

**AN ORDINANCE TO AMEND CHAPTER 30
OF THE MOBILE CITY CODE**

Sponsored by: Mayor Stimpson

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA
AS FOLLOWS:**

Section 1. That subsection (b) of Section 30-13 of CHAPTER 30, ARTICLE I of Mobile City Code, is hereby amended to read as follows:

Amend subsection (b) of Section 30-13, to read as follows:

(b) *Outside consumption of alcoholic beverages permitted; conditions.* Any on-premise retail alcohol beverage licensee who receives an *entertainment district* designation from the Alabama Alcoholic Beverage Control Board shall comply with all laws, rules, and regulations which govern its license type, except that a patron, guest or member of that licensee may exit the licensed premises between the hours of 12:00 p.m. (Noon) and 12:00 a.m. (Midnight) with no more than one (1) open container of alcoholic beverages and consume said alcoholic beverages anywhere within the confines of the *entertainment district* in which the alcoholic beverage was obtained (except for those areas encompassing Bienville Square Park, Cathedral Square Park, and Mardi Gras Park), subject to the following regulations:

- (1) A person may not enter another licensed premises with an open container or closed container of alcoholic beverages acquired elsewhere.
- (2) A licensee who receives an *entertainment district* designation shall allow alcoholic beverages to be removed from the licensed premises only in a paper or plastic cup that bears the commercially printed name and/or logo of the designated licensee, or in a paper or plastic cup bearing the "LODA" logo obtained from Main Street Mobile, and no such alcoholic beverages shall be removed from the licensed premises in a can, bottle, or glass container; except, that glass containers shall be allowed in a licensee's outdoor sit down dining areas that are situated on a sidewalk or other right-of-way where the licensee has a right-of-way use agreement with the city.

(3) No licensee shall allow a patron, guest or member to exit its licensed premises with more than one (1) open container of alcoholic beverages, and it shall be unlawful for any person to exit such licensed premises with more than one (1) such open container.

(4) It shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, or glass container, or to possess any open can, bottle, or glass container of alcoholic beverages on the streets, sidewalks, rights-of-way, and parking lots located within an *entertainment district*; except, that glass containers shall be allowed in a licensee's outdoor sit down dining areas that are situated on a sidewalk or other right-of-way where the licensee has a right-of-way use agreement with the city.

(5) No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed sixteen (16) fluid ounces in size.

(6) No person shall possess on the streets, sidewalks, rights-of-way, parking lots, or outdoor public areas located within the *entertainment district* any open alcoholic beverage container which exceeds sixteen (16) fluid ounces in size.

Section 2. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

Section 3. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance shall sunset at midnight on November 17, 2016, unless earlier extended, modified, or amended by action of the Council.

Section 5. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

ADOPTED: August 17, 2016

City Clerk