

CHAPTER XII - MISCELLANEOUS OFFENSES

Article 1. - Weapons

Sec. 12-1. Discharge of weapons.

- (a) No person under the age of twelve (12) years shall carry, use or discharge, within the limits of the town, any air gun, air rifle or similar device for discharge of a shot, bullet or projectile by compressed air, or any bow or similar device for the use of discharging arrows or similar projectiles, unless such person is accompanied by a parent or an adult.
 - (b) The discharge or use of the weapons described in § (a) of this section shall not be permitted within five hundred (500) feet of any building or public highway, except for such areas that may be approved by the chief of police, and which special areas shall be used only in accordance with the rules and regulations established by the chief of police.
- (Ord. No. 1-56, §§ 1, 2, 5-14-1956)

Secs. 12-2—12-9. Reserved.

Article 2. - Possession of alcohol by a minor

Sec. 12-10. Possession of alcohol by persons under twenty-one (21) years of age.

- a) *Intent.* The town council 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 Berlin, and especially its youth.
- b) *Definitions.*
 - 1) *Alcoholic liquor* shall have the same meaning as the term is defined in state statute § 30-1(3), as it may be amended from time to time.
 - 2) *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 interaction.
- c) *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.
- d) *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 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.
- e) *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 state statutes.

- f) *Enforcement.* The chief of police or any member of the police department is charged with enforcing the provisions of this section.
- g) *Violations and penalties.*
 - 1) Any person violating § (c) of this section shall be subject to a fine as provided in the town fee schedule.
 - 2) Any person violating § (d) of this section shall be subject to a fine as provided in the town fee schedule.
 - 3) All fines paid pursuant to this section shall be payable to the treasurer of the town.
 - 4) Failure to pay any penalty imposed under this section in full within thirty (30) days of notice to the penalized person or within thirty (30) days of issuance of a final decision in the event of an appeal pursuant to § (h), whichever is later, shall constitute a separate and distinct violation of this section and such penalty shall immediately double. Each month thereafter that the penalty remains unpaid shall constitute a separate violation and the penalty shall be increased by the original penalty amount.
 - 5) The town may institute civil proceedings and take such further action as it deems necessary to enforce the provisions of this section.
- h) *Appeals procedure.* Any person fined pursuant to this section may appeal such fine to the town manager or his designee within thirty (30) days of the issuance of such fine, and then, if necessary, to the superior court.

(Ord. No. 06-03, §§ 16 9, 7-15-2003)

Cross reference—Definitions generally, chapter 1 § 1-2 in this code book.