

**VILLAGE OF CHASE
BYLAW NO. 752 - 2010**

OPEN LIQUOR PROHIBITION BYLAW

A Bylaw to Prohibit Open Liquor in Public Places

WHEREAS, the Municipal Council deems it necessary to provide for the protection and enhancement of the well-being of the Community in relation to open liquor in public places within the Village of Chase;

AND WHEREAS, the Municipal Council, pursuant to Section 8 of the *Community Charter*, has the authority to regulate, prohibit and impose requirements in relation to public places and public health;

NOW THEREFORE the Council of the Village of Chase, in the Province of British Columbia, hereby **ENACTS AS FOLLOWS**:

1. Title

This Bylaw may be cited as "*OPEN LIQUOR PROHIBITION BYLAW NO. 752 - 2010*".

2. Definitions

In this Bylaw:

BYLAW ENFORCEMENT OFFICER means a Peace Officer, Bylaw Enforcement Officer or designate and any other person duly authorized by the Council.

LIQUOR means that term as defined in the *Liquor Control and Licensing Act*, RSBC 1996 c. 267 as amended from time to time.

OPEN LIQUOR means any open, uncorked or otherwise unsealed container holding liquor.

PUBLIC PLACE means a street or sidewalk or any area within a park or any lands under the care, management or jurisdiction of the Village of Chase.

3. Open Liquor Prohibition

- (1) It is an offence against this Bylaw for any person to consume or have in his or her possession any open liquor in a public place unless the open liquor is consumed or possessed pursuant to and in compliance with a licence issued under the *Liquor Control and Licensing Act* RSBC 1996 c. 267.

4. Enforcement

- (1) A Bylaw Enforcement Officer may enforce this Bylaw and issue a penalty for contravention of any provision of this Bylaw in accordance with section 5.
- (2) All persons must, when directed to do so by a Bylaw Enforcement Officer, surrender all open liquor in their possession. Any person who fails to surrender open liquor upon demand commits an additional offence under this Bylaw.

5. Offences and Penalties

- (1) Any person who contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to:
 - (a) a fine in accordance with the Village of Chase Municipal Ticket Information Bylaw if an information respecting the infraction is laid by means of a ticket; or
 - (b) upon summary conviction, a fine not less than \$200.00 and not exceeding \$2,000.00 and the costs of prosecution.

6. Severability

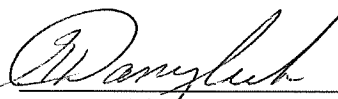
If any portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity does not affect the remaining portions of the Bylaw.

READ A FIRST TIME THE 8th DAY OF JUNE, 2010.

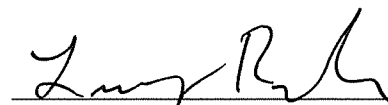
READ A SECOND TIME THE 8th DAY OF JUNE, 2010.

READ A THIRD TIME THE 22nd day of JUNE, 2010.

ADOPTED THE 13th DAY OF JULY, 2010.



H. Danyluk, Mayor



L. Randle, Corporate Officer