

**AN ORDINANCE PROHIBITING OPEN CONTAINERS
OF INTOXICATING LIQUOR
WITHIN THE CORPORATE LIMITS OF THE CITY
OF ARCADIA, MISSOURI,**

***BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF
ARCADIA, MISSOURI, as follows:***

**SECTION ONE. OPEN CONTAINERS OF INTOXICATING LIQUOR-
PROHIBITED.**

No person shall transport, possess or have within his or her possession while on City highways, streets, alleys, City-owned property or other public property in the City of Arcadia any intoxicating liquor, malt liquor or non-intoxicating beer unless such intoxicating liquor, malt liquor or non-intoxicating beer shall be in the original, unopened container with the seal unbroken.

No driver or passenger in a motor vehicle shall transport, possess or have within the passenger area of said motor vehicle while on City highways, streets, alleys or other public property in the City of Arcadia any intoxicating liquor, malt liquor or non-intoxicating beer unless such intoxicating liquor, malt liquor or non-intoxicating beer shall be in the original, unopened container with the seal unbroken. The "passenger area" of a motor vehicle shall not include any area of the motor vehicle which is inaccessible to the driver or any other person in such vehicle while it is in motion. In the case of a pickup truck, station wagon, hatchback vehicle or other similar vehicle, the area behind the last upright seat shall not be considered accessible to the driver or any other person, provided that no person is occupying, sitting or standing in the area of the vehicle. In the case of a recreational motor vehicle, the living quarters shall not be considered accessible to the driver or any other person. This Section shall apply to any driver or passenger in a motor vehicle while on the above stated public property in the City of Arcadia whether the motor vehicle is parked, stopped or in motion. Provided, however, this Section shall not apply to any passenger in a chartered bus where the driver of said bus is never in the possession of and has no ready access to intoxicating liquor, malt liquor or non-intoxicating beer.

**SECTION TWO. CONSUMPTION OF INTOXICATING LIQUORS-
PROHIBITED-WHEN.**

No driver or passenger shall consume intoxicating liquor, malt liquor or non-intoxicating beer while in a moving motor vehicle within the City of Arcadia. Provided, however, this Section shall not apply to any passenger in a chartered bus where the driver of said bus is never in possession of and has no ready access to intoxicating liquor, malt liquor or non-intoxicating beer. This Section

also shall not apply to any passenger in the living quarters of a recreational motor vehicle.

SECTION THREE. PENALTY.

Any person who shall violate any of the other terms and regulations of this ordinance, shall, upon conviction, be fined not less than ten dollars nor more than one hundred dollars.

SECTION FOUR. CONFLICTING ORDINANCES.

Any and all ordinances or parts of ordinances in conflict herewith, shall be, and the same are hereby repealed; and this ordinance shall be in full force and effect from and after its passage and approval.

WHEREUPON, this Ordinance was read three times and approved by vote of the Board of Aldermen of the City of Arcadia, Missouri, on this 13th day of March, 2000.

Attest:


Mary Johnson
Mary Johnson, City Clerk

Roy Carr
Roy Carr, Mayor