

Chapter 4

ALCOHOLIC BEVERAGES*

*State law reference—Intoxicating liquors, G.S. Title 30.



Sec. 4-1. Sunday sales authorized.

It is hereby permitted to sell alcohol on Sundays between the hours of 12:00 noon and 9:00 p.m. in hotels, restaurants and clubs, with meals, pursuant to the General Statutes. (Ord. of 11-4-35(1); Ord. of 11-4-35(2); Ord. of 6-28-39)

Sec. 4-2. Consumption on public, quasi-public property.

(a) It shall be unlawful for any person to consume any alcoholic beverage upon or within the following described premises within the town:

- (1) Land and buildings owned by the town;
- (2) Public highways and sidewalks;
- (3) Quasipublic property, as defined hereinafter.

(b) The board of selectmen may upon application authorize the consumption of alcoholic beverages on town property under such conditions as the board shall deem appropriate for the protection of the public.

(c) The term "quasipublic property" shall mean any outdoor area adjacent to a place of business, which area is open to and customarily used by the public.

(d) The owner or other person in control of any quasipublic property may authorize the consumption of alcoholic beverages upon such property. (Ord. of 12-19-77; Ord. of 1-4-88(1))

Sec. 4-3. Possession by minor.

(1) *Intent.* The board of selectmen of the town finds that the unregulated possession of alcoholic liquor by persons under the age of twenty-one (21) is detrimental to the general welfare, health and safety of the citizens of Madison and especially its youth.

(2) Definitions.

(a) *Alcoholic liquor* shall have the same meaning as the term is defined in section 30-1(3), Connecticut General Statutes, as it may be amended from time to time.

(b) *Host* shall mean to organize a gathering of two (2) or more persons, or to allow the premises under one's control to be used with one's knowledge for a gathering of two (2) or more persons, for personal, social or business interactions.

(3) *Possession of alcoholic liquor restricted.* No person under the age of twenty-one (21) shall possess any container of alcoholic liquor, whether opened or unopened, within the town except when accompanied by or in the presence of his parent, guardian, or spouse who has attained the age of twenty-one (21) years. This restriction shall apply to both public and private property.

(4) *Hosting an event or gathering restricted.* No person shall host an event or gathering at which alcoholic liquor is consumed by or dispensed to any person who has not attained the age of twenty-one (21) years unless such person who has not attained the age of twenty-one (21) years is accompanied by or in the presence of his or her parent, guardian, or spouse who has attained the age of twenty-one (21) years. This prohibition shall apply to any event or gathering within the town whether conducted on public or private property.

(5) *Possession otherwise permitted by law.* Notwithstanding the above, nothing herein shall prohibit the serving or selling of alcoholic liquor by a minor if otherwise permitted by the Connecticut General Statutes.

(6) *Enforcement.* The chief of police or his designee is charged with enforcing the provisions of this section.

(7) Violations and penalties.

(a) Any person violating subsection (3) of this section shall be subject to a fine of one hundred [dollars] (\$100.00) dollars for each such violation.

(b) Any person violating subsection (4) of this section shall be subject to a fine of two hundred dollars (\$200.00) for the first such violation and shall be subject to a fine of five hundred dollars (\$500.00) for the second violation and shall be subject to a fine of one thousand dollars (\$1,000.00) for each violation thereafter.

(c) All fines paid pursuant to this section shall be payable to the treasurer of the town.

(8) *Construction.* Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall include both genders.

(Ord. of 1-4-88(1); Ord. of 9-22-03, §§ 1—8)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 4-4. Penalty.

Any person who violates any provision of this chapter shall be fined in accordance with section 1-11.

(Ord. of 12-19-77; Ord. of 1-4-88(1))