

Chapter 3
ALCOHOLIC BEVERAGES

§ 3-1. Definitions.

§ 3-3. Violations and penalties.

§ 3-2. Possession of open containers or consumption in public restricted.

§ 3-4. Word usage.

[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg 11-3-1986 by Ord. No. 4-86. Amendments noted where applicable.]

§ 3-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ON OR ABOUT THE PERSON — The location of any container, bottle or can containing any alcoholic beverage which is nearby, close at hand, convenient of access and within such distance of the party so having it that such party could, without materially changing his position, get his hand on it.

OPEN — The condition of a container whose cap, cork, top or other closing device has been removed or the condition of a can which has been punctured or pulled open so as to break its seal.

POSSESSION — The exercising of conscious dominion or control over any container, bottle or can containing an alcoholic beverage.

§ 3-2. Possession of open containers or consumption in public restricted.

- A. No person shall have on or about his person, possess, carry or transport liquor, wine, beer or other alcoholic beverages in open containers in or about any public sidewalk, street, alley, walkway, public park or playground or any other public place in the Borough of Pennsburg. No person shall drink or consume liquor, wine, beer or other alcoholic beverages in or upon any street, sidewalk, alley, walkway, public park or playground or any other public place in the Borough of Pennsburg except as hereinafter provided.
- B. Possession and consumption of alcoholic beverages may be permitted on borough property under such regulations as shall be promulgated from time to time by the Borough Council with the advice and concurrence of the Borough Council.
- C. Any person or persons desiring to possess and consume alcoholic beverages on any borough property may do so only after obtaining written permission from the Borough Council.
- D. Failure to obtain permission from the Borough Council as aforesaid in Subsection C shall constitute a violation of this chapter and shall be subject to the penalties provided in § 3-3 herein.

§ 3-3. Violations and penalties.

Any person who shall violate any provision of this chapter shall, upon conviction before any District Justice, be subject to a fine of not less than \$25 nor more than \$300, together with costs of prosecution for the violation, or, in default of payment thereof, shall suffer imprisonment for not more than 30 days.

§ 3-4. Word usage.

In this chapter, the singular shall include the plural, and the masculine shall include the feminine.