

AN ORDINANCE AMENDING CHAPTER 3 OF THE  
LAWRENCE TOWNSHIP ADMINISTRATIVE CODE  
ENTITLED "ALCOHOLIC BEVERAGES"

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 3 of the Lawrence Township Administrative Code entitled "Alcoholic Beverages" be and is hereby amended by addition of the following new section:

Section I

**Section 3-33 Prohibition of Underage Drinking on Private Property**

**Definitions.**

"**Guardian**" means a person who has qualified as a guardian of the underage person pursuant to testamentary or court appointment.

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

**Section 3-33.1** Possession, consumption of alcoholic beverages by persons under legal age on private property prohibited.

It shall be unlawful for any person who is under the legal age to purchase alcoholic beverages, to knowingly possess without legal authority or knowingly consume any alcoholic beverage on private property.

**Section 3-33.2 Violations and Penalties.**

Any person convicted or adjudicated for violating the terms of this ordinance shall be subject to the following fines:

- 1) First offense- \$250.00
- 2) Second or subsequent offenses - \$350.00

- 3) In addition, the court may, upon a finding of guilty, in addition to the fine authorized for this offense, suspend or postpone for six (6) months the driving privileges of the defendant. Upon 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 seventeen (17) years. If the defendant at the time of the imposition of the sentence has a valid driver's license issued, 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.
- 4) 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 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 in writing the 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.
- 5) If the person convicted under this ordinance is not a New Jersey resident, the court shall suspend or postpone, as appropriate, the non-resident driving privilege of the person based on the age of the person and submit to the Division of Motor Vehicles the required report. The court shall not collect the license of a non-resident convicted under this Article. Upon receipt of a report by the court, the Division of Motor Vehicles shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

### **Section 3-33.3 Exceptions.**

- 1) Beverage consumption 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.

- 2) This ordinance shall not prohibit the possession of alcoholic beverages by any underage person while actually engaged in the performance of employment by a person who was 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; however, this ordinance shall not be construed to preclude the imposition of a penalty under this Section, N.J.S.A. 33:1-81, or any other section of the law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

#### Sectiond II. Repealer

All ordinances or parts of same inconsistent with any of the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

#### Section III. Severability.

If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason, the remaining portions of said ordinance shall not be affected thereby and shall remain in full force and effect.

#### Section IV. Effective Date.

This ordinance shall become effective twenty (20) days after adoption thereof.

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Adopted: November 8, 2000