

1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Date Adopted: \_\_\_\_\_  
Date Published: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING \_\_\_\_\_.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

*Section 1. That Section 5-9 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:*

**Section 5-9. Consumption on public streets or alleys.**

~~It shall be unlawful for any person to drink or consume or attempt to drink or consume any distilled spirits, wines and malt beverages, as defined by state laws, in or upon any public street, alley, highway or public sidewalk.~~

**Section 5-9. Consumption of alcohol and open container.**

No person shall consume any alcoholic beverage while (1) on a public street, highway, alley, sidewalk, boulevard, or any place commonly and customarily open to or used by the general public; or (2) on any private property without the consent of the owner or lessor of such property. This section shall not prohibit the consumption of an alcoholic beverage at duly licensed on-sale premises, or as otherwise authorized by law.

No person shall be present in any public street, highway, alley, sidewalk, boulevard or any place commonly and customarily open to or used by the general public, or on any private property without the consent of the owner or lessor of such property, while in possession of any bottle or other receptacle containing any alcoholic beverage which has been opened, or the seal broken, or the contents partially removed, with the intent to consume such alcoholic beverage.

Date adopted: \_\_\_\_\_ .

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk