

Chapter 24**ALCOHOLIC BEVERAGES**

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[HISTORY: Adopted by the Town Board of the Town of New Baltimore 12-8-1981 by L.L. No. 2-1981. Amendments noted where applicable.]

§ 24-1. Legislative intent.

The Town Board of the Town of New Baltimore hereby finds and declares it to be in the public interest and to protect the public welfare and safety to provide for the regulation of certain conduct in public places within the Town of New Baltimore.

§ 24-2. Definitions.

For the purpose of this chapter, the following terms used herein shall have the following meanings:

ALCOHOLIC BEVERAGE - Any alcoholic beverage, as so defined by the Alcoholic Beverage Control Law.

CONTAINER - Any bottle, can, cup or glass receptacle suitable for or used to hold any liquid.

PUBLIC PLACE - A place to which the public or a substantial group of persons has access, including but not limited to any highway, street, road, alley, bypass, sidewalk, parking area, shopping area, playground, park or recreation facility located within the Town of New Baltimore, except that the definition of a "public place" shall not include those premises duly licensed for the sale and consumption of alcoholic beverages on the premises or within and on private property

that is not a "public place" as defined in this section.

SPECIAL EVENT - A fair, picnic, block party, sidewalk activity or other community gathering in any public place.

§ 24-3. Possession of open containers restricted.

No person shall carry, transport or have in his possession in any public place, other than permitted public places, any open, resealed or partly empty bottle, can, container or similar article containing an alcoholic beverage of any kind or description as defined by the Alcoholic Beverage Control Law.

§ 24-4. Discarding of containers.

No person shall break, leave, discard or deposit in any manner any glass, bottle, glassware, crockery, can or container of any kind, make or description in any public place as herein defined in § 24-2, except in proper receptacles.

§ 24-5. Permits for special events.

- A. At least 10 calendar days prior to the proposed date of any special event and upon payment of a fee in an amount set by the Town Board by resolution, any person may apply to the Town Clerk, on his own behalf or on behalf of an organization, for a permit to possess and consume any alcoholic beverages described herein during or in the conduct of such special event.

[Amended 5-8-2001 by L.L. No. 3-2001]

- B. The application shall contain the following information:

- (1) The name of the applicant(s) and the address and telephone number of each. Where the applicant is an organization, the name and address of the organization and its officers shall be given.
- (2) The purpose of the special event, the date when it is proposed to be held, the approximate times when this event will start and terminate and the location of the assembly area.
- (3) Such other information as the Town Clerk may deem reasonably necessary.

**§ 24-6. Penalties for offenses. [Amended 4-8-1986
by L.L. No. 2-1986]**

Any person committing an offense against any provision of this chapter shall be guilty of a violation punishable by a fine not exceeding \$250 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.