

TITLE III COMMUNITY PROTECTION

CHAPTER 9 ALCOHOLIC BEVERAGES

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3-9-1 **PURPOSE.** The purpose of this chapter is to provide for administration of licenses and permits and for local regulations and procedures for the conduct of the sale and consumption of beer, wine, and liquor, for the protection of the safety, health, and general welfare of this community.

(Code of Iowa, Sec. 364.1)

3-9-2 **REQUIRED OBEDIENCE TO PROVISIONS OF THIS CHAPTER AND STATE LAW.** The following sections of the Iowa Code are hereby adopted by reference:

1. 123.2 and 123.3 General Prohibition and Definitions
2. 123.18 Favors From Licensee or Permittee
3. 123.22 State Monopoly
4. 123.28 Open Alcoholic Beverage Containers
5. 123.30 Liquor Control Licenses - Classes
6. 123.31 Application Contents
7. 123.33 Records
8. 123.34 Expiration - License or Permit
9. 123.35 Simplified Renewal Procedure
10. 123.36 Liquor Fees - Sunday Sales
11. 123.38 Nature of Permit or License - Surrender - Transfer
14. 123.39 Suspension or Revocation of License or Permit - Civil Penalty
13. 123.40 Effect of Revocation

14. 123.44 Gifts of Liquors Prohibited
15. 123.46 Consumption in Public Places - Intoxication - Right to Chemical Test - Notifications - Exoneration
16. 123.47 Persons Under Legal Age - Penalty
17. 123.49 Miscellaneous Prohibitions
18. 123.50 Criminal and Civil Penalties
19. 123.51 Advertisements for Alcoholic Liquor, Wine or Beer
20. 123.52 Prohibited Sale
21. 123.90 Penalties Generally
22. 123.95 Premises Must Be Licensed - Exception as to Conventions and Social Gatherings
23. 123.142 through 123.145 Beer Provisions (Division II)
24. 123.150 Sunday Sales Before New Year's Day
25. 123.171 through 123.182 Wine Provisions (Division V)
26. 321.284 Open Containers in Motor Vehicles - Drivers
27. 321.284A Open Containers in Motor Vehicles - Passengers

3-9-3 ACTION BY COUNCIL. The City Council shall approve or disapprove the application. Action taken by the City Council shall be endorsed on the application. The application, fee, penal bond, and certificate of dram shop liability insurance (if applicable) shall be forwarded to the Iowa Alcoholic Beverages Division for further action as provided by law.

(Code of Iowa, Sec. 123.32(2))

3-9-4 TRANSFERS. The City Council may, in its discretion, authorize a licensee or permittee to transfer the license or permit from one location to another within the City, provided that the premises to which the transfer is to be made would have been eligible for a license or permit in the first instance and the transfer will not result in the violation of any law or Ordinance. An applicant for a transfer shall file with the application for transfer proof of dram shop liability insurance and penal bond covering the premises to which the license is to be transferred.

(Code of Iowa, Sec. 123.38)

3-9-5 BEER AND WINE CONSUMPTION AT DESIGNATED PUBLIC PLACES.

1. It is lawful for tenants and tenant's guests to consume beer and wine at the Camanche Community Center pursuant to the terms of valid lease agreement executed by the community center board and the tenant. It is unlawful for any persons to remove beer or wine from the Community Center other than at the conclusion of the activity for which the lease was executed by the tenant.

2. It is lawful to consume beer and wine in the City parks during the hours from noon until nine p.m. and it is unlawful to possess or consume beer at City parks from nine p.m. until noon the following day.

3. It is unlawful to possess or consume beer or wine in City parks during any time in which the City parks are being used for organized youth activities such as soccer, softball, baseball, and other similar activities.

4. It is lawful for beer and wine to be consumed in the Camanche Fire Station on such activities as authorized by the Fire Chief. It is lawful for alcohol to be consumed in the Camanche Fire Station as authorized by the Fire Chief when hosting county-wide, area, or state-wide fire fighter meetings or conventions at the Fire Station. The Fire Chief shall notify the Mayor in advance of those events hosted by the Camanche Fire Department where alcohol will be served.

5. It is unlawful at any time to possess or consume alcohol other than beer or wine on any City property.

6. Penalty. Violation of any of the provisions of this Chapter shall be subject to the provisions of Chapter 1-3 of this Code of Ordinances.

(Ord. 633, Passed 1999)

(Ord. 662, Passed 2003)