

Chapter 104

ALCOHOLIC BEVERAGES

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[HISTORY: Adopted by the Borough Council of the Borough of East Washington as indicated in article histories. Amendments noted where applicable.]

ARTICLE I

Possession and Consumption in Public

[Adopted 11-9-1909 by Ord. No. 122; amended 9-16-2005 by Ord. No. 404]

§ 104-1. Definitions.

Unless the context otherwise requires, the following words or phrases shall be construed according to the definitions set forth below:

ALCOHOLIC BEVERAGES — Any spirits, wine, beer, ale or other liquid containing more than 1/2% of alcohol by volume which is fit for beverage purposes.

CONTAINER — Any bottle, can or other vessel in which alcoholic beverages are contained.

§ 104-2. Consumption.

No person shall consume any alcoholic beverage in any quantity upon any street, avenue, alley, sidewalk, stairway, thoroughfare or other public property within the Borough, nor shall any person consume any alcoholic beverage within five feet of any public way or thoroughfare while on a private stairway, doorway or other private property open to public view without the express or implied permission of the owner, his agent or other party in lawful possession thereof.

§ 104-3. Possession.

No person shall possess any container of alcoholic beverage, whether wrapped or unwrapped, which has been opened or on which the seal has been broken in any manner on any public street, avenue, alley, thoroughfare or other public property within the Borough, nor shall any person possess any container or alcoholic beverage within five feet of any public way or thoroughfare while on a private stairway, doorway, or other private property open to public view without the express or implied permission of the owner, his agent, or other person in lawful possession thereof.

§ 104-4. Exceptions.

Provided, however, that the provisions of §§ 104-2 and 104-3 above shall not apply to interior portions of any private dwelling, habitat or building, nor to the consumption or possession by persons in the areas herein designated of any duly prescribed and dispensed medication having alcoholic content as set forth in § 104-1 hereof, and provided further that the provisions of said §§ 104-2 and 104-3 above shall not apply to premises duly licensed by the Pennsylvania Liquor Control Board and to persons then and there patrons of said licensee.

§ 104-5. Violations and penalties. [Amended 11-7-2005 by Ord. No. 481]

Whosoever violates any of the provisions of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and/or to be imprisoned for a period not to exceed 90 days.