

## Part 3

## Alcoholic Beverages

§301. 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 one-half of one ( $\frac{1}{2}$ %) percent of alcohol by volume which is fit for beverage purposes.

CONTAINER - any bottle, can or other vessel in which alcoholic beverages are contained.

(Ord. 8, 8/5/1908; as revised by Ord. 263, 4/7/1992)

§302. 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 (5') 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. (Ord. 8, 8/4/1908; as revised by Ord. 263, 4/7/1992)

§303. 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 of alcoholic beverage within five (5') 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. (Ord. 8, 8/4/1908; as revised by Ord. 263, 4/7/1992)

§304. Exceptions. Provided however, that the provisions of §§302 and 303 of this Part 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 §301 of this Part; and provided further that the provisions of said §§302 and 303 of this Part shall not apply to premises duly licensed by the Pennsylvania Liquor Control Board and to persons then and there patrons of said licensee. (Ord. 8, 8/4/1908; as revised by Ord. 263, 4/7/1992)

§305. Penalty. Whosoever violates any of the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred (\$600.00) dollars plus costs and, in default of payment of said fine and costs, to be imprisoned for a period not to exceed thirty (30) days. (Ord. 8, 8/4/1908; as revised by Ord. 263, 4/7/1992)