

BOROUGH OF EDGEWATER

ORDINANCE NO. 1239-2002AN ORDINANCE TO AMEND CHAPTER 112 OF THE CODE
OF THE BOROUGH OF EDGEWATER ENTITLED,
"ALCOHOLIC BEVERAGES".

BE IT ORDAINED by the Mayor and Council of the Borough of Edgewater, County of Bergen, State of New Jersey, as follows:

Section 1.

Chapter 112 of the Code of the Borough of Edgewater, Alcoholic Beverages, Article III, Minors, Section 112-11, is hereby amended to read as follows:

"§112-11. Possession or consumption on public or private property by persons under the legal age.

A. Any person under the legal age to purchase alcoholic beverages who knowingly possesses or consumes any alcoholic beverage in or on any school property, public conveyance, public place or place of public assembly or on private property shall be in violation of this Section. Upon conviction, such underage person shall be subject to a fine of Two Hundred Fifty (\$250.00) Dollars for a first offense and Three Hundred Fifty (\$350.00) Dollars for any subsequent offense; at the discretion of the court, perform community service for a period not to exceed one hundred eighty (180) days; at the discretion of the court, have a New Jersey driving privilege suspended or postponed for six (6) months; and, if considered necessary by the court, be referred to an alcoholic treatment program at the defendant's expense.

B. This Section shall not apply to persons under the legal age to purchase alcoholic beverages who possess or consume alcoholic beverages in the presence of and with the permission of the parent or

legal guardian of said person, provided that said guardian is of the legal age to purchase alcoholic beverages, or if alcoholic beverage is being consumed in any religious observance, ceremony or rite. The Section shall not apply to possession of an alcoholic beverage by an underage person employed by an alcoholic beverage licensee in the course of performing employment duties.

Section 2. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

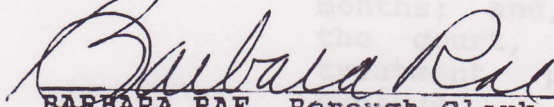
Section 3. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 4. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

ATTEST:


BARBARA RAE, Borough Clerk


BRYAN CHRISTIANSEN, Mayor

Introduced: May 6, 2002
Adopted: May 16, 2002
Approved: May 20, 2002