

AN ORDINANCE RELATING TO POSSESSION OF ALCOHOLIC BEVERAGES IN  
PARKS; AMENDING SALEM REVISED CODE (SRC) 94.195; AND DECLARING AN  
EMERGENCY.

**Section 1.** SRC 94.195 is amended as follows:

**(a)** It shall be unlawful for any person to possess an alcoholic beverage in any park, sports field, city-owned facility, or any event on property controlled by the City and requiring a permit from the Director, except as provided in subsection (b) and subsection (c) of this section.

(1) At Wallace Marine Softball Complex if the alcoholic beverage is purchased from a concessionaire that is operating pursuant to a permit issued by the Director ~~Department of Community Services~~ and licensed by the Oregon Liquor Control Commission; provided, however, that the person shall not remove the alcoholic beverage, or cause or permit the alcoholic beverage to be removed by any other person, from the Wallace Marine Softball Complex.

**(3) As part of an event for which the Director has issued a permit for the consumption of alcohol pursuant to regulations adopted by the Director. The alcoholic beverage must remain within the area reserved for consumption by the permit.**

COUNCIL OF THE CITY OF SALEM, OREGON

1 Bush Art Barn, Bush House, the Riverfront Carousel, and A.C. Gilbert's Discovery  
2 Village, if such possession has been authorized by the Director or the City's  
3 authorized operational contractor of the facility.

4 (c) Notwithstanding subsection (a) and (b) of this section, a person 21 years of age or  
5 older may possess an alcoholic beverage that is equal to or greater than 14 percent of  
6 alcohol by volume at Riverfront Park or Bush's Pasture Park if the alcoholic beverage is  
7 purchased from a concessionaire that is operating pursuant to a permit issued by the  
8 Director and licensed by the Oregon Liquor Control Commission. The alcoholic beverage  
9 must remain within the area reserved for consumption by the permit.

10 ~~(d)-(e)~~ As used in this section, the terms "possession" and "to possess" mean the physical  
11 possession of, or the exercise of dominion and control over, the alcoholic beverage;  
12 provided, however, that a person shall not be deemed to possess an alcoholic beverage if  
13 the beverage is in any bottle, can, or other receptacle that is unopened or where the seal  
14 has not been broken, and which is contained within a vehicle owned or controlled by the  
15 person.

16 **Section 2. Codification.** In preparing this ordinance for publication and distribution, the City  
17 Recorder shall not alter the sense, meaning, effect, or substance of this ordinance, but within  
18 such limitations, may:

19 (a) Renumber sections and parts of sections of the ordinance;

20 (b) Rearrange sections;

21 (c) Change reference numbers to agree with renumbered chapters, sections, or other  
22 parts;

23 (d) Delete references to repealed sections;

24 (e) Substitute the proper subsection, section, chapter, or other division numbers;

25 (f) Change capitalization and spelling for the purpose of uniformity;

26 (g) Add headings for purposes of grouping like sections together for ease of reference;  
27 and

28 (h) Correct manifest clerical, grammatical, or typographical errors.

29 **Section 3. Severability.** Each section of this ordinance, and any part thereof, is severable,  
30 and if any part of this ordinance is held invalid by a court of competent jurisdiction, the

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remainder of this ordinance shall remain in full force and effect.

**Section 4. Emergency Clause.** This act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance shall be in full force and effect from and after the date of its passage.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

City Recorder

Approved by City Attorney: \_\_\_\_\_

Checked by: R. Chandler