
PUBLIC NOTICE

**OFFICE OF THE CITY CLERK
RAHWAY, NEW JERSEY
CORPORATION NOTICE**

NOTICE IS HEREBY GIVEN that the following Ordinance was duly adopted on final reading at a Regular Meeting of the Municipal Council of the City of Rahway on December 11, 2000.

**ORDINANCE - CITY OF RAHWAY, NEW JERSEY
O-61-00**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE CITY OF
RAHWAY TO CREATE A NEW SECTION 69-15 REGULATING THE POSSESSION AND
CONSUMPTION OF ALCOHOLIC BEVERAGES ON PRIVATE PROPERTY BY PERSONS
UNDER LEGAL AGE**

BE IT ORDAINED by the Municipal Council of the City of Rahway, County of Union and State of New Jersey, as follows:

Section 1. That Chapter 69, Alcoholic Beverage Control of the Code of the City of Rahway be and is hereby supplemented to add a new Section 69-15 entitled "Possession and Consumption of Alcoholic Beverages by Persons Under Legal Age Prohibited on Private Property" as follows:

**69-15 POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES BY
PERSONS UNDER LEGAL AGE PROHIBITED ON PRIVATE PROPERTY**

69-15.1 Definitions. The following definitions shall apply:

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

Relative means an underaged person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity.

69-15.2 Prohibition. 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 within the City of Rahway.

69-15.3 Violation and Penalties. Any person found guilty of violating the terms of this Section shall be subject to a fine of \$250.00 for the first offense and a fine of \$350.00 for any subsequent offense. In addition to the fine authorized for this offense, the court may, upon a finding of guilty, suspend or postpone for six months, the driving privileges of the violator, in accordance with, and in the manner provided in P.L. 2000, c.33.

69-15.4 Exceptions.

- A. This Section shall not prohibit an underage person from consuming or possessing an alcoholic beverage 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.
- B. This Section shall not prohibit the possession of alcoholic beverages by any person under the legal age while such person is lawfully engaged in the performance of employment by a person who is licensed under Title 33 of the New Jersey 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 Section shall not be construed to preclude the imposition of a penalty under this Section N.J.S.A. 33:1-81, or under any other section of existing ordinances or laws against a person who is convicted of unlawful alcoholic beverage activity on or in a premises licensed for the sale of alcoholic beverages.

ORDINANCE NO. 05-17

**AN ORDINANCE OF THE BOROUGH OF POMPTON LAKES
PROHIBITING THE POSSESSION AND CONSUMPTION OF ALCOHOLIC
BEVERAGES BY UNDERAGE PERSONS**

WHEREAS, New Jersey P.L. 2000, Chapter 33 signed into law on June 28, 2000, permits municipalities to enact Ordinances prohibiting possession or consumption of alcoholic beverages on private property by underage persons; and

WHEREAS, the Mayor and Council of the Borough of Pompton Lakes have concluded that the implementation of this law within the Borough of Pompton Lakes will provide a benefit to the health, safety, and welfare of the residents of the Borough of Pompton Lakes; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey as follows:

Consumption of Alcohol by Persons Under the Legal Age on Private Property

Consumption by Underage Persons

A. It is unlawful for any person under the legal age, who, without legal authority, knowingly possesses, or knowingly consumes an alcoholic beverage on private property.

B. The prohibitions described herein shall not prohibit an underage person from consuming or possessing an alcoholic beverage 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.

C. As used in this section, "guardian" means a person who has qualified as a guardian of the underage person pursuant to a testamentary or court appointment, and "relative" means the underage person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity.

D. Nothing contained in this Article shall prohibit possession of alcoholic beverages by any such underage person while actually engaged in the performance of employment by a person who is licensed under Title 33 of the revised statutes of the State of New Jersey, or while actively engaged in preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school, or post secondary educational institution; however, nothing in this section shall be construed to preclude the imposition of penalty under this section, R.S. 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.

Penalties

A. Any violation of this Article shall be punished by a fine of \$250.00 for a first offense, and \$350 for any subsequent offense.

B. In addition to the fine authorized for this offense, the court may suspend or postpone for six months the driving privilege of the defendant. Upon the conviction of any person, 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 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 17 years.