

## **#11 – Use of Alcoholic Beverages**

### **An Ordinance to Prohibit Consumption of Alcoholic Beverages**

No person shall consume any liquor or beverage or possess any open container thereof, as defined by RSA 175:1, while in any vehicle upon a public highway, or while upon any public highway, sidewalk or common within the limits of the Town of Rye.

NOTE: On March 10, 1970, Article 25, it was voted to increase the fines levied for violation of any Town Ordinance from \$10.00 to \$50.00 as provided in RSA 31:39.

RSA 175:1 Definitions: Terms used in this title shall be construed as follows unless a different meaning is clearly apparent from the language or context:

- I. “Liquor”, all distilled and rectified spirits, alcohol, wines, fermented and malt liquor and cider, of over 6% alcoholic content by volume at 60 degrees Fahrenheit.
- II. “Beverage”, any beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquors and fruit juices and any other liquid intended for human consumption as a beverage containing 1% or more of alcohol by volume and not more than 6% of alcohol by volume at 60 degrees Fahrenheit.
- III. “Person”, individual, firm, association, copartnership, corporation, or society.
- IV. “Commission”, state liquor commission.
- V. “Clubs”, a group of individuals, incorporated or otherwise, approved by the commission which has been in existence for at least one year prior to the date of its application for a license, and which is the owner, lessee, or occupant of an establishment not operated for pecuniary gain and the property as well as the advantages of which belong bona fide to all the members. “Club” as herein used also means the establishment so operated.
- VI. “Bottle club”, a premise or establishment for social or recreational activities where members, guests or the general public provide their own liquor or beverages or both, where no liquor or beverages are sold on the premises, and where such members, guests, or the general public engage in the drinking of liquor or beverages or both for a fee or any consideration, including any admission charge, dues or charges for food or mixers or other fluids used with alcoholic drinks or the storage of liquor or beverages, or both.