

ORDINANCE 2007:1238

AN ORDINANCE AMENDING CHAPTER 116
ENTITLED ALCOHOLIC BEVERAGES OF
THE CODE OF THE BOROUGH OF HADDON HEIGHTS
REGARDING UNDERAGE CONSUMPTION

NOW, THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Haddon Heights, County of Camden, State of New Jersey, that Chapter 116 of the Code of the Borough of Haddon Heights is hereby amended to include the following:

Chapter 116 Article II, Underage Consumption

§116-3 Actions constituting disorderly conduct.

It shall be unlawful for any person under the legal age of 21 who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property.

§116-4 Violations and penalties.

- A. Any person found guilty of violating the terms of this article shall be subject to a fine up to \$250 for a first offense and a fine of up to \$360 for any subsequent offense. In addition, the court may, upon a finding of guilty, in addition to the fine authorized for this offense, suspend or postpone for six months the driving privileges 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 pursuant to this section. If a person at the time of the imposition of a sentence 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 person reaches the age of 17 years. If the defendant at the time of the imposition of the 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.**
- B. The court shall inform the person 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. The defendant shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of the written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.**
- C. If the 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 the required report. The court shall not collect the license of a nonresident convicted under this article. Upon a receipt of a report by the court, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

§116-5 Exceptions.

A. This article shall not prohibit an underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite or consuming or possessing an alcoholic beverage 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.

Date Introduced: _____

Public Hearing _____

Final Adoption _____

Mayor Beth Ann Haven

Attest

Joan D. Moreland, Borough Clerk