

**VILLAGE OF RIDGEFIELD PARK
COUNTY OF BERGEN
ORDINANCE NO. 01-06**

**AN ORDINANCE AMENDING CHAPTER 71
TO PROHIBIT THE POSSESSION OR CONSUMPTION
OF ALCOHOLIC BEVERAGES BY PERSONS UNDER THE
LEGAL AGE IN THE VILLAGE OF RIDGEFIELD PARK**

WHEREAS, New Jersey P.L.2000, Chapter 33 approved 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 Village of Ridgefield Park determines that implementation of this law by public ordinance is in the public interest.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of the Village of Ridgefield Park as follows:

Section I. Chapter 71 of the Municipal Code of the Village of Ridgefield Park is hereby amended by the addition of a new Article IV entitled "Consumption by Persons Under the Legal Age" to read as follows:

Consumption by persons under the Legal Age.

- (1) No person shall offer or serve any alcoholic beverage to a person under legal age in any public or quasi-public place within the Village of Ridgefield Park. No person who has ownership or control of any premises, whether public quasi-public, or supervision of any event, shall permit, suffer or allow the consumption of an alcoholic beverage by a person under legal age in or upon any premises or at any event within the Village of Ridgefield Park.
- (2) It is unlawful for any person under the legal age to consume alcohol, to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on private property.
- (3) The prohibition contained in section (2) shall not prohibit an underaged 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.

- (4) As used in this section "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 or uncle, sibling, or any other person related by blood or affinity.
- (5) Nothing contained in this Article IV shall prohibit possession of alcoholic beverages by any 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 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, nothing in this section shall be construed to preclude the imposition of a 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.

Section II: Chapter 71 of the Code of the Village of Ridgefield Park is hereby amended by the addition of new subsection entitled "Penalties" to read as follows:

Penalties

- (1) Any violation of Article IV shall be punished by a fine of \$250.00 for a first offense and \$350.00 for any subsequent offense.
- (2) 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, any 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 imposed by the court pursuant to this section. If a person at the time of the imposition of sentence is less than 17 years of age, the period 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.
- (3) If a person at the time of the imposition of a sentence has a valid driver's license issued by this State, 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 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 license suspension or postponement, the person shall be subject to the penalties set forth in R.S. 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 R.S. 39:3-40.
- (5) If the person convicted under such an 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 the non-resident convicted under this section. 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 III:

Severability

- (1) It is hereby declared to be the intention of the Board of Commissioners that the actions, paragraphs, clauses and phrases of this ordinance, when adopted, are severable, and if any sections, paragraphs, clauses, sentences or provisions of this ordinance as adopted shall be declared unconstitutional or otherwise invalid, same shall not affect any of the remaining sections, paragraphs, clauses and phrases of this ordinance.

Section IV:

Repealer.

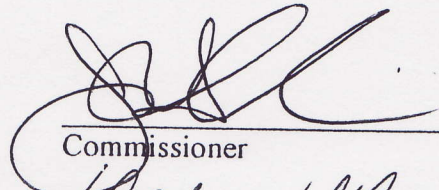
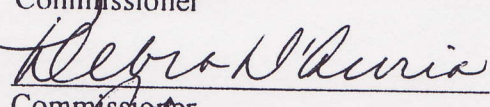
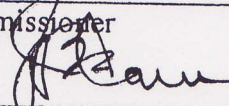
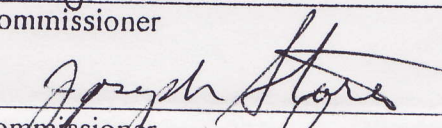
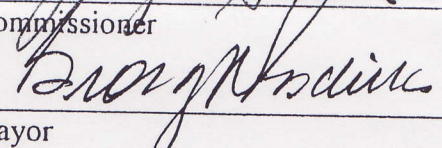
- (1) Any and all ordinances or parts thereof in conflict or inconsistent with any terms and provisions of this ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

Section V:

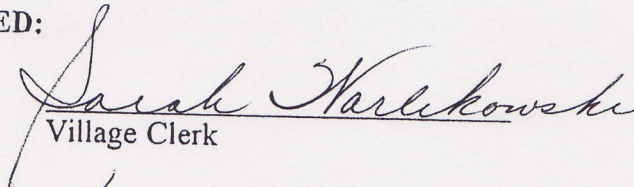
Effective Date.

- (1) This ordinance shall take effect immediately upon final passage publication and posting in the manner prescribed by law.

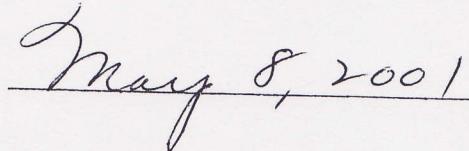
APPROVED:


Commissioner

Commissioner

Commissioner

Commissioner

Mayor

APPROVED:


Village Clerk

DATE:


May 8, 2001