Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2020-404, **Version:** 1

An ordinance to amend Section 7.24.040 of the Metropolitan Code of Laws regarding alcoholic beverages in open containers.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 7.24.040 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

7.24.040 - Alcoholic beverages in open containers.

A. It shall be a violation for any person, while in or on a street, alley, sidewalk, parking lot, parking garage or other area generally open to the public, except (1) enclosed structures, (2) premises owned by scientific, religious or educational institutions, or (3) premises specifically permitted or licensed for the on-premises consumption of alcoholic beverages or beer; to have in their possession beer, ale, wine or other alcoholic beverage for the purpose of consumption in a container unless such container is commercially sealed.

B. Possession of beer, ale, wine or other alcoholic beverage in an open container not permitted in subsection A hereof shall be prima facie evidence of having said beverage for the purpose of consumption.

Section 2. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

This ordinance amends Section 7.24.040 of the Metropolitan Code of Laws regarding alcoholic beverages in open containers. In what is commonly referred to as the “Solo Cup Law,” Section 7.24.040 currently prohibits persons from possessing any alcoholic beverage in an opened glass, aluminum, or metal container in an area generally open to the public unless the premises is licensed for on-premises consumption. However, alcoholic beverages are permitted in a plastic or paper cup.

This ordinance would prohibit alcoholic beverages in open containers, regardless of the type of container.

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