

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 5-94

AN ORDINANCE PROHIBITING PUBLIC CONSUMPTION
OF LIQUOR OR MALT OR BREWED BEVERAGES, MAKING
IT UNLAWFUL TO POSSESS AN OPEN CONTAINER
CONTAINING LIQUOR OR MALT OR BREWED BEVERAGES
IN ANY PUBLIC PLACE, AND PROVIDING PENALTIES
FOR VIOLATION THEREOF.

BE AND IT IS HEREBY enacted and ordained by the Board of
Township Supervisors in and for the Township of Middlesex,
Cumberland County, Pennsylvania, as follows:

SECTION 1: DEFINITIONS

The following terms when used in this Ordinance shall have
the meaning and be interpreted herein as follows:

- A. "Township" - The Township of Middlesex, Cumberland
County, Pennsylvania.
- B. "Liquor or Malt or Brewed Beverages" - the same as those
words or phrases are defined and used in the Liquor Code of the
Commonwealth of Pennsylvania.
- C. "Container" - the same as that word is defined and used
in the Liquor Code of the Commonwealth of Pennsylvania.
- D. "Seal" - the same as that word is defined and used in
the Liquor Code of the Commonwealth of Pennsylvania.
- E. "Open" - when used in connection with a Container, any
Container which has been perforated in the case of a can or
similar Container or any Container in which the cap or top has

been loosened or the cork or other sealing material displaced and the official Seal torn or mutilated.

SECTION 2: PUBLIC CONSUMPTION PROHIBITED

It shall be unlawful within this Township for any person to drink Liquor or Malt or Brewed Beverages upon any public street, public municipal parking lot, private parking lot open to public use, public park or in any vehicle being operated or parked on any of said places.

SECTION 3: OPEN CONTAINERS RESTRICTED

It shall be unlawful within this Township for any person to have in such person's possession or in a vehicle under such person's control any Open Container containing Liquor or Malt or Brewed Beverages upon any public street, public municipal parking lot, private parking lot open to public use, or public park.

SECTION 4: VIOLATIONS AND PENALTIES

Any person who shall violate the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding before a district justice, be sentenced to pay a fine not exceeding Three Hundred Dollars (\$300.00) and the costs of prosecution, and in default of payment of such fine and costs, to undergo imprisonment in the Cumberland County Prison for a term of not more than thirty (30) days.

SECTION 5: EFFECTIVE DATE

This Ordinance shall become effective in accordance with law.

SECTION 6: SEVERABILITY

In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance or other Ordinances affected by this Ordinance, it being the intent of the Board of Township Supervisors of Middlesex Township that such remainder shall be and shall remain in full force and effect.

SECTION 7: RELATIONSHIP TO OTHER ORDINANCES

All other Ordinances, parts of Ordinances or parts of Resolutions inconsistent herewith shall be and the same expressly are repealed.

TOWNSHIP OF MIDDLESEX

By Robert M. Epley
Chairman, Board of Township
Supervisors

ATTEST:

Gary J. Jones
Township Secretary

3 August 1994

CERTIFICATION AND ATTESTATION

I, the undersigned, being the duly appointed Township Secretary in and for the Township of Middlesex, Cumberland County, Pennsylvania, do hereby certify and attest that the attached document is a true, correct and complete copy of the full text of an ordinance enacted at a meeting of the Board of Township Supervisors in and for said Middlesex Township at a public meeting held on _____, 1994, at _____ o'clock, P.M., prevailing time, at the Middlesex Township Municipal Building, 350 N. Middlesex Road, Carlisle (Middlesex Township), PA 17013.

Gail W. Jensik
Township Secretary

Dated: _____, 199