

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2016-15

AN ORDINANCE TO AMEND CHAPTER VI OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF LAFAYETTE, BEING
THE ALCOHOLIC BEVERAGE CONTROL CHAPTER, ADDING SECTION 6-7
“CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES ON PRIVATE
PROPERTY BY PERSONS UNDER THE LEGAL AGE”

BE IT ORDAINED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey as follows:

Section 1: Chapter VI (Alcoholic Beverage Control) of the code of the Township of Lafayette is hereby amended and supplemented by adding Section 6-7 “Consumption and Possession of Alcoholic Beverages on Private Property by Persons Under the Legal Age” to read as follows

Definitions

“Guardian” shall mean a person who has qualified as a guardian of the underage person pursuant to testamentary or court appointment.

“Relative” shall mean the underage person’s grandparent, aunt or uncle, sibling or any person related by blood or affinity.

Consumption or Possession Prohibited on Private Property

It shall be unlawful for any person under the legal age to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on private property within the Township of Lafayette, except as hereinafter provided or as may be permitted by State statute:

A. Any underage person who consumes or possesses an alcoholic beverage in connection with a religious observance, ceremony or rite or consumes or possesses 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.

B. Any underage person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the Revised Statutes 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 educational institution.

1. This section shall not be construed to preclude the imposition of a penalty under section 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 premises licensed for the sale of alcoholic beverages.

Violations and Penalties

Except as may be provided in N.J.S.A. 33:1-1 et seq., any person who violates any provision of this ordinance shall, upon conviction thereof, be punished by a fine not exceeding five hundred dollars (\$500.00) or by a period of community services for not more than forty (40) hours, or any combination thereof.

Section 2. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3. If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

Section 4. This ordinance shall take effect 20 days after final passage and publication according to law.

NOTICE

The above entitled Ordinance was introduced and passed at first reading by the Lafayette Township Committee at a meeting held on September 6, 2016 and after publication and a public hearing was finally adopted by the Lafayette Township Committee at a meeting held on October 4, 2016.

Mayor:

Municipal Clerk: