

ARTICLE I Open Containers [Adopted as Article 705 of the Codified Ordinances]

§ 88-1. Definitions.

As used in this article, certain terms are defined as follows:

**PUBLIC PLACE** — Any street, alley, sidewalk, park, playground or place to which the general public has access and a right to resort for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include the front or immediate front of any store, shop, restaurant, tavern or other place of business.

§ 88-2. Possession in public places prohibited.

No person within the city shall transport or have in his possession an open or unsealed bottle or container of alcoholic beverage when such person is in a public place.

§ 88-3. Possession in nonpublic places regulated.

No person within the city shall enter upon the private property of another having on his person an open or unsealed bottle or container of an alcoholic beverage without the permission, consent or invitation of the owner, occupant or other person having control of such private property.

§ 88-4. Violations and penalties.

A. Any person who violates any of the provisions of this article shall, upon conviction thereof in a summary proceeding before a District Justice, be fined:

(1) Twenty-five dollars for the first offense;

(2) One hundred dollars for any subsequent offense.

B. In default of payment thereof, such person shall be imprisoned for not more than 30 days.

C. The fines collected by the District Justice for violations of the provisions of this article shall be paid over to the city.