

**A TEXT AMENDMENT TO THE LEISURE AND RECREATION DISTRICT ORDINANCE
AMENDING ARTICLE 1 OF THE OUTSIDE CONSUMPTION OF ALCOHOLIC
BEVERAGES PERMITTED; CONDITIONS (SECTION 8-64, SUBSECTION 1.)**

A resolution of the Mayor and City Council of the City of Diamondhead amending Ordinance No. 2018-003 (Municode Article 8-64, Subsection 1) with regard to permitted premises entry with an open container or closed container of alcoholic beverage, beer or wine.

WHEREAS, The current and proposed text amendments are as follows:

CURRENT TEXT LANGUAGE

• **Section 8-64 Outside consumption of alcoholic beverages permitted; conditions.**

Any on-premises retail alcohol beverage permittee located within the leisure and recreation districts shall comply with all laws, rules and regulations which govern its permit type, except that a patron, guest or member of that licensee may exit the permitted premises during any times said permitted retail establishment is open, with no more than one open container of alcoholic beverage, beer and/or wine, and continue to consume said alcoholic beverage, beer and/or wine anywhere within the confines of the leisure and recreation district in which the alcoholic beverage, beer and/or wine was obtained, subject to the following regulations:

- (1) A person may not enter other permitted premises with an open container or closed container of alcoholic beverage, beer or wine acquired elsewhere.

PROPOSED TEXT LANGUAGE (BOLD AND UNDERLINED)

• **Section 8-64 Outside consumption of alcoholic beverages permitted; conditions.**

Any on-premises retail alcohol beverage permittee located within the leisure and recreation districts shall comply with all laws, rules and regulations which govern its permit type, except that a patron, guest or member of that licensee may exit the permitted premises during any times said permitted retail establishment is open, with no more than one open container of alcoholic beverage, beer and/or wine, and continue to consume said alcoholic beverage, beer and/or wine anywhere within the confines of the leisure and recreation district in which the alcoholic beverage, beer and/or wine was obtained, subject to the following regulations:

- (1) A person may not enter ~~other~~ permitted premises with an open container or closed container of alcoholic beverage, beer or wine. **acquired elsewhere.**

WHEREAS, the Mayor and City Council have reviewed the proposed amendment and finds that it would be in the best interest of the health, safety and welfare of the citizens of Diamondhead to amend Article 1 of Outside consumption of alcoholic beverage permitted; conditions (Municode Section 8-64, subsection 1) in order to clarify that is shall not be permissible for any alcoholic beverage, beer or wine to be brought onto a licensed premises regardless of the place of purchase.

NOW, THEREFORE, BE IT RESOLVED the Mayor and City Council of the City of Diamondhead do hereby amend Ordinance No. 2018-003 (Municode Section 8-64, subsection 1) to read a person may not enter permitted premises with an open container or closed container of alcoholic beverage, beer or wine.

The above and foregoing Ordinance of the Mayor and Council of the City of Diamondhead, after having been first reduced to writing, was introduced by

Councilmember Depreo, seconded by Councilmember Morgan, and the matter being put to a vote, the result was as follows:

AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE 16 DAY OF April, 2019.

	Aye	Nay	Absent
Mayor Schafer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Depreo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Moran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Morgan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Koenenn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember L'Ecuyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


THOMAS SCHAFER, IV MAYOR

ATTEST: 
Jeannie Klein, City Clerk

