

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 AND CONSUME THOSE ALCOHOLIC
BEVERAGE WITHIN THE PUBLIC AREAS OF THE TERMINAL**

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

WHEREAS, the proposed revision to Chapter 3 will allow patrons who have purchased an alcoholic beverage from an authorized vendor at the airport to possess and consume such alcoholic beverage within the public areas of the terminal areas without being limited to the premises of the restaurant or bar from which the beverage was purchased so long as the alcoholic beverage was purchased with food in accordance with the provisions of the Texas Alcoholic Beverage Code; and

WHEREAS, in order to accomplish such revisions, it is necessary to modify City Code, Chapter 3, Airports; **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 hereby amended as state in **Attachment A**, which is incorporated herein in its entirety.

SECTION 2. The remainder of City Code Chapter 3 shall remain in full force and effect, save and except as amended by this Ordinance.

SECTION 3. 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 4. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code.

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Item No.

SECTION 5. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this 16th day of June 2022.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

DRAFT

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 herein.

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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