

ALCOHOLIC BEVERAGES

Chapter 92

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[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge 12-26-75 by Ord. No. 700 as Chapter V of the 1975 Revised General Ordinances of the Borough of Wood-Ridge. Sections 92-12 and 92-17 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. III. Other amendments noted where applicable.]

GENERAL REFERENCES

General penalty — See Ch. 1, Art. II.

§ 92-1. Purpose.

This chapter is enacted to regulate the sale and transportation of alcoholic beverages in the Borough of Wood-Ridge in accordance with the provisions of an Act of the Legislature of the State of New Jersey entitled "An Act Concerning Alcoholic Beverages," comprising Chapter 436 of the Laws of 1933, its supplements and amendments, and also comprising N.J.S.A. 33:1-1 et seq. and in accordance with the rules and regulations of the State Director of Alcoholic Beverage Control.

§ 92-2. Definitions.

For the purposes of this chapter, words and phrases herein shall have the same meanings as in N.J.S.A. 33:1-1 et seq. and the rules and regulations of the State Director of Alcoholic Beverage Control.

§ 92-3. Compliance required.

All applications for licenses, all licenses issued and all proceedings under this chapter shall be in accordance with the Act, rules and regulations referred to in § 92-1 and all other applicable laws of the State of New Jersey or the United States.

§ 92-4. Administration.

All licenses required by this chapter shall be authorized by the Borough Council, which shall also administer the provisions of this chapter.

§ 92-5. License required for sale or distribution.

No person shall sell or distribute alcoholic beverages within the borough without having first obtained a license in accordance with the Act referred to in § 92-1 and the provisions of this chapter.

§ 92-6. License fees. [Amended 5-16-83 by Ord. No. 7-83; 5-19-86 by Ord. No. 86-6¹; 8-15-88 by Ord. No. 88-13²]

The annual license fees shall be as follows:

Class of License	Fee		
	1989	1990	1991
Plenary retail consumption license	\$1,440.00	\$1,720.00	\$2,000.00
Plenary retail distribution license	825.00	990.00	1,185.00
Club license	150.00	150.00	150.00

§ 92-7. Hours of sale. [Amended 10-20-76 by Ord. No. 714]

No alcoholic beverages shall be sold, delivered, served or consumed in any licensed premises on any weekday between the hours of 2:00 a.m. and 6:00 a.m. or on any Sunday between the hours of 2:00 a.m. and 12:00 noon, except New Year's Day, as hereinafter provided.

§ 92-8. Sales on New Year's Day.

No alcoholic beverages shall be sold, served, delivered or consumed in any licensed premises on New Year's Day between the hours of 6:00 a.m. and 12:00 noon when it is a Sunday, sales being permissible at all times on New Year's Day when it is a weekday.

§ 92-9. Closing of premises required during certain hours.

During the hours that sales are hereinabove prohibited, the entire licensed premises shall be closed, provided that this requirement shall not apply to restaurants as defined in N.J.S.A. 33:1-1, to bona fide hotels, to clubs as provided for in N.J.S.A. 33:1-12, Subdivision (5), or to other establishments where the principal business is other than the sale of alcoholic beverages.

¹ Editor's Note: This ordinance also repealed original Subsection 5-3.5, Limitation of Licenses, which immediately followed this section.

² Editor's Note: This ordinance also provided that it shall become effective 1-1-89.

§ 92-10. Toilets required on certain premises.

Any licensee holding a plenary retail consumption license shall equip the licensed premises with separate toilets for men and women. The toilets shall be approved by the Borough Health Inspector.

§ 92-11. Sale or delivery to persons under legal age. [Amended 5-19-86 by Ord. No. 86-6]

No licensee or employee or agent of a licensee shall sell, serve, deliver or allow, permit or suffer the service or delivery of any alcoholic beverage to any person under the legal age for purchasing alcoholic beverages.

§ 92-12. Admission of persons under legal age to premises. [Amended 8-19-85 by Ord. No. 85-9; 10-20-86 by Ord. No. 86-16]

No person under the legal age for purchasing alcoholic beverages shall be allowed in any premises when alcoholic beverages are sold or served for consumption on the premises unless accompanied by his parent or guardian.

§ 92-13. Purchase by persons under legal age. [Amended 5-19-86 by Ord. No. 86-6]

No person under the legal age for purchasing alcoholic beverages shall purchase, attempt to purchase or have another purchase for him any alcoholic beverage on any premises licensed for the sale of alcoholic beverages.

§ 92-14. Purchasing for or supplying of persons under legal age. [Amended 5-9-79 by Ord. No. 749; 5-19-86 by Ord. No. 86-6]

No person shall purchase or attempt to purchase alcoholic beverages for a person under the legal age for purchasing alcoholic beverages; and it shall be unlawful for any person to sell, distribute,

transfer, give or by any other means supply any beer, wine, alcohol or alcoholic beverage to any person under the legal age to purchase alcoholic beverages, in any public or quasi-public place or while in or on a public street or thoroughfare or while in a parked vehicle on any street or public thoroughfare in the Borough of Wood-Ridge.

§ 92-15. Misrepresentation of age. [Amended 5-19-86 by Ord. No. 86-6]

No person shall misrepresent his age or the age of another person for the purpose of inducing any licensee or his employee to sell, serve or deliver any alcoholic beverage to a person under the legal age for purchasing alcoholic beverages or to permit a person under the legal age for purchasing alcoholic beverages to remain on any premises in violation of § 92-12.

§ 92-16. Suspension or revocation of licenses.

- A. Any license issued under this chapter may be suspended or revoked for violation of any provision of this chapter, any provision of any applicable statute or any of the rules or regulations of the State Director of Alcoholic Beverage Control.
- B. Proceedings for suspension or revocation shall be in accordance with the provisions of N.J.S.A. 33:1-31 by service of a five-day notice of charges preferred against the licensee and affording a reasonable opportunity for hearing.
- C. Suspension or revocation of a license shall be in addition to any other penalty which may be imposed for a violation of this chapter.

§ 92-17. Violations and penalties. [Amended 10-20-86 by Ord. No. 86-16]

Unless otherwise provided by Title 33 of the New Jersey Statutes Annotated, every person who violates the provisions of this chapter shall, upon conviction thereof in the Municipal Court of the Borough of Wood-Ridge, be punishable as provided in Chapter 1, General Provisions, Article II.