

TOWN OF BETHEL
NOTICE OF ADOPTION OF ORDINANCE TO
REGULATE THE USE OF ALCOHOLIC BEVERAGES IN
PUBLIC PLACES OF THE TOWN OF BETHEL

Notice is hereby given to the residents and those interested in lands in the Town of Bethel, Vermont that on July 28, 1997 the Board of Selectmen adopted an ordinance entitled, "Ordinance to Regulate the Use of Alcoholic Beverages in Public Places of the Town of Bethel." This ordinance was enacted for the purpose of prohibiting the consumption of alcoholic beverages or the possession of open containers containing alcoholic beverages in public places in the Town of Bethel.

The ordinance contains the following section:

- Section 1 - Authority
- Section 2 - Prohibition
- Section 3 - Definitions
- Section 4 - Penalty
- Section 5 - Enforcement
- Section 6 - Severability

The full text of this ordinance may be reviewed at the Bethel Town Clerk's office during normal business hours.

This ordinance shall become effective on the 1st day of October, 1997 unless five percent (5%) of the qualified voters of the Town by written petition filed with the Town Clerk no later than September 10, 1997 request that the voters of the Town disapprove the ordinance at a duly warned annual or special meeting.

Dated at Bethel, Vermont this 28th day of July, 1997.

Selectmen

Bruce J. McLaughlin
John J. [unclear]
Frank C. [unclear]

AN ORDINANCE REGULATING THE USE OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES OF THE TOWN OF BETHEL, VERMONT.

Section I. Authority: This ordinance is adopted pursuant to the authority granted the Town to promote the public health, safety and welfare set forth in 24 V.S.A. §2291(17) and (18). This ordinance shall be a criminal ordinance within the meaning of 24 V.S.A. chapter 59.

Section II. Prohibition: The following conducts is prohibited in the Town of Bethel:

- A. The consumption of an alcoholic beverage by any person within or upon a public place.
- B. The possession by any person of an open container containing any quantity of alcoholic beverage within or upon a public place.

Section III. Definitions:

- A. Alcoholic beverage: any fermented, distilled, or fortified beverage as would contain more than one percent of alcohol by volume at sixty degrees Fahrenheit.
- B. Public Place: Public highways, roads, streets, or parking lots to which the general public has the right to visit or resort, and all lands and buildings owned by the Town of Bethel including but not necessarily limited to the following places being commonly known and so-called as: Peavine Park, Fort Fortitude, the Church Street Common, the Recreation Area westerly of Pleasant Street, the Municipal Office property on South Main Street, the Wastewater Treatment facility off Route 107 South, the Old Town Hall property on Main Street, the new fire Station property on Route 12 North, the Town Garage property on Town Highway #46. Property owned by the Bethel School district shall not be considered a Public Place for the purpose of this ordinance.

Section IV. Penalty: Violation of this ordinance shall be a misdemeanor subject to a fine of not more than \$500.00 or imprisonment for not more than one year, for each violation.

Section V. Enforcement: This ordinance shall be enforced in accordance with the provisions of 24 V.S.A. §1974. The Town's constable(s) or any other law enforcement officers acting in assistance to or on behalf of the Town's constable(s) shall be designated enforcement Officers.

Section VI. Severability: If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

Attest

Jean Burnham

~~Signed~~

Town Clerk

~~Paul C. Tye~~
~~Ben J. McLaughlin~~
Paul C. Tye

Board of Selectmen