

ORDINANCE NO. 21

AN ORDINANCE PROHIBITING THE POSSESSION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES IN CERTAIN PUBLIC PLACES WITHIN THE TOWN OF MARDELA SPRINGS, MARYLAND

BE IT ORDAINED AND ENACTED BY THE COMMISSIONERS OF MARDELA SPRINGS, AS FOLLOWS:

Section I. DEFINITION:

(a) Alcoholic beverages shall include all beverages requiring a license for sale, including, by way of example, beer, wine, ale, liquors and liquers in their original containers or in cups, glasses or other containers and all mixtures of such beverages in mixed drinks or highballs containing five percent (5%) alcohol content by volume.

(b) Open containers shall be defined as including all containers which, in the original form sold, contain less than one liter. It shall also include any larger container without a tightly affixed cap or cork capable of preventing leakage. It shall also include all glasses, cups or other types of containers made without cap or top or with a cap or top through which a straw may be inserted.

(c) Possession shall be defined as having the alcoholic beverage in hand, within arm's length, or within the same vehicle.

Section II. POSSESSION OF OPEN CONTAINERS IN PUBLIC:

It shall be unlawful for any person to possess in an open container any alcoholic beverage on a public street, highway, alley, sidewalk, public parking lot or park within the Town of Mardela Springs, Maryland.

Section III. PENALTIES:

Any person or persons violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction before the District Court of Wicomico County, shall be subject to a fine not exceeding One Hundred Dollars (\$100.00) and stand committed to jail until said fine and costs are paid..

AND BE IT FURTHER ORDAINED AND ENACTED by the Commissioners of Mardela Springs, Maryland, that this Ordinance shall take effect upon its passage and adoption.

The above Ordinance was introduced and read at the regular meeting of the Commissioners of Mardela Springs on the 25 day of July, 1985, and after a public hearing was held thereon ~~was~~ finally passed on the 10 day of October, 1985.

ATTEST:

COMMISSIONERS OF MARDELA
SPRINGS, MARYLAND

Shirley M. Basley
Secretary

By Milton G. Cadmus
President