

*Boro Copy*

AN ORDINANCE - #383

PROVIDING FOR THE PROTECTION OF THE PUBLIC BY CONTROLLING CONSUMPTION OF ALCOHOLIC BEVERAGES AFTER LEGAL CLOSING HOURS UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AND REGULATING THE TIMES FOR CONSUMPTION OF ALCOHOLIC BEVERAGES IN CERTAIN ESTABLISHMENTS, AND PROVIDING CRIMINAL PENALTIES FOR VIOLATION OF THE ORDINANCE.

WHEREAS, it is the intention of the Boro Council of the Boro of Koppel to make appropriate provisions for maximum safety for the citizens of the Boro of Koppel and neighboring areas, and

WHEREAS, it is the belief of the Boro of Koppel that the safety of the citizens of the Boro of Koppel and the general public has been jeopardized by actions of persons under the influence of alcoholic beverages consumed at various hotels, bars, taverns, clubs and similar establishments within the Boro of Koppel at times when such establishments are not permitted to sell or dispense alcoholic beverages under the regulations of the Pennsylvania Liquor Control Board and under the laws of the Commonwealth of Pennsylvania and

WHEREAS, the Boro Council of the Boro of Koppel has received information that the proprietors of certain hotels, bars, taverns, clubs and similar establishments within the Boro of Koppel have attempted to circumvent the regulations of the Pennsylvania Liquor Control Board and the laws of the Commonwealth of Pennsylvania by selling substantial quantities of alcoholic beverages to customers immediately prior to the latest time permitted for the sale of alcoholic beverages, and by sales after the hours when sales are permitted, and

WHEREAS, it is the belief of the Boro Council of the Boro of Koppel that such sales and consumption of alcoholic beverages at times when such sales are not permitted are jeopardizing the health and safety of the general public, it is theretore ordained as follows:

SECTION 1. The Police Department and Mayor of the Boro of Koppel shall be charged with the duty of enforcement of this ordinance.

SECTION 2. From and after the effective date of this ordinance, there shall be a presumption in all instances within the Boro of Koppel where alcoholic beverages are found unconsumed but in the possession or control of any customer, patron or any person other than the proprietor or licensee of any establishment permitted to dispense liquor or malt beverages under the laws of the Commonwealth of Pennsylvania at a time more than one-half hour after the time permitted for sales of such beverages by the regulations of the Pennsylvania Liquor Control Board, or the laws of the Commonwealth of Pennsylvania, that such beverages shall have been unlawfully sold by the proprietor or licensee of such establishment after the time permitted for sales of alcoholic beverages by the aforesaid regulations or laws. Such presumption of the time of sale shall apply in all prosecutions for violations of regulations of the Pennsylvania Liquor Control Board and the laws of the Commonwealth of Pennsylvania and Ordinance of the Boro of Koppel.

SECTION 3. From and after the effective date of this ordinance, it shall be unlawful for any person to enter or remain on the premises of any establishment permitted by law to dispense alcoholic beverages for the purpose of consuming alcoholic beverages in or about such premises at a time more than one-half hour after the latest time when sales of alcoholic beverages are legally permitted for such establishment.

SECTION 4. From and after the effective date of this ordinance, it shall be unlawful for any person to loiter or remain outside the premises of any establishment permitted for sales of alcoholic beverages more than one-half hour after the latest time when sales of alcoholic beverages are legally permitted for such establishment.

SECTION 5. This ordinance shall become effective OCTOBER 1<sup>st</sup> - 1986.

SECTION 6. Any person convicted of a violation of any provision of this ordinance by any Justice of the Peace or Court having jurisdiction of the case, shall be subject to a fine of not less than One Hundred (\$100.00) Dollars and not more than Three Hundred (\$300.00) Dollars and/or thirty (30) days confinement in prison.

Borough of Koppel

By:

Samuel B. Crangi  
Samuel B. Crangi  
President of Council

Attest:

Carmella Pietrandrea

Carmella Pietrandrea  
Borough Secretary

Approved this 1st day of October 1986

Fred Botte  
Fred Botte  
Mayor