

TOWN OF BERNARDSTON
Office of the Town Clerk
P.O. Box 504
38 Church Street
Bernardston, MA 01337
(413) 648 – 5408
(413) 648 – 9318 FAX



Regular Office Hours:

Tuesday, Wednesday, Thursday
8:30am to 11:30am

Wednesday – 6:00pm to 8:00pm

Other times by appointment

townclerk@townofbernardston.org

**Public Notice as Per MGL Chapter 40, Section 32
of Bernardston Town General Bylaw Approved At
The Annual Town Meeting of June 6, 2018**

**The Bylaw Listed Below Was Approved by The Attorney General's Office
On September 26, 2018**

And Certified Copies Posted by The Town Clerk On September 27, 2018

This amended bylaw takes effect immediately as of the posting of this notice, **September 27, 2018** and this notice shall remain so posted for 30 Days.

The resulting complete amended **OPEN CONTAINER BYLAW** is as follow:

By-law relative to prohibiting the consumption of alcoholic or intoxicating beverages or the use or possession of illegal drugs or narcotics on a public way or otherwise public property.

1. No person shall, within the Town of Bernardston, whether on a public way, Town way, County highway, State highway, a private way open to the public or on any public property, consume, use or possess any alcoholic or intoxicating beverage or any drug or narcotic not prescribed by a physician or in violation of any law in the Commonwealth. This shall also prohibit the consumption, use or possession of any alcoholic or intoxicating beverage, or any drug or narcotic not prescribed by a physician by any person within any vehicle whether parked or moving, while sitting, standing, walking or running, or otherwise present within such way or on public property.
2. No person shall smoke, vaporize, ingest or otherwise consume marijuana, or delta-9-tetrahydrocannabinol (THC), while in or upon any public way or any way to which the public has a right of access, street, sidewalk, footway, passageway, stairs, bridge, park, playground, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the Town of Bernardston, or any place to which members of the public have access as invitees or licensees, or private land, building, structure or place without the consent of the owner or person in control thereof.

3. A violation of this bylaw may constitute a breach of peace. Any police officer of the Town or State police officer may arrest any person who violated the provisions of paragraph 1, and 2 and may cause such person to be detained or held in custody until he can be taken before a court having jurisdiction over the offense.
4. The penalty for any violation of the provisions of paragraph 1, and 2 shall be a fine of no less than \$50.00 and no more than \$100.00.
5. The foregoing paragraph shall not apply to any activity duly approved or licensed by the Board of Selectmen under the applicable provisions of the General Laws of the Commonwealth of Massachusetts.

End of Bylaw.

Posted as per MGL Chapter 40, Section 32 in 5 (five) public places:

Bernardston Town Hall, 38 Church Street; Bernardston Post Office, 9 Center Street;
Country Corner Store, 44 Church Street; Bernardston Senior Center, 20 Church Street;
and www.townofbernardston.org;

A True Copy. Attest: Town Clerk



Paul W. Luther