

VILLAGE OF ALFRED, NEW YORK

LOCAL LAW #2015-3

OPEN CONTAINER LAW

Section 1. Legislative intent

The Board of Trustees of the Village of Alfred hereby finds and declares it to be in the public interest to provide for the regulation of certain conduct in public places within the Village of Alfred.

Section 2. Definitions

For the purpose of this law, 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 – includes 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 recreational facility located within the Village of Alfred, 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.

Section 3. Carrying of open containers prohibited

No person shall carry, transport or have in his possession with the intent to consume 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.

Section 4. Exceptions

The foregoing prohibition shall not apply in the event of a fair, picnic, block party, sidewalk activity or other community gathering in any public place for which special permission has been granted by the Village of Alfred, New York.

Section 5. Deposit of containers prohibited

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 Section 2.

Section 6. Penalties

Each violation of this Local Law shall be punishable by a fine of not less than fifty dollars (\$50.00) and not more than two hundred and fifty dollars (\$250.00) for each offense. A violation of this local law shall constitute disorderly conduct, and any person violating the same shall be declared a disorderly person.