

Adopted 5-12-80

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Rushville
~~Village~~

Local Law No. 1 of the year 19 80

A local law Regulating Open Beverage containers in the Village of Rushville, New York
(Insert title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Rushville as follows:
~~Village~~

OPEN BEVERAGE CONTAINER LAW

Restriction on possession and consumption of alcoholic beverages

Section 1. No person shall drink or otherwise consume liquor, wine, beer or other alcoholic beverages nor have in his or her possession or carry or transport any open bottle or open container, containing liquor, wine, beer or other alcoholic beverages while such person is in or upon any public sidewalk, street, highway, parking lot, public park or such other public place as defined by Section 240.00 of the Penal Law of the State of New York in the Village of Rushville. An open bottle or open container in any vehicle while in or on any public sidewalk, street, highway, parking lot, public park or other public places as defined by Section 240.00 of the Penal Law of the State of New York, shall be presumptive evidence that the same is in the possession of all the occupants thereof and in violation thereof.

Section 2. The consumption of alcoholic beverages shall be permitted within the confines of the Rushville Village Park under the following conditions:

(a) Only between 12 noon and 9:00 p.m.

~~(b) No person shall become intoxicated~~

(c) Beer may be brought into the park for consumption at private, family or social picnic parties, but may not be dispensed or displayed at temporary bars or from kegs or other bulk dispensing units unless permission is obtained from the Village Board.

Penalties

Section 3. A violation of any of the provisions of this Chapter shall be punishable by a fine not exceeding One Hundred Dollars (\$100.00) or by imprisonment not exceeding one (1) day for each Five Dollars (\$5.00) of the fine imposed or by both said fine and imprisonment. Each day any such violation shall continue, shall constitute a separate violation.

(If additional space is needed, please attach sheets of the same size as this and number each)

Glass Beverage Containers Prohibited in Village Park

Section 4. It shall be unlawful for any person within the confines of the Rushville Village Park to have, possess, carry or consume any beverage in a container made in whole or in part of glass material; for the purpose of this Section, any glass beverage container within any vehicle shall be deemed to be in the possession of any person within said vehicle.

Section 5. A violation is punishable by a fine of not more than \$100.00.