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# Borough of North Arlington, NJ

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## ARTICLE VI. Consumption by Underage Persons on Private Property

[Added 6-4-2002 by Ord. No. 1850]

### § 83-40. Definitions.

As used in this article, the following terms shall have the meanings indicated:

#### GUARDIAN

A person who has qualified as a guardian of the underaged person pursuant to testamentary or court appointment.

#### RELATIVE

The underaged person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity. All persons included herein as a "relative" shall be 21 years of age or older.

#### LEGAL AGE

The legal age to purchase alcoholic beverages in North Arlington, New Jersey, which is 21.

### § 83-41. Consumption or possession by underage persons prohibited.

Notwithstanding anything to the contrary contained in this Chapter [83](#), it shall be unlawful for a person under the legal age to knowingly possess or consume alcoholic beverages on private property in the Borough of North Arlington.

### § 83-42. Exceptions.

Exceptions to this article shall be:

A. Any person under the legal age who is engaged in the employment of a licensed establishment, place or business which serves alcoholic beverages and who is required to deliver or place alcoholic beverages on display.

B. Any person under the legal age who possesses or consumes alcoholic beverages in connection with a religious observance, ceremony or rite or who 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.

### § 83-43. Violations and penalties.

A. Any person who violates this article shall be subject to a fine of \$250 for a first offense and \$350 for any subsequent offense and in addition to such fines, the court may suspend or postpone for six months the driving privilege of the defendant. The court may also, in its discretion, require the performance of community service for a period not to exceed 30 days.

B. The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during a period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. A person 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 a 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 DMV the required report. The court shall not collect the license of a nonresident convicted under this article. Upon receipt of a report by the court, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

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