Submitted on: 9/10/09

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ALCOHOLIC BEVERAGE PERMIT

Permit for the serving and consumption of alcoholic beverages in a public place within the Town of Lewisboro.

Permission is hereby requested for the serving and consumption of alcoholic beverages at:

_____

between the hours of _____ and _____

on _____ in accordance with Section 78 Read Section 78

Alcoholic Beverages, of the Code of the Town of Lewisboro.

GROUP OR ORGANIZATION: _____

ADDRESS: _____

PERSON IN CHARGE: _____

PHONE: _____

TYPE OF FUNCTION: _____

I hereby certify ☐ that I have read and understand the provisions of Section 78 Alcoholic Beverages, of the code of the Town of Lewisboro regarding the consumption of alcoholic beverages in public places.

E-mail: _____

If you are sending a printed form by mail, please sign here: _____

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Permission is hereby given for the consumption of alcoholic beverages in accordance with the above application and Section 78 of the Town Code.

_ _ _ _

Chapter 78: ALCOHOLIC BEVERAGES

Go to form

[HISTORY: Adopted by the Town Board of the Town of Lewisboro 10-11-1977 by L.L. No. 3-1977. Amendments noted where applicable.] **GENERAL REFERENCES** Cabarets — See Ch. 98.

§ 78-1. Title.

This chapter shall be known and cited as the "Town of Lewisboro Local Law No. 3-1977, Regulating Consumption of Alcoholic Beverages in Public Places."

§ 78-2. Legislative intent.

The Town of Lewisboro recognizes that consumption of alcoholic beverages in public places must be adequately controlled so as to prevent public disorder, nuisances, littering and other acts and conditions detrimental to the health, safety and welfare of the residents of the Town, and this chapter is intended to provide such control and regulation.

§ 78-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALCOHOLIC BEVERAGE — Includes all beverages as defined in § 3 of the Alcoholic Beverage Control Law of the State of New York.

CONTAINER — Any bottle, can, glass, cup or similar receptacle suitable for or used to hold any liquid.

PUBLIC PLACE — Any highway, street, sidewalk, park, playground, parking lot, shopping center, mall or any other place to which the public or a substantial group of persons has access, but excluding those public places wherein the use and consumption of alcoholic beverages is authorized pursuant to a license or permit issued under the Alcoholic Beverage Control Law.

§ 78-4. Prohibited acts.

No person shall consume or ingest any alcoholic beverage in any public place within the Town of Lewisboro. Carrying on the person, holding or possessing any open, unsealed, resealed or partially full bottle, can or container of an alcoholic beverage in a public place as hereinabove defined shall constitute prima facie evidence of a violation of this section.

§ 78.5. Presumptive Evidence

Any open, unsealed, resealed or partially full bottle, can or container which contains an alcoholic beverage found in any vehicle in any such public place shall be presumptive evidence that the same is in possession of all the occupants of said vehicle and in possession of the person last having control and custody of said vehicle.

§ 78-6. Exceptions.

The foregoing prohibition against drinking alcoholic beverages in public places or possessing open, unsealed, resealed or partially empty bottles, can or containers of such alcoholic beverage shall not apply nor be a violation of this chapter in the event of a gathering, function or event sponsored by a local Fire Department, recognized civic organization or recognized church organization or an event which has been granted special permit by the Town Board of the Town of Lewisboro or its authorized official.

§ 78-7. Penalties for offenses. [Amended 8-14-1984 by L.L. No. 4-1984]

Any person upon conviction for violation of this chapter shall be guilty of a violation as defined in Article 10, § 10.00, Subdivision 3, of the Penal Law, which shall be punishable as follows:

A. For a first offense, by payment of a fine not less than $25 nor in excess of $100, or by imprisonment for 10 days, or by both such fine and imprisonment.

B. For a second or subsequent offense, by payment of a fine of not less than $100 nor in excess of $200 or by imprisonment for 15 days, or by both such fine and imprisonment.