

**BOROUGH OF HARRINGTON PARK  
BERGEN COUNTY  
ORDINANCE #568**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE  
REVISED GENERAL ORDINANCES OF THE BOROUGH OF  
HARRINGTON PARK TO MAKE IT UNLAWFUL FOR ANY  
PERSON UNDER THE LEGAL AGE TO KNOWINGLY POSSESS  
OR KNOWINGLY CONSUME AN ALCOHOLIC BEVERAGE ON  
PRIVATE PROPERTY BY UNDERAGE PERSONS AND TO  
PROVIDE FOR PENALTIES FOR VIOLATIONS**

**WHEREAS**, NJSA 40:48-1.2 authorizes a municipality to enact an ordinance making it unlawful for any person under the legal age to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on Private property and to provide for penalties for the same;

**WHEREAS**, the Mayor and Council of the Borough of Harrington Park is of the opinion that such an ordinance is in the public interest and will promote public safety and will contribute to the overall public health, safety and welfare of the community at large, and

**WHEREAS**, the Borough of Harrington Park intends to adopt an ordinance in accordance with the aforesaid enabling legislation;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Harrington Park as follows:

Section 1 - It is hereby unlawful for any person under the legal age to without legal authority knowingly possess or knowingly consume an alcoholic beverage on private property.

Section 2 - Any person violating the provisions of this ordinance shall be subject to a fine of \$250.00 for the first offense and a fine of \$350.00 for any subsequent offense.

Section 3 - Exceptions:

Nothing contained in this Ordinance is intended, nor shall it be construed as prohibiting an underage person from consuming or possessing an alcoholic beverage in connection with religious observance, rite or ceremony, 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.



As used in this Ordinance the following terms shall have the meanings indicated.

(1) Guardian means a person who has qualified as a guardian of the underage person pursuant to a testamentary or Court appointment.

(2) Relative means the underage person's grandparent, aunt or uncle, sibling or any other person related by blood or affinity.

Section 4 - Nothing in this Ordinance is intended nor shall be construed as prohibiting possession of alcoholic beverages by any underage person while actually engaged in the performance of employment by a person who is licensed under New Jersey Statutes Title 33, or while 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 education institution; provided, however, that this Ordinance shall not be construed to preclude the imposition of penalty under this Ordinance, N.J.S.A. 33:1-81 or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at the premises licensed for the sale of alcoholic beverages.

Section 6 - If any provisions of this Ordinance are found to be invalid, for any reason, by the final judgement of a Court of competent jurisdiction, the invalidity of such portion shall not affect the validity of the remaining provisions of this Ordinance which shall be severable therefrom.

Section 7 - This Ordinance shall take effect immediately after final adoption and publication as required by law.

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Mayor

Introduced: May 17, 2004

Passed: June 21, 2004