

NOTICE

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CHAPTER 612
Alcoholic Beverages

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| 612.01 Liquor consumption in motor vehicle. | 612.04 Disorderly persons on premises. |
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CROSS REFERENCES

- See section histories for similar State law
 Liquor Control Law - see Ohio R.C. Ch. 4301
 Suspension of beer and liquor sales by Ohio Director of Liquor Control during emergency - see Ohio R.C. 4301.251
 Liquor permits - see Ohio R.C. Ch. 4303
 Local option - see Ohio R.C. 4303.29
 Driving while intoxicated - see TRAF. 434.01
 Definitions generally - see GEN. OFF. 606.01
 Disorderly conduct while voluntarily intoxicated - see GEN. OFF. 648.04(b)
 Peace disturbance by intoxication - see GEN. OFF. 648.05
 Using weapons while intoxicated - see GEN. OFF. 672.03
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612.01 LIQUOR CONSUMPTION IN MOTOR VEHICLE.

(a) No person, being the operator of a motor vehicle, shall consume any beer or intoxicating liquor while said motor vehicle is on a public street, highway, alley or on private property open to the public for the purpose of vehicular travel. (Ord. 3185-85. Passed 10/8/85.)

(b) Whoever violates this section shall be guilty of a misdemeanor of the fourth degree. (Ord. 2805-78. Passed 6-13-78.)

612.02 HOURS OF SALE OR CONSUMPTION GENERALLY.

(a) No beer or other malt beverages shall be sold by or be permitted to be consumed on weekdays upon the premises of a Class C-1, C-2, D-1, D-2 or D-4 permit holder between the hours of 1:00 a.m. and 5:30 a.m.

No wine, prepared highballs, cocktails or other mixed drinks, as defined in the Liquor Control Act, shall be sold or be permitted to be consumed on weekdays upon the premises of a Class A-2, C-2, D-2 or D-4 permit holder between the hours of 1:00 a.m. and 5:30 a.m.

No beer or intoxicating liquor shall be sold or be permitted to be consumed on weekdays on the premises of a Class D-3a or D-5 permit holder between the hours of 2:30 a.m. and 5:30 a.m., and no intoxicating liquor shall be sold or be permitted to be consumed on weekdays on the premises of a Class D-3 permit holder between the hours of 1:00 a.m. and 5:30 a.m.

No beer or intoxicating liquor shall be sold or be permitted to be consumed on weekdays on the premises of a Class D-4 permit holder between the hours of 1:00 a.m. and 5:30 a.m.

(b) Whoever violates any of the provisions of this section shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than ninety days, or both. (Ord. 2437-72. Passed 12-12-72.)

612.03 UNOBSTRUCTED VIEW OF INTERIOR.

(a) The premises of a retail permit holder shall be arranged so as to provide a clear and unobstructed view of the interior after the legal hours of sale provided for in the Liquor Control Act of the State of Ohio. (Ord. 617-58. Passed 10-28-58.)

(b) Whoever violates any of the provisions of this section shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than ninety days, or both. (Ord. 2437-72. Passed 12-12-72.)

612.04 DISORDERLY PERSONS ON PREMISES.

(a) No person owning or operating a restaurant, hotel, club, nightclub or any other place where beer, wine or spirituous liquor are permitted to be sold under the authority of the Liquor Control Act within the City, or other person representing such owner or operator, shall permit or allow any riotous, noisy or disorderly person to frequent such restaurant, hotel, club, nightclub, or other such place, or resort thereto, or allow any boisterous, noisy or disorderly conduct therein or thereabouts at any time. (Ord. 617-58. Passed 10-28-58.)

(b) Whoever violates any of the provisions of this section shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than ninety days, or both. (Ord. 2437-72. Passed 12-12-72.)

612.05 CONSUMPTION IN PARKS.

(a) No person shall consume or possess with intent to consume, any beer or intoxicating liquor in a City park.

This ordinance shall not apply to the Polen Farm rental areas, Ice Arena, City of Kettering Government Center grounds, Civic Commons, or parks hosting community-wide special events when an application for beer and/or wine to be served or sold has been granted by the Director of Parks and Recreation.

(b) Whoever violates this section is guilty of a fourth degree misdemeanor and shall be fined not more than three hundred dollars (\$300.00) or imprisoned not more than ninety days, or both. (Ord. 3307-87. Passed 11/24/87).