

Posted 11/29/95

Bob M

Alcoholic Beverage Control Ordinance

Pursuant to 24 VSA, Chapter 59, §1971 et seq., Town of Warren

At a meeting of the Board of Selectmen of the Town of Warren held on the 22nd day of November, 1995, upon Motion duly made and seconded, the Selectmen unanimously adopted the following ordinance pertaining to Alcoholic Beverage Control.

Section 1. Authority:

This ordinance is enacted pursuant to the authority granted by 24 V.S.A., Section 1971-1977 and 24 V.S.A., Section 2291(17 and (18).

Section 2. Purpose:

The purpose of this ordinance is to regulate the possession and consumption of alcoholic beverages on public property.

Section 3. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. The word "shall" is to be construed as mandatory and not merely discretionary.

Alcohol is the product of distillation of any fermented liquor, rectified either once or oftener whatever may be the origin thereof, and includes ethyl alcohol and alcohol which is considered nonpotable.

Malt beverage is any fermented beverage of any name or description manufactured for sale from malt, wholly or in part, or from any substitute thereof, known as beer, porter, ale and stout, containing not less than one(1) percent nor more than six (6) percent of alcohol by volume at sixty (60) degrees Fahrenheit.

Open beverage container is a container, bottle, can or vessel containing malt or vinous beverages or spiritous liquors, which is opened.

Person is an individual, partnership, corporation, association, trust or other institution or entity.

Possession is the detention and control, or the manual or physical custody, of a container or containers or a beverage for which possession is prohibited under the terms of this ordinance.

Public place includes, but is not limited to, any bridge, culvert, highway, road, street, square, sidewalk, trail, playground, park or town or school property open

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Section 8. Repeal of Prior Ordinance

This ordinance, on its effective date, shall repeal the prior ordinance of the Town of Warren pertaining alcoholic beverage control.

THEREUPON, upon Motion duly made and unanimously VOTED:

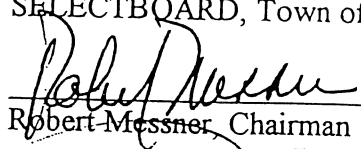
The Selectboard ordered the said Ordinance be printed in the Minutes of said meeting and that the ^{Ordinance} Minutes be posted in at least five (5) conspicuous places within the municipality within fourteen (14) days of said 22nd day of November, 1995 and in The Valley Reporter, a newspaper published in Waitsfield, Vermont.

Thereupon, upon Motion duly made and seconded, it was unanimously VOTED: That said Ordinance shall become effective sixty (60) days from said 22nd day of November, 1995 unless a Permissive Referendum is called for in accordance with 24 VSA, Section 1973.


Citizens may require a Permissive Referendum--that is, a vote on the revised Ordinance--at the annual or special Town Meeting by means of a petition signed by not less than five per cent of the qualified voters of the municipality and presented to the Selectboard or Town Clerk within 44 days following the date the revised Ordinance was adopted. The Selectboard shall schedule the vote within 60 days from the date the petition is received.

The revised Ordinance may be reviewed by the public at the Town Clerk's Office between 9:00 a.m. and 4:30 p.m., Monday through Friday. Town Clerk Reta Goss or Administrative Assistant Carol Groom may be contacted at the Town Clerk's Office (496-2709) to answer questions about the Ordinance.

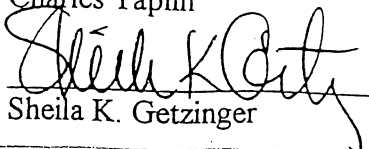
SELECTBOARD, Town of Warren

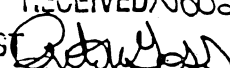

Robert Messner, Chairman


Rupert Blair


Ron Hunkins

Charles Taplin


Sheila K. Getzinger

WARREN TOWN CLERK'S OFFICE
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ATTEST  TOWN CLERK