

Maryville To Look at Open Container Law **News**

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(maryvilledailyforum.com) - Now that the Maryville City Council, by a 4-1 vote, has decided to ban 19- and 20-year-olds from local drinking establishments, look for the city's governing board to begin moving toward passage of a "comprehensive" alcohol policy.



Should the various components of that policy gain approval by the council at its next regular meeting Feb. 10, three main sets of regulations affecting public alcohol consumption would be put in place, probably this summer.

Among other things, the new rules would abolish drinking on city streets, sidewalks and in most other municipal spaces, in addition to private property that is open to the public, such as store parking lots. Maryville is reportedly the only college town in Missouri without such an ordinance.

The so-called "open container" ordinance contains exceptions for special events, which would have to gain city approval on a case-by-case basis. Alcohol would also remain legal at Northwest Missouri State University's "Bearcat Zone" parking lots prior to home football games and in the camping areas at Mozingo Lake Recreation Park.

Another of the "comprehensive plan" ordinances addresses nuisance parties, defined as "a social gathering of ten or more people" that results in any of a dozen triggering behaviors, most of which are already against the law.

Under the ordinance, reasonable indications that such behaviors have occurred would give Maryville Public Safety and University Police officers authority to disperse such gatherings. MPS Director Keith Wood emphasized, however, that the proposal gives priority to dispersal rather than to the arrest or ticketing of violators.

Triggering actions include things like unlawful consumption of alcohol, fighting, property damage, littering, outdoor urination or defecation, cars parked in yards or in locations that impede traffic flow, threatening behavior, possession or use of illegal drugs, trespassing and indecent exposure.

A third proposed ordinance creates a mutual aid agreement between the city and the University Police Department granting municipal commissions to campus officers and allowing them to participate in enforcement actions in a designated area adjoining the east side of campus.

The area, shaped roughly like a sideways "U," extends from Prather Avenue south to West Second Street. Bordered on the east by Mulberry Street, the zone extends west to college drive at its north end and Grand Avenue to the south.

Offenses for which mutual aid between the two departments can be invoked comprise traffic and parking violations, including such crimes as driving while intoxicated, leaving the scene of an accident, speeding, and careless and imprudent driving.

In addition to the three core ordinances â four including the bar-age entry standard â the council is also considering several lesser measures, a couple of which have failed to win the recommendation of municipal staff on grounds that they are either too expensive or too difficult to enforce.

Among the proposals is a ban on bar specials that offer an unlimited number of drinks for a fixed price or provide alcoholic drinks to customers at less than their cost to the business.

City Manager Greg McDanel said that Springfield, home of Missouri State University, currently has such an ordinance on the books. He recommended, however, that implementation of such a restriction in Maryville be accompanied by an extensive education campaign to acquaint bar owners with its implications.

McDanel also said that "special consideration" should be given to establishment owners who self-report violations.

Other liquor control ordinances being discussed include an excessive noise law and required server training with regard to checking IDs and reporting violations. McDanel told the council that both these measures are problematic due to limitations related to technology and available staffing. Yet another alcohol enforcement issue pertains to "bar patrol" activities by Maryville Public Safety. For years, the department has assigned officers to visit drinking establishments on Thursday through Saturday night during the school year. In part, the effort has been federally funded through a Missouri Department of Public Safety grant known as EUDL, or Enforcing Underage Drinking Laws.

Wood said EUDL funding will end in a few months and requested additional municipal revenue to make up the difference. On Monday the council unanimously approved a \$12,000 appropriation to keep the bar patrol program operating.

Following this week's vote on the bar-age standard, City Clerk Sheila Smail read the three main alcohol-related proposals into the record.

Bringing the ordinances to the floor with a motion and a second and giving them a "first reading," as has now been done, means all that remains to place the measures on the books is a "second reading" and a "yes" vote by three of the five council members.

Typically in Maryville both readings and the vote occur during the same meeting. But due to the controversial nature of the alcohol ordinances, the council decided to delay the vote two weeks in hopes of collecting more input from citizens.