

ORDINANCE

AMENDING THE CITY CODE OF SAN ANTONIO, TEXAS TO ALLOW PASSENGERS IN POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES PURCHASED FROM AN AUTHORIZED AIRPORT VENDOR AT THE SAN ANTONIO INTERNATIONAL AIRPORT TO TAKE INTO AREAS PREVIOUSLY PROHIBITED.

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WHEREAS, on May 12, 2021, Governor Greg Abbott signed House Bill 1024 into law, effective immediately, to allow beer, wine and mixed drinks be included in pickup and delivery food orders; and

WHEREAS, patrons at the San Antonio Airport System are currently limited to consumption of alcoholic beverages within the premises of the airport concessionaire from which they were purchased; and

WHEREAS, the proposed revision to Chapter 3 removes this limitation and allows patrons to possess and consume alcoholic beverage within the public areas of the terminal areas so long as the alcoholic beverage was purchased with food in accordance with the provisions of the Texas Alcoholic Beverage Code; and

WHEREAS, to accomplish such revisions, it is necessary to amend City Code, Chapter 3, Airports, Section 3-24; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. City Code Chapter 3, Section 3-24 is amended by adding the underlined text set forth in **Attachment A**, incorporated in its entirety into this Ordinance. No other provision of City Code Chapter 3 is amended by this Ordinance.

SECTION 2. Should any portion of this Ordinance for any reason be held illegal, inoperative, invalid, unconstitutional or ineffective, the remainder shall nevertheless stand effective and valid as if it had been enacted or ordained without the portion held to be illegal, inoperative, invalid, unconstitutional, or ineffective.

SECTION 3. The publishers of the City Code of San Antonio, Texas are authorized to amend the Code to reflect the changes adopted by this Ordinance, to correct typographical errors and to format and number paragraphs to conform to the existing Code.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this _____ day of _____ 2021.

M A Y O R
Ron Nirenberg

KRH
06/XX/2021
Item No. xx

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

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ATTACHMENT A

Sec. 3-24. - Drugs, alcohol, and intoxication.

No person shall consume any alcoholic beverage in the terminal except in places specifically designated for dispensing of and consuming alcoholic beverages or as otherwise provided in this Section.

No person under the influence of alcohol, narcotics, or other controlled substances shall operate a vehicle or aircraft on the airport.

No person in any public area of the terminal or in any restricted area, or in the area adjacent to the aircraft loading gates designated for use by passengers waiting to board an aircraft, shall be in possession of a bottle, can, or other receptacle containing an alcoholic beverage that has been opened, or with a broken seal, or the contents of which have been partially removed, unless the bottle, can, or other receptacle 1) has been purchased in accordance with the provisions of the Texas Alcoholic Beverage Code governing the off-premises consumption of alcohol from a vendor located within the terminal area which vendor has been issued a valid permit or license issued by the Texas Alcoholic Beverage Commission, or 2) is enclosed in a suitcase or carrying case.

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