

CITY OF JEANNETTE

BILL NO. 89 - 8

ORDINANCE NO. 89 - 8

AN ORDINANCE PROVIDING FOR THE PROTECTION OF THE PUBLIC BY CONTROLLING CONSUMPTION OF ALCOHOLIC BEVERAGES AFTER LEGAL CLOSING HOURS IN ESTABLISHMENTS PERMITTED TO SERVE ALCOHOLIC BEVERAGES UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AND REGULATING THE TIMES FOR CONSUMPTION OF ALCOHOLIC BEVERAGES IN CERTAIN ESTABLISHMENTS AND PROVIDING CRIMINAL PENALTIES FOR VIOLATION OF THE ORDINANCE.

WHEREAS, it is the intention of the City Council of the City of Jeannette to make appropriate provisions for maximum safety for the citizens of the City of Jeannette and neighboring areas, and

WHEREAS it is the belief of the City Council of the City of Jeannette that the safety of the citizens of the City of Jeannette and the general public has been jeopardized by actions of persons under the influence of alcoholic beverages consumed at various hotels, bars, taverns, clubs and similar establishments within the City of Jeannette at times when such establishments are not permitted to sell or dispense alcoholic beverages under the regulations of the Pennsylvania Liquor Control Board and under the laws of the Commonwealth of Pennsylvania, and

WHEREAS, the City Council of the City of Jeannette has received information that the proprietors of certain hotels, bars, taverns, clubs and similar establishments within the City of Jeannette have attempted to circumvent the regulations of the Pennsylvania Liquor Control Board and the laws of the Commonwealth of Pennsylvania by selling substantial quantities of alcoholic

beverages to customers immediately prior to the latest time permitted for the sale of alcoholic beverages, and by sales after the hours when sales are permitted, and

WHEREAS, it is the belief of the City Council of the City of Jeannette that such sales and consumption of alcoholic beverages at times when such sales are not permitted are jeopardizing the health and safety of the general public, it is therefore ordained as follows:

SECTION 1. The Police Department of the City of Jeannette shall be charged with the duty of enforcement of this ordinance.

SECTION 2. From and after the effective date of this ordinance, there shall be a presumption in all instances within the City of Jeannette 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 dispense liquor or malt beverages under the laws of the Commonwealth of Pennsylvania at a time more than one-half ($\frac{1}{2}$) hour after the time permitted for sales of such beverages by the regulations of the Pennsylvania Liquor Control Board, or the laws of the Commonwealth of Pennsylvania, that such beverages shall have been sold by the proprietor or licensee of such establishment after the time permitted for sales of alcoholic beverages by the aforesaid regulations or laws. Such presumption of the time of sale shall apply in all prosecutions for violations of regulations of the Pennsylvania Liquor Control Board and the laws of the Commonwealth of Pennsylvania and Ordinances of the City of Jeannette.

SECTION 3. From and after the effective date of this ordinance, it shall be unlawful for any person to enter or remain on the premises of any establishment permitted by law to dispense alcoholic beverages for the purpose of consuming alcoholic beverages in or about such premises at a time more than one-half ($\frac{1}{2}$) hour after the latest time when sales of alcoholic beverages are legally permitted for such establishment.

SECTION 4. This ordinance shall become effective upon final passage.

SECTION 5. Any person convicted of a violation of any provision of this ordinance by any District Magistrate or Court having jurisdiction of the case, shall be subject to a fine of Three Hundred (\$300.00) Dollars or thirty (30) days confinement in prison or both.

ORDAINED AND ENACTED by the City Council of the City of Jeannette, Pennsylvania, this 12TH day of July, 1989.

Attest:



Glenn D. Hoak, Mayor



Richard S. Laskey, City Clerk