

ALCOHOLIC BEVERAGES

Chapter 57

ALCOHOLIC BEVERAGES¹

- § 57-1. Definitions.
- § 57-2. Licenses.
- § 57-3. Laws applicable.
- § 57-4. Issuing authority.
- § 57-5. License required.
- § 57-6. License fee.
- § 57-7. Hours of sale.
- § 57-8. Sundays.
- § 57-9. Sales to certain persons.
- § 57-10. Minors.
- § 57-11. Music regulations.
- § 57-12. Air conditioning required.
- § 57-13. Distance from public buildings, schools and houses of worship.
- § 57-14. Club licenses.
- § 57-15. Revocation of licenses.
- § 57-16. Penalties.

[HISTORY: Adopted by the Township Committee of the Township of Dennis 12-26-01 as Ord. No. 2001-11.]

¹ Editor's Note: The voters of the Township of Dennis approved a binding referendum at the November 6, 2001 General Election permitting the sale and distribution of alcoholic beverages in the Township.

§ 57-1

DENNIS CODE

§ 57-5

§ 57-1. Definitions.

For the purpose of this chapter, words and phrases herein shall have the same meaning as set forth in N.J.S.A. 33:1-1 et seq. and the rules and regulations of the Director of the Division of Alcoholic Beverage Control of the State of New Jersey.

§ 57-2. Licenses.

The Township Committee of the Township of Dennis shall issue two (2) retail consumption licenses and one (1) retail distribution license pursuant to the Population Quota Law, N.J.S.A. 33:1-12.14 in a manner so determined by the Township Committee of the Township of Dennis on conditions set by the said Township Committee and in a manner of sale approved by the Township Committee.

§ 57-3. Laws applicable.

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 this chapter and all other applicable laws of the State of New Jersey or the United States of America.

§ 57-4. Issuing authority.

All licenses required by this chapter shall be issued by the Township Committee, which shall also administer the provisions of this chapter.

§ 57-5. License required.

No person shall sell or distribute alcoholic beverages within the Township of Dennis without obtaining a license in accordance with this act and in accordance with the rules and regulations of the State of New Jersey, Director of Alcoholic Beverage Control and N.J.S.A. 33: 1-1 et seq.

§ 57-6

ALCOHOLIC BEVERAGES

§ 57-9

§ 57-6. License fee.

The annual fee for the sale or distribution of alcoholic beverages in the Township of Dennis shall be as follows:

Plenary retail consumption license:	\$1,000.00
Plenary retail distribution license:	\$1,000.00

§ 57-7. Hours of sale.

No licensee shall sell, serve, deliver, allow, permit or suffer the sale or delivery of any alcoholic beverage or allow the consumption of any alcoholic beverages on a licensed premises during weekdays between the hours of 1:00 a.m. and 9:00 a.m.

§ 57-8. Sundays.

No licensee shall sell, serve, deliver, allow, permit or suffer the sale or delivery of any alcoholic beverage or allow the consumption of any alcoholic beverages on a licensed premises on Sundays between the hours of 1:00 a.m. and 12 noon.

§ 57-9. Sales to certain persons.

No licensee or employee of a licensee shall sell, serve or deliver, directly or indirectly, any alcoholic beverages to any habitual drunkard, intoxicated person or minor, nor permit the consumption of alcoholic beverages on any licensed premises by any of the above named classes or persons or permit any such persons to congregate in or about the licensed premises.

During the hours sales of alcoholic beverages are hereinabove prohibited, the entire licensed premises shall also be closed and no person shall be admitted or permitted to remain therein, except the licensee or bona fide employees of the licensee.

§ 57-10

DENNIS CODE

§ 57-11

§ 57-10. Minors.

- A. Presence: No minor shall be allowed in any premises where alcoholic beverages are sold or served for consumption on the premises unless accompanied by his parents or guardian, provided however, a minor may enter any licensed premises in the regular pursuit of his business, trade or occupation, or for the purchase of food or be a guest in a bona fide hotel or restaurant.
- B. Purchase of alcoholic beverages by a minor. No minor shall purchase, attempt to purchase, or have another purchase for him any alcoholic beverage on any premises licensed for the sale of alcoholic beverages.
- C. Purchase of alcoholic beverages for a minor. No person shall purchase or attempt to purchase alcoholic beverages for a minor. It shall be unlawful for any person to induce or attempt to induce any licensee or any employee of a licensee to sell, serve, or deliver alcoholic beverages to a minor.
- D. Consumption within family dwelling unit. It shall be unlawful for a minor to consume or to have consumed any alcoholic beverage other than with parental consent, within the family dwelling unit, and within the presence and supervision of his parents or others acting in loco parentis.

§ 57-11. Music regulations.

No licensee shall allow or permit on the licensed premises any vocal or instrumental music from one (1) hour before the time herein fixed, when the sale of alcoholic beverages are required to stop until the hour of sales may be resumed.

§ 57-12

ALCOHOLIC BEVERAGES

§ 57-15

§ 57-12. Air conditioning required.

All licensees shall provide for the air conditioning of their premises. The air conditioning shall be of sufficient capacity so that windows and doors in the establishment may remain closed so as not to disturb the neighborhood. The windows and doors shall, in fact, be kept closed when necessary so as to not disturb the neighborhood. This Section shall not apply to plenary retail distribution licenses.

§ 57-13. Distance from public buildings, schools and houses of worship.

No licensee shall operate within one thousand (1,000) feet of a public building, school, or house of worship.

§ 57-14. Club licenses.

No club licenses shall be issued in the Township of Dennis.

§ 57-15. Revocation of licenses.

- A. Suspension or revocation. Any license issued under this chapter may be suspended or revoked for violation of any of the provisions of this chapter or any provision of any applicable statute or any of the rules and regulations of the State Director of Alcoholic Beverage Control.
- B. Proceedings. Proceedings for suspension or revocation shall be in accordance with N.J.S.A. 33:1-31, by service of a five (5) day notice of charges preferred against the licensee and affording a reasonable opportunity for a hearing.
- C. Additional Penalties. Suspension or revocation of a license shall be in addition to any other penalty which may be imposed for a violation of this chapter.

§ 57-16

DENNIS CODE

§ 57-16

§ 57-16. Penalties.

Any person, firm, organization, corporation, licensee or entity who shall violate any of the provisions of this chapter shall be subject to a fine of up to one thousand dollars (\$1,000.) and/or imprisonment in the county jail for up to six (6) months or both. Jurisdiction for hearings of violation of this chapter shall be in the Municipal Court of the Township of Dennis.

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