or the parking lot of any business establishment or in any vehicle travelling upon or parked on any public property or parking lot of any business establishment, except where such possession or consumption has been authorized pursuant to the issuance of a valid license or permit from a governmental authority.

(b) It shall not be deemed to be a violation of this Ordinance for alcoholic liquor to be served or possessed in an enclosed area on public property immediately adjacent to any premises where alcoholic liquor may be sold under a valid license which permits service of alcoholic liquor in such area. Nor shall it be deemed unlawful for alcoholic liquor to be possessed or consumed along the permitted parade route of a 4th of July parade for the period of one (1) hour prior to the start of the parade and during its duration.

(c) It shall be an affirmative defense to a charge of a violation of this Ordinance that the defendant, at the time of the alleged violation, was upon that portion of the public right-of-way which is not the street surface for vehicular travel, that immediately abuts the parcel of real estate that is improved with the defendant's principal residence. The address indicated on a current driver's license or voter's registration card shall be presumed to be the principal residence of the person to whom such document was issued.

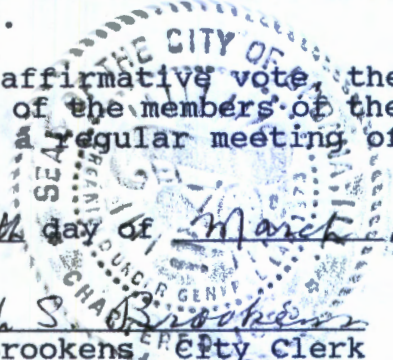
Section 3-62. No person shall carry any open containers of alcoholic liquor out of any liquor service premises.

Section 3-63. Any person found guilty of violating the provisions of this Ordinance shall be fined in an amount not to exceed Two Hundred Dollars (\$200.00), in accordance with Section 1-6 of the Urbana City Code.

Section 3-64. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 16th day of March, 1993.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 19th day of March, 1993.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Ruth S. Brookens, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 15th day of March, 19 93, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9293-87, entitled "AN ORDINANCE AMENDING CHAPTER 3 OF THE URBANA CITY CODE ("ALCOHOLIC LIQUORS") TO PROHIBIT CONSUMPTION OF ALCOHOLIC LIQUOR ON PUBLIC PROPERTY" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9293-87 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 22nd day of March, 19 93, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this 2nd day of April, 19 93.



Ruth S. Brookens
CITY CLERK