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CHAPTER 28. ALCOHOLIC BEVERAGES

[HISTORY: Adopted by the Township Committee, now Township Council, of the Township of Eastampton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order — See Ch. [68](#).

ARTICLE I. Regulations

[Adopted 4-26-1965]

§ 28-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALCOHOLIC BEVERAGE

Any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having an alcoholic content of more than 1/2 of 1% by volume, including alcohol, beer, lager beer, ale, porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors and any brewed, fermented or distilled liquors fit for use for beverage purposes or any mixture of the same and fruit juices.

§ 28-2. Hours of operation.

[Amended 12-23-1986 by Ord. No. 1986-21]

It shall be unlawful for any person, persons, club, association, corporation or other organization to sell, give away, serve or deliver, or to allow, permit or suffer the sale, giving away, service or delivering of any alcoholic beverages on licensed premises, on weekdays between the hours of 2:00 a.m. and 6:00 a.m., prevailing time, and on Sundays between the hours of 2:00 a.m. and 12:00 noon, prevailing time, for on-site consumption of alcoholic beverages and between the hours of 2:00 a.m. and 11:00 a.m., prevailing time, for the sale of packaged goods; except that on the first day of January in each year the activities aforesaid may be continued until 4:00 a.m., prevailing time.

§ 28-3. Closing of premises.

The entire licensed premises shall be closed and cleared of all persons other than the licensee, members of his family or bona fide employees not later than 30 minutes after the hour specified in [§ 28-2](#) for the cessation of the activities therein described. It is the intent of this provision that persons may be permitted to finish consuming the beverages lawfully served or delivered to them during the time not prescribed under [§ 28-2](#).

§ 28-4. Loitering by minors.

Editor's Note: See also Ch. [68](#), Peace and Good Order, [§ 68-3](#). No person exercising the privilege of a liquor license in the Township of Eastampton shall suffer or permit any minor, whether or not accompanied by an adult, to loiter upon the licensed premises. Failure on the part of any licensee or his agent to comply with this rule shall be sufficient reason for disciplinary action.

§ 28-4.1. Consumption or possession of alcoholic beverages.

A. Legal drinking age; possession and consumption.

(1) No person of the legal drinking age shall consume any alcoholic beverage or have in his possession any open container of an alcoholic beverage:

(a) While in or on a public street, lane, sidewalk, public parking lot, public or quasi-public place or in any public conveyance, including parking lots of liquor establishments; or

(b) In a private motor vehicle while the same is in motion or parked in any public street, lane or public parking lot or public or quasi-public place; or

(c) While upon any private property not his own without the express permission of the owner or other persons having actual authority to grant such permission.

(2) No person of the legal drinking age shall discard alcoholic beverage containers upon any public street, lane, sidewalk, public parking lot, public or quasi-public place or on any private property not his own without the permission of the owner.

B. Under legal drinking age.

(1) No person under the legal drinking age shall possess or consume any alcoholic beverages:

(a) While in or on a public street, lane, sidewalk, public parking lots, public or quasi-public place or in any public conveyance, including parking lots of liquor establishments; or

(b) In a private motor vehicle while the same is in motion or parked in any public street, lane, or public parking lot or public or quasi-public place; or

(c) While upon any private property not his own without the express permission of the owner or other person having authority to grant such permission.

(2) No person under the legal drinking age 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.

C. Purchase of liquor by person under legal drinking age.

(1) Entrance on premises. It shall be unlawful for a person under legal drinking age to enter any premises licensed for the retail sale of alcoholic beverages in the Township of Eastampton for the purpose of purchasing alcoholic beverages or having alcoholic beverages served or delivered to him.

(2) Consumption. It shall be unlawful for a person under the legal drinking age to consume any alcoholic beverage on premises licensed for the retail sale of alcoholic beverages or to purchase, attempt to purchase or have another person purchase for him any alcoholic beverage.

(3) Misrepresentation of age. It shall be unlawful for a person to misrepresent his age or the age of any other person for the purpose of inducing any retail licensee, or any employee of a retail licensee, to sell, serve or deliver any alcoholic beverage to a person under the legal drinking age.

(4) Display of ordinance. All holders of plenary retail consumption licenses issued by the Township of Eastampton shall cause at least one copy of this section to be exhibited in a conspicuous place in the licensed premises.

§ 28-5. Violations and penalties.

[Amended 5-28-1974 by Ord. No. 1974-5]

Any person or persons, club, association, corporation or other organization violating any of the provisions of this chapter shall, upon conviction thereof, be punished either by imprisonment in the county jail for a term not exceeding 90 days or by a fine not exceeding \$500, or both. This section shall not be construed, however, to limit the power of the Township Council to institute summary proceedings against the holder or any license issued by the said Township Council or other lawful authority for the violation of the terms of his, her or its license or violation of the applicable statutes of New Jersey or regulations of the Division of Alcoholic Beverage Control.

ARTICLE II. Fees

[Adopted 4-25-1955; amended in its entirety 5-22-2000 by Ord. No. 2000-02]

§ 28-6. License fees.

The following license fees shall be charged for the following licenses:

A. Plenary retail consumption license. The annual fee for each plenary retail consumption license hereafter issued in this township shall be \$1,471.

B. Plenary retail distribution license. The annual fee for each plenary retail distribution license hereafter issued in this township

shall be \$1,102.

C. Automatic increase. The annual fee for the plenary retail consumption and distribution licenses set forth in this section shall be increased automatically on an annual basis in an amount equal to 10% of the previous license renewal fee, said percentage to commence for the licensing year 2000-2001, provided that the total amount to be charged for each license shall not exceed the statutory maximum. In the event that a 10% increase will result in a license fee in excess of the statutory maximum, the percentage increase shall only be that percentage increase necessary to reach the statutory maximum.

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