

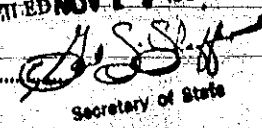
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(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED NOV 19 1986



Secretary of State

County:  
~~City~~ of Prattaville  
Town  
Village

Local Law No. One of the year 19 86

A local law regulating the consumption of alcoholic beverages in a public place (Insert Title)

Be it enacted by the Town Board of the (Name of Legislative Body)

County  
~~City~~ of Prattaville  
Town  
Village as follows:

A local law regulating the consumption of alcoholic beverages in a public place within the town of Prattaville.

Section 1. It is the purpose of this local law to protect the public interest, welfare, health and safety within the town of Prattaville, by prohibiting the consumption of alcoholic beverages in public places within the town. The town board finds that possession of an open container of alcoholic beverage in a public place within the town has led to consumption of the same, resulting in public intoxication, disorderly conduct, disturbance of the public peace, littering of the public places and destruction of property. The town board finds further that preservation of the public weal and prevention of conditions which lead to conduct disturbing the public peace attributable to consumption of alcoholic beverages, can be accomplished by the prohibition of consumption of alcoholic beverages in public places, and by restricting the possession of an open or unsealed container of alcoholic beverages under circumstances which indicate that the possessor of such open or unsealed container in a public place intends to consume the same or intends to have it consumed by another person.

Section 2. Definitions. The following terms used in this local law shall have the following meaning, unless the context requires or indicates a different meaning:

a. "Alcoholic beverage" shall mean and include alcohol, spirits, liquor, wine, beer, cider and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being.

(If additional space is needed, please attach sheets of the same size as this and number each)

b. "Container" shall mean any bottle, can, glass or other receptacle suitable for, or used to hold, any liquid.

c. "Public place" shall mean any highway, street, sidewalk, park or playground or town building in the town.

d. "Town" shall mean the Town of Prattsville.

Section 3. Prohibition. It shall be a violation of this local law for any person to:

a. consume any alcoholic beverage in any public place within the town;

b. have in his possession an open or unsealed container of an alcoholic beverage while in any public place for the purpose of consuming such alcoholic beverage by himself or by another in any public place.

Section 4. Exceptions. The foregoing prohibition shall not apply to consumption of an alcoholic beverage or possession for the purpose of consumption in any public place, where the same is authorized by license or permit under the laws and regulations of this state and under the regulations of the town; nor shall such prohibition apply to the possession of an open or unsealed container of an alcoholic beverage solely for the purpose of transporting the same without an intent or indication to consume the same in any public place.

Section 5. Application. This local law shall not apply to any person in violation of section 1227 of the Vehicle and Traffic Law.

Section 6. Penalties. Each violation of this local law shall be punishable by a fine not exceeding \$250 for each offense or by imprisonment not exceeding 15 days or by both such fine and imprisonment.

Section 7. Severability. If any provision of this local law shall be invalidated by any court, such provision shall be deemed severable and the remaining provisions shall continue in full force and effect.

Section 8. This local law shall take effect 10 days from the date of filing in the Office of the Secretary of State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1986.  
of the ~~County~~ City of Prattsville was duly passed by the Town Board  
~~Town~~ Village (Name of Legislative Body)  
on August 11, 1986 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,\* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
~~Town~~ Village (Name of Legislative Body)  
on \_\_\_\_\_, 19\_\_\_\_\_, not disapproved  
and was approved \_\_\_\_\_ by the \_\_\_\_\_  
repassed after disapproval \_\_\_\_\_ Elective Chief Executive Officer \*  
and was deemed duly adopted on \_\_\_\_\_, 19\_\_\_\_\_, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
~~Town~~ Village (Name of Legislative Body)  
on \_\_\_\_\_, 19\_\_\_\_\_, not disapproved  
and was approved \_\_\_\_\_ by the \_\_\_\_\_  
repassed after disapproval \_\_\_\_\_ Elective Chief Executive Officer \*  
on \_\_\_\_\_, 19\_\_\_\_\_. Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive general  
thereon at the special election held on \_\_\_\_\_, 19\_\_\_\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the City of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
~~Town~~ Village (Name of Legislative Body)  
on \_\_\_\_\_, 19\_\_\_\_\_, not disapproved  
and was approved \_\_\_\_\_ by the \_\_\_\_\_  
repassed after disapproval \_\_\_\_\_ Elective Chief Executive Officer \*  
on \_\_\_\_\_, 19\_\_\_\_\_. Such local law being subject to a permissive referendum and no  
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on  
\_\_\_\_\_ 19\_\_\_\_\_, in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19.... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on ..... 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. .... of 19.... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ..... 19..... pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ..... 1..... above.

*Mildred Harkness, Town Clerk*  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body  
Mildred Harkness, Town Clerk

Date: November 5, 1986

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK

COUNTY OF GREENE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*Charles H. Schaefer*  
Charles H. Schaefer  
Town Counsel

Date: October 24, 1986

Town of Prattsville