Open container ordinance passed by Baker City Council

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BAKER — The City Council passed an ordinance Tuesday outlawing open alcoholic beverage containers in vehicles, and introduced another measure to prohibit public drinking in business parking lots.

Both ordinances were requested by the city's Alcoholic Beverage Control Board to give police officers more leeway in preventing drunken driving, Councilman Frank Blackburn said.

The open container law tracks the East Baton Rouge Parish ordinance, and prohibits drivers from drinking, consuming or possessing an alcoholic beverage while operating a vehicle on a public road.

The proposed “parking lot beer bust” ordinance is similar to a city anti-loitering law, City Attorney Paul Thompson said, but language ruled unconstitutional in other cities has been removed.

Several councilmen said they planned to study the proposal to make sure it does not infringe on the rights of city residents to have private parties in their yards. Mayor Norman E. “Pete” Heine said the ordinance allows citizens to obtain permits for “block parties” at which alcoholic beverages are served.

Business owners could be charged under provisions of the ordinance if they do not attempt to dissuade customers from drinking on their property, Thompson said, “but obtaining proof might be a problem.”

“They would almost have to encourage them to stay,” the attorney said.

The council adopted a resolution asking the state Department of Transportation and Development to lower speed limits on La. 19, or Main Street. Highway crews posted 45-mph speed limit signs along the highway last week.

Heine said the previous council had requested DOTD in May 1987 to make Baker's speed limits on La. 19 uniform speed throughout the city, but he had not been notified that a change was approved.

Police Chief Sid Gautreaux said he received a letter in June 1987 that said Baker's 35- and 45-mph speed limits would change to 45 along the entire route, but added his police officers had written seven speeding tickets last week just before they noticed the crew changing the signs.

“We had to void six of the seven tickets because we found the drivers were only going about two miles an hour over the limit,” Gautreaux said. The police chief suggested, and the council agreed, that a uniform 35-mph speed be set.

The council also amended, for the second time, an ordinance calling a Nov. 8 referendum on a proposal to levy a property tax of up to 4.5 mills to offset state cuts in pay to firefighters and police officers.

Both amendments reflect recent voting precinct changes in the Baker area that had not been called to the attention of city officials. The second amendment was required because city-parish elections officials changed about 10 Lake Mary Drive voters' precinct from Baker City Hall to White Hills Elementary School.

Councilman Jim Hill said their precinct was changed because they must vote in the Metro Council district in which they reside.

Heine suggested a meeting between Baker and city-parish officials after the election to work out a plan to have separate precincts for residents and non-residents.

“If money's the problem, I suggest we appropriate what it takes to eliminate the confusion,” the mayor said.