

TOWN OF JACKSON
LOCAL LAW NO. 3 OF 1975 AMENDING TOWN
OF JACKSON LOCAL LAW OF 1967 ENTITLED
"LOCAL LAW PROHIBITING CONSUMPTION OR
POSSESSION WITH INTENT TO CONSUME ALCO-
HOLIC BEVERAGES ON PUBLIC HIGHWAYS AND
PUBLIC PLACES"

BE IT ENACTED, by the Town Board of the Town of Jackson as
follows:

Section 1. Town of Jackson local law of 1967 entitled "Local
law prohibiting consumption or possession with intent to consume
alcoholic beverages on public highways and public places" is hereby
amended to read as follows:

LOCAL LAW PROHIBITING CONSUMPTION
OR POSSESSION WITH INTENT TO CONSUME
ALCOHOLIC BEVERAGES IN PUBLIC PLACES

1. It shall be unlawful for any person while in a public place
to consume any alcoholic beverage, as the same are defined in the Alco-
holic Beverage Control Law or to possess any such alcoholic beverage
with intent to consume the same while in a public place.

2. For purposes of this local law, the term "public place" means
a place to which the public has access on a regular basis and includes,
but is not limited to, highways, schools, places of amusement, parks,
playgrounds, and hallways, lobbies and other portions of apartment houses
and hotels not constituting rooms or apartments designed for actual residence,
but does not include the interior to which the public has access of any
building premises which are duly licensed to offer for retail sale to
the public any alcoholic beverages, as the same are defined by the Alcoholic
Beverage Control Law, for on-premises consumption, but does include the
external environs of said duly licensed premises including parking lots
thereof and all other external land areas upon which said premises are
situate.

3. Possession of an open alcoholic beverage container of whatever
type by any person in a public place shall create the presumption that
such person did consume or intend to consume the contents thereof in said
public place.

4. Violation of the provisions of this Section shall be punishable
by a fine of not more than \$50.00, or by imprisonment by not more than thirty
(30) days, or by both such fine and imprisonment.

5. If any part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder thereof.

Section 2. This local law, as amended, shall take effect immediately.