

RESOLUTION NO. 2019-04

A RESOLUTION PERMITTING OPEN CONTAINERS IN A SPECIFIED AREA OF HARRISBURG DURING SPECIFIED TIMES AND DATES.

WHEREAS, the City of Harrisburg (the “City”) has passed ordinance 5.0102 that reads as follows:

5.0104 Open Containers. It shall be unlawful to consume any beer or alcoholic beverage or to possess any glass, can or other container containing beer or any alcoholic beverage on which the seal has been broken, in any public place, vacant building, automobile, street, alley, sidewalk or place of amusement or business establishment not authorized to sell beer or alcoholic beverages, unless approved by the City Council.

WHEREAS, the City has determined that it shall permit the consumption of alcoholic beverages on specific City streets at specific times during the annual Harrisburg Days celebration.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisburg, South Dakota, that it shall permit the consumption of beer or alcoholic beverages on specific streets at specific times subject to the requirements of this resolution.

BE IT FURTHER RESOLVED that consumption shall only be permitted on the following public places, portions of streets, and their adjacent sidewalks and right of ways:

- Columbia Street (North of Willow Street)
- Tracts 1-5 Replat of Hsbg School Add
- Main and Elm Streets between Railroad and Columbia Street, Prairie Street between Willow Street and Maple Street

BE IT FURTHER RESOLVED that no open container shall be permitted past barriers erected on the above streets and their adjacent sidewalks and right of ways;

BE IT FURTHER RESOLVED that only open containers purchased from establishments or permit holders licensed pursuant to SDCL 35-4-2(4) or SDCL 35-4-124 shall be permitted on the above streets and their adjacent sidewalks and right of ways;

BE IT FURTHER RESOLVED that open containers shall only be permitted on the following dates and times:

- June 7, 2019, 12:00pm – June 8, 2019, 1:00am;
- June 8, 2019, 12:00pm – June 9, 2019, 1:00am;

BE IT FURTHER RESOLVED that no glass containers containing beer or any alcoholic beverage shall be permitted on the above streets and their adjacent sidewalks and right of ways; and

BE IT FURTHER RESOLVED that the City and/or law enforcement may in its sole discretion reduce the area where open containers are permitted and shorten the time during which open containers are permitted.

Dated this 15th day of April, 2019.

Julie Burke – Van Luvance  
Mayor

ATTEST:

Mary McClung  
Finance Officer

(SEAL)

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