

ORDINANCE NO. 6559

AN ORDINANCE TO AMEND CHAPTER 9.72 OPERATION OF VEHICLES OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY AMENDING AND RETITLING SECTION 9.72.357 "TRANSPORTING BEER OR INTOXICATING LIQUORS".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 9.72 Operation of Vehicles of the 2020 Municipal Code of Council Bluffs, Iowa be and the same is hereby amended by retitling and amending Section 9.72.357 to now be known as "Open Containers In Motor Vehicles" and to read as follows:

9.72.357 Open Containers In Motor Vehicles

- A. A driver or passenger of a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage. "Passenger area" means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk.

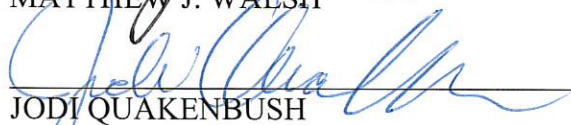
SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED AND APPROVED

May 8, 2023


MATTHEW J. WALSH Mayor

JODI QUAKENBUSH City Clerk

Attest:

First Consideration: 4-24-23
Second Consideration: 5-8-23
Public Hearing: N/A
Third Consideration: Waived

Proof Of Publication

State of Iowa

Pottawattamie County

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OPERATION OF VEHICLES OF THE 2020
MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA
BY AMENDING AND RETITLING SECTION
9.72.357 "TRANSPORTING BEER OR
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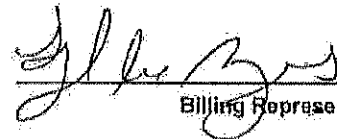
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Adopted and Approved May 8, 2023.
MATTHEW J. WALSH, Mayor
JODI QUAKENBUSH, City Clerk
2023 (5) 12 - 1 Friday

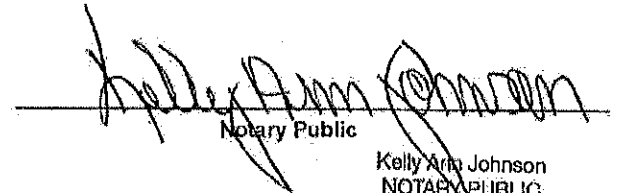
I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN Daily Nonpareil, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 12th day of May, 2023.


Billing Representative

Sworn to and subscribed before me this 12th day
of May, A.D. 2023.


Notary Public

State of Virginia
County of Hanover
My Commission expires

Kelly Ann Johnson
NOTARY PUBLIC
Commonwealth of Virginia
Registration No. 8004299
My Comm. Exp. March 31, 2026

CITY OF COUNCIL BLUFFS
209 PEARL ST.
COUNCIL BLUFFS, IA 51503

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Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Graham Jura

Ordinance 6559
ITEM 6.A.

Council Action: 5/8/2023

Description

Ordinance to amend Chapter 9.72 Operation of Vehicles of the 2020 Municipal Code by amending and retitling Section 9.72.357 "Transporting Beer or Intoxicating Liquors".

Background/Discussion

The Council Bluffs municipal code regarding the transportation of beer and liquors had not been updated to reflect changes in the Iowa Code. The attached verbiage is taken directly from Iowa Code 321.284 and 321.284A.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Other	4/13/2023
Ordinance 6559	Ordinance	4/19/2023

9.72.357

9.72.357 Open containers in motor vehicles

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