

**TOWN OF TICONDEROGA
COUNTY OF ESSEX, STATE OF NEW YORK
LOCAL LAW No. 3 of 2008**

**A LOCAL LAW AMENDING LOCAL LAW NUMBER 2 OF 1996 PROHIBITING
POSSESSION IN A PUBLIC PLACE, WITH THE INTENT TO CONSUME, OF AN
OPEN OR UNSAFE CONTAINER OF ALCOHOLIC BEVERAGE**

Section 1. Legislative Intent and Authority.

Pursuant to the authority given to the Town by Section 10 of the New York State Municipal Home Rule, the Town enacts this Local Law to set forth penalties for a violation under this Local Law. The Town has determined that such legislation is necessary to further the public health, safety and welfare of the citizens of the Town of Ticonderoga and to further deter violations of this Local Law.

Section 2. Amendment

The Town hereby repeals Section 3 of Local Law 2 of 1996 and replaces it with the following:

Section 3. A violation of this Local Law shall constitute an offense punishable by a fine not exceeding Fifty Dollars (\$50.00) or by imprisonment in the Essex County jail for ten (10) days or by both for such fine and imprisonment for the first offense, and by a fine not exceeding One Hundred Dollars (\$100.00) or by imprisonment in the Essex County jail for fifteen (15) days or by both such fine and imprisonment for a second or subsequent offense.

Section 3. Repealer.

Any and all local laws or ordinances or parts of local laws or ordinances in conflict with any part of this Local Law are hereby repealed in its entirety.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date.

This Local Law shall take effect upon filing with the New York State Secretary of State.