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Township of Berlin, NJ

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ARTICLE IV. Possession or Consumption of Alcoholic Beverages by Minors on Private Property

[Adopted 8-28-2000 as Ord. No. 2000-17]

§ 33-20. Prohibited activity.

It shall be unlawful for any person under the legal age as prescribed by law or State regulation who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property, except under the following circumstances:

A. In connection with a religious observance, ceremony or rite; or

B. In the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.

§ 33-21. Exceptions for employment; school.

It shall not be unlawful for a person under the legal age to possess alcoholic beverages under the following circumstances:

A. While such person is actively engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes; or

B. While such person is actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post secondary educational institution.

However, this section shall not be construed to preclude the imposition of a penalty under this Article, N.J.S.A. 33:1-81, or any other provision of municipal or State law, against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

§ 33-22. Definitions.

The following definitions shall apply to this Article:

GUARDIAN

A person who has qualified as a guardian of the underaged person pursuant to testamentary or court appointment.

RELATIVE

The underaged person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity.

§ 33-23. Violations and penalties.

Any person violating the provisions of this Article shall, upon conviction thereof, be punishable by a fine of \$250 for a first offense and \$350 for any subsequent offense.

§ 33-24. Suspension of driving privilege.

The Court may, in addition to the fine set forth in § [33-23](#), suspend or postpone for six months the driving privilege of the defendant. Upon the conviction of any person and the suspension or postponement of that person's driver's license, the Court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the Court. If the defendant is less than 17 years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the defendant reaches the age of 17 years.

§ 33-25. License and report to be forwarded to Division of Motor Vehicles.

If a person at the time of imposition of a sentence has a valid driver's license issued by this State, the Court shall immediately collect

the license and forward it to the Division of Motor Vehicles along with the report. If for any reason the license cannot be collected, the Court shall include in the report the complete name, address, date of birth, eye color, and sex of the person, as well as the first and last date of the license suspension period imposed by the Court.

§ 33-26. Suspension of nonresident's driving privilege.

If a person convicted under this Article is not a New Jersey resident, the Court shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit to the Division of Motor Vehicles the required report. The Court shall not collect the license of a nonresident convicted under this Article.

§ 33-27. Notice requirements.

The Court shall inform any person convicted under this Article, both orally and in writing, that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. A person shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.

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