

Chapter 38

ALCOHOLIC BEVERAGES

§ 38-1. Findings.

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§ 38-3. Consumption and possession.

§ 38-4. Exemptions.

§ 38-5. Penalties for offenses.

[**HISTORY:** Adopted by the Board of Trustees of the Village of Wilson 2-15-1973. Amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order — See Ch. 110.

§ 38-1. Findings.

The Board of Trustees of the Village of Wilson, New York, finds that the consumption of beer and other alcoholic beverages and the possession of open containers thereof on public streets, public sidewalks, public parking areas or public parks, on any public highway, in or on any vehicle or in any public place except under certain conditions is detrimental to the health, safety, welfare, peace and good order of its residents and the protection and security of their property, causes unsightly and unsanitary conditions and creates a nuisance.

§ 38-2. Definitions.

For the purpose of this chapter, the terms used herein are defined as follows:

ALCOHOLIC BEVERAGES — Any commodity for which a license is required under the Alcoholic Beverage Control Law.

§ 38-3. Consumption and possession.¹

No person shall drink or consume or have in his possession any open bottle or container containing liquor, beer, wine or other alcoholic beverage while such person is on any public street, public sidewalk, public parking area or public park, on any public highway or in or on any public place within the Village of Wilson except those premises duly licensed for sale and consumption of alcoholic beverages on the premises.²

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

² Editor's Note: Former § 4-4, Presumptive evidence of possession, which immediately followed this section, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

§ 38-4. Exemptions.

The foregoing restrictions shall not apply in the event of a fair, picnic or other community gathering for which special permission has been granted by the Board of Trustees and for which a special license has been issued by the Alcoholic Beverage Control Board.

§ 38-5. Penalties for offenses.³

A violation of this chapter or any regulation, order or rule promulgated hereunder shall be punishable, upon conviction, by a fine or imprisonment, or both, as provided in Chapter 1, General Provisions, Article II.

³ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.