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ARTICLE 703  
Consumption of Alcoholic Beverages

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703.01 DEFINITIONS

For the purposes of this Article, the following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

- a.) "Alcohol" shall mean ethyl alcohol of any degree of proof whether rectified or diluted with or without water, whatever may be the origin thereof, and shall include synthetic ethyl alcohol, but shall not mean or include ethyl alcohol that has been denatured or otherwise rendered unfit for beverage purposes.
- b.) "Alcoholic Beverage" shall mean and include any drink or drinkable liquid, preparation or mixture which contain alcohol.
- c.) "Container" shall mean and include any receptacle, vessel or form of package, keg, can, bottle, cup, glass, mug or conduit used or capable of using for holding, storing, transferring or shipment of alcoholic beverages.
- d.) "Open Container" shall mean and include any container which has been unsealed for the purpose of removing the contents thereof or from which contents may be removed due to such unsealing.
- e.) "Vehicle" shall mean and include ever device in, upon or by which any person or property is or may be transported, except devices used exclusively upon rails or tracks. (Ord. 6 of 1979, Sect. 2, Passed 8-6-79; Ord. 11 of 1979, Sect. (b), Passed 10-15-79)

703.02 CONSUMPTION OF ALCOHOLIC BEVERAGE OR POSSESSION OF OPEN CONTAINER CONTAINING ALCOHOLIC BEVERAGE FORBIDDEN

No person shall consume any alcoholic beverage or be in possession of any alcoholic beverage in an open container in any public park within the corporate limits of the City or on any street, roadway, alley or public sidewalk within the said corporate limits, or in, on or adjacent to any public facility of the City, nor shall any person consume any alcoholic beverage or be in possession of any alcoholic beverage in an open container while in or on a vehicle being operated upon, or parked, stopped or standing on, a street, roadway, alley or public sidewalk, or in any public parking area, or in, on or adjacent to any public park or public facility within the corporate limits of the City. (Ord. 6 of 1979, Sect. 3, Passed 8-6-79)

### 703.03 WAIVER

A waiver of the foregoing prohibition may be made by the City Manager or, in his absence, the Administrative Aide, in the event of any City-approved community gathering, entertainment or meeting, upon written application approved by the City Manager, and the said waiver may allow consumption of alcoholic beverages on those parts of public lands, public parks, streets, roadways, alleys or sidewalks within the corporate limits of the City, or in, on or adjacent to any public facility of the City, wherein said gathering, entertainment or meeting shall be conducted and only during those hours when the said function is to be conducted. (Ord. 4 of 1981, Sect. 1, Passed 4-6-81)

### 703.99 PENALTY

Any person who violates any provision of this Article shall, upon conviction thereof in a summary proceeding before any District Justice having jurisdiction of such offense, be sentenced to pay a fine of not less than Twenty-Five (\$25.00) Dollars, nor more than Three Hundred (\$300.00) Dollars, or to undergo imprisonment not exceeding ninety (90) days, or both, in the discretion of the District Justice. (Ord. 6 of 1979, Sect. 4, Passed 8-6-79)