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7 Introduced August 27, 1991, by  
8 Councilman Berault, seconded  
9 by Councilman Schedler

10  
11 Item No. 91-08-1527

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13 **ORDINANCE NO. 2405**

14  
15 An ordinance amending Chapter 9 Criminal Code of the  
16 Code of Ordinances of the City of Slidell to prohibit occupants of  
17 motor vehicles from having open containers of alcoholic beverages  
18 in their possession.

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20 WHEREAS, statistics reflect that alcohol related vehicle  
21 accidents are a primary cause of injury, property damage and  
22 death; and  
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26 WHEREAS, it is the desire of this Council to prohibit  
27 consumption of alcoholic beverages in motor vehicles and drinking  
28 while driving.  
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32 NOW THEREFORE BE IT ORDAINED by the Slidell City Council  
33 that Chapter 9 Criminal Code of the Code of Ordinances of the City  
34 of Slidell is hereby amended by adding a new section as follows:  
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36 "Section 9-39.2. Prohibition against consumption of alcoholic  
37 beverages by occupants of motor vehicles.

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41 (A) It shall be unlawful for any person to drive, operate,  
42 occupy or ride in or upon a motor vehicle upon a public  
43 street, highway, alley or driveway within the incorpo-  
44 rated limits of the City of Slidell while in possession  
45 of any open container or other receptacle containing  
46 an alcoholic beverage when the container is open.  
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48 (B) An 'open container' is any drinking or pouring vessel  
49 including any open or unsealed bottle, jar, can, cup,  
50 container without lids, or with lids but with straws  
51 protruding therefrom or with only partial lids.  
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53 (C) The definition of 'alcoholic beverages' for this purpose  
54 shall include any spirits, wine, beer, ale, or other  
55 liquid, or a solid capable of being converted into a  
56 liquid, containing more than one-half (1/2) of one  
57 percent (1%) of alcohol by volume, which is fit or  
58 intended for beverage purposes.  
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60 (D) 'Motor vehicle' means every vehicle which is self-  
61 propelled including, but not limited to automobiles,  
62 trucks, vans and motorcycles.  
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13 (E) Any person found violating provisions of this ordinance  
14 shall be subject to a fine of not more than one hundred  
15 dollars (\$100.00) and/or thirty (30) days in jail.

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18 (F) The provisions of this section shall not apply to  
19 persons driving, operating or occupying a motor vehicle  
20 and who, as a condition of their employment and while  
21 acting in the course and scope of such employment, are  
22 required to carry open alcoholic beverage containers, or  
23 occupants, other than the driver, of a hired bus,  
24 limousine or other for-hire motor vehicle."  
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28 BE IT FURTHER ORDAINED that all establishments licensed  
29 for the sale of alcoholic beverages in the City of Slidell shall  
30 display a sign no smaller than twelve inches by twelve inches (12"  
31 x 12") which shall be placed in a prominent place at the point of  
32 sale stating that "It is unlawful for the occupant of a motor  
33 vehicle to have in his control or readily available any open  
34 container of an alcoholic beverage."  
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38 BE IT FURTHER ORDAINED that at all points of entry into  
39 the City of Slidell a standard highway sign measuring eighteen  
40 inches by twenty-four inches (18" x 24") shall be placed wherein  
41 said prohibition will be clearly posted stating "It is unlawful  
42 for the occupant of a motor vehicle to have in his control or  
43 readily available any open container of an alcoholic beverage."  
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61 ADOPTED this 22nd day of October, 1991.

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64 DELIVERED  
65 10/24/91 9:15 a.m.  
66 to the Mayor  
67 11/4/91  
68 RECEIVED  
69 from the Mayor

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Lionel J. Washington  
Councilman, District A  
President of the Council

Salvatore A. Caruso  
Mayor

Davis Dautreuil  
Council Administrator/Clerk of the Council