

Alcoholic Beverages (cup size)

BILL NO. _____

INTRODUCED BY COUNCIL

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9 OF THE SPARKS MUNICIPAL CODE TO DEFINE THE ALLOWABLE CONTAINER SIZE FOR CONSUMPTION IN PUBLIC AREAS; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

Section 1. Section 9.34.025: “Alcoholic beverages” is hereby amended as follows:

Section 9.34.025 – Alcoholic beverages

- A. The city manager or his designee may permit the sale or consumption of alcoholic beverages in public areas in conjunction with a special event permit provided any procedures or criteria adopted by ordinance or resolution of the city council are adhered to. An application for the sale or consumption of alcoholic beverages in public areas must be filed with an application for a special event permit and follow all procedures therefor. Any license fee applicable to the sale of alcoholic beverages as set forth in chapter 5.28 of this code must be paid in addition to any special event permit fees.
- B. An application for the sale or consumption of alcoholic beverages in public areas must provide the following information:
 - 1. Is entry to the event restricted to invited guests or open to the public;
 - 2. Whether alcoholic beverages will be sold or dispensed free of charge;
 - 3. If applicable, provide proof of current liquor license valid in the City of Sparks, City of Reno or Washoe County;
 - 4. What types of alcoholic beverages will be sold or consumed;
 - 5. What type *and size* of containers will be used to serve alcoholic and non-alcoholic beverages;
 - 6. The name(s) of the on-site supervisor(s) of the alcoholic beverage service; and
 - 7. Such other information as the city manager or his designee deems appropriate.
- C. It shall be unlawful to serve alcoholic beverages in glass containers within the special event venue.
- D. Vendors serving alcoholic beverages within the special event venue may only serve beer, wine or manufacturer prepared beverages which do not exceed 12 percent alcoholic by volume within the limits of vendors liquor license. It shall be unlawful to serve alcoholic beverages with an alcoholic content in excess of 12 percent by volume. *All containers for serving shall not exceed sixteen (16) ounces.*

(Ord. 1860, 1995: Ord. 1742, 1992.) (Ord. 2439, Amended, 06/28/2010)

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law.

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SECTION 4: This ordinance shall become effective upon passage, approval and publication.

SECTION 5: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 6: If any subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 7: The City Council finds that this ordinance is **not** likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

PASSED AND ADOPTED this ____ day of _____, 20__, by the following vote of the City Council:

AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

APPROVED this ____ day of _____, 20__, by:

GENO MARTINI, Mayor

ATTEST:

TERESA GARDNER, City Clerk

APPROVED AS TO FORM AND LEGALITY:

CHESTER H. ADAMS, City Attorney