

BEVERAGE, ALCOHOL

Chapter 8

BEVERAGES, ALCOHOLIC

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(HISTORY: Adopted by Attica Village Board 8-4-72. Amendments noted where applicable.)

GENERAL REFERENCES

Assemblages-See Ch. 4.
Curfew-See Ch. 12..
Noise-See Ch. 34.
Park rules and regulations-See Ch. 36.
Streets and sidewalks- See Ch. 51
Vehicle and traffic-See Ch. 56.

8-1. Purpose

The Board of Trustees finds that the consumption of beer and other alcoholic beverages in public streets and public places, except under certain conditions. Is detrimental to the health, safety and welfare of its residents. Causes unsightly and unsanitary conditions and creates a nuisance.

8-2. Drinking in public restricted.

No person shall drink or consume any liquor, beer, wine or other alcoholic beverage while such person is on any public highway, public street, public parking area. Public place or in any vehicle parked or moving in any of such places within the Village of Attica. Excepting those places duly licensed for sale and consumption of alcoholic beverages on the premises. This prohibition shall not apply to the Village Park of the Village of Attica located on Exchange Street.

8-3. Open containers.

An open container or open bottle of alcoholic beverage in any vehicle shall be presumptive evidence that the same is in possession of all of the occupants thereof and in violation hereof.

8-4. Exceptions

The foregoing restrictions shall not apply in the event of a fair, picnic or other community gathering, for which special permission has been granted by the Board of Trustees, and for which a special license has been issued by the Alcoholic Beverage Control Board. And in addition thereto, the Board of Trustees, acting through the Village Clerk, may issue a picnic or party permit for the use of the Village Building for groups of persons so requesting, under conditions and subject to rules and regulations which may allow the consumption of alcoholic beverages in such public places.

8-5. Penalties for offenses.

A violation of this ordinance shall constitute an offense punishable by a fine not exceeding fifty dollars (\$50.) or by imprisonment in jail for ten (10) days, or by both such fine and imprisonment for the first offense, and by a fine not exceeding two hundred fifty dollars (\$250.) or by imprisonment for thirty (30) days. Or both such fine and imprisonment for a second or subsequent offense.

8-6. Severability.

Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole of any part thereof other than the part so decided to be unconstitutional.

8-7. When effective.

This ordinance shall become effective immediately.