

**OPEN CONTAINER ORDINANCE FOR THE TOWN OF
LUMBERPORT**

**AN ORDINANCE PROHIBITING
INTOXICATION OR DRINKING IN PUBLIC PLACES; OPEN
CONTAINERS OF ALCOHOLIC LIQUOR OR
NONINTOXICATING BEER IN A PUBLIC PLACE; ILLEGAL
POSSESSION.**

No Person Shall:

- (a) Appear in a public place in an intoxicated condition;
- (b) Drink alcoholic liquor or non-intoxicating beer or have an open container of alcoholic liquor or non-intoxicating beer in or on any public sidewalk, walkway, entranceway, street, lane, or other public place;
- (c) Drink alcoholic liquor or non-intoxicating beer in a motor vehicle on any street, alley or in a public garage. No person shall possess an open container of alcoholic liquor or non-intoxicating beer in a motor vehicle except in a place which can be reached only by leaving the vehicle;
- (d) Tender a drink of alcoholic liquor or non-intoxicating beer to another person in a public place;
- (e) Possess alcoholic liquor in the amount in excess of ten gallons, in containers not bearing stamps or seals of the West Virginia Alcohol Beverage Commissioner, without having first obtained written authority from the Commissioner therefor;
- (f) Possess any alcoholic liquor which was manufactured or acquired in violation of the provision of West Virginia Code Chapter 60.

Whoever violates any subsection of this code is guilty of a misdemeanor for a first offense shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00).

(WVaC 60-6-9)

(Town of Lumberport 521-06)

PASSED ON FIRST READING

DATE: 5-5-03

ADOPTED ON SECOND READING
After a public hearing held immediately
Prior to regular meeting of Council,
Which public hearing was given by
Publication.

DATE: 6-2-03

William A. Beemer
TOWN RECORDER

By H. H. H.
MAYOR