

CHAPTER 73

ALCOHOLIC BEVERAGES

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**ARTICLE I
Open Containers**

S73.1. Prohibited acts.

No person shall drink alcoholic beverages as defined in MGL C 138, section 1, or have in their possession an open can, bottle or other container of said alcoholic beverages while on, in or upon any public way or upon any way to which the public have access invitees or licensees, park or playground or private land or place without the consent of the owner or person in control thereof.

S73.2. Determination of violation; confiscation of evidence.

Possession of an open can, bottle or other container, which upon analysis by the Department of Public Health, is determined to contain an alcoholic beverage as defined in MGL C 138, s1, shall be prima facie evidence of drinking or consuming said alcoholic beverage. All alcoholic beverages being used in violation of this Article shall be seized and safely held until final adjudication of the charge against the person or persons arrested or summoned before the Court.

S73-3. Violation and penalties.

A police officer may arrest without a warrant anyone who violates this Article. Whoever violates any provisions of this Article shall be liable to a penalty of not more than two hundred dollars (\$200) for each violation.

**ARTICLE II
Public Places**

S73-4. Prohibited acts

A. No person under the influence of liquor shall be admitted to or permitted to remain in any public park, dance hall or other public place in this town.

B. No person shall have any intoxicating liquor in his possession in any park, dance hall or other public place in this town.

S73-5. Violations and penalties

Whoever violates any of the provisions of this Article shall forfeit not more than two hundred dollars (\$200) for each offense.