

## Chapter 72, ALCOHOLIC BEVERAGES

[HISTORY: Adopted by the Mayor and Council of the Borough of Laurel Springs as indicated in article histories. Amendments noted where applicable.]

### GENERAL REFERENCES

Curfew -- See Ch. 105.

ARTICLE I, Licensing [Adopted 5-14-1963 by Ord. No. 198 (Ch. 26, Art. I, of the 1973 Code)]

§ 72-1. Purpose.

This article is for the purpose of regulating the sale of alcoholic beverages in the Borough of Laurel Springs in accordance with the provisions of N.J.S.A. 33:1-1 et seq., and in accordance with rules and regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control. All applications and licenses under this article and proceedings in connection therewith shall be subject to said act and said rules and regulations and any laws to be hereafter enacted.

§ 72-2. Authority for issuance; license required.

The Mayor and Council of the Borough of Laurel Springs shall constitute the authority for the administration of the issuance of licenses under this article, and it shall be unlawful to sell or distribute alcoholic beverages in the Borough without a license granted under the provisions of N.J.S.A. 33:1-1 et seq.

§ 72-3. Number of licenses limited.

On or after the effective date of this article, not more than three liquor licenses, including those issued to package-goods stores, shall be issued in the Borough of Laurel Springs.

§ 72-4. Plenary retail consumption license fee. EN

The annual fee for a plenary retail consumption license shall be the sum of \$1,728, and the holder of such license shall be permitted to sell, for consumption on the premises, any alcoholic beverage by open receptacle, and also to sell alcoholic beverages in original containers for consumption off the premises, according to the provisions of law.

§ 72-5. Plenary retail distribution license fee. [Amended 11-22-1976 by Ord. No. 271EN]

The annual fee for a plenary retail distribution license shall be \$1,728, and the holder of such license shall be permitted to sell alcoholic beverages for consumption off the licensed premises in original containers, subject to rules and regulations and provisions of law.

§ 72-6. Violations and penalties. [Added 6-23-1969 by Ord. No. 228]

The violator of any of the provisions of this article shall, upon conviction thereof, be subject to the penalties provided in Chapter 1, § 1-15, in the discretion of the court.

ARTICLE II, Minors [Adopted 6-23-1969 by Ord. No. 228 (Ch. 26, Art. II, of the 1973 Code)]

§ 72-7. Prohibited purchase or service.

It shall be unlawful for any minor to enter any premises located in the Borough of Laurel Springs, County of Camden, State of New Jersey, which is licensed for the retail sale of alcoholic beverages, for the purpose of purchasing or having served or delivered to him or her any alcoholic beverages.

§ 72-8. Prohibited consumption on premises.

It shall be unlawful for a minor to consume any alcoholic beverage either on premises so licensed for the retail sale of alcoholic beverages or at any location within the Borough, or to purchase, attempt to purchase or have another purchase for him or her any alcoholic beverage.

§ 72-9. Misrepresentation of age prohibited.

It shall be unlawful for a person to misrepresent or misstate his or her age or the age of any other person for the purpose of inducing any retail licensee to sell, serve or deliver any alcoholic beverage to a minor.

§ 72-10. Responsibility of parent or guardian.

A parent or guardian of any minor charged with a violation of any of the provisions of this article may, in the discretion of the court, be required to attend the hearing of the complaint. For the purpose of compelling such attendance, the Judge of the Municipal Court of the Borough of Laurel Springs is hereby authorized to cause a parent or guardian of the minor to attend the hearing by issuing appropriate subpoenas to compel such attendance.

§ 72-11. Provisions additional to statutes.

The provisions of this article are in addition to the provisions of N.J.S.A. 33:1-81, as amended.

§ 72-12. Violations and penalties. [Added 6-23-1969 by Ord. No. 228]

The violator of any of the provisions of this article shall, upon conviction thereof, be subject to the penalties provided in Chapter 1, § 1-15, in the discretion of the court.

