

NORTH COUNTY TRANSIT DISTRICT

ORDINANCE NO. 2

An Ordinance Prohibiting Alcohol After 9:00 p.m. on Coaster Trains

The Board of Directors of the North County Transit District does ordain as follows:

Section 1:

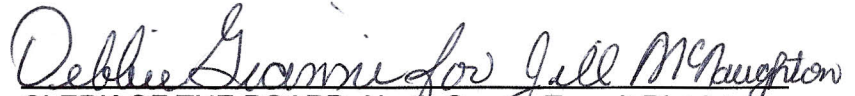
The Board hereby adopts the Ordinance Prohibiting Alcohol After 9:00 p.m. on Coaster Trains, attached hereto as Exhibit A.

PASSED, APPROVED AND ADOPTED at the regular meeting of the Board of Directors of the NORTH COUNTY TRANSIT DISTRICT this 2nd of July, 2009.



CHAIRMAN, North County Transit District

ATTEST:



CLERK OF THE BOARD, North County Transit District

EXHIBIT A
NORTH COUNTY TRANSIT DISTRICT
ORDINANCE NO. 2

An Ordinance Prohibiting Alcohol After 9:00 p.m. on Coaster Trains

The Board of Directors of the North County Transit District ("NCTD") does ordain as follows:

Section 1:

The Board hereby adopts Ordinance No. 2 to read as follows:

Section 1.1: Findings

All rights, privileges, licenses and permits, express or implied, for the use of NCTD facilities are revocable and are conditioned upon the observance of this Ordinance and any other applicable rules and regulations adopted by NCTD. To address public health, safety, and welfare issues, NCTD desires to prohibit the consumption of alcohol and the possession of any open container of alcohol on any Coaster Train, as defined herein.

Section 1.2: Definitions

The following terms as used in this Ordinance shall have the following meaning:

- A. Alcoholic Beverage – "Alcoholic beverage" means alcoholic beverage, or beverages, as that term is defined in the Alcoholic Beverage Control Act, Business and Professions Code section 23000 *et seq.* as it may be amended in the future.
- B. Coaster – The "Coaster" is the regional Train service also known as the San Diego Coast Express Rail operated in the Central and Northern coastal region of San Diego County by or on behalf of NCTD.
- C. Coaster Station – A "Coaster Station" is a designated area utilized, owned or controlled by NCTD and marked by a sign depicting the Coaster for the loading and unloading of passengers from, or onto, the Coaster, which may or may not include a bench or shelter.
- D. Train - A "Train" is a vehicle utilized, owned, or controlled by NCTD which is operated upon rails.

Section 1.3: No Consumption or Possession of Open Containers of Alcoholic Beverages Permitted after 9:00 p.m. on Coaster Trains

After 9:00 p.m. on any date, no person shall consume any alcoholic beverage or be in possession of any receptacle which contains any alcoholic beverage and which has been opened, or the seal broken, or the contents of which have been partially removed, on any Coaster Train.

Section 1.4: Exceptions:

Notwithstanding anything to the contrary set forth in this Ordinance, NCTD expressly reserves the right to approve the consumption and possession of alcoholic beverages on Coaster Trains for selected special events with prior written District approval.

Section 1.5: Penalties:

In addition to all other applicable penalties for violation of NCTD ordinances under State law or any other NCTD ordinance, for the protection of the health and safety of passengers, any person who is in violation of the prohibitions of this Ordinance is subject to immediate removal from the Train.

Section 1.6: Signs and Seat Drops Prohibiting Alcohol

Signs prohibiting alcoholic beverages after 9:00 p.m. shall be posted at all Coaster Stations and on the Coaster. In addition, seat drops shall be placed on certain special events Trains, selected by the Executive Director or his designee, to inform passengers of the prohibitions of this Ordinance.