

ORDINANCE 1227

(5 of 1986)

AN ORDINANCE CONTROLLING THE CONSUMPTION OF ALCOHOLIC BEVERAGES AFTER LEGAL CLOSING HOURS IN ESTABLISHMENTS PERMITTED TO SERVE SUCH BEVERAGES AND REGULATING THE TIMES FOR CONSUMPTION OF THE SAME.

WHEREAS, it has come to the attention of Borough Council that certain premises in this Municipality licensed by the Pennsylvania Liquor Control Board which/<sup>sell</sup> alcoholic beverages have been permitting patrons to remain in such establishments after legal closing hours for the purpose of consuming beverages, and

WHEREAS, Council believes that the safety of the residents of this Municipality and the general public has been jeopardized by the actions of persons under the influence of alcoholic beverages which were consumed at certain establishments after legal closing hours, and

WHEREAS, Council believes that such circumstances of the law is not in the best interests of the health, welfare and safety of the general public.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF DONORA, as follows:

SECTION ONE: It shall be unlawful for any person to enter or remain in any establishment licensed by the Pennsylvania Liquor Control Board for the sale of alcoholic beverages at a time more than one-half hour after the latest time when sales of alcoholic beverages are legally permitted for such establishment.

SECTION TWO: It shall be unlawful for the Owner, Proprietor or other Person legally responsible for the operation of any premises licensed by the Pennsylvania Liquor Control Board for the sale of alcoholic and/or malt beverages to permit the sale of the same at any time past the latest time when such beverages are legally permitted to be sold.

SECTION THREE: It shall be unlawful for a steward, manager, bartender or any other person to sell, furnish or serve alcoholic and/or malt beverages to business patrons, guests or invitees at any time past the latest time when such sales are legally permitted to be sold.

SECTION FOUR: There shall be a presumption in all instances within the Borough of Donora 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 sell liquor or malt beverages at a time more than one-half hour after the time permitted for sales of such beverages by law, that such beverages have been sold by the proprietor or licensee after the time permitted for such sales.

SECTION FIVE: The Police Department of the Borough of Donora shall be charged with the duty of enforcing this Ordinance.

SECTION SIX: All appropriate provisions of the Pennsylvania Liquor Code and those Rules and Regulations of the Pennsylvania Liquor Control Board are hereby incorporated into the terms of this Ordinance as if the same were set forth in their entirety.

SECTION SEVEN: Any person violating the terms of this Ordinance shall be guilty of a summary offense and subject to a fine of up to Three Hundred (\$300.00) Dollars or thirty (30) days incarceration or both.

ADOPTED this 25 day of SEPTEMBER, 1986.

John Liguilli  
President of Council

EXAMINED AND APPROVED this 25 day of Sept, 1986.

Anthony A. Massara  
Mayor

ATTEST:

Robert A. Pansack  
Borough Secretary