

SLIPPERY ROCK BOROUGH

ORDINANCE NO. 667

AN ORDINANCE OF SLIPPERY ROCK BOROUGH, BUTLER COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 667, ADOPTED JUNE 1, 2015, CODIFIED AS CHAPTER 98 (ALCOHOLIC BEVERAGES), ARTICLE 4 (EXCEPTIONS), OF THE SLIPPERY ROCK BOROUGH CODE OF ORDINANCES, AND ALL PREVIOUS AMENDMENTS THERETO.

WHEREAS, Chapter 98 of the Slippery Rock Borough Code of Ordinances provides for the imposition of certain regulations and penalties to individuals or businesses desiring to possess, distribute, sell of consume alcoholic beverages on Borough Owned property and rights-of-way, and;

WHEREAS, Slippery Rock Borough Council has determined it to be necessary to amend Section 4 of Chapter 98, in order to provide an exception to open container regulations.

BE IT HEREBY ORDAINED AND ENACTED that Chapter 98 of the Slippery Rock Borough Code of Ordinances, Article 4, Exceptions, be and is hereby amended as follows:

SECTION 1: The existing Ordinance section 98-4, Exceptions, is deleted in its entirety and replaced with the following:

§ 98-4 EXCEPTIONS: Events on public property.

If any person desires to possess, distribute, sell or consume alcoholic beverages on Borough Owned property upon which the Borough may, in its discretion, permit the possession, distribution, or consumption of alcoholic beverages, said person must apply to the Chief of Police, for a permit therefor not less than ten (10) days prior to the date of the scheduled event for which the permit is requested. No permit shall be issued prior to applicant attending an in- person meeting with the Chief of Police and Borough Manager for the purpose of discussing event specifications, alcohol, and security requirements. A fee in an amount established by resolution from time to time may be charged for said permit, which shall be issued only upon the following conditions:

- a) Each person publicly consuming alcohol or possessing an open container must be of legal drinking age pursuant to Pennsylvania law.
- b) Distribution, consumption, and possession of open containers of alcoholic beverages shall only occur within the geographic bounds of, and only within the approved timeframe of, the special event permit.
- c) Open containers of alcoholic beverages may only be served or distributed by an individual or entity with a valid brewery, catering, restaurant, or winery license in the Commonwealth.

- d) No permit shall be issued to any person who has failed on a previous occasion to comply with the conditions of a special event permit for thirty- six months after said failure.
- e) Only beverages that are fifteen percent (15%) or less alcohol by volume (ABV) may be publicly consumed or served in an open container.
- f) No person may consume more than one (1) alcoholic beverage at a time.
- g) Open containers shall be limited to a volume of 16 ounces or less.
- h) This exception shall only apply between the hours of noon and 10:00 p. m.
- i) If there is any charge or donation for admission to the event or purchase of any merchandise, food or drink, then before a permit will be issued the applicant must submit proof that he obtained a special occasion permit from the Pennsylvania Liquor Control Board.

The provisions in this chapter shall not apply to any facility or establishment licensed to serve or to dispense alcoholic beverages by the Pennsylvania Liquor Control Board, or other body pursuant to the laws of the Commonwealth of Pennsylvania, or to persons who are patrons of any such facilities or establishments, provided that the patrons remain within the confines of said facilities or establishments. Nothing in this chapter shall be construed to prohibit the retail sale of closed containers of alcoholic beverages or the offering of samples in conjunction therewith, provided the seller has obtained all required licenses under the Pennsylvania Liquor Code, 47 P. S. §§ 1- 101 through 10- 1001.

SECTION 2: If any section, subsection, clause or phrase of these regulations is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions; and each section, subsection, clause or phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

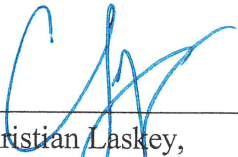
SECTION 3: All ordinances or parts of ordinances or regulations in conflict with these regulations or inconsistent with the provisions hereof, are hereby repealed to the extent necessary to give these regulations full force and effect.

SECTION 4: These regulations are necessary for the immediate preservation of the public health, safety, morals and general welfare and shall be effective immediately upon passage and publication.


ORDAINED AND ENACTED by the Council of the Borough of Slippery Rock, Butler County, Pennsylvania, at its meeting held on the _____ day of _____, 2023.

ATTEST:

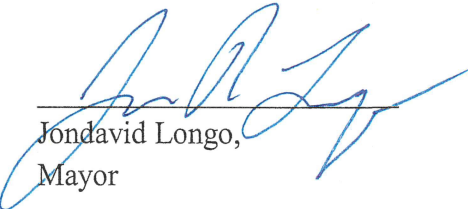
SLIPPERY ROCK BOROUGH:



Christian Laskey,
Borough Manager



Jeff Campbell,
Council President



Jondavid Longo,
Mayor

I, Angel Walker, Secretary/Treasurer of Slippery Rock Borough, Butler County, PA, do hereby certify that the foregoing is a true and correct copy of the Ordinance duly adopted at a regular meeting of the Slippery Rock Borough Council held on June 20, 2023.

