

BOROUGH OF GORDON  
SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 94-10

AN ORDINANCE OF THE BOROUGH OF GORDON PROHIBITING THE DRINKING OF "LIQUOR" OR "MALT OR BREWED BEVERAGES" UPON ANY PUBLIC STREET, PUBLIC SIDEWALK, OR PUBLIC PARK, OR IN ANY VEHICLE BEING OPERATED OR PARKED THEREON, AND PROHIBITING ANY PERSON TO HAVE IN SUCH PERSON'S POSSESSION OR IN A VEHICLE UNDER SUCH PERSON'S CONTROL ANY OPEN CONTAINER CONTAINING "LIQUOR" OR "MALT OR BREWED BEVERAGES" UPON ANY PUBLIC STREET OR PUBLIC PARK OPEN TO PUBLIC USE AND FIXING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Gordon, and it is hereby enacted and ordained by the authority of same:

SECTION 1. The following words or phrases, unless the context clearly indicates otherwise, shall have the meaning ascribed to them in this Section.

(a) "Liquor" and "Malt or Brewed Beverages" and "Container" shall mean the same as those words and phrases are defined in the "Liquor Code" of the Commonwealth of Pennsylvania.

(b) "Open" when used in connection with a container shall mean any container which has been perforated in the case of a can or similar container or a container in which the cap has been removed.

SECTION 2. It shall be unlawful within the Borough of Gordon, for any person to drink "liquor" or "malt or brewed beverages" upon any public street, public sidewalk or public park open to public use, or in any vehicle being operated or parked thereon.

SECTION 3. It shall be unlawful within the Borough of Gordon for any person to have in such person's possession or in a

vehicle under such person's control any open container containing liquor or malt or brewed beverages upon any public street, public sidewalk or public park which are open to public use.

SECTION 4. The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not effect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or otherwise invalid provision had not been included herein.

SECTION 5. Any person who shall violate the provisions of this Ordinance, shall, upon conviction thereof, be sentenced to pay a fine not to exceed One Hundred (\$100.00) Dollars and costs of prosecution, and in default of payment of such fines and costs, to undergo imprisonment for not more than thirty (30) days.

SECTION 6. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

ENACTED AND ORDAINED this 10 day of Jan, 1994.

BOROUGH OF GORDON

ATTEST:

[Signature]  
SECRETARY, BOROUGH COUNCIL.

[Signature]  
PRESIDENT, BOROUGH COUNCIL

APPROVED:

[Signature]  
MAYOR