ARTICLE III, Consumption and Possession in Public; Open Containers [Adopted 4-26-1976 by Ord. No. 262 (Ch. 26, §§ 26-12 and 26-13, of the 1973 Code)]

§ 72-13. Consumption of alcoholic beverages and discarding of containers in public places. EN

No person shall consume alcoholic beverages while in or on a public street, lane, sidewalk, public parking lot or in any public conveyance; or in a private motor vehicle while the same is in motion or parked in any public street, lane or public parking lot; or while upon any private property not his own without the express permission of the owner or other person having authority to grant such permission; and any person who shall discard alcoholic beverage containers upon any public street, lane, sidewalk, public parking lot, public or quasi-public place or upon any private property not his own without the express permission of the owner.

§ 72-14. Possession of open containers in public places. [Added 5-24-1976 by Ord. No. 265 EN]

No person shall have in his possession an open bottle, can or other container of alcoholic beverages while in or on a public street, lane, sidewalk, public parking lot, public or quasi-public place or in any public conveyance; or in a private motor vehicle while same is in motion or parked in any public street, lane or public parking lot; or while upon any private property not his own without the express permission of the owner or other person having authority to grant such permission.

§ 72-15. Violations and penalties. [Amended 5-24-1976 by Ord. No. 265]

Any person who shall violate the provisions of this article shall, upon conviction, be subject to the penalties provided in Chapter 1, § 1-15.

ARTICLE IV, Permits for Public Consumption [Adopted 8-23-1976 by Ord. No. 268 (Ch. 26, §§ 26-14 to 26-18, of the 1973 Code)]

§ 72-16. Permits for public consumption.

The Borough Clerk shall issue a permit allowing consumption of alcoholic beverages at a specified location in a public place on a specific date to such individuals or groups as provide the following:

- A. A completed permit application on a form prescribed by the Borough.
- B. An indemnity agreement signed by both the group entity (where applicable) and one responsible individual residing within the State of New Jersey. Said indemnity agreement to be on the form provided by the municipality.
- C. A plan and documentation assuring adequate supervision of the event, affair or outing.

§ 72-17. Reasons for denial of permit.

The Clerk, in his discretion, may deny a permit on the following grounds:

- A. Inadequacy of the application or the supervision plan.
- B. Past record of crimes, disorderly persons violations or ordinance violations on the part of the applicant or organization.
- C. If any prior outings under permit involved any violations of ordinances, disorderly persons violations, criminal statute violations or littering or noncriminal nuisances.

§ 72-18. Appeals of permit denial.

A disappointed applicant may appeal said denial or refusal to issue said permit by application to Borough Council, filed with the Borough Clerk at least five days in advance of said Council meeting. Council shall conduct a hearing on the appeal giving an opportunity to both the applicant, counsel, the Police Chief, citizens and other interested persons to be heard. At the conclusion of said hearing, Council shall issue factual findings and render an opinion or reserve opinion on same until the following meeting, unless the event is scheduled to be held before the next Council meeting.

§ 72-19. Enforcement of indemnity agreement.

The governing body is hereby authorized to enforce in the appropriate court any indemnity agreement for a permitted event for which the Borough incurs expense for any reason.

§ 72-20. Violations and penalties.

Any person who shall violate the provisions of this article shall, upon conviction, be subject to the penalties provided in Chapter 1, § 1-15.

ARTICLE V, Hours of Operation [Adopted 9-26-1977 by Ord. No. 288 (Ch. 26, Art. V, of the 1973 Code); amended in its entirety 12-29-1983 by Ord. No. 357]

§ 72-21. Hours established.

The hours of operation in the Borough of Laurel Springs for all licensed premises for the consumption of alcoholic beverages shall be 7:00 a.m. until 3:00 a.m. No such premises shall serve alcoholic beverages between the hours 3:00 a.m. until 7:00 a.m.

§ 72-22. Removal of patrons.

It shall be unlawful for any licensed premises to continue to serve alcoholic beverages subsequent to the closing time set forth in § 72-19 above. Moreover, it shall be unlawful for any patrons to remain in a licensed premises for more than 30 minutes subsequent to the closing time provided in § 72-20 above. All patrons and their automobiles shall be off licensed premises within 30 minutes of the closing time set forth in § 72-20 above.

§ 72-23. Violations and penalties.

Any person who shall violate the provisions of this article shall, upon conviction, be subject to the penalties provided in Chapter 1, § 1-15.