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Township of Nutley, NJ

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ARTICLE III. Possession or Consumption by Persons Under Legal Age on Private Property
[Adopted 6-5-2001 by Ord. No. 2682 (Ch. 70, Art. III, of the 1978 Code)]

§ 210-24. Definitions.

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

ALCOHOLIC BEVERAGE

As defined in the New Jersey Alcoholic Beverage Law, N.J.S.A. 33:1-1.

DIVISION

The New Jersey Division of Motor Vehicles.

GUARDIAN

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

RELATIVE

The underage person's grandparent, aunt, uncle, sibling or any other person related by blood or affinity.

UNDERAGE PERSON

A person under the age of 21 years.

§ 210-25. Prohibition.

Except as set forth in § [210-26](#), it shall be unlawful for any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property.

§ 210-26. Exceptions.

Nothing herein shall prohibit a person under the legal age from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite or from 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 to consume alcoholic beverages.

§ 210-27. Violations and penalties.

Upon the conviction of any person for a violation of this article the court shall impose a fine of \$250 for a first offense and \$350 for any subsequent offense. In addition to the fine, the court may suspend or postpone for six months the driving privilege of the defendant.

§ 210-28. Administrative procedures.

Upon the conviction of any person and the suspension or postponement of that persons driver's license, the court shall forward a report to the Division stating the first and last day of the suspension or postponement period imposed by the court pursuant to this article. If a person at the time of the imposition of the 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 vehicle, 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 a person has a valid driver's license issued by New Jersey, the court shall immediately collect the license and forward same to the Division along with the report hereunder. If for any reason the license cannot be collected, the court shall include in the report the complete name, 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. The court shall inform the person orally and in writing that if such 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. 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 defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.

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