

8.24 ALCOHOL BEVERAGE CONTROL AND CONTAINER CONTROL ON CERTAIN PUBLIC PROPERTY.

- (1) **Prohibition.** It shall be unlawful for any person to sell, give away, possess or consume any alcohol beverages as defined in Chapter 125.02, Wis. Stats., on any of the following City properties:
- (a) Penn Park, except on July 9, 1988, between 10:00 a.m. and 8:00 p.m. in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages;
 - (b) Breese Stevens Field, except that alcohol beverages may be sold, possessed or consumed therein with the prior approval of the Common Council;
 - (c) The football field, the baseball diamond and the grandstand at Warner Park except during professional minor league baseball games and directly related activities authorized by lease approved by the Common Council and Mayor;
 - (d) Dynie Mansfield Athletic and Recreational Field;
 - (e) Upon the premises at 452 State Street;
 - (f) In any part of Elver Park on July 4 except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages.
 - (g) In Brittingham Park except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages or in other areas with the prior approval of the Parks Division.
 - (h) In any part of Newville Park. (Cr. by Ord. 10,606, 3-12-93)
 - (i) In James Madison Park except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages or in other areas with the prior approval of the Parks Division. (Am. by Ord. 10,930, 7-5-94)
 - (j) In any part of Warner Park on the day of the Rhythm and Booms celebration (excluding the exception in Subdivision (c) above) except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages. (Am. by Ord. 12,846, 7-9-01; Ord. 13,456, 11-21-03)
 - (k) In any part of Windom Way Park. (Cr. by Ord. 10,930, 7-5-94)
 - (l) In any part of Olin/Turville Park when the Park Commission approves any special event which includes duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages, except in those duly designated and cordoned off areas. (Cr. by Ord. 12,162, 7-20-98)
 - (m) In any part of Tenney Park except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages or in other areas, with the prior approval of the Parks Division. (Cr. by Ord. 12,303, 1-15-99)
 - (n) In any part of Bernie's Beach except in a duly designated and cordoned off area specifically set aside for the consumption of alcohol beverages and with the prior approval of the Park Commission. (Cr. by Ord. 12,463, 9-3-99)
 - (o) In the Demetral Park shelter and a fifty (50) foot radius surrounding the shelter, except by permit with the prior approval of the Parks Division.
 - (p) In any part of Olbrich Park during the Atwood Community Center's Summerfest Celebration except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages. (Cr. by Ord. 12,657, 8-10-00)
 - (q) Reserved For Future Use.
 - (r) In any part of Paunack Park and Paunack Marsh, except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages or in other areas, with the prior approval of the Parks Division. (Cr. by Ord. 12,943, 12-24-01)
 - (s) In any part of Thut Park, except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages or in other areas, with the prior approval of the Parks Division. (Cr. by Ord. 12,943, 12-24-01)
 - (t) In any part of Waunona Park, except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages or in other areas, with the prior approval of the Parks Division. (Cr. by Ord. 12,943, 12-24-01)
 - (u) In any part of B.B. Clarke Beach, except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages or in other areas, with the prior approval of the Parks Division. (Cr. by Ord. 13,229, 1-25-03)
 - (v) In any part of Period Garden Park. (Cr. by Ord. 13,310, 4-30-03)
 - (w) In any part of Reger Park except in duly designated and cordoned off areas specifically set aside for the consumption of alcohol beverages or in other areas, with the prior approval of the Parks Division. (Cr. by Ord. 13,330, 5-28-03)
(Sec. 8.24(1) Am. by Ord. 10,923, 6-17-94; Ord. 12,337, 3-12-99; Ord. 12,541, 2-18-00; Ord. 13,330, 5-28-03)
- (2) **Open Container.** No person may possess an open can, bottle, cup, flask, glass or other container which contains any alcohol beverages in any parking lot of a park operated by the City of Madison. Appropriate signs shall be erected at the entrances to the park parking lots indicating this regulation
- (3) **Glass Container.** No person may possess any cup, glass, flask, bottle or other container made of glass or other shatterable material designed or used for holding a beverage in City of Madison parks. Appropriate signs shall be erected at the entrances to parks indicating this regulation. The Common Council may, by resolution, waive the prohibition against containers made of glass or other shatterable material designed or used for holding a beverage, for special events in designated parks where the use of such containers is indigenous to the event. (Am. by Ord. 10081, 9-5-90)
- (4) **Penalty.** Any person violating the provisions of this ordinance shall be subject to a forfeiture of not less than thirty dollars (\$30) nor more than two hundred dollars (\$200) for the first offense; not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) for the second offense within one year of the date of the first offense; not less than seventy-five dollars (\$75) nor more than two hundred dollars (\$200) for the third offense within one year of the date of the first offense; and not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) for fourth and subsequent offenses within one year of the date of the first offense.
(Am. by Ord. 10,033, 5-29-90; Ord. 12,657, 8-10-00; Ord. 12,935, 12-11-01)