

#37

adopted 12/6/19
official copy

ORDINANCE NO. 37
Effective 12/31/19

AN ORDINANCE PROHIBITING WITHIN THE TOWNSHIP OF WESTFALL, THE DRINKING OF "LIQUOR" OR "MALT OR BREWED BEVERAGES", UPON ANY PUBLIC STREET; OR PUBLIC MUNICIPAL PARKING LOT, OR PUBLIC PARK; OR PRIVATE PARKING LOT OPEN TO THE PUBLIC; OR IN ANY VEHICLE BEING OPERATED OR PARKED THEREON; AND PROHIBITING, WITHIN THE TOWNSHIP OF WESTFALL ANY PERSON TO HAVE IN SUCH PERSON'S CONTROL ANY OPEN CONTAINER CONTAINING "LIQUOR" OR "MALT OR BREWED BEVERAGES" UPON ANY PUBLIC STREET; OR PUBLIC MUNICIPAL PARKING LOT, OR PUBLIC PARK; OR PRIVATE PARKING LOT OPEN TO THE PUBLIC; AND FIXING PENALTIES FOR THE VIOLATION THEREOF.

SECTION 1: The following words or phrases, unless the context clearly indicates otherwise, shall have the meaning ascribed to them in this section:

"Liquor" and "Malt or Brewed Beverages" and "Container" and "Official Seal" shall mean the same as those words and phrases are defined in the "Liquor Code" of the Commonwealth of Pennsylvania.

"Open" when used in connection with a container shall mean any container which has been perforated in the case of a can or similar container or a container on which the cap has been loosened or the cork displaced and the official seal torn or mutilated.

SECTION 2: It shall be unlawful, within the Township of Westfall, for any person to drink "Liquor" or "Malt or Brewed Beverages" upon any public street, or public municipal parking lot; or public park; or private parking lot open to the public; or in any vehicle being operated or parked thereon.

SECTION 3: It shall be unlawful, within the Township of Westfall, for any person to have in such person's possession or in a vehicle under such person's control any open container containing "Liquor" or "Malt or Brewed Beverages" upon any public street; or public municipal parking lot; or public park; or private parking lot open to the public.

SECTION 4: The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.

SECTION 5: Any person who shall violate the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars and

and costs of Prosecution, and in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days.

ENACTED AND ORDAINED THIS 6th DAY OF December 1979.

WESTFALL TOWNSHIP SUPERVISORS

Georgell Campbell
Supervisor

Carlton L. Shroy
Supervisor

Kenneth H. Bar
Supervisor

Supervisor

ATTEST.

Kenneth H. Bar
Secretary

APPROVED THIS 26th DAY OF December, 1979.