

Open-container law to get public hearing

Stock Island pushes drinking ordinance

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KEY LARGO — The first public hearing on a proposed open-container law for unincorporated Monroe County is on tap at today's County Commission meeting at Key Largo Library, but its most vocal opponent won't be speaking out against the concept.

The County Commission "already knows how I feel and knows the problems that go with it," said Monroe County Sheriff Rick Roth of the suggested public drinking ordinance. "There's nothing new I can add except to say again that I think this will lead to selective enforcement."

Drinking alcohol on public property could result in heavy fines, or

even jail time, for residents and visitors of unincorporated areas in the Keys if local lawmakers decide to enact a law banning open containers.

Last month, the county unanimously agreed to hold public hearings on a public drinking law after Stock Island businessman Orin Opperman collected 160 signatures in his neighborhood in support of such a law, which would effectively ban the consumption of alcohol outside private property.

While islands including Key Largo and Big Pine Key would be affected, the concept — which has long been in place in Key West — was brought forward with nearby Stock Island in mind.

Business owners and residents say they're tired of homeless alcoholics on

their doorsteps and sidewalks, and want an open-container law to help clean up their town.

Opperman, owner of A Blue Moon Bonding on Fifth Avenue, contends that the possibility that an open-container law is on the way has already sent some vagrants packing, but he says an actual ordinance is necessary to get the message across to Stock Island's entire homeless population.

Although trespassing and indecent exposure laws have given police grounds to cite homeless alcoholics in some places, there is currently no county law that prevents a person from drinking alcohol on the streets or sidewalks.

"I'm not against drinking, but people can go home or to public functions or to bars to do it, not on the streets. I'm afraid it's directed at chronic alcoholics," said Opperman, who wrote the proposed ordinance. "If the sheriff

lived on Stock Island, this law would have been passed 20 years ago."

The sheriff says he realizes there are benefits to enacting such a law on Stock Island and contends that deputies who patrol the area want the ordinance passed.

Nonetheless, Roth insists that it isn't fair to impose a law on the entire county just to solve Stock Island's homeless problem.

While he suspects that an open-container ordinance would lead to an increase in jailed homeless people and subsequent costs for his agency, Roth says his primary reservation is the selectiveness of such a law.

"I don't blame anyone for wanting [the law], because I completely understand.

"But we can't start enacting laws that apply to some people and not others," Roth said. "It just wouldn't be right."