



Information

Amherst Town By-laws pertaining to Alcohol/ Noise

Town By-Law A2 s6

Open Containers of Alcohol / Public Property

No person shall consume any alcoholic beverage nor possess or transport any open can, bottle or other container containing any alcoholic beverage outdoors on any town street, sidewalk, way and public property including but not limited to parking lots, parks, school playgrounds, recreation areas, or conservation areas.

Penalties- \$50 civil infraction or any person or persons who violate this by-law **may be arrested** without a warrant, provided that the violation occurs in the presence or view of a Police Officer.

Town By-Law A2 s3

Unlawful Noise

It shall be unlawful for any person or persons to create, assist in creating, continue or allow to continue any excessive, unnecessary, or unusually loud noise which either annoys, disturbs, injures, or endangers the reasonable quiet, comfort, repose, or the health or safety of others within the town of Amherst.

If the person or persons responsible for an activity cannot be determined, the person in lawful custody and/or control of the premises, including but not limited to the owner, lessee or occupant of the property on which the activity is located, shall be deemed responsible for the violation.

Penalties- Verbal Warning issued or \$100 civil infraction. Any person or persons who violate this by-law **may be arrested** without a warrant, provided that the violation occurs in the presence or view of a Police Officer.

Town By-Law A24 s4

Keg Possession

Within the Town of Amherst, it **shall be unlawful** for any person other than a licensee at a licensed establishment or activity **to sell or dispense a malt beverage from a keg**, or to otherwise **possess a keg, unless such person has been issued a valid keg license.**

An application for a keg license may be picked up at the Amherst Police Department.

Penalties Any person in violation shall be fined in the amount of \$200 for a first offense and \$300 for a second or subsequent offense.

Mass. General laws pertaining to Alcohol / Unlawful Assembly

MGL Chapter 138: Section 34C Minors; operation of motor vehicle containing alcoholic beverage; suspension of driver's license

Section 34C. **Whoever, being under twenty-one years of age and not accompanied by a parent or legal guardian, knowingly possesses, transports or carries on his person, any alcohol or alcoholic beverages,** shall be punished by a fine of not more than fifty dollars for the first offense and not more than one hundred and fifty dollars for a second or subsequent offense; provided, however, that this section shall not apply to a person between the ages of eighteen and twenty-one who knowingly possesses, transports or carries on his person, alcohol or alcoholic beverages in the course of his employment. **A police officer may arrest without a warrant any person who violates this section.** A conviction of a violation of this section shall be reported forthwith to the registrar of motor vehicles by the court, and said registrar shall thereupon suspend for a period of ninety days the license of such person to operate a motor vehicle.

Chapter 269: Section 2 Refusing or neglecting to depart or to assist in suppressing assembly or in arresting persons

Section 2. Whoever, being present and being so commanded to assist in arresting such rioters or persons so unlawfully assembled, or in suppressing such riot or unlawful assembly, **refuses or neglects to obey such command, or, if required by such magistrate or officer to depart from the place, refuses or neglects so to do, shall be considered one of the rioters or persons unlawfully assembled,** and shall be punished by imprisonment for not more than one year or by a fine of not less than one hundred dollars or more than five hundred dollars, or both. **A police officer may arrest without a warrant any person who violates this section.**

The Amherst Police Department is committed to ensuring the safety of the residents of Amherst, the safeguarding of all constitutional guarantees and the protection of property. This mission will be accomplished by our commitment to rapid suppression of any and all riotous activities, and enforcement of all applicable Massachusetts General Laws and Town By-Laws.

The above information is provided for you by the Amherst Police Department. It is intended as a **reference only**. More information can be obtained on line @ amherstma.gov or Mass.gov/legis/laws/mgl.

